50 YEARS
Late afternoon light bathes the trees of the Tongass National Forest in Alaska. Carlos Rojas / Getty Images
Fifty years ago, Earthjustice was founded in an era of unprecedented lawmaking in response to environmental crises that gripped the public consciousness—from rivers on fire and deadly smog to massive oil spills and rampant chemical poisoning. In the early 1970s, President Nixon created the U.S. Environmental Protection Agency, and Congress passed our bedrock environmental laws, giving us all extraordinary power to hold polluters and the federal government accountable for protecting our health, our communities, and the ecosystems that sustain all life.

For five decades, we have put those laws to work for us in practice, all the while deepening our expertise and growing our work to represent more clients, in more venues, in more places around the country and the world. We have branched into new areas of law and evolved our strategies to rise to the challenges we face now, and we are winning more cases and delivering greater real-life impact than ever before. This is all thanks to the confidence of generous supporters like you.

We are so grateful for the capacity we continue to build, because our work has never been more urgently needed. Over the last year, our scale and reach have made it possible to continue fighting the rearguard battles that began under the Trump administration, and among many other victories, we can celebrate new and restored protections for the Tongass Forest, the Arctic Ocean, and our precious National Monuments including Bears Ears and Grand Staircase-Escalante. Meanwhile, we have ramped up affirmative litigation and advocacy to force faster progress on climate and the essential transition to clean energy, community health protection, and biodiversity defense. In the pages that follow, you will see some of the ways in which we are propelling solutions on every front.

This decade requires us to meet unforgiving environmental deadlines. We are living with the increasingly harsh consequences of climate inaction. The devastating intersection of toxic pollution and race has only become more deadly in the pandemic. Scientists are sounding the alarm that mass extinctions threaten our entire web of life. The challenges are immense, but the possibilities for disruption and swift change are very live. Over fifty years, Earthjustice has honed our skills to compel action and catalyze change, and we are putting those skills to work at a new scale to help secure a healthier, more just future.

Thank you for supporting us to do all we can in these make-or-break years. Your contributions to the Never Rest campaign, our first-ever comprehensive fundraising campaign, are making it possible for us to hire more exceptionally talented staff and pursue ever more ambitious goals alongside more incredible leaders whom we are proud to represent as clients.

With enormous gratitude,

Abigail Dillen
President

Fern Shepard
Chair of the Board of Trustees
In the fifty years since Earthjustice was founded, we have represented thousands of clients to preserve what is precious. Looking back, we celebrate the ancient forests that are still standing, the living creatures that are still thriving, all the places where people can enjoy the right to clean air and water. Looking ahead, we are rising to the unprecedented challenges before us. With inspired and courageous partners, we are propelling a transition from fossil fuels to clean energy. We can and we must repair centuries of damage as we secure a better, healthier, more just future. These pages highlight just some of the victories that lay the foundation for transformative impact in this all-important decade.
One of Earthjustice’s earliest victories, this successful suit confirmed the right of citizens to take environmental disputes to court.

Earthjustice has defended our Northwest old-growth forests from decades of relentless attacks by logging companies.

After several court wins, we are on our way to comprehensive restoration of the lower Snake River, where four outdated dams are driving wild salmon to extinction.

For decades, Earthjustice blocked oil companies from drilling the Arctic Ocean, and now a permanent ban on drilling is in place.

Earthjustice has defended our Northwest old-growth forests from decades of relentless attacks by logging companies.

EarthisJustice intervened in the historic Standing Rock Sioux Tribe’s fight against the Dakota Access Pipeline.

Earthjustice’s efforts to stop illegal pollution in Maui, taking the case all the way up to the U.S. Supreme Court, where we won a big victory for the Clean Water Act.

Our attorneys defended the nation’s largest proposed coal plant from being built in the Everglades — making way for a solar plant instead.

We’ve defended national monuments across the country, from the timber industry during the Bush administration to sweeping rollbacks of the Trump era.

Earthjustice fought a decades-long legal battle to stop illegal pollution in Maui, taking the case all the way up to the U.S. Supreme Court, where we won a big victory for the Clean Water Act.
A YEAR OF VICTORIES

“Even as we curbed many of the Trump administration’s rollbacks, we’ve also strengthened protections.”

Jill Tauber, Earthjustice Vice President of Litigation for Climate and Energy
With their unparalleled expertise, our attorneys continue to hold the line against the previous administration’s assault on critical protections for communities and the environment. **We will never back down from this fight.** Each of the following victories represents years, sometimes decades, of litigation that has moved us one step forward in a larger effort, indeed a movement greater than any single organization can encompass. We are taking on our country’s biggest challenges and building an equitable, just, and climate-resilient world — leaving no one behind.
UNTIL POLLUTERS ARE HELD ACCOUNTABLE

The Los Angeles region is home to the largest collection of petroleum refineries on the West Coast, many of which are situated within communities of color that consequently suffer sky-high rates of asthma, cancer, and cardiovascular disease. Thanks to community organizing by East Yard Communities for Environmental Justice, we built a powerful case against Phillips 66 oil refineries based on years of bad practices, including failures to conduct proper inspections and repair leaking equipment that discharged toxic fugitive emissions. In April, after we filed notice of intent to sue, Phillips 66 agreed to take action to protect people’s health as the law requires.

