

Form **990**Department of the Treasury
Internal Revenue Service**Return of Organization Exempt From Income Tax**

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except black lung benefit trust or private foundation)

OMB No. 1545-0047

2012Open to Public
Inspection

▶ The organization may have to use a copy of this return to satisfy state reporting requirements.

A For the 2012 calendar year, or tax year beginning **JUL 1, 2012** and ending **JUN 30, 2013**

B Check if applicable: <input type="checkbox"/> Address change <input type="checkbox"/> Name change <input type="checkbox"/> Initial return <input type="checkbox"/> Terminated <input type="checkbox"/> Amended return <input type="checkbox"/> Application pending	C Name of organization EARTHJUSTICE		D Employer identification number 94-1730465
	Doing Business As		
	Number and street (or P.O. box if mail is not delivered to street address)	Room/suite	E Telephone number
	50 CALIFORNIA STREET, SUITE 500		(415) 217-2000
	City, town, or post office, state, and ZIP code SAN FRANCISCO, CA 94111		G Gross receipts \$ 65,416,927.
F Name and address of principal officer: DONNELL VAN NOPPEN SAME AS C ABOVE		H(a) Is this a group return for affiliates? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No H(b) Are all affiliates included? <input type="checkbox"/> Yes <input type="checkbox"/> No If "No," attach a list. (see instructions)	
I Tax-exempt status: <input checked="" type="checkbox"/> 501(c)(3) <input type="checkbox"/> 501(c) () (insert no.) <input type="checkbox"/> 4947(a)(1) or <input type="checkbox"/> 527			
J Website: WWW.EARTHJUSTICE.ORG			
K Form of organization: <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Trust <input type="checkbox"/> Association <input type="checkbox"/> Other ▶		L Year of formation: 1970 M State of legal domicile: CA	

Part I Summary

Activities & Governance	1 Briefly describe the organization's mission or most significant activities: SEE SCHEDULE O		
	2 Check this box <input type="checkbox"/> if the organization discontinued its operations or disposed of more than 25% of its net assets.		
	3 Number of voting members of the governing body (Part VI, line 1a)	3	22
	4 Number of independent voting members of the governing body (Part VI, line 1b)	4	22
	5 Total number of individuals employed in calendar year 2012 (Part V, line 2a)	5	252
	6 Total number of volunteers (estimate if necessary)	6	10
	7a Total unrelated business revenue from Part VIII, column (C), line 12	7a	0.
b Net unrelated business taxable income from Form 990-T, line 34	7b	0.	
Revenue	8 Contributions and grants (Part VIII, line 1h)	Prior Year 32,386,669.	Current Year 32,609,428.
	9 Program service revenue (Part VIII, line 2g)	5,079,648.	4,109,785.
	10 Investment income (Part VIII, column (A), lines 3, 4, and 7d)	763,901.	1,178,529.
	11 Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e)	113,742.	67,013.
	12 Total revenue - add lines 8 through 11 (must equal Part VIII, column (A), line 12)	38,343,960.	37,964,755.
	13 Grants and similar amounts paid (Part IX, column (A), lines 1-3)	54,650.	314,700.
	14 Benefits paid to or for members (Part IX, column (A), line 4)	0.	0.
	15 Salaries, other compensation, employee benefits (Part IX, column (A), lines 5-10)	21,571,574.	23,733,459.
Expenses	16a Professional fundraising fees (Part IX, column (A), line 11e)	252,529.	383,467.
	b Total fundraising expenses (Part IX, column (D), line 25) ▶ 5,073,148.		
	17 Other expenses (Part IX, column (A), lines 11a-11d, 11f-24e)	11,338,032.	10,479,670.
	18 Total expenses. Add lines 13-17 (must equal Part IX, column (A), line 25)	33,216,785.	34,911,296.
	19 Revenue less expenses. Subtract line 18 from line 12	5,127,175.	3,053,459.
Net Assets or Fund Balances	20 Total assets (Part X, line 16)	Beginning of Current Year 53,908,481.	End of Year 58,945,673.
	21 Total liabilities (Part X, line 26)	7,791,128.	8,244,593.
	22 Net assets or fund balances. Subtract line 21 from line 20	46,117,353.	50,701,080.

Part II Signature Block

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

Sign Here	Signature of officer		Date
	JASON SCHWARTZ, VP FINANCE		
Paid Preparer Use Only	Print/Type preparer's name	Preparer's signature	Date
	TRACY S. PAGLIA	<i>Tracy S. Paglia</i>	2/12/14
	Firm's name ▶ MOSS ADAMS, LLP	Firm's EIN ▶ 91-0189318	Check if self-employed <input type="checkbox"/>
	Firm's address ▶ 3121 WEST MARCH LANE, SUITE 100 STOCKTON, CA 95219	Phone no. 209-955-6100	PTIN P00366884

May the IRS discuss this return with the preparer shown above? (see instructions) ☒ Yes ☐ No

Part III Statement of Program Service AccomplishmentsCheck if Schedule O contains a response to any question in this Part III ☒ **X**

- 1 Briefly describe the organization's mission:
EARTHJUSTICE IS A NON-PROFIT PUBLIC INTEREST LAW FIRM DEDICATED TO PROTECTING THE MAGNIFICENT PLACES, NATURAL RESOURCES, AND WILDLIFE OF THIS EARTH AND TO DEFENDING THE RIGHT OF ALL PEOPLE TO A HEALTHY ENVIRONMENT.
- 2 Did the organization undertake any significant program services during the year which were not listed on the prior Form 990 or 990-EZ? ☐ Yes ☒ No
 If "Yes," describe these new services on Schedule O.
- 3 Did the organization cease conducting, or make significant changes in how it conducts, any program services? ☐ Yes ☒ No
 If "Yes," describe these changes on Schedule O.
- 4 Describe the organization's program service accomplishments for each of its three largest program services, as measured by expenses. Section 501(c)(3) and 501(c)(4) organizations are required to report the amount of grants and allocations to others, the total expenses, and revenue, if any, for each program service reported.
- 4a (Code:) (Expenses \$ **18,930,264.** Including grants of \$ **314,700.**) (Revenue \$ **4,109,785.**)
PROVIDE FREE LEGAL REPRESENTATION, WORKING THROUGH THE COURTS ON BEHALF OF CITIZEN GROUPS, SCIENTISTS, ENVIRONMENTAL AND OTHER ORGANIZATIONS TO ENSURE THAT GOVERNMENT AGENCIES AND PRIVATE INTERESTS FOLLOW THE LAW.
- 4b (Code:) (Expenses \$ **8,326,642.** Including grants of \$) (Revenue \$)
PROVIDE INCREASED PUBLIC, MEDIA AND POLICY MAKER AWARENESS OF ENVIRONMENTAL ISSUES AND THE ROLE OF LAW IN RESOLVING THEM.
- 4c (Code:) (Expenses \$ Including grants of \$) (Revenue \$)
- 4d Other program services (Describe in Schedule O.)
 (Expenses \$ Including grants of \$) (Revenue \$)
- 4e Total program service expenses **27,256,906.**

