2019

ANNUAL REPORT

Making law work for people, places, and the planet.

50th ANNIVERSARY
ENVIRONMENTAL LAW • INSTITUTE®

A MESSAGE FROM THE PRESIDENT AND CHAIRMAN

Scott Fulton
President

Benjamin F. Wilson
Chairman of the Board

A proud past, a compelling future—that is the crossroads at which ELI now stands. This year, the U.S. Environmental Protection Agency celebrates its 50-year history, a period during which our nation's air, land, and water markedly improved. Like EPA and the American people as a whole, ELI can look back with great pride upon those 50 years of progress. Over those crucial years when the major U.S. legal commitments were adopted and their details worked out amid intense controversies and lawsuits, ELI emerged as a leading research, education, and publication center serving the full range of environmental professionals, from novices to leaders in the field, and as a key meeting place for ideas. That's the proud past upon which ELI will build.

Today, with our December 22, 2019, Golden Anniversary celebration behind us, ELI has a firmly established global reputation as a non-partisan, objective source of analysis, advice, and knowledge. Amid seemingly intractable polarization in the United States and many other nations, ELI's commitment to making law work for people, places, and the planet is needed more than ever. Climate change, habitat and biodiversity loss, rising demands for limited water, wasteful use of limited resources, degradation of our oceans—so much is at stake. Our future challenges are powerfully compelling and will require innovative thinking, especially in the wake of events like the coronavirus pandemic that currently has the world in a stranglehold.

During 2019, even as we celebrated our past, ELI had a record-breaking year in terms of the educational and convening programs it brought forward to help address the complex challenges we all face now and into the future. For each month of 2019, our special events, programs, and publications centered around a major theme that engaged ELI's expertise over the years and continues evolving in new and exciting ways. For example, in January, pollution control—the hallmark of our major environmental statutes—was the focus of our seminars on the Circular Economy: Extracting Value Through New Business Models and Technologies and Pollution Prevention and Rethinking "Waste." Other themes included Re-Imagining Environmental Governance, The Role of Law in Climate Response and Energy Transformation, and Navigating NEPA 50 Years Later: The Past, Present, and Future.

With our unflagging attention to consequential environmental trends, ELI hosted an inaugural conference: "GreenTech 2019: Innovating Environmental Protection for the Future." The entire landscape of environmental protection is being transformed by the proliferation of artificial intelligence, digital sensors, big data, blockchain, 3D printing, satellite and drone sensing of the Earth, and many other technology dimensions, and ELI will continue illuminating the implications of these revolutionary developments for environmental law and governance. We're already planning GreenTech 2021 to be held next year in Seattle, Washington.

Informed in part by the GreenTech exploration, ELI engaged in a process of Reimagining Environmental Law in partnership with George Washington University Law School. This deliberation began with a March gathering of a group of leading thinkers at the Wingspread Retreat Center in Racine, Wisconsin, and culminated in another gathering of experts at the Airlie House conference center in Northern Virginia—the site of the historic gathering that had led to ELI's formation 50 years earlier. The thinking harvested from these key convenings promises to inform the shape of ELI's work and the work of environmental protection for many years to come.

No future environmental progress can discount the importance of China, with its growing 1.4 billion population. Working with partners through our award-winning China International Business Dialogue on Environmental Governance, ELI helped inform policy and guidance developments in China that will equip environmental regulators to do their important work while also helping companies ensure compliance. But it's such an interconnected world we live in, as evidenced by the coronavirus pandemic. That's why ELI programs in 2019 advanced environmental law in Indonesia, Africa, Asia, and Latin America, and over the years have touched every continent.

In a fitting start to 2019, the landmark *First Global Report on the Environmental Rule of Law,* which ELI developed for the United Nations Environment Program, was published in January. The report documented the growth of environmental laws following the 1972 United Nations Conference on the Human Environment to the point where, as of 2017, 176 countries have environmental framework laws that have helped slow and, in some cases, reverse environmental degradation. But, implementation and enforcement too often fall far short of what is required, the report found, making ELI's work in building capacity in these areas all the more essential.