“The outcome of this case represents the power that community has with our voice, our stories and our ability to organize towards a common goal of trying to breathe in our neighborhoods. We have power. We create change.”

Jan Victor Andasan, Community Organizer for East Yard Communities for Environmental Justice

UNTIL SACRED SPACES ARE FOREVER

Earthjustice has been litigating since 2017 to overturn the decision to slash national monuments by nearly 2 million acres, opening precious lands to mining, drilling, and the looting of centuries-old archaeological sites. Following in the footsteps of several Native American tribes, Earthjustice sued the Trump administration over its move to shrink Bears Ears, Grand Staircase-Escalante, and the Northeast Canyons and Seamounts Marine National Monuments. Our cases and the threat of further litigation helped to keep these lands safe from development through the duration of the Trump administration until President Biden restored the original boundaries of all three national monuments.

“Sacred prayers were answered by President Obama designating Bears Ears National Monument, and something that is sacred cannot be reversed.”

James Adakai, former President of the Oljato Chapter of the Navajo Nation
A summer storm creates double rainbows over the Comb Ridge in Bears Ears National Monument. Josh Ewing / Getty Images
UNTIL PEOPLE COME BEFORE PROFIT, ON FARMS AND AT HOME

The science has long been clear, and now the law supports it: toxic pesticides have no place in our food. In August, the U.S. Environmental Protection Agency (EPA) announced that it will ban chlorpyrifos, the toxic pesticide linked to lifelong intellectual disabilities, from all food crops. Earthjustice represented farmworkers, health, labor, and learning disability organizations in a 14-year legal battle to secure this essential protection. The ban of chlorpyrifos from food uses is a huge milestone in the pursuit of total elimination of the full class of harmful organophosphates from our communities.

“Finally, our fields are made safer for farmworkers and our fruits and vegetables are safer for our children.”
Anna Kaffen, Pesticide and Work Health and Safety Specialist for the CRLA Foundation

UNTIL WE PROTECT AND RECOVER ENDANGERED WHALES

In its search for petroleum, the oil industry acquires authorizations that allow companies to “incidentally” harm whales and other animals when blasting the ocean floor with seismic air guns. Earthjustice and a broad coalition of marine wildlife advocates spent two years in litigation fighting authorizations for air gun surveys in the Atlantic Ocean. Last year, Big Oil surrendered. The industry’s authorizations expired before it could start even a single survey. This was welcome news for ocean-dependent communities and wildlife, notably the critically endangered North Atlantic right whale.

“There’s no need to risk irreplaceable marine wildlife just for potential information about oil deposits that should never be drilled in the first place.”
Steve Mashuda, Earthjustice Managing Attorney - Oceans

A North Atlantic right whale in Cape Cod Bay.
John Durban and Holly Fearnbach / NOAA
U N T I L  O U R  C L I M A T E  I S  N O  L O N G E R  I N  C R I S I S

METHANOL PROJECTS WON’T PROCEED WITHOUT A FIGHT

After years of litigation, Earthjustice and our partners stopped Northwest Innovation Works’ proposed fracked-gas-to-methanol facility before it even existed. We have successfully challenged the federal Safe Drinking Water Act in issuing the contested permit. The facility would unleash millions of pounds of animal waste, among other pollutants, into the Maya community. Earthjustice was privileged to represent the Maya community. Earthjustice’s victory opens the door for stronger, more robust federal protections for the operation, safeguards for the operation, and address their enormous legacy of toxic waste.

NEW PROTECTIONS FROM COAL ASH

Earthjustice and our partners celebrated in April when Illinois state regulators finalized rules implementing the Coal Ash Pollution Prevention Act, a landmark law that we secured in 2019 to address coal ash pollution. The rules establish protective safeguards for the operation, cleanup, and closure of toxic coal ash ponds. This finalization rules also rejected industry efforts toPAD ordinate. These new rules provide a model for the nation, as we continue our fight to shutter coal plants and address their enormous legacy of toxic waste.

REAL MOMENTUM FOR CLEANER ALTERNATIVES

Earthjustice delivered a win for clean energy and clean air in California when we successfully advocated for the state Public Utilities Commission to approve a $437 million electric vehicle package that prioritizes communities bearing the brunt of polluting vehicle emissions, and multi-hub developments historically excluded from changing investments. This big program complements many other clean energy victories achieved by Earthjustice’s “Right to Zero” campaign. The momentum is on our side as we accelerate an equitable clean energy transition in the world’s sixth largest economy.

ARCTIC WATERS REMAIN FREE OF OFFSHORE OIL DRILLING

When our government greenlights fossil-fuel projects without assessing their climate impacts, they are breaking the law. In December 2020, we joined a five-year fight to vacate the Bureau of Ocean Energy Management’s approval of the giant Hilcorp Liberty oil and gas project in the Beaufort Sea. The proposed project was in the heart of polar bear habitat and would have been the first offshore oil-drilling development in federal Arctic waters. This court win has not only stopped the Liberty project, but it has also set an important precedent that is helping us defeat other fossil fuels development, including the massive Willow drilling project proposed in the Western Arctic.

