



2018

ANNUAL REPORT

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



A Message From the President and Chairman

The Environmental Law Institute will be celebrating its 50th Anniversary in 2019! Almost 50 years ago, lawyers, practitioners, and academics gathered at the Airlie House in Virginia for a conference on the then-emerging field of environmental law and endorsed the creation of the Environmental Law Institute and *The Environmental Law Reporter*®, as a repository of environmental statutes, regulations, court decisions, and analyses of developments in the field. On December 22, 1969, ELI was incorporated.

Since 1969, ELI has remained a constant presence, contributing its unique combination of research, education, publications, and convenings to build knowledge and find solutions to our most vexing environmental problems. Over 50 years, ELI has served generations of environmental professionals as a one-of-a kind “environmental law think-and-do tank” committed to knowledge transfer through a non-partisan, objective platform. ELI has also become a global brand, recognized for our convening capacity, in-house technical strength, and our first-rate programs and publications, serving both domestic and international environmental audiences.

Recently, the need for our unique contributions was underscored by the report, *Environmental Rule of Law: First Global Report*, which ELI prepared for UN Environment. The report found that despite a 38-fold increase in environmental laws since 1972, weak enforcement and ineffective implementation hinder overcoming the world’s environmental challenges, such as reducing pollution, preventing widespread species and habitat loss, addressing climate change, and stemming ocean resource loss. This report is illustrative of ELI’s global reach that included contributions in 2018 in more than 170 countries.

Each of our 50 years has demonstrated ELI’s relevance in building the capacity for environmental law and effective governance around the world, and 2018 was no exception. Activities undertaken internationally included judicial training in Indonesia to help to curb deforestation, training public interest groups in China on how to develop and manage environmental cases, and providing vital information to 10,000 representatives of governments, civil society, and others around the world on how to advance environmental security and peace through a massive open on-line course. Domestically, we provided a primer for how to effectively grant greater autonomy to states to oversee environmental protection through *The Macbeth Report: Cooperative Federalism in the Modern Era*. And our insightful research was accompanied by 120 educational programs important to the work of environmental lawyers and practitioners to address challenges such as climate change, alternative energy, and environmental justice. These programs were held not only in Washington, D.C., but across America and the world.



Scott Fulton
President



Benjamin F. Wilson
Chairman of the Board

American philosopher Ralph Waldo Emerson famously wrote, “Do not follow where the path may lead. Go instead where there is no path and leave a trail.” Since 1969, ELI has been central and instrumental in blazing the trail toward rule of law and effective governance in the environmental sphere, protecting people, places, and the planet in the process. In the months and years ahead, we look forward to working with all of you, from those present at the creation of ELI, to the new generations who recognize that the time to shape our future is, as it was in 1969, now.

120

In 2018, ELI produced more than 120 educational events, research seminars, and webinars for environmental professionals, governments, and nonprofit organizations both online and in person—attended by an estimated 6,400 people. The events took ELI to nine states, from California to Michigan to Maryland, and across the world.

71,000

Since 1991, ELI has trained more than 68,200 lawyers and environmental professionals in more than 170 countries, and 2,500 judges from 28 countries.

37

In addition to working at the national level in the United States, ELI advanced environmental law in 2018 in 37 states plus Washington, D.C.

170

Covering nearly 90% of all the countries in the world, ELI made an indelible impact in advancing environmental law and governance in 2018. This included in-country, regional, and global efforts, such as the free Massive Open Online Course on Environmental Security & Sustaining Peace, developed by ELI in concert with UN Environment and other partner organizations.

ELI SUCCESSES BY THE NUMBERS

212

Over its 29-year period, ELI has honored 212 wetlands champions through its annual National Wetlands Awards that recognize exceptional and innovative contributions to wetlands protection. The 2018 National Wetlands Awards showcased the achievements of Roy R. “Robin” Lewis III, environmental consultant for Lewis Environmental Service Inc. and President for the Coastal Resource Group Inc. in Salt Springs, Florida (for Wetland Business Leader); Maryann M. McGraw, Wetlands Program Coordinator at the New Mexico Environment Department Surface Water Quality Bureau, Santa Fe, New Mexico (for State, Tribal, and Local Program Development); Kerstin Wasson, Research Coordinator, Elkhorn Slough National Research Reserve in Watsonville, California (for Science Research); The Gibbons Family (William and Jeanette), landowners, Cedar Breaks Ranch in Brookings, South Dakota (for Landowner Stewardship); Mark D. Sees, Manager, Orlando Wetlands Park, Orlando, Florida (for Education and Outreach); and Latimore M. Smith, Botanist and Ecologist, The Nature Conservancy—retired, Covington, Louisiana (for Conservation and Restoration).