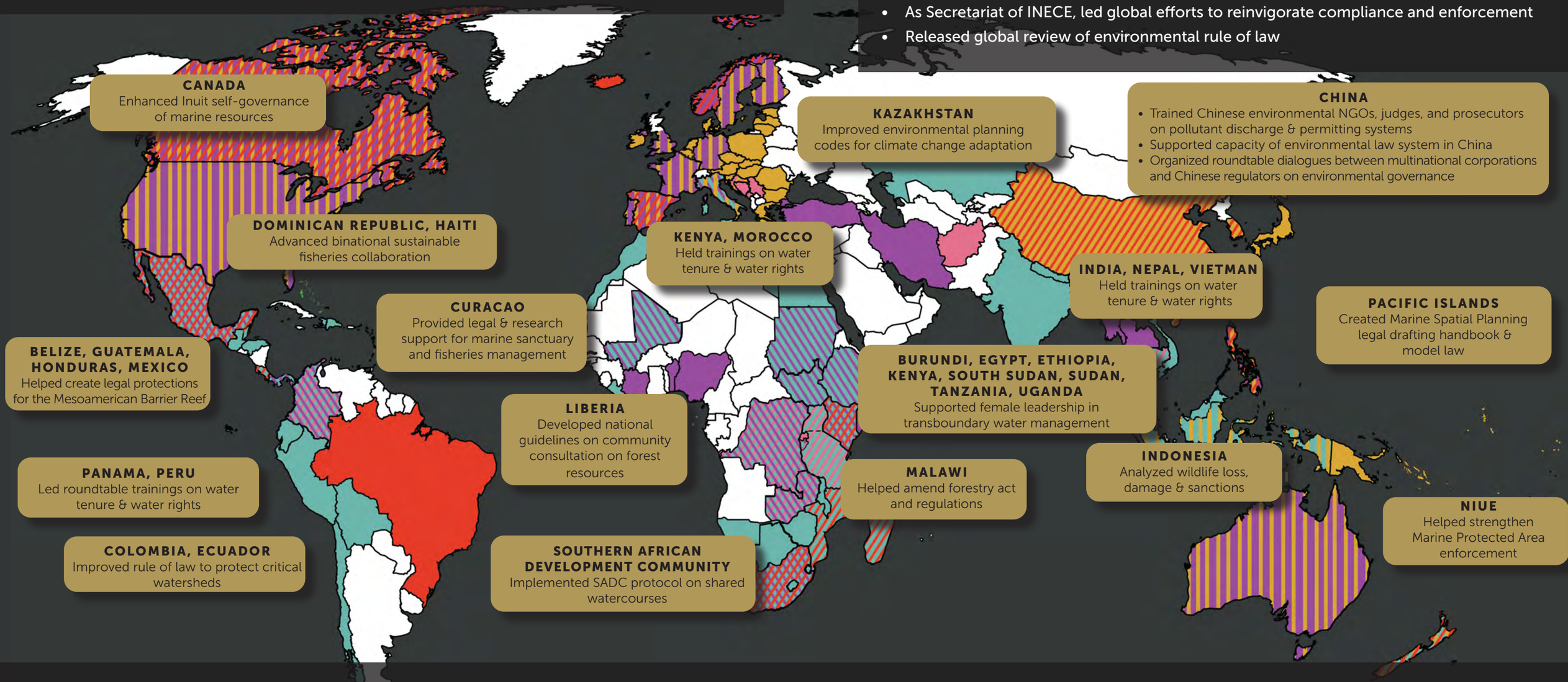
Clearly, whether here in the United States or in the many countries where ELI has projects and programs, there will be plenty of work to be done in the coming 50 years. With heartfelt thanks to our partners past and present, we look forward to joining together to build a proud future for us all.

Airlie House Conference Center

INTERNATIONAL WORK IN 2019

WORLDWIDE

- Established environmental and social framework for World Bank borrowers
- As Secretariat of INECE, led global efforts to reinvigorate compliance and enforcement
- Released global review of environmental rule of law



- **Examined conflict sensitivity in Global Environment Facility countries** *Afghanistan, Bosnia & Herzegovina, Burundi, Cambodia, Colombia, Croatia, Democratic Republic of the Congo, Lebanon, Mali, Montenegro, Rwanda, Serbia, Tanzania, Uganda, Zambia*

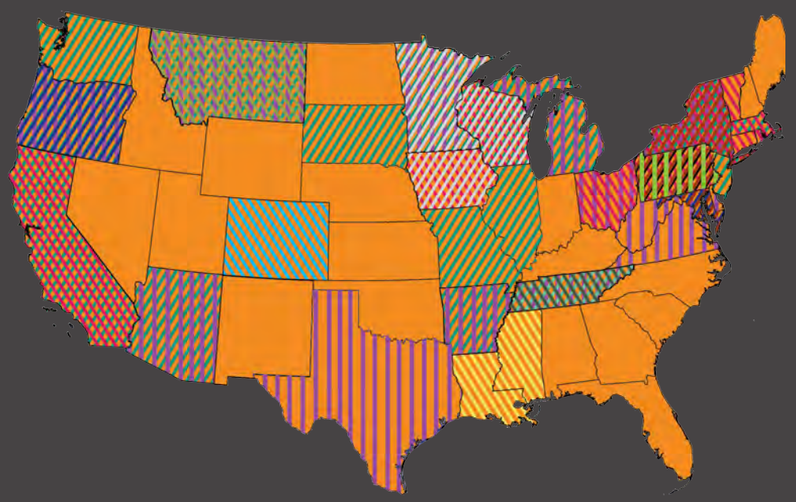
- **Empowered women and improved gender equality in environmental peacebuilding** *Australia, Benin, Burundi, Canada, Colombia, Cyprus, Democratic Republic of the Congo, Ethiopia, Fiji, Finland, France, Germany, Haiti, Iran, Israel, Italy, Ivory Coast, Kenya, Maldives, Mali, Mexico, Myanmar, Nigeria, Norway, Panama, Philippines, Portugal, Somalia, South Africa, South Sudan, Spain, Sudan, Sweden, Thailand, Turkey, United Kingdom, United States, Zambia*