BLOCKED FOSSIL FUEL INFRASTRUCTURE IN THE MIDWEST

In October 2020 we secured a big win in our fight to stop a massive petrochemical build-out in the Ohio River Valley. Ohio regulators canceled permits for the Mutual Gas Storage facility which, if built, would facilitate the development of additional infrastructure that would turn fracked gas into the feedstock for plastics, emitting millions of tons of carbon pollution and cancer-causing air toxics in the process. Earthjustice represented a coalition of environmental groups and clean water advocates and demonstrating that the Ohio Department of Natural Resources violated their own state regulations as well as the federal Safe Drinking Water Act in issuing the contested permit.

DEFENDING SPECIES AND SACRED LANDS FROM MINING

We have been fighting the Rock Creek copper and silver mine project for over 20 years. The mine, proposed for the Cabinet Mountains Wilderness of northwest Montana, would threaten already vulnerable grizzly bears, bull trout, and sacred and aboriginal lands of the Ktunaxa Nation. In April 2021, a district court ruled that the U.S. Fish and Wildlife Service and U.S. Forest Service violated the Endangered Species Act. This victory impacts of the full mine proposal on federal protected wildlife. This victory impacts of the full mine proposal on.

ENFORCING THE RIGHT TO A HEALTHY ENVIRONMENT

In May, the Maya children of Homún won a reining decision in Mexico’s Supreme Court, defeating a highly polluting industrial hog facility in Yucatán, Mexico that threatened to unleash millions of pounds of animal waste, among other pollutants, into the Maya community. Earthjustice was privileged to represent the Maya children in their fight to protect their constitutional right to a healthy environment and dignified life. Beyond constitutional right in practice.

Katherine O'Brien was an attorney in Earthjustice’s Northern Rockies office for seven years, where she worked to defend the legacy of toxic waste.
At the heart of every case is a partnership. By working with frontline communities, and learning about their firsthand experiences, we understand what's at stake, and we unite our strengths for robust collaboration. Our legal expertise is amplified by the power of our partners, and we are proud to share their stories from recent victories and ongoing fights.
The Menominee people have lived on the river named for them since time immemorial. They came to be at the mouth of the Menominee River, which today is part of the border between Upper Michigan and Wisconsin and drains into Green Bay, a part of Lake Michigan.

“The Menominee were created as the Great Bear came out of the Bay onto the land at the mouth of the Menominee River. That place still exists today there,” says Douglas Cox, director of land management and vice-chairman for the Menominee Indian Tribe of Wisconsin. “As he migrated on the Menominee River, [the Great Bear] looked for companions to take that journey with him. His brothers that came down to be his companions were the Eagle, the Moose, the Wolf and the Crane.”

This is the shortest version of how the five clans of the Menominee people came to exist, a narrative that is traditionally shared orally, and only during certain times of the year, during ceremonies and feasts over many days.

But knowing even the simplest version of this story speaks to how important the Menominee people’s relationship with the river is – there are many places along the waterway’s 116-mile course that have deep significance to the Tribe. Archaeologists have found evidence of ancient agriculture, and European settlers witnessed the Menominee people on the river and the bay gathering wild rice. The Menominee name means “People of the Rice,” although they call themselves Kiash Matchitiwuk, the Ancient Ones, because this is where they have always been.

Today, while some Menominee people use the river, they don’t live in their ancestral home, which spanned what is now known as the states of Wisconsin, Michigan, and Illinois. “As the government did with most tribes, when we signed treaties, they put us on

Douglas Cox, Director of Land Management and Vice-Chairman of the Menominee Indian Tribe of Wisconsin, photographed at the Wolf River in Keshena, Wisconsin. Lianne Milton for Earthjustice

THE MENOMINEE PEOPLE AND THEIR RIVER: AN ANCESTRAL BOND
reservations, they sort of gathered everybody up, if you will, and forced us to go live on the spot in the land where we are today.”

Despite that displacement, the Tribe still fights for the river, about 45 miles away from their current home as the crow flies. For several years they’ve been fending off an 80-acre open-pit heavy-metals mine just 50 yards from the river. The pit would be 2.5 times deeper than the Statue of Liberty is tall. “Within the footprint of the mine, there are known sites that potentially would be destroyed if the mine would go into operation,” says Cox. Those sites include their ancestral garden beds, ceremonial mounds, dance circles, and burial mounds.

So, with Earthjustice attorneys representing the Tribe, they sued to stop Canada-based Aquila Resources from extracting copper, zinc, gold, and silver and processing the metals on the banks of (and even blasting a shaft beneath) their river in a project called the Back Forty mine.

In addition to wholesale destruction of the land next to the river, sulfide ore mines like this one can lead to acid mine drainage—acidic water laden with heavy metals that turns waterways bright yellow. That’s as bad as it sounds—this toxic runoff is harmful to human, animal, and plant health, according to the EPA. “When those water quality issues begin, they’re nearly impossible to reverse. There’s no sulfide mine like this anywhere that’s operated for any significant period of time that hasn’t polluted the environment. There are none,” says Cox. Not only could the Menominee River be severely degraded by this mine on its shore, but the downstream effects would also impact the Menominee Tribe and the broader community near Green Bay and Lake Michigan.