105

ELI’s Leadership Council grew to 105 in 2018, the largest size in the group’s history. Reflecting ELI’s expanded presence across the country, the group includes distinguished members of the environmental profession from 16 states. The Council offers the opportunity to network with top officials and leaders in the environmental profession, while providing influential advice to help shape ELI’s future. Participation in the Council demonstrates a strong commitment to the organization’s important work and generous support that is fundamental to ELI’s financial success.

INTERNATIONAL WORK IN 2018

WORLDWIDE

- Conducted global review on the environmental rule of law
- Massive open online course on Environmental Security and Sustaining Peace attended by 10,000 people in 170 countries
- Spearheaded Global Symposium on Judiciary and the Environment
- Participated in Dialogue on Water Justice Among Judges and Prosecutors

SWEDEN

With SIWI, gender and water management training

CANADA

Enhanced Inuit self-governance of marine resources

SPAIN

Implementation of marine spatial planning, and coastal governance planning

KAZAKHSTAN

Improved environmental planning codes for climate change adaptation

CHINA

- Trained Chinese environmental NGOs, judges, and prosecutors on environmental public interest litigation
- Established roundtable dialogue between multinational corporations and Chinese regulators on environmental governance

SWITZERLAND

UN dialogue on biodiversity mainstreaming

DOMINICAN REPUBLIC, HAITI

With TNC, advanced binational sustainable fisheries collaboration

PAKISTAN

Training to deter illegal shipments of hazardous waste at seaports

FEDERATED STATES OF MICRONESIA

Researched climate migration

CURACAO, HAITI

Enhanced laws for new Marine Protected Areas

ETHIOPIA

Workshop on Women and Diplomacy in the Nile Basin

REPUBLIC OF THE MARSHALL ISLANDS

Dialogue on climate change and migration

BELIZE, GUATEMALA, HONDURAS, MEXICO

With RARE, legal protections for Marine Protected Areas and Small-Scale Fisheries in the Mesoamerican Barrier Reef

THAILAND

UN Training on management of marine plastic pollution

LIBERIA

Advanced policies and programs on REDD+

INDONESIA

Judicial education to reduce deforestation

COLOMBIA, ECUADOR

Judicial training to protect critical watersheds

MALAWI

Helped amend forestry act and regulations

PERU

Inter-American Program on Judicial Capacity-Building

NIUE

Helped create new Marine Protected Area and coastal and marine spatial plan

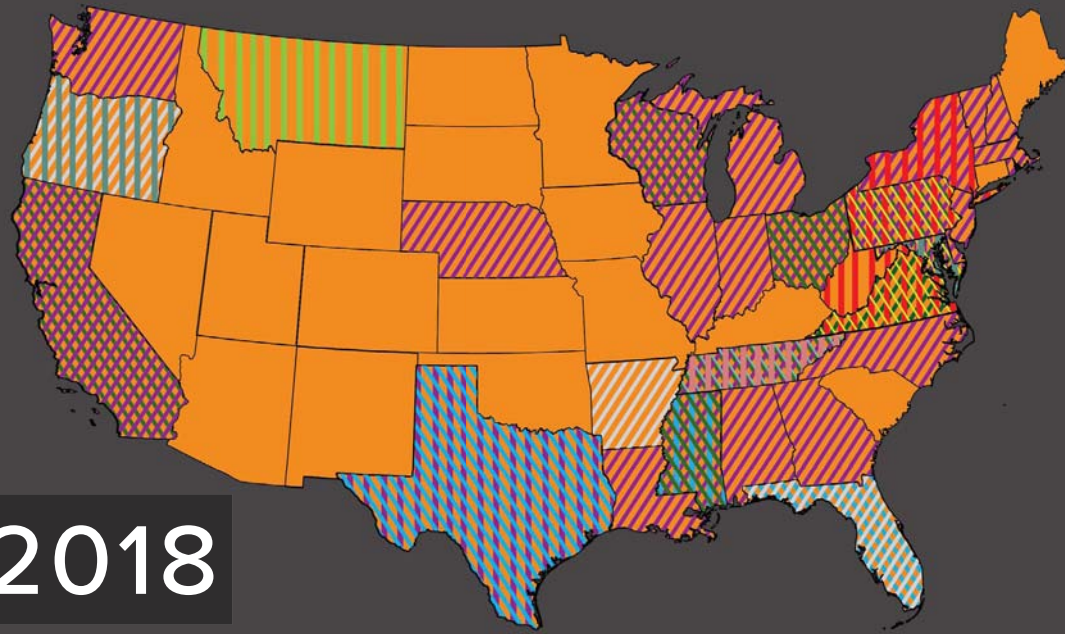
● **Helped curb domestic markets of illegal wildlife trade** China, EU, Japan, Laos, Malaysia, Thailand, U.S., Vietnam