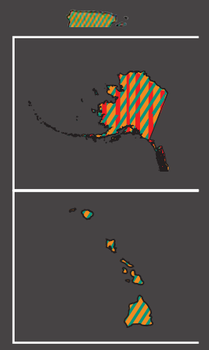
- **Strengthened shark and ray conservation** *Australia, China, Canada, Cook Islands, European Union, Federated States of Micronesia, Fiji, France, Indonesia, Japan, Kiribati, Republic of Korea (South Korea), Republic of Marshall Islands, Nauru, New Zealand, Niue, Palau, Papua New Guinea, Philippines, Samoa, Solomon Islands, Chinese Taipei, Tonga, Tuvalu, United States, Vanuatu*

- **Advanced sustainable small-scale fisheries** *Bahamas, Bangladesh, Barbados, Belize, Brazil, Canada, China, Costa Rica, Fiji, Iceland, Kenya, Madagascar, Mexico, Mozambique, New Zealand, Niue, Norway, Philippines, South Africa, Republic of Korea (South Korea), Spain, St. Lucia*

- **Other ELI place-based work**

WORK IN THE U.S. IN 2019





- ELI NATIONAL WORK
  - Strengthened indoor air quality policies and practices
  - Optimized the integration of social and economic impacts into agency decisionmaking under NEPA
  - Improved compensatory mitigation project review, in-lieu fee program implementation, and science-based stream mitigation
  - Raised awareness of the energy and environmental impacts of the digital economy
  - Increased stakeholders' understanding of ocean and coastal law and policy
  - Improved Clean Water Act management, implementation, and data-sharing via multi-day training workshops
  - Integrated wetland restoration priorities into state and local hazard mitigation plans

- Enhanced Inuit self-governance of marine resources (AK)
- Provided judicial training on climate science (AK, AR, AZ, CA, DC, HA, IL, MA, MI, MN, MO, MT, NJ, NY, NMI, OR, PR, SD, WA, WI)
- Improved water quality via capital improvement policies (AR, AZ, DC, DE, MD, MI, MN, MT, NY, OH, OR, PA, RI, TN, TX, VA, WV)
- Made the business case for food co-digestion in wastewater resource recovery facilities (CA, CT, IA, MA, NY, OH, PA, RI, VT & National)
- Identified digital technology water solutions for the Colorado River Basin (CO)
- Curbed agricultural runoff via innovative financing mechanisms (IA, IL, MN, WI)
- Helped communities better understand and engage in Deepwater Horizon restoration (LA, MI)
- Helped identify gaps in and offered improvements to state and federal laws regarding ocean resources and uses (MD, OR)
- Analyzed differing structural scenarios to improve water quality in the Conowingo watershed (MD, NY, PA)
- Trained farmers, state and tribal stakeholders, and nonprofits about the integration of water quality and quantity management (MT)
- Created and operated a shale gas knowledge hub (PA)
- Analyzed solar development on former mine land (PA)
- Promoted food waste reduction in Nashville (NRDC Project) (TN)
- Performed independent audit of stream mitigation program (TN)

Map of United States of America with States - Outline by FreeVectorMaps.com

ELI BY THE NUMBERS

5,114 ELI research reports downloaded in 2019

50 years since ELI was formed on December 22, 1969—the same day Congress passed NEPA

13,532 downloads of People Places Planet Podcast in 2019

2,377 members in 2019

68 *ELR* articles published in 2019—2,983 in total

countries where ELI advanced environmental law & policy in 2019

107

1 *ELR*'s ranking by Washington & Lee Law Journal Rankings (global, peer-reviewed)

68 blogs written by ELI staff, board members, Leadership Council, and members in 2019

177

218 recipients of the National Wetlands Awards since 1989

35 U.S. states and territories where ELI advanced environmental law & policy in 2019

194 cases added to *ELR*'s collection in 2019—13,247 in total

137 workshops, educational seminars, webinars, conferences, and other events attended by 11,823 people in 2019

CELEBRATING OUR 50TH ANNIVERSARY,

LOOKING BACK, FACING FORWARD

ELI's logo 50 years ago.