Part IV Checklist of Required Schedules

	Yes	No
1 Is the organization described in section 501(c)(3) or 4947(a)(1) (other than a private foundation)? If "Yes," complete Schedule A	X	
2 Is the organization required to complete Schedule B, Schedule of Contributors?	X	
3 Did the organization engage in direct or indirect political campaign activities on behalf of or in opposition to candidates for public office? If "Yes," complete Schedule C, Part I		X
4 Section 501(c)(3) organizations. Did the organization engage in lobbying activities, or have a section 501(h) election in effect during the tax year? If "Yes," complete Schedule C, Part II	X	
5 Is the organization a section 501(c)(4), 501(c)(5), or 501(c)(6) organization that receives membership dues, assessments, or similar amounts as defined in Revenue Procedure 98-19? If "Yes," complete Schedule C, Part III		X
6 Did the organization maintain any donor advised funds or any similar funds or accounts for which donors have the right to provide advice on the distribution or investment of amounts in such funds or accounts? If "Yes," complete Schedule D, Part I		X
7 Did the organization receive or hold a conservation easement, including easements to preserve open space, the environment, historic land areas, or historic structures? If "Yes," complete Schedule D, Part II		X
8 Did the organization maintain collections of works of art, historical treasures, or other similar assets? If "Yes," complete Schedule D, Part III		X
9 Did the organization report an amount in Part X, line 21, for escrow or custodial account liability; serve as a custodian for amounts not listed in Part X; or provide credit counseling, debt management, credit repair, or debt negotiation services? If "Yes," complete Schedule D, Part IV	X	
10 Did the organization, directly or through a related organization, hold assets in temporarily restricted endowments, permanent endowments, or quasi-endowments? If "Yes," complete Schedule D, Part V	X	
11 If the organization's answer to any of the following questions is "Yes," then complete Schedule D, Parts VI, VII, VIII, IX, or X as applicable.		
a Did the organization report an amount for land, buildings, and equipment in Part X, line 10? If "Yes," complete Schedule D, Part VI	X	
b Did the organization report an amount for investments - other securities in Part X, line 12 that is 5% or more of its total assets reported in Part X, line 16? If "Yes," complete Schedule D, Part VII		X
c Did the organization report an amount for investments - program related in Part X, line 13 that is 5% or more of its total assets reported in Part X, line 16? If "Yes," complete Schedule D, Part VIII		X
d Did the organization report an amount for other assets in Part X, line 15 that is 5% or more of its total assets reported in Part X, line 16? If "Yes," complete Schedule D, Part IX		X
e Did the organization report an amount for other liabilities in Part X, line 25? If "Yes," complete Schedule D, Part X	X	
f Did the organization's separate or consolidated financial statements for the tax year include a footnote that addresses the organization's liability for uncertain tax positions under FIN 48 (ASC 740)? If "Yes," complete Schedule D, Part X	X	
12a Did the organization obtain separate, independent audited financial statements for the tax year? If "Yes," complete Schedule D, Parts XI and XII	X	
b Was the organization included in consolidated, independent audited financial statements for the tax year? If "Yes," and if the organization answered "No" to line 12a, then completing Schedule D, Parts XI and XII is optional		X
13 Is the organization a school described in section 170(b)(1)(A)(ii)? If "Yes," complete Schedule E		X
14a Did the organization maintain an office, employees, or agents outside of the United States?	X	
b Did the organization have aggregate revenues or expenses of more than \$10,000 from grantmaking, fundraising, business, investment, and program service activities outside the United States, or aggregate foreign investments valued at \$100,000 or more? If "Yes," complete Schedule F, Parts I and IV	X	
15 Did the organization report on Part IX, column (A), line 3, more than \$5,000 of grants or assistance to any organization or entity located outside the United States? If "Yes," complete Schedule F, Parts II and IV		X
16 Did the organization report on Part IX, column (A), line 3, more than \$5,000 of aggregate grants or assistance to individuals located outside the United States? If "Yes," complete Schedule F, Parts III and IV		X
17 Did the organization report a total of more than \$15,000 of expenses for professional fundraising services on Part IX, column (A), lines 6 and 11e? If "Yes," complete Schedule G, Part I	X	
18 Did the organization report more than \$15,000 total of fundraising event gross income and contributions on Part VIII, lines 1c and 8a? If "Yes," complete Schedule G, Part II		X
19 Did the organization report more than \$15,000 of gross income from gaming activities on Part VIII, line 9a? If "Yes," complete Schedule G, Part III		X
20a Did the organization operate one or more hospital facilities? If "Yes," complete Schedule H		X
b If "Yes" to line 20a, did the organization attach a copy of its audited financial statements to this return?		

Form 990 (2012)

Part IV Checklist of Required Schedules (continued)

	Yes	No
21 Did the organization report more than \$5,000 of grants and other assistance to any government or organization in the United States on Part IX, column (A), line 1? If "Yes," complete Schedule I, Parts I and II	X	
22 Did the organization report more than \$5,000 of grants and other assistance to individuals in the United States on Part IX, column (A), line 2? If "Yes," complete Schedule I, Parts I and II		X
23 Did the organization answer "Yes" to Part VII, Section A, line 3, 4, or 5 about compensation of the organization's current and former officers, directors, trustees, key employees, and highest compensated employees? If "Yes," complete Schedule J	X	
24a Did the organization have a tax-exempt bond issue with an outstanding principal amount of more than \$100,000 as of the last day of the year, that was issued after December 31, 2002? If "Yes," answer lines 24b through 24d and complete Schedule K. If "No," go to line 25		X
b Did the organization invest any proceeds of tax-exempt bonds beyond a temporary period exception?		
c Did the organization maintain an escrow account other than a refunding escrow at any time during the year to defease any tax-exempt bonds?		
d Did the organization act as an "on behalf of" issuer for bonds outstanding at any time during the year?		
25a Section 501(c)(3) and 501(c)(4) organizations. Did the organization engage in an excess benefit transaction with a disqualified person during the year? If "Yes," complete Schedule L, Part I		X
b Is the organization aware that it engaged in an excess benefit transaction with a disqualified person in a prior year, and that the transaction has not been reported on any of the organization's prior Forms 990 or 990-EZ? If "Yes," complete Schedule L, Part I		X
26 Was a loan to or by a current or former officer, director, trustee, key employee, highest compensated employee, or disqualified person outstanding as of the end of the organization's tax year? If "Yes," complete Schedule L, Part II		X
27 Did the organization provide a grant or other assistance to an officer, director, trustee, key employee, substantial contributor or employee thereof, a grant selection committee member, or to a 35% controlled entity or family member of any of these persons? If "Yes," complete Schedule L, Part III		X
28 Was the organization a party to a business transaction with one of the following parties (see Schedule L, Part IV instructions for applicable filing thresholds, conditions, and exceptions):		
a A current or former officer, director, trustee, or key employee? If "Yes," complete Schedule L, Part IV		X
b A family member of a current or former officer, director, trustee, or key employee? If "Yes," complete Schedule L, Part IV		X
c An entity of which a current or former officer, director, trustee, or key employee (or a family member thereof) was an officer, director, trustee, or direct or indirect owner? If "Yes," complete Schedule L, Part IV		X
29 Did the organization receive more than \$25,000 in non-cash contributions? If "Yes," complete Schedule M	X	
30 Did the organization receive contributions of art, historical treasures, or other similar assets, or qualified conservation contributions? If "Yes," complete Schedule M		X
31 Did the organization liquidate, terminate, or dissolve and cease operations? If "Yes," complete Schedule N, Part I		X
32 Did the organization sell, exchange, dispose of, or transfer more than 25% of its net assets? If "Yes," complete Schedule N, Part II		X
33 Did the organization own 100% of an entity disregarded as separate from the organization under Regulations sections 301.7701-2 and 301.7701-3? If "Yes," complete Schedule R, Part I		X
34 Was the organization related to any tax-exempt or taxable entity? If "Yes," complete Schedule R, Part II, III, or IV, and Part V, line 1	X	
35a Did the organization have a controlled entity within the meaning of section 512(b)(13)?	X	
b If "Yes" to line 35a, did the organization receive any payment from or engage in any transaction with a controlled entity within the meaning of section 512(b)(13)? If "Yes," complete Schedule R, Part V, line 2		X
36 Section 501(c)(3) organizations. Did the organization make any transfers to an exempt non-charitable related organization? If "Yes," complete Schedule R, Part V, line 2		X
37 Did the organization conduct more than 5% of its activities through an entity that is not a related organization and that is treated as a partnership for federal income tax purposes? If "Yes," complete Schedule R, Part VI		X
38 Did the organization complete Schedule O and provide explanations in Schedule O for Part VI, lines 11b and 19?	X	
Note. All Form 990 filers are required to complete Schedule O		