Today, the river is “far from pristine, but it’s a healthy river, well known for its smallmouth bass fishery—which you don’t get without having good water quality and good environmental protection on the river,” says Cox. “There’s a lot of measures of how the ecosystem is still healthy there,” says Cox, and he says the Menominee will always work to keep it that way.

After a five-year legal fight, the mine developer relinquished its permits and withdrew its applications to the mine site.

“The long-term dedication is our way,” Cox explains. “It is for our future generations and the way we as Menominee are taught. We are only here for a little while, but this land will forever be occupied by our future Menominee generations. That is what we fight for.”

Douglas Cox, Director of Land Management and Vice-Chairman of the Menominee Indian Tribe of Wisconsin

“The long-term dedication is our way.”

Douglas Cox

“...we won’t stop fighting.”

 ISSUE SUMMARY

The Menominee Indian Tribe of Wisconsin, represented by Earthjustice, challenged Aquila Resource’s wetlands permit as well as its mining permit for the Back Forty mine, a massive proposed heavy-metals mine and ore-processing center. In January 2021, the Menominee Tribe won their case challenging the mine’s wetlands permit on the basis of flawed groundwater modeling. Denial of the wetlands permit also sounded the death knell for Aquila’s mining permits, and the company withdrew its remaining permits and appeals. Earthjustice and the Menominee Tribe remain vigilant, as the mine developer has already announced plans to submit yet another proposal to revive the ill-conceived project.

“I had to write the best, greatest letter for us.”

Douglas Cox, Director of Land Management and Vice-Chairman of the Menominee Indian Tribe of Wisconsin

“...we won’t stop fighting.”

Douglas Cox

“The long-term dedication is our way.”

Douglas Cox

Menominee tribal members reach out to touch a dreamcatcher that hangs at a sacred Menominee tribal gathering site near Keshena, Wis.

Kiliii Yuyan for Earthjustice
Today, Puerto Ricans stand on a dividing line between a dirty, destructive, colonialist status quo, and a clean, green, self-determined future. Almost in the rearview mirror: fossil-fuel-burning plants with transmission lines too-easily blown over by storms, which are likely to increase in our climate-changed future. Coming soon: a localized, resilient, sun-powered energy infrastructure.

But progress is not inevitable. As Puerto Rico leaders stall in abandoning imported coal and gas, local activists are holding power to account. One group of such activists, the Alliance for Renewable Energy Now, is a coalition that’s pushing for Puerto Rican energy independence with the help of legal representation from Earthjustice. As alliance members point out, you don’t have to be an energy expert to know that the power system in Puerto Rico is beyond broken. Not only are the territory’s aged power plants dirty and contributing to climate change, but outages are frequent. Just this fall, university students went on strike protesting the continuation of business-as-usual coursework expectations made impossible by daily power outages.

“Yesterday there was another major blackout. So this is not something that happens once in a while, this is something that happens a lot,” says Amy Orta-Rivera, an environmental policy coordinator who works with El Puente’s Latino Climate Action Network, part of the Alliance for Renewable Energy Now. A power outage occurred while Orta-Rivera was taking a class for her job. She says, “People are frustrated — I’m frustrated as well. At the end of the day, the current system just doesn’t work.” Their dysfunctional system also costs more: Puerto Ricans pay 2.5 times more than those on the mainland for electricity.

Amy Orta-Rivera, Environmental Policy Coordinator for El Puente’s Latino Climate Action Network, photographed in Ceiba, PR, in April 2021. Erika P Rodriguez for Earthjustice

PUERTO RICANS WANTING ENERGY INDEPENDENCE
LOOK TO THE SUN — AND TO EACH OTHER
28

A fix has been long in the making. After the disasters of 2017, the Puerto Rico Electric Power Authority (PREPA) was tasked with proposing a new energy infrastructure plan. The agency’s solution was to switch some oil-burning plants to fracked gas, a move that still relies on imported fossil fuels, carbon-belching power plants, and centralized electricity generation that requires distribution over storm-vulnerable power lines. Also in the proposal, the privatized distribution company, Luma Energy, had no obligations to the community. It would be free to simply move out of the area after another devastating storm. All this risk for expensive, imported, fossil-fuel power — on an archipelago with abundant sunny days.

The people of Puerto Rico have a better plan. Queremos Sol (“We Want Sun”) is the Alliance for Renewable Energy Now coalition’s proposed solution for independence, resilience, and affordability. The plan calls for decentralizing power in Puerto Rico by way of installing distributed rooftop solar power on 75% of residential buildings. “We support the plan for PREPA to install solar panels in every house — a 2.7 kW PV and 12.6 kWh battery backup system that can sustain the house and be integrated into the electric system,” says Orta-Rivera. Solar does more than reduce emissions. Orta-Rivera points out that if a storm hits, locally produced energy ensures that “when power goes down, fewer families will get affected instead of thousands and thousands of people.” In addition, repairs can be made faster in a localized system.