ELI's history featured in the Golden Anniversary issue of *The Environmental Forum*.

In his 1888 bestselling novel, *Looking Backward: 2000-1887,* Edward Bellamy tells of a young American who falls asleep and 113 years later wakes up in the year 2000 to a totally transformed Boston.

In the 50 years since ELI's incorporation on December 22, 1969—the same day Congress enacted the National Environmental Policy Act—much has happened to transform the environmental policy landscape and advance NEPA's vision of a "productive and enjoyable harmony" between humanity and nature. As recounted in the special November-December 2019 edition of T*he Environmental Forum*, environmental law and ELI have grown up together ever since, shaping environmental law and policy not just here in the United States, but around the globe.

To mark our Golden Anniversary celebration, last year ELI focused our programs on a different theme each month, both looking back at the decades of change and looking forward to the unfolding future. Starting in January, for example, we took up the theme Pollution Prevention and Rethinking "Waste," which included a seminar on the recently emerging concept of a "circular economy" in which technologies and new business models are converting "waste" into valuable materials. Transformational innovation in this area could, 113 years from now, make the world's economies unrecognizable. In March, several events highlighted the theme of Re-Imagining Environmental Governance, including a webinar on the United Nation's Resolution 72/277, "Towards a Global Pact for the Environment," that would codify an internationally agreed-upon set of principles of environmental law developed by an international network of environmental lawyers and legal scholars. We closed the year with a well-attended special 50th anniversary conference and webinar on "Navigating NEPA 50 Years Later: The Past, Present, and Future," in which ELI and co-sponsor Dentons US LLP brought together top experts for a daylong review of NEPA's successes and challenges and to explore possible revisions to modernize the "Magna Carta" of U.S. environmental law.

Also in January 2019, ELI launched its "People Places Planet Podcast" to provide the public, environmental practitioners, and our members with cutting-edge, thought-provoking conversations about current issues central to environmental law and governance. The podcasts, downloaded 13,532 times in 79 countries, covered a variety of timely topics, such as environmental policies in the Trump era; deep decarbonization; environmental justice; and the air, water, pesticides, and other challenges facing the emerging cannabis sector. ELI's Innovation Lab delivered a series of podcasts, Conversations With Environmental Disruptors, where we spoke to entrepreneurs, inventors, government officials, and other innovators to explore scientific breakthroughs, new technologies, policies, and other key catalysts that will inevitably reshape the future of sustainability. Another People Places Planet Podcast series, The General Counsels' Opinions, featured former EPA General Counsels who shared their first-hand insights on their experiences as the agency's legal leaders.

Observing the advancement of technologies that are radically reshaping the economy and raising far-reaching possibilities and potential issues for both the United States and global environmental protection systems, ELI's Innovation and Governance programs explored the diverse strategies governments, businesses, NGOs, and others are bringing to bear on existing and emerging environmental challenges. There is available a greater array of strategies than at any time in our history, a situation we explored in our widely circulated report, *A New Environmentalism: The Need for a Total Strategy for Environmental Protection*. In our best tradition, to more clearly understand what is happening with technology, in October ELI brought together diverse experts for our inaugural 2019 GreenTech conference .

Our increasingly unpredictable environment brings with it unique challenges for corporate Environment, Health, and Safety (EHS) and sustainability professionals working to achieve cost and efficiency gains, mitigate risks and ensure compliance, and advance larger social and community goals. ELI's Corporate In-House Counsel and EHS Officers Council met throughout 2019 to discuss a number of emerging issues relevant to their field, including environmental auditing, the global supply chain, and PFAS regulation. And just as the substance of environmental law has changed dramatically over the last 50 years, so too has the profession. Now more than ever, it is important for the environmental law community to establish working relationships, stay connected, and lift each other up personally and professionally. ELI's Women in Environmental Law & Leadership (WELL) held a number of networking and professional development opportunities in 2019 to support and advance women leadership in the ELI community, and in the environmental law and policy field more broadly.

As part of our preparations for the coming era of environmental challenges, in 2016 we developed a five-year ELI Vision 2021 to clarify how we might best "build upon our constructive platform for bridging differences across economic interest and policy divides and finding meaningful solutions that allow environmental law to evolve and be leveraged." As our vision stated, "We see a world contending with new challenges on a grand scale, while much of the implementation work of the past remains unfinished." As we celebrate what has been accomplished in the past, we know full well that the next 50, or 113, years will demand of ELI and all of us a clearsighted commitment, both passionate and dispassionate, to finding sustainable solutions.