Form 990 (2012)

Part V Statements Regarding Other IRS Filings and Tax ComplianceCheck if Schedule O contains a response to any question in this Part V ☐

		Yes	No
1a	Enter the number reported in Box 3 of Form 1096. Enter -0- if not applicable	355	
b	Enter the number of Forms W-2G included in line 1a. Enter -0- if not applicable	0	
c	Did the organization comply with backup withholding rules for reportable payments to vendors and reportable gaming (gambling) winnings to prize winners?	X	
2a	Enter the number of employees reported on Form W-3, Transmittal of Wage and Tax Statements, filed for the calendar year ending with or within the year covered by this return	252	
b	If at least one is reported on line 2a, did the organization file all required federal employment tax returns? Note. If the sum of lines 1a and 2a is greater than 250, you may be required to e-file (see instructions)	X	
3a	Did the organization have unrelated business gross income of \$1,000 or more during the year?		X
b	If "Yes," has it filed a Form 990-T for this year? If "No," provide an explanation in Schedule O		
4a	At any time during the calendar year, did the organization have an interest in, or a signature or other authority over, a financial account in a foreign country (such as a bank account, securities account, or other financial account)?		X
b	If "Yes," enter the name of the foreign country: See instructions for filing requirements for Form TD F 90-22.1, Report of Foreign Bank and Financial Accounts.		
5a	Was the organization a party to a prohibited tax shelter transaction at any time during the tax year?		X
b	Did any taxable party notify the organization that it was or is a party to a prohibited tax shelter transaction?		X
c	If "Yes," to line 5a or 5b, did the organization file Form 8886-T?		
6a	Does the organization have annual gross receipts that are normally greater than \$100,000, and did the organization solicit any contributions that were not tax deductible as charitable contributions?		X
b	If "Yes," did the organization include with every solicitation an express statement that such contributions or gifts were not tax deductible?		
7	Organizations that may receive deductible contributions under section 170(c).		
a	Did the organization receive a payment in excess of \$75 made partly as a contribution and partly for goods and services provided to the payor?		X
b	If "Yes," did the organization notify the donor of the value of the goods or services provided?		
c	Did the organization sell, exchange, or otherwise dispose of tangible personal property for which it was required to file Form 8282?		X
d	If "Yes," indicate the number of Forms 8282 filed during the year	7d	
e	Did the organization receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?		X
f	Did the organization, during the year, pay premiums, directly or indirectly, on a personal benefit contract?		X
g	If the organization received a contribution of qualified intellectual property, did the organization file Form 8899 as required?		
h	If the organization received a contribution of cars, boats, airplanes, or other vehicles, did the organization file a Form 1098-C?		
8	Sponsoring organizations maintaining donor advised funds and section 509(a)(3) supporting organizations. Did the supporting organization, or a donor advised fund maintained by a sponsoring organization, have excess business holdings at any time during the year?		
9	Sponsoring organizations maintaining donor advised funds.		
a	Did the organization make any taxable distributions under section 4966?		
b	Did the organization make a distribution to a donor, donor advisor, or related person?		
10	Section 501(c)(7) organizations. Enter:		
a	Initiation fees and capital contributions included on Part VIII, line 12	10a	
b	Gross receipts, included on Form 990, Part VIII, line 12, for public use of club facilities	10b	
11	Section 501(c)(12) organizations. Enter:		
a	Gross income from members or shareholders	11a	
b	Gross income from other sources (Do not net amounts due or paid to other sources against amounts due or received from them.)	11b	
12a	Section 4947(a)(1) non-exempt charitable trusts. Is the organization filing Form 990 in lieu of Form 1041?	12a	
b	If "Yes," enter the amount of tax-exempt interest received or accrued during the year	12b	
13	Section 501(c)(29) qualified nonprofit health insurance issuers.		
a	Is the organization licensed to issue qualified health plans in more than one state? Note. See the instructions for additional information the organization must report on Schedule O.	13a	
b	Enter the amount of reserves the organization is required to maintain by the states in which the organization is licensed to issue qualified health plans	13b	
c	Enter the amount of reserves on hand	13c	
14a	Did the organization receive any payments for indoor tanning services during the tax year?	14a	X
b	If "Yes," has it filed a Form 720 to report these payments? If "No," provide an explanation in Schedule O	14b	

Form 990 (2012)

Part VI Governance, Management, and Disclosure For each "Yes" response to lines 2 through 7b below, and for a "No" response to line 8a, 8b, or 10b below, describe the circumstances, processes, or changes in Schedule O. See instructions.

Check if Schedule O contains a response to any question in this Part VI

☒**Section A. Governing Body and Management**

	1a	1b	22	Yes	No
1a Enter the number of voting members of the governing body at the end of the tax year			22		
If there are material differences in voting rights among members of the governing body, or if the governing body delegated broad authority to an executive committee or similar committee, explain in Schedule O.					
b Enter the number of voting members included in line 1a, above, who are independent			22		
2 Did any officer, director, trustee, or key employee have a family relationship or a business relationship with any other officer, director, trustee, or key employee?				2	X
3 Did the organization delegate control over management duties customarily performed by or under the direct supervision of officers, directors, or trustees, or key employees to a management company or other person?				3	X
4 Did the organization make any significant changes to its governing documents since the prior Form 990 was filed?				4	X
5 Did the organization become aware during the year of a significant diversion of the organization's assets?				5	X
6 Did the organization have members or stockholders?				6	X
7a Did the organization have members, stockholders, or other persons who had the power to elect or appoint one or more members of the governing body?				7a	X
b Are any governance decisions of the organization reserved to (or subject to approval by) members, stockholders, or persons other than the governing body?				7b	X
8 Did the organization contemporaneously document the meetings held or written actions undertaken during the year by the following:					
a The governing body?				8a	X
b Each committee with authority to act on behalf of the governing body?				8b	X
9 Is there any officer, director, trustee, or key employee listed in Part VII, Section A, who cannot be reached at the organization's mailing address? If "Yes," provide the names and addresses in Schedule O				9	X

Section B. Policies (This Section B requests information about policies not required by the Internal Revenue Code.)