● **Enhanced national legal recognition and protection for community-based water tenure,** Australia, Bolivia, Cambodia, Chile, Colombia, India, Kenya, Liberia, Mali, Mexico, Morocco, Nepal, Panama, Peru, Vietnam, Zambia

● **ELI place-based work**

● **Improved governance and helped smallholder farmers protect groundwater through permitting alternatives** Angola, Botswana, Comoros, Democratic Republic of Congo, Eswatini, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, United Republic of Tanzania, Zambia, Zimbabwe

WORK IN THE U.S. IN 2018



● ELI NATIONAL WORK

- Review of how to improve recycling of aerosol cans in the retail sector.
- Over 110 state, tribal, and territorial and Clean Water Act officials brought together for a three-day workshop on innovation and effective collaborations for achieving water quality restoration and protection.
- Training workshop to facilitate discussion for a wide variety of sectors on how to access water quality information from the How's My Waterway app and communication and engagement regarding water quality data.
- Spearheaded Judicial Symposium bringing U.S. judges together with judicial counterparts from other countries.

- Helped local/regional organizations and communities better understand and engage in Deepwater Horizon restoration (AL, FL, LA, MS, TX)
- Research highlighting successful business cases for co-digestion of food wastes at wastewater recovery facilities (AL, CA, MD, MS, OH, PA, TN, VA, WI)
- Indoor Air Quality Public Health Workshop for state representatives (CA, DE, DC, FL, GA, IL, IN, MA, MI, MN, MO, NC, NE, NH, NJ, NM, NY, OH, OR, PA, RI, UT, VT, TN, TX, WA, WI)
- Research on how to leverage capital infrastructure projects to incorporate green streets elements into the public right-of-way (DC, DE, NY, MD, PA, VA, WV)
- Enhanced Inuit self-governance of marine resources (AK)
- Researched and fostered dialogue around climate change and migration of peoples (AR, HI, OR)
- Helped identify gaps in and improvements to state laws and Coastal Zone Management Act enforceable policies regarding ocean resources and uses (MD, OR)
- Education on integrating water quality and quantity management to state, tribal, nonprofit staff, and farmers at MT Water Summit (MT)
- First audit of a nonprofit stream mitigation program under modern environmental regulations (TN)
- Promoted food waste reduction in Nashville (NRDC Project) (TN)



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

LET'S CELEBRATE 50 YEARS IN 2019!

Issues Change but ELI Is More Relevant and Needed Than Ever



Across 50 years, we have established ourselves both in the United States and internationally as a unique environmental law think-and-do tank and a non-partisan, objective forum for illuminating and providing solutions to the most urgent environmental issues.

ELI's stellar reputation has been built upon our capacity to convene experts with diverse perspectives, our in-house technical and research strength, our educational programs, and our illuminating publications and books, including *The Environmental Law Reporter*® and *The Environmental Forum*®. ELI is the leading environmental organization that keeps attorneys, companies, nonprofit organizations, and the public always at the cutting edge of the dynamic environmental enterprise. As we celebrate decades of constructive work, ELI is uniquely positioned to address urgent current and future challenges.