ILLUMINATING BIG DOMESTIC **CHALLENGES** AND WORKABLE **SOLUTIONS**

Central to ELI's approach to helping advance environmental progress is our ability to bring together top experts to analyze the most pressing actual and potential environmental problems and to disseminate the experts' best thinking to illuminate paths forward. In 2019, five outstanding examples of such work contributed to the understanding of increasingly urgent and complex issues.

- In March, ELI Press released *Legal Pathways to Deep Decarbonization in the United States*, a legal "playbook" that identifies well over 1,000 options that federal, state, and local laws as well as private governance could deploy to reduce U.S. greenhouse gas emissions by at least 80% from 1990 levels by 2050. *Legal Pathways* influenced programming throughout the balance of the year, including the Reimagining project discussed below and the Keare and Corporate forums at the annual dinner that focused, respectively, on pathways for nuclear and renewable energy in a carbon-sensitive world. *Legal Pathways* was also the subject of Episode 9 of our People Places Planet Podcast.

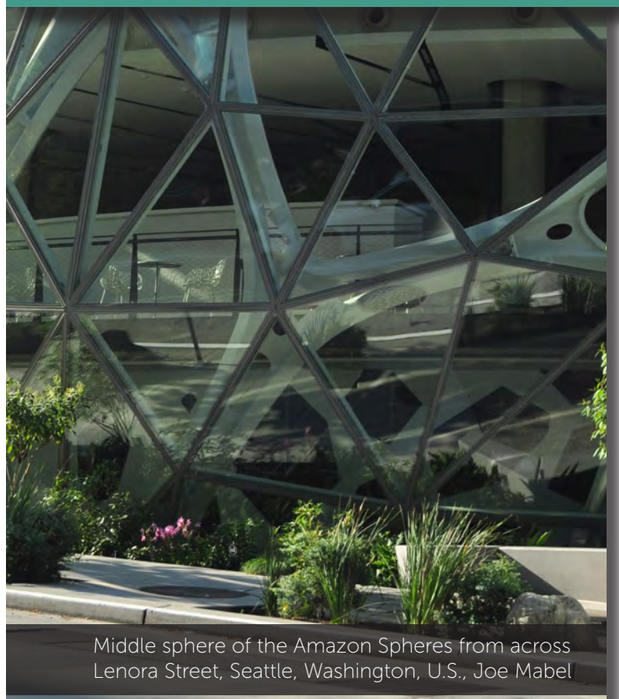
- Also in March, building on an important 2018 report, *Blockchain Salvation*, ELI's Project on the Energy and Environmental Implications of the Digital Economy created a new free online "inventory of blockchains" to guide policymakers through the minefield of apocalyptic predictions and optimistic hype about blockchain technology whose environmental implications are unclear but could be profound. The inventory is searchable by category (e.g., energy, climate, food, supply chain, land tenure, genetic resources, waste, or water), type (e.g., app, token, protocol), and status (e.g., public, private, permissioned, or hybrid).

- In April, ELI's Innovation Lab published three factsheets about the emerging cannabis industry, demystifying the confusing regulatory landscape of pesticide use on cannabis with *A History of EPA's Regulation of Pesticide Use on Cannabis*; *Pesticide Compliance in the Cannabis Industry*; and *Pesticide Use in the Cannabis Industry*.

- In May, ELI Press published *Beyond Zero-Sum Environmentalism*, in which leading authors tackled the long-standing and influential arguments that environmental protection inevitably entails trade offs between incompatible ends. The "zero-sum frameworks" pit jobs versus the environment, markets versus regulation, enforcement versus incentives, and are seen clearly in many zero-sum environmental and natural resources policies that seemingly conceive of a world in which there are only winners and losers, not win-win solutions.

- In November, ELI gathered a group of leading thinkers at the Airlie House conference center in Northern Virginia—the site of the gathering that led to ELI's formation 50 years earlier. This meeting built on a collaboration between ELI and George Washington University Law School around the idea of Reimagining Environmental Law that began with another convening of experts at the Wingspread Retreat Center in Racine, Wisconsin, in March. Reports on the Airlie House and Wingspread meetings can be found on the ELI website.

GREENTECH: ENVISIONING THE ENVIRONMENTAL FUTURE



Middle sphere of the Amazon Spheres from across Lenora Street, Seattle, Washington, U.S., Joe Mabel

It is only recently that such questions as these could conceivably make sense:

> *"What impacts do e-services such as cloud computing and blockchain have on our environment, and how can we reduce their energy and environmental footprints?"* or *"How can new capacity to monitor environmental conditions from space, drones, and ground level reshape environmental behaviors and governance systems?"* or *"How can sensing, artificial intelligence, biotechnology, and other emerging technologies be used in the agricultural sector?"*

At the October 1-3 conference in Seattle, Washington, GreenTech 2019—Innovating Environmental Protection for the Future, ELI and our collaborators brought together leaders from Amazon, Intel, Google, Microsoft, First Solar, BNSF, EPA, USAID, the Land Institute, C2ES, and other centers of innovation to offer concrete insights into how those questions are being answered at the cutting-edge of technology.