	Yes	No
10a Did the organization have local chapters, branches, or affiliates?	10a X	
b If "Yes," did the organization have written policies and procedures governing the activities of such chapters, affiliates, and branches to ensure their operations are consistent with the organization's exempt purposes?	10b X	
11a Has the organization provided a complete copy of this Form 990 to all members of its governing body before filing the form?	11a X	
b Describe in Schedule O the process, if any, used by the organization to review this Form 990.		
12a Did the organization have a written conflict of interest policy? If "No," go to line 13	12a X	
b Were officers, directors, or trustees, and key employees required to disclose annually interests that could give rise to conflicts?	12b X	
c Did the organization regularly and consistently monitor and enforce compliance with the policy? If "Yes," describe in Schedule O how this was done	12c X	
13 Did the organization have a written whistleblower policy?	13 X	
14 Did the organization have a written document retention and destruction policy?	14 X	
15 Did the process for determining compensation of the following persons include a review and approval by independent persons, comparability data, and contemporaneous substantiation of the deliberation and decision?		
a The organization's CEO, Executive Director, or top management official	15a X	
b Other officers or key employees of the organization	15b X	
If "Yes" to line 15a or 15b, describe the process in Schedule O (see instructions).		
16a Did the organization invest in, contribute assets to, or participate in a joint venture or similar arrangement with a taxable entity during the year?	16a	X
b If "Yes," did the organization follow a written policy or procedure requiring the organization to evaluate its participation in joint venture arrangements under applicable federal tax law, and take steps to safeguard the organization's exempt status with respect to such arrangements?	16b	

Section C. Disclosure

17 List the states with which a copy of this Form 990 is required to be filed **AL, AK, AZ, AR, CA, CT, FL, GA, IL, KS, KY, LA**

18 Section 6104 requires an organization to make its Forms 1023 (or 1024 if applicable), 990, and 990-T (Section 501(c)(3)s only) available for public inspection. Indicate how you made these available. Check all that apply.
☒ Own website ☐ Another's website ☒ Upon request ☐ Other (explain in Schedule O)

19 Describe in Schedule O whether (and if so, how), the organization made its governing documents, conflict of interest policy, and financial statements available to the public during the tax year.

20 State the name, physical address, and telephone number of the person who possesses the books and records of the organization: **JAY SCHWARTZ, VP FINANCE - (415) 217-2000**
50 CALIFORNIA STREET, SUITE 500, SAN FRANCISCO, CA 94111

Part VII Compensation of Officers, Directors, Trustees, Key Employees, Highest Compensated Employees, and Independent ContractorsCheck if Schedule O contains a response to any question in this Part VII ☐**Section A. Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees****1a** Complete this table for all persons required to be listed. Report compensation for the calendar year ending with or within the organization's tax year.

- List all of the organization's **current** officers, directors, trustees (whether individuals or organizations), regardless of amount of compensation. Enter -0- in columns (D), (E), and (F) if no compensation was paid.
- List all of the organization's **current** key employees, if any. See instructions for definition of "key employee."
- List the organization's five **current** highest compensated employees (other than an officer, director, trustee, or key employee) who received reportable compensation (Box 5 of Form W-2 and/or Box 7 of Form 1099-MISC) of more than \$100,000 from the organization and any related organizations.
- List all of the organization's **former** officers, key employees, and highest compensated employees who received more than \$100,000 of reportable compensation from the organization and any related organizations.
- List all of the organization's **former** directors or trustees that received, in the capacity as a former director or trustee of the organization, more than \$10,000 of reportable compensation from the organization and any related organizations.

List persons in the following order: individual trustees or directors; institutional trustees; officers; key employees; highest compensated employees; and former such persons.

☐ Check this box if neither the organization nor any related organization compensated any current officer, director, or trustee.

(A) Name and Title	(B) Average hours per week (list any hours for related organizations below line)	(C) Position (do not check more than one box, unless person is both an officer and a director/trustee)						(D) Reportable compensation from the organization (W-2/1099-MISC)	(E) Reportable compensation from related organizations (W-2/1099-MISC)	(F) Estimated amount of other compensation from the organization and related organizations
		Individual trustee or director	Institutional trustee	Officer	Key employee	Highest compensated employee	Former			
(1) REGINALD BRACK TRUSTEE	1.00 0.00	X						0.	0.	0.
(2) SUSAN BRITTON TRUSTEE, SECRETARY	1.00 0.00	X		X				0.	0.	0.
(3) PETER CARSON TRUSTEE, CHAIR	1.00 0.00	X		X				0.	0.	0.
(4) DAVID COX TRUSTEE	1.00 0.00	X						0.	0.	0.
(5) STEVE DAETZ TRUSTEE	1.00 0.00	X						0.	0.	0.
(6) RUSSELL DAGGATT TRUSTEE THROUGH 6/13	1.00 0.00	X						0.	0.	0.
(7) TONY DEFALCO TRUSTEE	1.00 0.00	X						0.	0.	0.
(8) CARMEN G. GONZALEZ TRUSTEE	1.00 0.00	X						0.	0.	0.
(9) M. CHRIS KILLINGSWORTH TRUSTEE	1.00 0.00	X						0.	0.	0.
(10) DAVID KLIPSTEIN TRUSTEE	1.00 0.00	X						0.	0.	0.
(11) ED LEWIS TRUSTEE THROUGH 6/13	1.00 0.00	X						0.	0.	0.
(12) GEORGE MARTIN TRUSTEE	1.00 0.00	X						0.	0.	0.
(13) WILLIAM NEWSOM TRUSTEE	1.00 0.00	X						0.	0.	0.
(14) DAN OLINCY TRUSTEE	1.00 0.00	X						0.	0.	0.
(15) BRADLEY PARKER TRUSTEE	1.00 0.00	X						0.	0.	0.
(16) MARCIA RIKLIS TRUSTEE	1.00 0.00	X						0.	0.	0.
(17) BETTY SCHAFER TRUSTEE	1.00 0.00	X						0.	0.	0.

Part VII Section A. Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees (continued)

(A) Name and title	(B) Average hours per week (list any hours for related organizations below line)	(C) Position (do not check more than one box, unless person is both an officer and a director/trustee)						(D) Reportable compensation from the organization (W-2/1099-MISC)	(E) Reportable compensation from related organizations (W-2/1099-MISC)	(F) Estimated amount of other compensation from the organization and related organizations
		Individual trustee or director	Institutional trustee	Officer	Key employee	Highest compensated employee	Former			
(18) FERN SHEPARD TRUSTEE	1.00 0.00	X						0.	0.	0.
(19) PATRICE SIMMS TRUSTEE, VICE CHAIR AT LARGE	1.00 0.00	X		X				0.	0.	0.
(20) THEODORE M. SMITH TRUSTEE THROUGH 9/12	1.00 0.00	X						0.	0.	0.
(21) MICHAEL SONNENFELDT TRUSTEE	1.00 0.00	X						0.	0.	0.
(22) DIANNE STERN TRUSTEE, VICE CHAIR DEVELOPMENT	1.00 0.00	X		X				0.	0.	0.
(23) ELIZABETH SUTHERLAND RINEY TRUSTEE	1.00 0.00	X						0.	0.	0.
(24) KEVIN TONER TRUSTEE	1.00 0.00	X						0.	0.	0.
(25) STEPHEN M. UNFRIED TRUSTEE, TREASURER	1.00 0.00	X		X				0.	0.	0.
(26) G. MARC WHITEHEAD TRUSTEE THROUGH 6/13	1.00 0.00	X						0.	0.	0.
1b Sub-total								0.	0.	0.
c Total from continuation sheets to Part VII, Section A								2,613,280.	0.	538,441.
d Total (add lines 1b and 1c)								2,613,280.	0.	538,441.

2 Total number of individuals (including but not limited to those listed above) who received more than \$100,000 of reportable compensation from the organization

49

- 3 Did the organization list any former officer, director, or trustee, key employee, or highest compensated employee on line 1a? If "Yes," complete Schedule J for such individual
- 4 For any individual listed on line 1a, is the sum of reportable compensation and other compensation from the organization and related organizations greater than \$150,000? If "Yes," complete Schedule J for such individual
- 5 Did any person listed on line 1a receive or accrue compensation from any unrelated organization or individual for services rendered to the organization? If "Yes," complete Schedule J for such person

	Yes	No
3		X
4	X	
5		X

Section B. Independent Contractors

1 Complete this table for your five highest compensated independent contractors that received more than \$100,000 of compensation from the organization. Report compensation for the calendar year ending with or within the organization's tax year.