Support for the plan for PREPA to install solar panels in every house — a 2.7 kW PV and 12.6 kWh battery backup system that can sustain the house and be integrated into the electric system — is growing. The plan calls for decentralizing power in Puerto Rico by way of installing distributed rooftop solar power on 75% of residential buildings. “We support the plan for PREPA to install solar panels in every house — a 2.7 kW PV and 12.6 kWh battery backup system that can sustain the house and be integrated into the electric system,” says Orta-Rivera.

The Alliance for Renewable Energy Now is making steady progress toward transforming Puerto Rico’s electricity system. First, they built up enough pressure on the Puerto Rico Energy Bureau that it rejected PREPA’s initial plan for modernizing, which relied too heavily on fossil fuels, and sent the plan back for a redesign. They also fought for public input in the process, which had been notoriously opaque, according to Orta-Rivera. And advocates secured some big commitments. Legislation signed in 2019 pledged the islands to using 100% clean energy by 2050, with a reaffirmation in 2020 including a commitment to solar power. But alliance members know there’s more to improving energy infrastructure than promises on paper.

That’s why organizers have continued to keep the pressure on to turn those statements into action, with Queremos Sol showing exactly what a just and equitable transition to clean energy looks like with their distributed rooftop solar plan. “According to the Puerto Rico Distributed Energy Resource Integration Study, it’s actually $5 billion cheaper than the Integrated Resources Plan that the government is trying to pursue,” says Orta-Rivera. Further, there’s enough money to begin the process. Almost $30 billion in FEMA aid was allocated to repairing damages wrought by Hurricane Maria. Orta-Rivera is dedicated to changing the course of her island’s future, and she won’t rest until a clean, affordable, and resilient energy infrastructure for the entire archipelago is realized. “I’m really hopeful, because even though it’s difficult to fight the government or to fight big companies, we have seen wins in the past. If we have done it in the past, then we can do it now.”

For comrades in the cause of reimagining energy infrastructure, she has a request: “Work in solidarity with us. Ask about ending fossil fuels in the States, but also ending fossil fuels in U.S. territories.”

ISSUE SUMMARY

For decades Puerto Ricans have been pushing the Puerto Rico Electric Power Authority and the government to address the grave economic and environmental issues presented by the current energy system. Earthjustice attorneys are representing community and environmental groups as they press the government for meaningful action to transition to clean energy. Work in this space includes acting as a watchdog to ensure the public has sufficient access to the decision-making process, holding power companies accountable for unapproved developments, and challenging outdated and inaccurate environmental impact analyses. Until Puerto Rico’s energy is clean, stable, and sovereign, we will never rest.
About an hour east of Los Angeles lies a region called the Inland Empire, edged by the Box Springs Mountains, encompassing Riverside and San Bernardino counties. Peopled predominantly by working-class Latino communities, it has a strong agricultural history — it once was called the Orange Empire. “It’s beautiful here — it’s a vibrant landscape, from forested mountaintops to deserts down below, to luscious chaparral. There’s a lot of biodiversity and life,” says Yassi Kavezade, who speaks of her home as a place of people and history, defined by native animals and plants, where you can catch epic sunsets that need no filters.

For those in the shipping and logistics business, though, the Inland Empire is a major warehouse hub that connects to the ports of Los Angeles and Long Beach via several freeways and serves Americans’ ever-increasing online shopping habits. The industry footprint is huge and still expanding, adding more warehouses. In 2020 that included over 23 million square feet of them, the equivalent of 500 football fields. “We’ve seen an expansion of heavy industries encroaching upon neighborhoods, and the communities encroached upon are often communities of color and frontline communities,” says Kavezade, who is also an organizer with the Sierra Club, which is part of a coalition of conservation, health, and environmental justice organizations that Earthjustice recently represented in a game-changing lawsuit.

What Kavezade is fighting against isn’t just enormous buildings going up where farmland and communities used to be—though that’s damaging enough. These shipping hubs also mean more noisy, diesel-spewing trucks sitting for long periods on idle, waiting to drop off or load up. And it’s not just trucks causing harm: “A lot of folks don’t think about the operations day-to-day at these warehouses. In order to carry shipping containers from warehouse

CALIFORNIA RESIDENTS DEMAND CLEANER ECOMMERCE

In 2020 that included over 23 million square feet of them, the equivalent of 500 football fields. “We’ve seen an expansion of heavy industries encroaching upon neighborhoods, and the communities encroached upon are often communities of color and frontline communities,” says Kavezade, who is also an organizer with the Sierra Club, which is part of a coalition of conservation, health, and environmental justice organizations that Earthjustice recently represented in a game-changing lawsuit.

What Kavezade is fighting against isn’t just enormous buildings going up where farmland and communities used to be—though that’s damaging enough. These shipping hubs also mean more noisy, diesel-spewing trucks sitting for long periods on idle, waiting to drop off or load up. And it’s not just trucks causing harm: “A lot of folks don’t think about the operations day-to-day at these warehouses. In order to carry shipping containers from warehouse

From left: Yassi Kavezade, an organizer with the Sierra Club, photographed near the future location of the World Logistics Center in Moreno Valley, Calif.inion for Earthjustice; A protest on Cyber Monday in 2019, organized by San Bernardino airport communities, demanding a future that encompasses responsible development, quality jobs, clean air, and safe neighborhoods.
to warehouse, they use yard hustlers—they’re not efficient, their motors are old. There’s also forklifting, and all sorts of cranes, that are all still relying heavily on gas and diesel. They’re a burden on air pollution outside, but also on workers that are working inside,” says Kavezade.