E-services are a significant part of the services sector that now accounts for 80 percent of our GDP and exemplify what many describe as the digital 4th industrial revolution. Inevitably, evolving digital technologies and the possibilities enabled by recent advances in genetics and biotechnology will steadily reshape our vision of the environmental future and raise a multitude of legal, policy, and regulatory issues. As we have for the past 50 years, ELI will bring together thought leaders to work through the implications of new developments and prepare future lawyers to effectively navigate the legal complexities. We are already planning the exciting program for GreenTech 2021 to further envision our emerging environmental future.

Fostering Global Environmental Expertise

CIBDEG roundtable held at the China Environmental Protection Foundation in August 2019. Photo courtesy of Zhuoshi Liu.

Countries where ELI works with governments, nongovernmental or community groups, and the business community have steadily grown in number since our beginnings in 1969. That's not surprising, given the worldwide impact of environmental issues and ELI's reputation for unbiased, objective expertise. But as detailed in the January 2019 report that ELI worked on with UN Environment, *Environmental Rule of Law: First Global Report,* despite a 38-fold increase in environmental laws since 1972, a lack of full implementation of and compliance with these laws poses major challenges to reducing pollution, preventing widespread species and habitat loss, and addressing climate change.

In China, ELI's work with Latham & Watkins and China's Policy Research Center for Environment and Economy on the China International Business Dialogue on Environmental Governance (CIBDEG) won the 2019 *Financial Times* Innovation Award for "Collaboration." Our CIBDEG work has, among other things, informed the development of policies and guidance in China that should help environmental regulators do their jobs and also help companies doing business in China to ensure compliance.

In June, as part of an ongoing research project on the regulatory implementation of sustainable small-scale fishing policies, ELI convened a workshop in Coruña, Spain, that highlighted pathways to effective small-scale fisheries co-management and legal frameworks for sustainable coastal fisheries. The workshop took a regional perspective, with sessions on countries including Chile, Portugal, Spain, and Mozambique.

In Africa's 11-nation Nile Basin, ELI's Jessica Troell, Director of our International Water Program and our Africa Program, last year continued her work to ensure meaningful engagement of women in transboundary water governance through the Women and Water Diplomacy in the Nile, or WIN, network. Drawing from global efforts to tackle discriminatory cultural norms, educational inequities, workplace bias, and gaps in legal and institutional frameworks, in August, during World Water Week, Ms. Troell was in Stockholm, Sweden, where she shared findings from the first international comparative assessment of the extent to which 39 national-level legal frameworks across 15 Asian, African, and Latin American countries recognize the freshwater rights of indigenous peoples and local communities, as well as the specific rights of women to use and govern community waters, issues of far-reaching and still-evolving significance for people, places, and the planet.

Of course, where there's a hunger for expert environmental insights, ELI nourishes that need. Our flagship publication, *ELR—The Environmental Law Reporter*, which entered its 50th year of continuous environmental law and policy coverage in 2020, added over 60 articles and 194 cases to our highly cited collection in 2019 alone. In addition, 299 of ELI's research reports had 4,875 unique downloads in 2019, and our 87 educational programs were attended by 11,823 people. A history and inside look at the full range of work we do at ELI is perhaps best illustrated in the Golden Anniversary issue of *The Environmental Forum*, released in November 2019.

Participants visited Goat Island Discovery Centre as part of the Marine Spatial Planning workshop in New Zealand. Photo courtesy of the Waitt Institute.

From Streams to Oceans, Building Our Blue Planet's Protection

Any list of the problems facing rivers, wetlands, streams, and oceans can seem daunting: plastics, pollution, impaired coral reefs and other habitat destruction, ocean acidification, overfishing, growing competition for water use—the tally could go on. But so too could the list of legal and scientific efforts to protect and restore our planet's precious waters—including important efforts that ELI, along with our partners, pursued in 2019.

- In August, ELI hosted the final in a 10-part series of webinars on the policy, practice, and science of stream compensatory mitigation, which can deliver significant ecological benefits. The panelists ELI convened reviewed highlights from the series and engaged in a forward-looking discussion on the challenges, needs, and opportunities for improving the practice of restoring lost wetland and aquatic resource functions in watersheds.
- In September, in partnership with the Blue Prosperity Coalition, the International Union for Conservation of Nature, and the non-profit Waitt Institute that works with island governments, ELI held a Marine Spatial Planning workshop in Auckland, New Zealand, to strengthen the capacity of island and coastal states to draft effective, locally appropriate marine spatial planning laws.
- In October, at the Our Ocean 2019 conference in Oslo, Norway, ELI's Ocean Program Director Xiao Recio-Blanco announced that ELI will work to fill a void in fisheries laws and regulatory frameworks by developing publicly available, model legal language that governments around the world can use to promote a sustainable fisheries sector.
- In November, ELI and Water Foundry released Digital Technology Opportunities for the Colorado River Basin. At 6 million years old, the Colorado River Basin is in trouble, providing 1 in 10 Americans some if not all of their drinking water but also now among the world's water-stressed regions facing the environmental, economic, and social challenges of increased water scarcity. But given its vital importance, a great deal of effort is going into finding cutting-edge solutions. The report profiles the basin as a strategic "testbed" offering the potential for emerging digital technologies to address the water quality and quantity challenges faced by public and private entities in the Basin.