(A) Name and business address	(B) Description of services	(C) Compensation
SKYLINE CONSTRUCTION, 71 SANSOME STREET, 4TH FLOOR, SAN FRANCISCO, CA 94111	BUILDING CONSTRUCTION	1,766,228.
MAL WARWICK ASSOCIATES, 2650 9TH STREET, SUITE 103, BERKELEY, CA 94710	DIRECT MAIL CONSULTING	1,764,848.
MEDIA STRATEGIES & RESEARCH, 11350 RANDOM HILLS RD., SUITE 670, FAIRFAX, VA 22030	MEDIA PLACEMENT	620,176.
IMAGE X, 6150 STONERIDGE MALL ROAD, SUITE 200, PLEASANTON, CA 94588	REPRODUCTION & PRINTING	443,310.
CHANGE.ORG, INC., 64 FULTON ST, SUITE 1001, NEW YORK, NY 10038	EMAIL ACTIVIST LISTINGS	168,300.

2 Total number of independent contractors (including but not limited to those listed above) who received more than \$100,000 of compensation from the organization

11

SEE PART VII, SECTION A CONTINUATION SHEETS

Form 990 (2012)

(A) Name and title	(B) Average hours per week (list any hours for related organizations below line)	(C) Position (check all that apply)						(D) Reportable compensation from the organization (W-2/1099-MISC)	(E) Reportable compensation from related organizations (W-2/1099-MISC)	(F) Estimated amount of other compensation from the organization and related organizations
		Individual trustee or director	Institutional trustee	Officer	Key employee	Highest compensated employee	Former			
(27) DONNELL VAN NOPPEN PRESIDENT	40.00 0.00			X				351,537.	0.	43,577.
(28) BRUCE NEIGHBOR VICE PRESIDENT	40.00 0.00			X				157,127.	0.	48,591.
(29) WILLIAM CURTISS GENERAL COUNSEL	40.00 0.00			X				164,872.	0.	61,891.
(30) KRISTINE STRATTON SR. VICE PRESIDENT	40.00 0.00			X				225,437.	0.	13,847.
(31) PATI GOLDMAN VICE PRESIDENT	40.00 0.00				X			217,370.	0.	57,598.
(32) MELINDA CARMACK VICE PRESIDENT THROUGH 5/13	40.00 0.00				X			201,901.	0.	46,420.
(33) MARTIN HAYDEN VICE PRESIDENT	40.00 0.00				X			183,902.	0.	52,859.
(34) GEORGIA MCINTOSH VICE PRESIDENT	40.00 0.00				X			183,856.	0.	51,748.
(35) CHRISTA BROTHERS VICE PRESIDENT	40.00 0.00				X			156,082.	0.	0.
(36) PAUL ACHITOFF MANAGING ATTORNEY	40.00 0.00					X		149,997.	0.	28,821.
(37) DOUG HONNOLD MANAGING ATTORNEY	40.00 0.00					X		154,874.	0.	27,959.
(38) DAVID GUEST MANAGING ATTORNEY	40.00 0.00					X		147,110.	0.	26,973.
(39) DAVID BARON MANAGING ATTORNEY	40.00 0.00					X		147,854.	0.	46,779.
(40) DEBORAH REAMES MANAGING ATTORNEY THROUGH 10/12	40.00 0.00					X		171,361.	0.	31,378.
Total to Part VII, Section A, line 1c								2,613,280.		538,441.

Part VIII Statement of RevenueCheck if Schedule O contains a response to any question in this Part VIII ☐

				(A) Total revenue	(B) Related or exempt function revenue	(C) Unrelated business revenue	(D) Revenue excluded from tax under sections 512, 513, or 514
Contributions, Gifts, Grants and Other Similar Amounts	1 a	Federated campaigns	1a				
	b	Membership dues	1b				
	c	Fundraising events	1c				
	d	Related organizations	1d				
	e	Government grants (contributions)	1e				
	f	All other contributions, gifts, grants, and similar amounts not included above	1f	32,609,428.			
	g	Noncash contributions included in lines 1a-1f: \$		1,139,784.			
	h	Total. Add lines 1a-1f		32,609,428.			
Program Service Revenue	2 a	COURT AWARDS	Business Code	541100	3,970,914.	3,970,914.	
	b	CLIENT COST RECOVERIES	541100	138,174.	138,174.		
	c	PRODUCT SALES	900099	697.	697.		
	d						
	e						
	f	All other program service revenue					
	g	Total. Add lines 2a-2f		4,109,785.			
	Other Revenue	3	Investment income (including dividends, interest, and other similar amounts)		867,250.		
4		Income from investment of tax-exempt bond proceeds					
5		Royalties					
6 a		Gross rents	(i) Real	(ii) Personal			
b		Less: rental expenses					
c		Rental income or (loss)					
d		Net rental income or (loss)					
7 a		Gross amount from sales of assets other than inventory	(i) Securities	(ii) Other			
b		Less: cost or other basis and sales expenses					
c		Gain or (loss)					
d		Net gain or (loss)			311,279.		311,279.
8 a		Gross income from fundraising events (not including \$ _____ of contributions reported on line 1c). See Part IV, line 18	a				
b		Less: direct expenses	b				
c		Net income or (loss) from fundraising events					
9 a		Gross income from gaming activities. See Part IV, line 19	a				
b		Less: direct expenses	b				
c		Net income or (loss) from gaming activities					
10 a		Gross sales of inventory, less returns and allowances	a				
b	Less: cost of goods sold	b					
c	Net income or (loss) from sales of inventory						
Miscellaneous Revenue				Business Code			
11 a	MAILING LIST RENTAL	900099	61,999.			61,999.	
b	OTHER MISC INCOME	900099	5,014.			5,014.	
c							
d	All other revenue						
e	Total. Add lines 11a-11d		67,013.				
12	Total revenue. See instructions.		37,964,755.	4,109,785.	0.	1,245,542.	

Part IX Statement of Functional Expenses

Section 501(c)(3) and 501(c)(4) organizations must complete all columns. All other organizations must complete column (A).

Check if Schedule O contains a response to any question in this Part IX ☐

Do not include amounts reported on lines 6b, 7b, 8b, 9b, and 10b of Part VIII.	(A) Total expenses	(B) Program service expenses	(C) Management and general expenses	(D) Fundraising expenses
1 Grants and other assistance to governments and organizations in the United States. See Part IV, line 21	314,700.	314,700.		
2 Grants and other assistance to individuals in the United States. See Part IV, line 22				
3 Grants and other assistance to governments, organizations, and individuals outside the United States. See Part IV, lines 15 and 16				
4 Benefits paid to or for members				
5 Compensation of current officers, directors, trustees, and key employees	2,346,115.	1,696,474.	224,416.	425,225.
6 Compensation not included above, to disqualified persons (as defined under section 4958(f)(1)) and persons described in section 4958(c)(3)(B)				
7 Other salaries and wages	16,079,420.	13,475,110.	793,880.	1,810,430.
8 Pension plan accruals and contributions (include section 401(k) and 403(b) employer contributions)	1,155,269.	1,019,053.	37,761.	98,455.
9 Other employee benefits	2,850,626.	2,385,288.	128,437.	336,901.
10 Payroll taxes	1,302,029.	1,088,144.	62,026.	151,859.
11 Fees for services (non-employees):				
a Management				
b Legal	664.		664.	
c Accounting	135,281.		135,281.	
d Lobbying				
e Professional fundraising services. See Part IV, line 17	383,467.			383,467.
f Investment management fees	36,897.		36,897.	
g Other. (If line 11g amount exceeds 10% of line 25, column (A) amount, list line 11g expenses on Sch O.)	749,664.	603,594.	86,600.	59,470.
12 Advertising and promotion	1,364,174.	1,302,809.		61,365.
13 Office expenses	2,241,661.	624,968.	239,968.	1,376,725.
14 Information technology	465,359.	372,697.	41,074.	51,588.
15 Royalties				
16 Occupancy	2,043,600.	1,657,833.	262,256.	123,511.
17 Travel	797,648.	568,897.	155,296.	73,455.
18 Payments of travel or entertainment expenses for any federal, state, or local public officials				
19 Conferences, conventions, and meetings	140,710.	100,354.	27,397.	12,959.
20 Interest				
21 Payments to affiliates				
22 Depreciation, depletion, and amortization	626,107.	388,341.	152,239.	85,527.
23 Insurance	81,297.	71,573.	5,363.	4,361.
24 Other expenses. Itemize expenses not covered above. (List miscellaneous expenses in line 24e. If line 24e amount exceeds 10% of line 25, column (A) amount, list line 24e expenses on Schedule O.)				
a DIRECT CASE COSTS	942,869.	942,869.		
b OTHER CONTRACTED SVCS	472,483.	472,483.	0.	0.
c BAD DEBT EXPENSE	162,135.		162,135.	
d RESEARCH	44,187.	33,062.	7,684.	3,441.
e All other expenses	174,934.	138,657.	21,868.	14,409.
25 Total functional expenses. Add lines 1 through 24e	34,911,296.	27,256,906.	2,581,242.	5,073,148.
26 Joint costs. Complete this line only if the organization reported in column (B) joint costs from a combined educational campaign and fundraising solicitation.				