NEW WAYS TO GET INVOLVED

In 2018, ELI developed two new initiatives to provide ways to get involved in the organization and pursue valued networking and learning opportunities

ELI'S CORPORATE IN-HOUSE COUNCIL AND EHS OFFICERS COUNCIL

This Council is a growing ELI program exclusively with and for corporate Environment, Health and Safety (EHS) and sustainability colleagues across corporate sectors to help proactively develop corporate governance in an age of increased environmental accountability, liability, and risk. This program presents a unique opportunity for in-house EHS officials to learn from leaders and converse among peers on best practices and practical considerations on mitigating risks and ensuring EHS compliance in a rapidly emerging and unpredictable environment. Designed for ELI corporate members and prospective members, the initiative was launched with a program in October that focused on the *Emerging EHS Risks From Rising Uncertainty* with additional gatherings underway in 2019 on topics of keen interest to top EHS professionals. There is a focus group of company leaders who are guiding this effort. Contact Catlin McCarthy to get involved at mccarthy@eli.org.

ELI WOMEN IN ENVIRONMENTAL LAW AND LEADERSHIP (ELI WELL)

This new initiative aims to connect women in environmental law and leadership to each other and to ELI and thereby catalyze environmental progress through expanding ELI's reach throughout the United States. ELI aims to grow participation by women in ELI's Leadership Council, advance women's leadership in our field, provide thought leadership on gender issues in the environmental context, and inform ELI's programs.

In 2018, ELI WELL held several networking events in Washington, D.C., and in San Francisco that met with an enthusiastic response among women in the field of environmental law and leadership, and more events, both social and substantive, are planned in the future. A core group of women who are actively involved in ELI have been instrumental in shaping and driving this initiative include Martha Marrapese, Carol Green, Jane Luxton, and Stacey Halliday in Washington, D.C., and Peggy Otum in San Francisco. Contact Melodie DeMulling to get involved at demulling@eli.org.



ELI Judicial Training, Indonesia, 2018

Forging International Rule of Law to Protect People, Places, and the Planet

Reflective of our reputation, ELI serves as the Secretariat for the International Network for Environmental Compliance and Enforcement, which involves more than 2,000 practitioners—inspectors, prosecutors, regulators, parliamentarians, judges, international organizations, and nongovernmental organizations—from 150 countries. ELI is working to strengthen environmental governance around the world; illustrative examples from 2018 are highlighted below:

Improving Judges' Capacity to Adjudicate Environmental Cases

- **Indonesia:** Indonesian courts confront diverse legal challenges as the country works to curb deforestation and biodiversity loss, along with the associated climate change impacts. With Swedish Postcode Foundation support, ELI worked with the Indonesian Center for Environmental Law (ICEL) on strengthening Indonesian judges' capacity to effectively adjudicate cases involving liability for environmental harm. After conducting a thorough assessment of Indonesian law and policy, the ELI Project Team developed state-of-the-art curriculum and educational materials on environmental law, science, and economics, as well as environmental adjudication techniques. Materials were presented at a weeklong workshop in July, attended by 38 judges, including two Supreme Court Justices.

Additionally, ELI and our Indonesian partners developed recommendations on environmental restoration, the economic valuation of environmental damages and compensation that were presented to the Indonesian Supreme Court's Environmental Working Group and

that are now being used by the Supreme Court. The policy recommendations are also under consideration for adoption by the National Anti-Corruption Agency.

- **Globally:** At the 2018 World Water Forum in Brasilia, ELI played a central role in helping forge the Brasilia Declaration of Judges on Water Justice, which defined 10 water justice principles that can guide judges as they rule on environmental cases. This forum was the first time that judges from around the globe joined other policymakers at the event to discuss the precarious state of freshwater and the law's pivotal role in protecting it.

Reducing Environmental Conflicts Globally Through Peacebuilding and Global Education

- More than 10,000 people, including government officials and civil society groups from 170 countries, learned about the causes and ways to ameliorate and prevent major violence and conflicts over natural resources through our free Massive Open Online Course on Environmental Security & Sustaining Peace, developed with UN Environment and other partner organizations.

As the demand for effective environmental rule of law has spread internationally, nations increasingly recognize ELI's unique expertise and ability to help define appropriate solutions.

Educating China's Environmental Groups, Law Practitioners, and Agency Professionals



ELI Training of Public Interest Groups, Prosecutors, and Judges, China 2018

The positive reputation of ELI and our NGO partner was instrumental in China's Ministry of Environmental Protection and the Beijing Bureau of Public Security decision to approve our efforts to build the capacity of stakeholders to engage in the environmental public interest litigation system in China

In 2018, ELI marked an important milestone in our burgeoning efforts to strengthen the environmental law system in China, a dynamically developing country that has committed to improvements. The positive reputation of ELI and our NGO partner, the China Environmental Protection Foundation (CEPF), was instrumental in China's Ministry of Environmental Protection (MEP, later expanded and renamed as the Ministry of Ecology and Environment or MEE) and the Beijing Bureau of Public Security decision to approve our efforts to build the capacity of stakeholders to engage in the environmental public interest litigation system in China. ELI was the first international nonprofit organization to be approved by MEP/MEE for this type of registration.