MEETING JUDGES' CHANGING NEEDS:
ELI's Climate Judiciary Project

With the number of lawsuits related to climate change growing, and with the executive and legislative branches of the federal government not bringing forward comprehensive solutions to the climate challenge, federal, state, and local judges have been increasingly drawn into the complex controversies involving uncharted legal issues and rapidly evolving science. Faced with the growing need for an objective understanding of the basic science, judges not surprisingly have welcomed the ELI Climate Judiciary Project. Employing ELI's signature approach of collaborating with relevant expert organizations, we turned to two other nonpartisan organizations to work with us—the Federal Judicial Center and the American Association for the Advancement of Science. Thoughtfully testing various formats and approaches through our first four up-to-the-minute climate science seminars at the law schools of Columbia University, George Washington University, University of California Berkeley, and University of Chicago, ELI is now drawing on our experience as we design future events. Demand exists for more programs on climate science, managing scientific evidence in climate litigation, and related issues, and as judges will inevitably be drawn into future climate change litigation, ELI will be ready with programs to meet judges' emerging requirements.

CELEBRATING A NIGHT OF AWARDS:
From the Past to the Future

At ELI's 2019 Annual Awards Dinner, we recognized the visionary leadership and outstanding environmental stewardship of Patagonia, the Ventura, California-based outdoor gear maker, by giving our Environmental Achievement Award to the company's founder Yvon Chouinard, and president and CEO Rose Marcario.

Presenting Patagonia the award aligned with ELI's new and important focus on the business community's rapidly evolving leadership in advancing high environmental sustainability standards. As noted by ELI President Scott Fulton, Patagonia was an early leader in embracing a vision of business as "a vehicle for not just making excellent products and achieving financial success, but also for doing good in terms of protecting nature, avoiding harm, and advancing sustainability." Business leadership will certainly will be a vital part of environmental protection going forward.

On the cusp of our 50th anniversary, it was especially gratifying at the 2019 dinner to honor three individuals who helped found ELI a half century ago, presenting our Founders Award to James (Jim) Moorman, Craig Mathews, and Tom Alder.

Likewise, because environmental protection is quintessentially about future generations, we were pleased to award our Environmental Futures Award to three distinguished ELI alumni, Seema Kakade, Jordan Diamond, and Nick Bryner, all of whom have now firmly established themselves as key members of the corps of new leaders in our profession.

Both the illustrious past and the luminous future were fully on display at the Annual Awards Dinner.

MINDING THE FAST-BREAKING POLICY FRONT

ELI's Vibrant Environment blog series is staying on top of the dynamic policy arena where vexing issues—PFAS, WOTUS, Single-Use Plastics, Citizen Science, Biotech—are demanding immediate yet astute attention.

We began the year with a blog, *Tuning the Old Piano*, discussing ELI's "The Macbeth Dialogues" project, which brought together leading experts to candidly discuss the troubled relationship between federal and state leaders responsible for implementing environmental laws on hopes of defining law and policy solutions that would optimize the shifting governmental roles. We closed the year with a blog about a different tuning that's needed. In *NEPA: Time for a Tune-Up*, experts discussed the accomplishments of NEPA, where the NEPA process has for some proved cumbersome and frustrating, and opportunities for constructive reforms that enhance efficiency while preserving NEPA's values.

Stay tuned to ELI's Vibrant Environment. There's always a lot happening.

GIVING **GREEN STREETS** THE GREEN LIGHT

The vast majority of assessed water bodies across the United States are designated as impaired. Cities contribute to the problem with stormwater runoff from roads, buildings, sidewalks, and other impervious surfaces polluting our rivers, lakes, and streams. Indeed, many localities are on the hook to meet a gamut of regulatory requirements, from MS4 permits to TMDLs in order to reduce polluted runoff.

Innovative localities are turning to green infrastructure practices to reduce flooding, control erosion, and prevent polluted runoff from entering streams and other waterbodies. One method, Green Streets, directly mitigates the environmental impact of roadways by incorporating green infrastructure into public-right-of-way design.