Check here ☐ if following SOP 98-2 (ASC 958-720)

Part X Balance SheetCheck if Schedule O contains a response to any question in this Part X ☐

		(A) Beginning of year		(B) End of year
Assets	1 Cash - non-interest-bearing	967,094.	1	291,859.
	2 Savings and temporary cash investments	8,550,556.	2	9,939,372.
	3 Pledges and grants receivable, net	8,769,526.	3	4,426,206.
	4 Accounts receivable, net	573,672.	4	717,105.
	5 Loans and other receivables from current and former officers, directors, trustees, key employees, and highest compensated employees. Complete Part II of Schedule L		5	
	6 Loans and other receivables from other disqualified persons (as defined under section 4958(f)(1)), persons described in section 4958(c)(3)(B), and contributing employers and sponsoring organizations of section 501(c)(9) voluntary employees' beneficiary organizations (see instr). Complete Part II of Sch L		6	
	7 Notes and loans receivable, net		7	
	8 Inventories for sale or use		8	
	9 Prepaid expenses and deferred charges	796,040.	9	968,347.
	10a Land, buildings, and equipment: cost or other basis. Complete Part VI of Schedule D	10a 5,719,715.		
	b Less: accumulated depreciation	10b 3,179,536.	10c	2,540,179.
	11 Investments - publicly traded securities	31,253,240.	11	39,523,283.
	12 Investments - other securities. See Part IV, line 11		12	
	13 Investments - program-related. See Part IV, line 11		13	
	14 Intangible assets		14	
	15 Other assets. See Part IV, line 11	438,613.	15	539,322.
16 Total assets. Add lines 1 through 15 (must equal line 34)	53,908,481.	16	58,945,673.	
Liabilities	17 Accounts payable and accrued expenses	2,390,177.	17	2,429,195.
	18 Grants payable		18	
	19 Deferred revenue		19	
	20 Tax-exempt bond liabilities		20	
	21 Escrow or custodial account liability. Complete Part IV of Schedule D	160,968.	21	463,934.
	22 Loans and other payables to current and former officers, directors, trustees, key employees, highest compensated employees, and disqualified persons. Complete Part II of Schedule L		22	
	23 Secured mortgages and notes payable to unrelated third parties		23	
	24 Unsecured notes and loans payable to unrelated third parties		24	
	25 Other liabilities (including federal income tax, payables to related third parties, and other liabilities not included on lines 17-24). Complete Part X of Schedule D	5,239,983.	25	5,351,464.
	26 Total liabilities. Add lines 17 through 25	7,791,128.	26	8,244,593.
	Net Assets or Fund Balances	Organizations that follow SFAS 117 (ASC 958), check here <input checked="" type="checkbox"/> and complete lines 27 through 29, and lines 33 and 34.		
27 Unrestricted net assets		25,918,484.	27	34,700,416.
28 Temporarily restricted net assets		18,751,036.	28	14,552,831.
29 Permanently restricted net assets		1,447,833.	29	1,447,833.
Organizations that do not follow SFAS 117 (ASC 958), check here <input type="checkbox"/> and complete lines 30 through 34.				
30 Capital stock or trust principal, or current funds			30	
31 Paid-in or capital surplus, or land, building, or equipment fund			31	
32 Retained earnings, endowment, accumulated income, or other funds			32	
33 Total net assets or fund balances		46,117,353.	33	50,701,080.
34 Total liabilities and net assets/fund balances		53,908,481.	34	58,945,673.

Form 990 (2012)

Part XI Reconciliation of Net Assets

Check if Schedule O contains a response to any question in this Part XI

☒

1	Total revenue (must equal Part VIII, column (A), line 12)	1	37,964,755.
2	Total expenses (must equal Part IX, column (A), line 25)	2	34,911,296.
3	Revenue less expenses. Subtract line 2 from line 1	3	3,053,459.
4	Net assets or fund balances at beginning of year (must equal Part X, line 33, column (A))	4	46,117,353.
5	Net unrealized gains (losses) on investments	5	1,223,632.
6	Donated services and use of facilities	6	
7	Investment expenses	7	
8	Prior period adjustments	8	
9	Other changes in net assets or fund balances (explain in Schedule O)	9	306,636.
10	Net assets or fund balances at end of year. Combine lines 3 through 9 (must equal Part X, line 33, column (B))	10	50,701,080.

Part XII Financial Statements and Reporting

Check if Schedule O contains a response to any question in this Part XII

☒

	Yes	No
1 Accounting method used to prepare the Form 990: <input type="checkbox"/> Cash <input checked="" type="checkbox"/> Accrual <input type="checkbox"/> Other _____ If the organization changed its method of accounting from a prior year or checked "Other," explain in Schedule O.		
2a Were the organization's financial statements compiled or reviewed by an independent accountant? If "Yes," check a box below to indicate whether the financial statements for the year were compiled or reviewed on a separate basis, consolidated basis, or both: <input type="checkbox"/> Separate basis <input type="checkbox"/> Consolidated basis <input type="checkbox"/> Both consolidated and separate basis		X
b Were the organization's financial statements audited by an independent accountant? If "Yes," check a box below to indicate whether the financial statements for the year were audited on a separate basis, consolidated basis, or both: <input checked="" type="checkbox"/> Separate basis <input type="checkbox"/> Consolidated basis <input type="checkbox"/> Both consolidated and separate basis	X	
c If "Yes" to line 2a or 2b, does the organization have a committee that assumes responsibility for oversight of the audit, review, or compilation of its financial statements and selection of an independent accountant? If the organization changed either its oversight process or selection process during the tax year, explain in Schedule O.	X	
3a As a result of a federal award, was the organization required to undergo an audit or audits as set forth in the Single Audit Act and OMB Circular A-133?		X
b If "Yes," did the organization undergo the required audit or audits? If the organization did not undergo the required audit or audits, explain why in Schedule O and describe any steps taken to undergo such audits		

Form 990 (2012)

SCHEDULE A
(Form 990 or 990-EZ)

Department of the Treasury
Internal Revenue Service

Public Charity Status and Public Support

Complete if the organization is a section 501(c)(3) organization or a section 4947(a)(1) nonexempt charitable trust.

▶ Attach to Form 990 or Form 990-EZ. ▶ See separate instructions.