- Working with CEPF, ELI held seven workshops at Tianjin University Law School and Renmin University Law School. The workshops' 465 participants from 29 provinces—including Chinese NGOs, judges, and prosecutors—heard diverse perspectives and gained valuable insights on the components of effective environmental legal cases. Distinguished faculty members included experts from China's MEE and ELI's Leadership Council, and several judges from the Supreme People's Court.

Attendees learned about how Chinese judges manage environmental cases and best practices that have emerged over the past 50 years of U.S. environmental citizen suits.

- The **China International Business Dialogue on Environmental Governance** was launched to facilitate an on-going dialogue between multinational businesses and Chinese environmental regulatory authorities regarding best practices in environmental regulation and performance by governments and industries, as well as on how environmental policy and regulation is evolving in China. In May, the Policy Research Center for Environment and Economy (PRCEE), a MEE policy advisor, worked with ELI to host a well-attended event that brought together MEE's legal and enforcement officials, compliance experts from multinational corporations, and international environmental attorneys to discuss best practices in environmental compliance from the perspective of multinational corporations. Companies involved in this initiative include Chevron, Invista, and Pfizer. ELI is interested in bringing additional companies into this exciting initiative. (See <https://www.eli.org/china-cibdeg>.)



Presentation of the 2018 Environmental Achievement Award to Lisa P. Jackson, Apple's Vice President of Environment, Policy, and Social Initiatives. Photo (left to right): Eric H. Holder, Jr. (82nd Attorney General of the U.S.), Scott Fulton (President, ELI), Lisa P. Jackson, and Benjamin F. Wilson (Chairman, ELI Board of Directors).



2018 Boot Camp, San Francisco

Illuminating Breaking News and Important Current Developments

To keep atop fast-moving major events in environmental policy and law, ELI launched our Breaking News Webinars to provide expert insights and rapid responses. In July, after Justice Anthony Kennedy announced his upcoming retirement from the Supreme Court, ELI convened an expert panel for a webinar to discuss the implications of his retirement for the future of environmental law. In August, after U.S. District Court Judge David Norton issued a ruling that reinstated EPA's Waters of the United States rule as the applicable legal standard in 26 states, ELI quickly brought together experts for a webinar on the ramifications and implications of Judge Norton's decision for the Clean Water Act's future. Proposed Endangered Species Act rules and the future of California's embattled vehicle emissions standards were other Breaking News Webinar topics last year.

President Donald Trump's election has changed the course of environmental regulation. Responding to a widespread need to understand these developments and in keeping with ELI's unique role as a source of objective and nonpartisan information, in 2017, we published an initial report, *Environmental Protection in the Trump Era*, in partnership with the American Bar Association's Civil Rights and Social Justice Section. In 2018, we republished this report with updated information.

Besides webinars, ELI keeps diverse audiences abreast of vital developments during the course of a year through our workshops, briefings, and other activities. In 2018, we held 32 conferences, seminars, workshops, and webinars, as well as 7 Summer School Series Seminars, 6 co-sponsored conferences, 3 Master Classes, 11 Monthly Climate Change Briefings, and a litany of other programs.

- In a November ELI public workshop on the ELI Press book, *Paying for Tomorrow: Maintaining Our Quality of Life*, author and leading expert Michael Curley explained innovative financial strategies that could be used to reduce greenhouse gases, protect jobs, and support other urgent needs.
- The ELI Corporate Forum, held in conjunction with our annual Award Dinner, brought together a superb expert panel to discuss *Corporate Governance in an Age of Increased Environmental Accountability, Liability, and Risk*—an issue of mounting urgency amid the search by companies for innovative practical solutions to today's environmental crises.
- At the annual Awards Dinner, 2018 honoree Lisa Jackson—Vice President of Apple's Environment, Policy, and Social Initiatives and former EPA

Administrator—underscored the power of private environmental governance as she described Apple's programs to green its supply chain and reduce the company's carbon and natural resource footprint.