In June, ELI released a new report, *Giving Green Streets the Green Light*, addressing the problem of pollution that cities contribute to rivers, lakes, and streams nationwide. Focusing on solutions, the report identifies 14 jurisdictions in the United States that have robust Green Streets policies in place, offers 13 recommendations for crafting a robust and effective Green Streets policy, and includes a model Green Streets ordinance that jurisdictions can use as their starting point.

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Annual Report written by Visiting Scholar, David Clarke, with input from the staff of ELI and designed by Evan Odoms.

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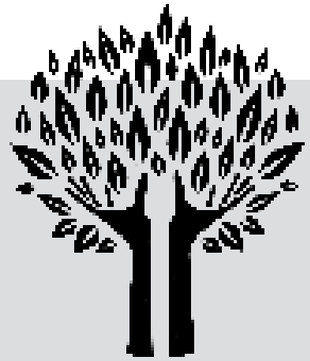

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FINANCIAL STATEMENTS

Statements of Financial Position

Years Ended December 31, 2019	2019	2018
Assets		
Current assets		
Cash and cash equivalents	$1,790,528	$2,022,366
Accounts receivable		
Awards and contracts	70,841	713,000
Other	2,637	57,720
Contributions receivable, net	877,272	840,297
Investments	5,151,565	4,336,798
Prepaid expenses and inventory	90,480	171,962
Total current assets	7,983,323	8,072,143
Deferred compensation plan assets	16,309	-
Property and equipment, at cost		
Furniture, equipment, and software	434,999	376,530
Leasehold improvements	748,408	748,408
Total	1,183,407	1,124,938
Less: Accumulated depreciation and amortization	(626,522)	(536,115)
Property and equipment, net	556,885	588,823
Other assets		
Security deposit	65,023	65,023
Total assets	$8,621,540	$9,121,036
Liabilities and Net Assets		
Current liabilities		
Accounts payable and accrued liabilities	$237,897	$648,887
Accrued payroll and vacation	458,932	447,194
Deferred revenue	339,419	357,616
Refundable advances	66,185	-
Deferred rent, current portion	118,821	109,394
Total current liabilities	1,221,254	1,563,091
Deferred compensation plan liability	17,201	-
Deferred rent, net of current portion	600,606	719,428
Total liabilities	1,839,061	2,282,519
Net assets		
Net assets without donor restrictions	5,392,882	4,570,145
Temporarily restricted	1,389,597	1,973,325
Total net assets	6,782,479	6,543,470
Total liabilities and net assets	$8,621,540	$8,825,989

Additional financial information can be obtained from www.eli.org.

Statement of Activities and Change in Net Assets

Year Ended December 31, 2019	Without Donor Restrictions	Board Designated	Total Without Donor Restrictions	With Donor Restictions	Total
Operating revenues					
Federal awards and contracts	$1,311,203	$ -	$1,311,203	$ -	$1,311,203
Contributions	1,300,374	-	1,300,374	1,700,985	3,001,359
Publication sales and subscriptions	326,159	-	326,159	-	326,159
Membership revenue	434,336	-	434,336	-	434,336
Donated Services	267,516	-	267,516	-	267,516
Award dinner	487,970	-	487,970	-	487,970
Less Direct donor benefits	(141,398)	-	(141,398)	-	(141,398)
Other revenue	472,095	-	472,095	-	472,095
Net assets released from restriction	2,284,713	-	2,284,713	(2,284,713)	-
Total operating revenues	6,742,968	-	6,742,968	(583,728)	6,159,240
Operating expenses					
Program services					
Research, policy, and training	2,967,742	316,110	3,283,852	-	3,283,852
Associate membership	650,713	-	650,713	-	650,713
Publications	509,945	-	509,945	-	509,945
Other projects	544,370	-	544,370	-	544,370
Total program services	4,672,770	316,110	4,988,880	-	4,988,880
Supporting services					
Fundraising	307,415	-	307,415	-	307,415
Management and general	1,450,877	-	1,450,877	-	1,450,877
Total supporting services	1,758,292	-	1,758,292	-	1,758,292
Total operating expenses	6,431,062	316,110	6,747,172	-	6,747,172
Net operating income (loss)	311,906	(316,110)	(4,204)	(583,728)	(587,932)
Investment return	826,941	-	826,941	-	826,941
Changes in net assets	1,138,847	(316,110)	822,737	(583,728)	239,009
Transfer between net assets without donor restrictions	(695,000)	695,000	-	-	-
Net assets, beginning of year	4,281,887	405,664	4,687,551	1,973,325	6,660,876
ASC 606 cumulative effect adjustment	(117,406)	-	(117,406)	-	(117,406)
Net assets, end of year	$4,608,328	$784,554	$5,392,882	$1,389,597	$6,782,479

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