OMB No. 1545-0047

2012

Open to Public
Inspection

Name of the organization

EARTHJUSTICE

Employer identification number

94-1730465

Part I Reason for Public Charity Status (All organizations must complete this part.) See instructions.

The organization is not a private foundation because it is: (For lines 1 through 11, check only one box.)

- 1 ☐ A church, convention of churches, or association of churches described in **section 170(b)(1)(A)(i).**
- 2 ☐ A school described in **section 170(b)(1)(A)(ii).** (Attach Schedule E.)
- 3 ☐ A hospital or a cooperative hospital service organization described in **section 170(b)(1)(A)(iii).**
- 4 ☐ A medical research organization operated in conjunction with a hospital described in **section 170(b)(1)(A)(iii).** Enter the hospital's name, city, and state: _____
- 5 ☐ An organization operated for the benefit of a college or university owned or operated by a governmental unit described in **section 170(b)(1)(A)(iv).** (Complete Part II.)
- 6 ☐ A federal, state, or local government or governmental unit described in **section 170(b)(1)(A)(v).**
- 7 ☒ An organization that normally receives a substantial part of its support from a governmental unit or from the general public described in **section 170(b)(1)(A)(vi).** (Complete Part II.)
- 8 ☐ A community trust described in **section 170(b)(1)(A)(vi).** (Complete Part II.)
- 9 ☐ An organization that normally receives: (1) more than 33 1/3% of its support from contributions, membership fees, and gross receipts from activities related to its exempt functions - subject to certain exceptions, and (2) no more than 33 1/3% of its support from gross investment income and unrelated business taxable income (less section 511 tax) from businesses acquired by the organization after June 30, 1975. See **section 509(a)(2).** (Complete Part III.)
- 10 ☐ An organization organized and operated exclusively to test for public safety. See **section 509(a)(4).**
- 11 ☐ An organization organized and operated exclusively for the benefit of, to perform the functions of, or to carry out the purposes of one or more publicly supported organizations described in **section 509(a)(1)** or **section 509(a)(2).** See **section 509(a)(3).** Check the box that describes the type of supporting organization and complete lines 11e through 11h.
- a ☐ Type I b ☐ Type II c ☐ Type III - Functionally integrated d ☐ Type III - Non-functionally integrated
- e ☐ By checking this box, I certify that the organization is not controlled directly or indirectly by one or more disqualified persons other than foundation managers and other than one or more publicly supported organizations described in **section 509(a)(1)** or **section 509(a)(2).**
- f If the organization received a written determination from the IRS that it is a Type I, Type II, or Type III supporting organization, check this box ☐
- g Since August 17, 2006, has the organization accepted any gift or contribution from any of the following persons?
- (i) A person who directly or indirectly controls, either alone or together with persons described in (ii) and (iii) below, the governing body of the supported organization?

	Yes	No
11g(i)		
11g(ii)		
11g(iii)		
- (ii) A family member of a person described in (i) above? _____
- (iii) A 35% controlled entity of a person described in (i) or (ii) above? _____
- h Provide the following information about the supported organization(s).

(i) Name of supported organization	(ii) EIN	(iii) Type of organization (described on lines 1-9 above or IRC section (see instructions))	(iv) Is the organization in col. (i) listed in your governing document?		(v) Did you notify the organization in col. (i) of your support?		(vi) Is the organization in col. (i) organized in the U.S.?		(vii) Amount of monetary support
			Yes	No	Yes	No	Yes	No	
Total									

LHA For Paperwork Reduction Act Notice, see the Instructions for Form 990 or 990-EZ.

Schedule A (Form 990 or 990-EZ) 2012

Part II Support Schedule for Organizations Described in Sections 170(b)(1)(A)(iv) and 170(b)(1)(A)(vi)

(Complete only if you checked the box on line 5, 7, or 8 of Part I or if the organization failed to qualify under Part III. If the organization fails to qualify under the tests listed below, please complete Part III.)

Section A. Public Support

Calendar year (or fiscal year beginning in) ▶	(a) 2008	(b) 2009	(c) 2010	(d) 2011	(e) 2012	(f) Total
1 Gifts, grants, contributions, and membership fees received. (Do not include any "unusual grants.")	25712988.	21101486.	29629520.	32386669.	32609428.	141440091
2 Tax revenues levied for the organization's benefit and either paid to or expended on its behalf						
3 The value of services or facilities furnished by a governmental unit to the organization without charge						
4 Total. Add lines 1 through 3	25712988.	21101486.	29629520.	32386669.	32609428.	141440091
5 The portion of total contributions by each person (other than a governmental unit or publicly supported organization) included on line 1 that exceeds 2% of the amount shown on line 11, column (f)						14805073.
6 Public support. Subtract line 5 from line 4.						126635018

Section B. Total Support

Calendar year (or fiscal year beginning in) ▶	(a) 2008	(b) 2009	(c) 2010	(d) 2011	(e) 2012	(f) Total
7 Amounts from line 4	25712988.	21101486.	29629520.	32386669.	32609428.	141440091
8 Gross income from interest, dividends, payments received on securities loans, rents, royalties and income from similar sources	744,412.	606,200.	810,261.	682,413.	867,250.	3710536.
9 Net income from unrelated business activities, whether or not the business is regularly carried on						
10 Other income. Do not include gain or loss from the sale of capital assets (Explain in Part IV.)	64,343.	114,453.	105,821.	113,742.	67,013.	465,372.
11 Total support. Add lines 7 through 10						145615999
12 Gross receipts from related activities, etc. (see instructions)					12	18,371,491.

13 **First five years.** If the Form 990 is for the organization's first, second, third, fourth, or fifth tax year as a section 501(c)(3) organization, check this box and stop here ☐

Section C. Computation of Public Support Percentage

14 Public support percentage for 2012 (line 6, column (f) divided by line 11, column (f))	14	86.97 %
15 Public support percentage from 2011 Schedule A, Part II, line 14	15	86.20 %
16a 33 1/3% support test - 2012. If the organization did not check the box on line 13, and line 14 is 33 1/3% or more, check this box and stop here. The organization qualifies as a publicly supported organization	<input checked="" type="checkbox"/>	
b 33 1/3% support test - 2011. If the organization did not check a box on line 13 or 16a, and line 15 is 33 1/3% or more, check this box and stop here. The organization qualifies as a publicly supported organization	<input type="checkbox"/>	
17a 10% -facts-and-circumstances test - 2012. If the organization did not check a box on line 13, 16a, or 16b, and line 14 is 10% or more, and if the organization meets the "facts-and-circumstances" test, check this box and stop here. Explain in Part IV how the organization meets the "facts-and-circumstances" test. The organization qualifies as a publicly supported organization	<input type="checkbox"/>	
b 10% -facts-and-circumstances test - 2011. If the organization did not check a box on line 13, 16a, 16b, or 17a, and line 15 is 10% or more, and if the organization meets the "facts-and-circumstances" test, check this box and stop here. Explain in Part IV how the organization meets the "facts-and-circumstances" test. The organization qualifies as a publicly supported organization	<input type="checkbox"/>	
18 Private foundation. If the organization did not check a box on line 13, 16a, 16b, 17a, or 17b, check this box and see instructions	<input type="checkbox"/>	

Schedule A (Form 990 or 990-EZ) 2012

Part III Support Schedule for Organizations Described in Section 509(a)(2)

(Complete only if you checked the box on line 9 of Part I or if the organization failed to qualify under Part II. If the organization fails to qualify under the tests listed below, please complete Part II.)