All that equipment causes “diesel death zones,” so named for their dangerous levels of air pollutants like benzene, nitrogen oxides, and particulates. Breathing this air leads to higher rates of heart disease, cancer, asthma, and more asthma attacks among those with the disease. Those scenic Box Springs Mountains are beautiful, but they also hem that air in, creating some of the worst air quality in the United States, according to the American Lung Association. “I myself experienced heavy respiratory issues moving into Riverside from Orange County,” says Kavezade. “Normally I wake up with a dry throat, severe allergies, and coughs. So, you know, we’re getting all kinds of impacts from this huge, nonstop increased production of goods movement out here in the region.”

For almost a decade, Kavezade has been fighting for her community. One recent opponent is the impending World Logistics Center, a warehouse development so big it’s hard to imagine, with a planned size of 10% of the entire city of Moreno Valley—a footprint about three times the size of New York City’s Central Park. Estimates are that 14,000 diesel truck trips per day would serve this center, some of them coming within 100 feet of where people live, all contributing to the already-poor air quality in the region.

A vast industrial area that includes numerous logistics facilities borders homes in the Rancho Cucamonga and Fontana area of California. Tens of millions of square feet of warehouse and logistics space have been built in the vast Inland Empire of California since 2011, and tens of millions more are on the way. (David McNew for The New York Times)

Governments have rezoned land from commercial to industrial with very little community input.”

Yassí Kavezade, Community Organizer for Sierra Club

In April, Earthjustice won a settlement that would require the developer of the World Logistics Center to mitigate at least part of this impact, with support for 680 electric trucks, and other electric equipment. The settlement requires the developer of the World Logistics Center to mitigate at least part of this impact, with support for 680 electric trucks, and other equipment. The settlement is valued at up to $47 million, and beyond the local win, serves as a precedent for the future. Just two months later, a first-of-its-kind rule was passed by the South Coast Air Quality Management District. It requires large warehouses — over 100,000 square feet — to incorporate electric trucks and rooftop solar into their operations. Estimated to save up to $2.7 billion in health costs, this kind of push for electrification will also impact the air quality whenever those trucks go, even beyond California.

The settlement is valued at up to $47 million, and beyond the local win, serves as a precedent for the future. Just two months later, a first-of-its-kind rule was passed by the South Coast Air Quality Management District. It requires large warehouses — over 100,000 square feet — to incorporate electric trucks and rooftop solar into their operations. Estimated to save up to $2.7 billion in health costs, this kind of push for electrification will also impact the air quality whenever those trucks go, even beyond California.

Kavezade still calls the World Logistics Center’s gigantic footprint “devastating,” but she sees the recent wins as a “good step of what all warehousing operations need to be able to contribute in order for them to actually achieve economic benefits and community health benefits.”

Looking to the future of environmental justice in the Inland Empire, Kavezade says, “there are a lot of innovative things that can come out of this win.”

ISSUE SUMMARY

Earthjustice and community groups reached a landmark settlement with the developer of a massive warehouse to invest $47 million in electric vehicles and equipment and rooftop solar, and other solutions that will electrify the facility and reduce harms to local air quality, wildlife, and the climate. The coalition of environmental justice and conservation groups worked to reduce the World Logistics Center’s harmful impacts, filing three lawsuits over the project — the largest of its kind worldwide, at 40.6 million square feet. The settlement mitigates air pollution impacts and highlights the need for the warehouse industry to adopt more zero-emission technologies.
We are using every tool in our toolbox to protect our web of life from escalating threats.”

Timothy Press, Earthjustice Managing Attorney - Biodiversity Defense Program
With the climate crisis upon us and a still-shrinking window of opportunity to change course, there is an urgent need to work in more regions, take on more cases, and expand our partnerships. We’ll have to strengthen environmental laws, and to use them to put people and planet before profit with more tenacity than ever before. Following are a few of the initiatives our teams are scaling up as we look ahead to building a stable and resilient future for all.
One of the biggest fights for climate justice is in the Gulf Coast region, where communities face deadly pollution from concentrations of fossil fuel and petrochemical operations, which are slated to ramp up in the years ahead. The Gulf Coast already suffers immensely from the climate crisis, including rising seas and extreme weather, and these impacts continue to fall disproportionately on marginalized communities already dealing with generations of exploitation. There is a pressing need to deepen our presence in the Gulf region, and Earthjustice is proud to open our Gulf Coast regional office in Houston, Texas — our 15th office nationwide.

Members of the Coalition Against Death Alley and supporters, including RISE St. James, commit to fight for environmental justice on the lawn of the Louisiana Governor’s Mansion in Baton Rouge, as part of a five-day march through neighborhoods hardest hit by fossil fuel pollution. — Julie Dermansky
Roughly an eighth of the Earth’s species are threatened with extinction. Earthjustice has been responding to these threats for 50 years, preserving habitats such as old-growth forests in Alaska and reef ecosystems in Hawai’i, and protecting umbrella species such as the grizzly bear. In 2021, we established our new Biodiversity Defense Program to deepen our investment. The program’s first case is defending wolves in Wisconsin from further planned wolf hunts. Looking forward, we will expand our geographical impact, prioritize protecting migratory birds and pollinators, and push the Biden administration to develop a forest management plan to safeguard old-growth forest ecosystems.