- As always, ELI takes great pride in training the up-and-coming generation of environmental lawyers and keeping experienced professionals abreast of the latest developments. Both our 14th Annual ELI Western Boot Camp on Environmental Law® held in San Francisco in March and our 27th Annual Eastern Boot Camp on Environmental Law® held in Washington, D.C., in November continued the long-standing ELI tradition of bringing together top environmental practitioners and managers

with students avid to learn about the core environmental laws and issues. Our seven-part ELI Summer School series of brown-bag lunch seminars, taught weekly during June and July by experts in their fields, introduced audiences to the major environmental statutes and land use law.

- And, of course, in 2018—through our many thought-provoking articles in *The Environmental Law Reporter*® and *The Environmental Forum*®, as well as dozens of ELI books and reports on urgent issues of the day—ELI continued earning acclaim and global recognition as the go-to organization for objective, balanced information and dialogue on environmental law and policy.



You (ELI) have a history of doing consequential things,... always in a bipartisan and nonpartisan way, and always with quality and integrity.

William K. Reilly
Former Administrator,
U.S. Environmental Protection Agency

Helping America's Communities and States

Advance Environmental Progress

Reimagining the Federal vs. State Authority

In 2017, state regulators issued a call for rethinking the federal-state relationship—dubbed Cooperative Federalism 2.0. States suggested that the distribution of authority to the states to date fails to account for their increased capacity and local knowledge on how to administer environmental laws.

Working with the Environmental Council of the States, and with support from the friends and family of the late pioneering attorney Angus Macbeth and other partners, ELI drew on our strengths as a trusted convening organization to determine how best to devolve federal environmental authority. Based on a candid exchange of views among experts and the results of a penetrating policy questionnaire to our board members, Leadership Council members, and other members, in October, ELI published *The Macbeth Report: Cooperative Federalism in the Modern Era*. The report provides a wealth of perspectives and insights along with salient recommendations for possible durable reforms.

Empowering Public Engagement in the Gulf of Mexico Restoration

Since 2010, ELI's Ocean Program has worked with partners to facilitate effective public engagement in the Gulf restoration and recovery process. We continue to play a vital role in ensuring that the public is integrally involved in the disbursement of the billions in restoration and recovery dollars that came out of the 2016 settlement among BP, five Gulf states, and the U.S. government over the massive 2010 Deepwater Horizon Gulf oil spill.

In March 2018, we published *Coordination in the Natural Resource Damage Assessment Process: General Tools and Mechanisms*. The report is designed to help the general public who seek to know more about one of the three main restoration

and recovery processes—trustee coordination for the Deepwater Horizon natural resource damage assessment. In June, we participated in a public meeting on *Engaging in the Gulf Restoration Processes: How the Public Can Help Shape Restoration*, with ELI setting the stage for the meeting with an overview of key entry points for public engagement.

Providing Vital Resources for Communities to Mitigate Flood Risks

With annual flooding on the rise across the United States, ELI has created a wealth of resources for communities dealing with floods. In seeking ways to mitigate future flooding, many local governments are using voluntary buyouts of flood-damaged properties under the Federal Emergency Management Agency's Hazard Mitigation Grant Program. But often these local governments have little or no funding for restoring or managing acquired land, and they lack needed guidance on how to maximize long-term community benefits. By offering practical, implementable information to help communities in different states optimize buyouts and improve community resilience—including 13 floodplain buyout case studies—ELI and our partners continue to tackle serious domestic environmental problems through providing useful resources.

Another approach that local governments can deploy to mitigate flooding is establishing green infrastructure. As they do so, officials can help address resource constraints, build political support, and provide other benefits by effectively involving the public. With New Mexico conservation NGO Amigos Bravos, ELI prepared a broadly applicable *Step-by-Step Guide to Integrating Community Input Into Green Infrastructure Projects* that makes the case for robust public involvement and then offers eight detailed tips for involving community members.

Creating Model Approaches for Reducing Food Waste

Building on our extensive experience researching, convening, and publishing in the areas of climate change mitigation, sustainable production and consumption, and state and local waste management programs, ELI's Food Waste Initiative is helping to advance the

federal government's goal of halving food loss and waste by 2030. Through the Nashville Food Waste Initiative, a project led by the Natural Resources Defense Council, ELI staff are developing and demonstrating strategies and practical tools for addressing food waste that serve as a model for other cities nationwide.