We know we cannot effectively advance our mission at Earthjustice without our partners. For us, genuine partnership requires countering long-standing funding disparities that undermine our collective power to advance justice for people and the planet. We are growing our capacity to share fundraising skills and tools with our partners, working cooperatively to build their fundraising capacity, and funding networks and projects that bring resources to the field. When our partners are no longer contending with funding scarcity, our broader community will be strongly positioned to drive the fast, transformative change that is required of our movement.

Since 1991, Earthjustice has partnered with lawyers around the world to establish, strengthen, and enforce legal protections for the environment and human health. In Latin America, Africa, Australia, Indonesia, and other regions, we work with partners to oppose fossil fuel extraction, challenge barriers to renewable energy, increase access to low-cost clean energy, and protect international ocean waters. Earthjustice has 14 lawyers, three scientists, and two professional staff working full-time on international projects. We will soon expand this team to meet the growing demand for our expertise in partnering to advocate for the right of all people to a healthy environment.
Earthjustice fought Trump’s onslaught of attacks on the environment, filing over 180 cases against the administration throughout his one term to defend our nation’s environmental laws, communities, and wildlife. None of this would have been possible without the steadfast commitment of supporters like you.

With your support over the past fiscal year, even as the COVID-19 pandemic continued to present its many and evolving challenges:

• Earthjustice closed this fiscal year on June 30, 2021, with $93 million in funds raised from contributions and $14.7 million in bequests.
• We added over 27,000 donors to our base of 100,000+ donors across the country.
• For the thirteenth year in a row, Earthjustice received Charity Navigator’s highest rating of 4 stars—an accomplishment achieved by fewer than 1% of all charities that Charity Navigator analyzes.

In our 50 years, we’ve never been better resourced or staffed. At the same time, we have never felt more strongly compelled to do more. In the face of existential deadlines for our planet, we are working to grow our capacity and meet the ever-growing need for the free services we provide.

While there is a new administration in office, we still have enormous work to do to repair the damage of the Trump era, strengthen our framework of environmental protection, and provide the legal muscle to address climate change, systemic environmental injustices, and an accelerating biodiversity crisis.

We are seizing new opportunities in the federal arena, and we are also contending with the perennial problem that government resources and political will too often run short when it comes to protecting our environment. Our job at Earthjustice has never been bigger.

All of us at Earthjustice thank you for your commitment to our mission, and for what you are helping us accomplish together with our partners. We take your commitment seriously and promise you our best in return.

**STATEMENT OF ACTIVITIES & CHANGE IN NET ASSETS**

**Revenues**

<table>
<thead>
<tr>
<th>Revenue Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contributions</td>
<td>$93,040,115</td>
</tr>
<tr>
<td>Bequests</td>
<td>$7,710,071</td>
</tr>
<tr>
<td>Donated services</td>
<td>$6,234,021</td>
</tr>
<tr>
<td>Court awards</td>
<td>$1,056,077</td>
</tr>
<tr>
<td>Investment income</td>
<td>$4,255,918</td>
</tr>
<tr>
<td>Other income</td>
<td>$295,803</td>
</tr>
</tbody>
</table>

**Total Revenues** $162,582,585

**Expenses**

<table>
<thead>
<tr>
<th>Expense Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Litigation</td>
<td>$59,168,711</td>
</tr>
<tr>
<td>Donated litigation services</td>
<td>$1,874,741</td>
</tr>
<tr>
<td>Public information</td>
<td>$26,273,899</td>
</tr>
<tr>
<td>Donated public information</td>
<td>$4,359,280</td>
</tr>
<tr>
<td>Management &amp; general</td>
<td>$9,900,916</td>
</tr>
<tr>
<td>Fundraising</td>
<td>$11,290,468</td>
</tr>
</tbody>
</table>

**Total Expenses** $112,868,015

**Change in Net Assets** $49,714,570

**STATEMENT OF FINANCIAL POSITION**

**Assets**

<table>
<thead>
<tr>
<th>Asset Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash</td>
<td>$1,962,825</td>
</tr>
<tr>
<td>Short-term &amp; Long-term investments</td>
<td>$234,975,777</td>
</tr>
<tr>
<td>Split-interest gift agreements</td>
<td>$19,169,456</td>
</tr>
<tr>
<td>Accounts receivable</td>
<td>$12,173,350</td>
</tr>
<tr>
<td>Property and equipment</td>
<td>$35,024,648</td>
</tr>
<tr>
<td>Other assets</td>
<td>$6,575,794</td>
</tr>
</tbody>
</table>

**Total Assets** $310,271,049

**Liabilities**

<table>
<thead>
<tr>
<th>Liability Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accounts payable and accrued liabilities</td>
<td>$12,350,928</td>
</tr>
<tr>
<td>Compensation liability</td>
<td>$239,266</td>
</tr>
<tr>
<td>Deferred rent and lease incentive liabilities</td>
<td>$19,099,325</td>
</tr>
<tr>
<td>Split-interest gift agreements</td>
<td>$19,193,850</td>
</tr>
</tbody>
</table>