Missouri flooding, 2015



“ELI's cutting-edge research, programming and publications illuminate the pathways to effective law and governance in the environmental sphere, while providing a forum for different points of view to come together. In times like these, ELI's work is necessary, critically important, and more needed than ever.”

Gina McCarthy,
Former Administrator,
U.S. Environmental Protection Agency

DECODING THE DIGITAL REVOLUTION'S FAR-REACHING ENVIRONMENTAL IMPLICATIONS

ELI believes that evolving private environmental governance, law, digitally enabled technologies, and community engagement have brought us to a stage in which a new environmental paradigm is needed. Our report, *A New Environmentalism: The Need for a Total Strategy for Environmental Protection*, featured in the September 2018 issue of *ELR's News & Analysis*, describes developments that we believe should and will affect how we think about future environmental approaches. At the Annual Dinner's ELI-Miriam Hamilton Keare Policy Forum, experts discussed such questions as: How should we institutionalize this new paradigm? How can companies' voluntary commitments be further internalized into algorithms that drive energy and environmental decisions in facilities and supply chains?

Clearly, we are only beginning to witness the digital revolution's many impacts. But currently, little attention is being paid to the environmental consequences of artificial intelligence (AI). Keeping an eye on such critical developments, in February, ELI published *When Software Rules: Rule of Law in the Age of Artificial Intelligence*. The report provides

a brief history of and current concerns with AI systems. Investigating another potentially disruptive information technology, ELI in June published an article entitled "Blockchain Salvation" that urges environmental professionals to join an ongoing conversation that will shape the social contract affecting blockchain's environmental costs and benefits as well as policy and governance responses. Blockchain is a central focus of eight multidisciplinary research projects ELI announced on the far-reaching energy and environmental implications of the digital economy, funded by the Alfred P. Sloan Foundation. And in September, ELI convened experts in San Francisco for a panel and webinar titled: *Energizing the Future With Blockchain: How the Environment and Energy Sectors Can Benefit From the Technology Behind Bitcoin*.

Underscoring the potential for technology to be harnessed to address major environmental challenges, in *The Environmental Forum*® (Nov.-Dec.), experts debated whether humanity needs to consider geoengineering as an analog to climate change mitigation activities.

MARKING A MAJOR MILESTONE FOR ELI'S UNIQUE AND AUTHORITATIVE INDOOR AIR QUALITY PROGRAM



In October, ELI celebrated the 20th anniversary of our education program for state indoor environmental quality officials. Public health agencies from more than 40 states have participated in workshops convened by ELI every 18 months, beginning in October 1998. This unique program has helped strengthen state capacity by emphasizing peer learning and facilitating ongoing technical support among state officials, with the goal of reducing key exposures in homes, schools, and other indoor environments.

PROVIDING VALUED INFORMATION ON REGULATORY CHALLENGES TO COMPANIES



With the publication of *RCRA and Retail: Considering the Fate of Consumer Aerosol Cans*, ELI helped companies tackle a vexing regulatory problem. Cans account for almost half the retail sector's Resource Conservation and Recovery Act-regulated material, driving retail stores' status as large-quantity generators when they manage discarded and returned consumer aerosol cans. Retailers can hit the RCRA ignitability "tripwire," requiring aerosol cans to be managed as hazardous waste. But when consumers discard the cans, they are treated as household waste that can be recycled and produce substantial steel and aluminum recovery. ELI's retail-sector report, which builds upon a deep body of guidance ELI has developed for decades on RCRA-regulated waste, analyzed the regulatory loopholes and offered recommendations for improvements.

CHAMPIONING ENVIRONMENTAL JUSTICE THROUGH PROVIDING KEY INSIGHTS AND EVALUATING IMPACTS

- ELI and partners continued our panel and webinar series that began in 2017 on *Environmental Justice in the 21st Century: Threats and Opportunities*, to keep the dialogue going on this most critical issue. Dynamic environmental justice leaders, including Representative Raul Ruiz (D-Cal.), cosponsor of the Environment Justice Act of 2017, and Charles Lee, the principal author of *Toxic Wastes and Race in the United States*, were featured on panels in April and October. Experts explored climate justice, impacts of extreme weather events on marginalized communities, toxic landfill siting, and how environmental practitioners can empower and support environmental justice communities.
- In April, ELI Press released *Environmental Justice: Legal Theory and Practice*, 4th Edition, by Barry E. Hill, which provides a comprehensive review of this still-evolving area of law whose central tenets involve a complex mixture of environmental laws and civil rights legal theories.
- And in *The Environmental Forum*® (July-August) ELI published two outstanding articles that contributed to clarity about major environmental justice issues. *Climate Justice* discussed promoting corporate responsibility to benefit diverse communities through socially conscious investments. *Energy Justice* discussed integrating environmental justice into state electricity market regulation.