**Total Liabilities** $27,660,353

**Net Assets**

<table>
<thead>
<tr>
<th>Net Asset Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Without donor restrictions</td>
<td>$100,356,171</td>
</tr>
<tr>
<td>Board designated - Cash Flow Reserve Fund</td>
<td>$17,075,350</td>
</tr>
<tr>
<td>Board designated - Endowment Fund</td>
<td>$164,242,242</td>
</tr>
<tr>
<td>Investment in property and equipment</td>
<td>$9,014,168</td>
</tr>
</tbody>
</table>

**With donor restrictions**

<table>
<thead>
<tr>
<th>Donor Restrictions Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unspent purpose restricted fund</td>
<td>$3,627,688</td>
</tr>
<tr>
<td>Time-restricted funds and investments</td>
<td>$8,793,350</td>
</tr>
<tr>
<td>Split-interest gift revenues, net of liabilities</td>
<td>$3,942,462</td>
</tr>
<tr>
<td>Endowment</td>
<td>$108,060,300</td>
</tr>
</tbody>
</table>

**Total Net Assets** $273,250,736

**Total Liabilities and Net Assets** $310,271,049

*During fiscal year 2021 we created a Board-designated endowment fund, which we use to ensure our ability to carry forward our 630+ ongoing cases to completion. We draw approximately 4% from the fund for ongoing annual expenses and will draw as much as 8% annually over the next five years.*
As the world’s premier public-interest environmental law organization, Earthjustice represents a wide diversity of clients, from small grassroots groups to large national organizations. Thanks to the generous support of individual donors and foundations, we are able to represent our clients free of charge, which allows us to choose cases strategically rather than based on a client’s ability to pay. In addition to the hundreds of clients listed here that we formally represent, there are scores of others with whom we partner, co-counsel, and ally to achieve our goals.

**CLIENTS**

As the world’s premier public-interest environmental law organization, Earthjustice represents a wide diversity of clients, from small grassroots groups to large national organizations. Thanks to the generous support of individual donors and foundations, we are able to represent our clients free of charge, which allows us to choose cases strategically rather than based on a client’s ability to pay. In addition to the hundreds of clients listed here that we formally represent, there are scores of others with whom we partner, co-counsel, and ally to achieve our goals.

**American Public Health Association**
**American Medical Women’s Association**
**American Academy of Pediatrics**
**American Longline Fishermen’s & Energy**
**American Beekeeping Federation**
**American Friends Service Committee**
**American Lung Association**
**American Heart Association**
BOARD OF TRUSTEES

Fern Steppard
Executive Director
Richards Network
Washington, D.C.

N. Bruce Duffuor
Honorary Chairman
Searson Economic Professor
of Native American Studies
The John Sloan Dickey Center
for International Understanding
White River Junction, VT

Stuart Clarke
Charter Trustee
Program Director
William Peterson Foundation
Easton, MD

Dorothy Ballantyne
(Co-Founder)
Financial Consultant
Bozeman, MT

Dorothy Ballantyne
Executive Director
Bozeman, MT

SECRETARY
Dorothy Ballantyne
Easton, MD

William Penn Foundation
Program Director
White River Junction, VT

Dartmouth College
Samson Occom Professor
for International Understanding
The John Sloan Dickey Center

N. Bruce Duffuor
Chair

Board of Trustees

Jackson Hole, WY

Marcia A. Kunstel
Journalist and Author
Hayward, CA

Sandler Foundation
Vice President
Sergio Knaebel
Salt Lake City, UT

College of Law
University of Utah S.J. Quinney
Samuel D. Thurman Professor of Law
Director, Tanner Humanities Center
Erika George
Legal and Business Consultant
Sergio Garcia
Portland, OR

Fish Commission
Columbia River Inter-Tribal
Executive Director
Aja DeCoteau
Wilson, WY

Ranger Power
CEO and Co-Founder
Adam Cohen
San Francisco, CA

Richter & Hampton LLP
Partner, Sheppard Mullin
Peter Carson
Denver, CO

and Conservationist
Public Lands Lawyer
Lori Potter
New York, NY

Executive Director (retired)
Earthjustice Attorney and
Vawter “Buck” Parker
Los Altos Hills, CA

Founder and CFO, Altera (retired)
Paul Newhagen
Washington, D.C.

President, McIntosh Foundation
Winsome McIntosh
Oakland, CA

Passport Foundation
Executive Director
Janet Maughan
Philadelphia, PA

Founding Partner, Martin Law
Frank Leslie
New York, NY

E.E. Eschaton

George Martin
Bozeman, MT

Consultant, Ed Lewis Consulting
Ed Lewis
Katonah, NY

Founder, Healthy Yard Project
Diane Lewis, M.D.
Bozeman, MT

Christopher Chee
Berkeley, CA

Thomas Winz / Getty Images
sitting on a leaf in California.

The shadow of a small frog
sitting on a leaf in California.
As long as you are with us, and until justice stands for all,

we will never rest.