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*Annual Report written
by Visiting Scholar,
David Clarke, with input
from the staff of ELI
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Evan Odoms
with direction from
Robbin Marks*

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FINANCIAL STATEMENTS

Statements of Financial Position

Years Ended December 31,	2018	2017
Assets		
Current assets		
Cash and cash equivalents	\$ 2,022,366	\$ 2,309,618
Accounts receivable		
Awards and contracts	713,000	598,138
Other	57,720	75,200
Allowance for doubtful accounts	(70,000)	(40,000)
Net accounts receivable	700,720	633,338
Contributions receivable, current portion	840,297	742,385
Investments	4,336,798	4,495,079
Prepaid expenses and inventory	171,962	134,170
Total current assets	8,072,143	8,314,590
Contributions receivable, net of current portion	100,000	128,000
Property and equipment, at cost		
Furniture, equipment, and software	376,530	299,358
Leasehold improvements	748,408	748,408
Total	1,124,938	1,047,766
Less: Accumulated depreciation and amortization	(536,115)	(433,435)
Property and equipment, net	588,823	614,331
Other assets		
Security deposit	65,023	64,115
Total assets	\$8,825,989	\$9,121,036
Liabilities and Net Assets		
Current liabilities		
Accounts payable and accrued liabilities	\$ 648,887	\$ 659,066
Accrued payroll and vacation	447,194	401,304
Deferred revenue	240,210	388,162
Deferred rent, current portion	109,394	100,175
Total current liabilities	1,445,685	1,548,707
Deferred rent, net of current portion	719,428	828,819
Total liabilities	2,165,113	2,377,526
Net assets		
Net assets without donor restrictions	4,687,551	4,764,229
Temporarily restricted	1,973,325	1,979,281
Total net assets	6,660,876	6,743,510
Total liabilities and net assets	\$8,825,989	\$9,121,036

Statements of Activities and Changes in Net Assets

Year Ended December 31, 2018					
	Without Donor Restrictions	Board Designated	Total Without Donor Restrictions	With Donor Restrictions	Total
Operating revenues					
Federal awards and contracts	\$1,177,817	\$ -	\$1,177,817	\$ -	\$1,177,817
Contributions	954,909	-	954,909	2,861,939	3,816,848
Publication sales and subscriptions	356,766	-	356,766	-	356,766
Membership revenue	709,804	-	709,804	-	709,804
Award dinner	547,305	-	547,305	-	547,305
Less Direct donor benefits	(113,466)	-	(113,466)	-	(113,466)
Other revenue	218,558	-	218,558	-	218,558
Net assets released from time restriction	178,500	-	178,500	(178,500)	-
Net assets released from purpose restriction	2,689,395	-	2,689,395	(2,689,395)	-
Total operating revenues	6,719,588		7,266,893	(5,956)	6,713,632
Operating expenses					
Program services					
Research, policy, and training	3,260,976	245,292	3,506,268	-	3,506,268
Associate membership	652,985	-	652,985	-	652,985
Publications	439,200	-	439,200	-	439,200
Other projects	355,160	-	355,160	-	355,160
Total program services	4,708,321	245,292	4,953,613	-	4,953,613
Supporting services					
Fundraising	329,896	-	329,896	-	329,896
Management and general	1,189,752	-	1,189,752	-	1,189,752
Total supporting services	1,519,648	-	1,519,648	-	1,519,648
Total operating expenses	6,227,969	245,292	6,473,261		6,473,261
Net operating income (loss)	491,619	(245,292)	246,327	(5,956)	240,371
Investment loss	(323,005)	-	(323,005)	-	(323,005)
Changes in net assets	168,614	(245,292)	(76,678)	(5,956)	(82,634)
Transfer between net assets without donor restrictions	(283,000)	283,000	-	-	-
Net assets, beginning of year	4,396,273	367,956	4,764,229	1,979,281	6,743,510
Net assets, end of year	\$4,281,887	\$405,664	\$4,687,551	\$1,973,325	\$6,660,876

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