Section A. Public Support

Calendar year (or fiscal year beginning in) ▶	(a) 2008	(b) 2009	(c) 2010	(d) 2011	(e) 2012	(f) Total
1 Gifts, grants, contributions, and membership fees received. (Do not include any "unusual grants.")						
2 Gross receipts from admissions, merchandise sold or services performed, or facilities furnished in any activity that is related to the organization's tax-exempt purpose						
3 Gross receipts from activities that are not an unrelated trade or business under section 513						
4 Tax revenues levied for the organization's benefit and either paid to or expended on its behalf						
5 The value of services or facilities furnished by a governmental unit to the organization without charge						
6 Total. Add lines 1 through 5						
7a Amounts included on lines 1, 2, and 3 received from disqualified persons						
b Amounts included on lines 2 and 3 received from other than disqualified persons that exceed the greater of \$5,000 or 1% of the amount on line 13 for the year						
c Add lines 7a and 7b						
8 Public support. (Subtract line 7c from line 6.)						

Section B. Total Support

Calendar year (or fiscal year beginning in) ▶	(a) 2008	(b) 2009	(c) 2010	(d) 2011	(e) 2012	(f) Total
9 Amounts from line 6						
10a Gross income from interest, dividends, payments received on securities loans, rents, royalties and income from similar sources						
b Unrelated business taxable income (less section 511 taxes) from businesses acquired after June 30, 1975						
c Add lines 10a and 10b						
11 Net income from unrelated business activities not included in line 10b, whether or not the business is regularly carried on						
12 Other income. Do not include gain or loss from the sale of capital assets (Explain in Part IV.)						
13 Total support. (Add lines 9, 10c, 11, and 12.)						

14 First five years. If the Form 990 is for the organization's first, second, third, fourth, or fifth tax year as a section 501(c)(3) organization, check this box and stop here ☐

Section C. Computation of Public Support Percentage

15 Public support percentage for 2012 (line 8, column (f) divided by line 13, column (f))	15	%
16 Public support percentage from 2011 Schedule A, Part III, line 15	16	%

Section D. Computation of Investment Income Percentage

17 Investment income percentage for 2012 (line 10c, column (f) divided by line 13, column (f))	17	%
18 Investment income percentage from 2011 Schedule A, Part III, line 17	18	%

19a **33 1/3% support tests - 2012.** If the organization did not check the box on line 14, and line 15 is more than 33 1/3%, and line 17 is not more than 33 1/3%, check this box and stop here. The organization qualifies as a publicly supported organization ☐

b **33 1/3% support tests - 2011.** If the organization did not check a box on line 14 or line 19a, and line 16 is more than 33 1/3%, and line 18 is not more than 33 1/3%, check this box and stop here. The organization qualifies as a publicly supported organization ☐

20 **Private foundation.** If the organization did not check a box on line 14, 19a, or 19b, check this box and see instructions ☐

Part IV **Supplemental Information.** Complete this part to provide the explanations required by Part II, line 10; Part II, line 17a or 17b; and Part III, line 12. Also complete this part for any additional information. (See instructions).

SCHEDULE A, PART II, LINE 10, EXPLANATION FOR OTHER INCOME:**MISCELLANEOUS**

2008 AMOUNT: \$ 6,561.

2009 AMOUNT: \$ 50,273.

2010 AMOUNT: \$ 6,633.

2011 AMOUNT: \$ 13,778.

2012 AMOUNT: \$ 5,014.

MAILING LIST RENTAL

2008 AMOUNT: \$ 57,782.

2009 AMOUNT: \$ 64,180.

2010 AMOUNT: \$ 99,188.

2011 AMOUNT: \$ 99,964.

2012 AMOUNT: \$ 61,999.

Schedule B
(Form 990, 990-EZ,
or 990-PF)
Department of the Treasury
Internal Revenue Service

Schedule of Contributors

▶ Attach to Form 990, Form 990-EZ, or Form 990-PF.

OMB No. 1545-0047

2012

Name of the organization

Employer identification number

EARTHJUSTICE

94-1730465

Organization type (check one):

Filers of:

Section:

Form 990 or 990-EZ

☒ 501(c)(3) (enter number) organization

☐ 4947(a)(1) nonexempt charitable trust not treated as a private foundation

☐ 527 political organization

Form 990-PF

☐ 501(c)(3) exempt private foundation

☐ 4947(a)(1) nonexempt charitable trust treated as a private foundation

☐ 501(c)(3) taxable private foundation

Check if your organization is covered by the **General Rule** or a **Special Rule**.

Note. Only a section 501(c)(7), (8), or (10) organization can check boxes for both the General Rule and a Special Rule. See instructions.

General Rule

☐ For an organization filing Form 990, 990-EZ, or 990-PF that received, during the year, \$5,000 or more (in money or property) from any one contributor. Complete Parts I and II.

Special Rules

☒ For a section 501(c)(3) organization filing Form 990 or 990-EZ that met the 33 1/3% support test of the regulations under sections 509(a)(1) and 170(b)(1)(A)(vi) and received from any one contributor, during the year, a contribution of the greater of (1) \$5,000 or (2) 2% of the amount on (i) Form 990, Part VIII, line 1h, or (ii) Form 990-EZ, line 1. Complete Parts I and II.

☐ For a section 501(c)(7), (8), or (10) organization filing Form 990 or 990-EZ that received from any one contributor, during the year, total contributions of more than \$1,000 for use *exclusively* for religious, charitable, scientific, literary, or educational purposes, or the prevention of cruelty to children or animals. Complete Parts I, II, and III.

☐ For a section 501(c)(7), (8), or (10) organization filing Form 990 or 990-EZ that received from any one contributor, during the year, contributions for use *exclusively* for religious, charitable, etc., purposes, but these contributions did not total to more than \$1,000. If this box is checked, enter here the total contributions that were received during the year for an *exclusively* religious, charitable, etc., purpose. Do not complete any of the parts unless the **General Rule** applies to this organization because it received nonexclusively religious, charitable, etc., contributions of \$5,000 or more during the year ▶ \$ _____

Caution. An organization that is not covered by the General Rule and/or the Special Rules does not file Schedule B (Form 990, 990-EZ, or 990-PF), but it **must** answer "No" on Part IV, line 2, of its Form 990; or check the box on line H of its Form 990-EZ or on Part I, line 2 of its Form 990-PF, to certify that it does not meet the filing requirements of Schedule B (Form 990, 990-EZ, or 990-PF).

LHA For Paperwork Reduction Act Notice, see the Instructions for Form 990, 990-EZ, or 990-PF. Schedule B (Form 990, 990-EZ, or 990-PF) (2012)

Name of organization

Employer identification number

EARTHJUSTICE**94-1730465****Part I Contributors** (see instructions). Use duplicate copies of Part I if additional space is needed.

(a) No.	(b) Name, address, and ZIP + 4	(c) Total contributions	(d) Type of contribution
<u>1</u>		\$ <u>1,900,000.</u>	Person <input checked="" type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)
<u>2</u>		\$ <u>942,200.</u>	Person <input checked="" type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)
<u>3</u>		\$ <u>990,000.</u>	Person <input checked="" type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)
<u>4</u>		\$ <u>8,015,000.</u>	Person <input checked="" type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)
<u>5</u>		\$ <u>1,150,000.</u>	Person <input checked="" type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)
<u>6</u>		\$ <u>1,000,000.</u>	Person <input checked="" type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)

Employer identification number

94-1730465

Part II Noncash Property (see instructions). Use duplicate copies of Part II if additional space is needed.

[illegible]

Name of organization

Employer identification number

EARTHJUSTICE

94-1730465

Part III Exclusively religious, charitable, etc., individual contributions to section 501(c)(7), (8), or (10) organizations that total more than \$1,000 for the year. Complete columns (a) through (e) and the following line entry. For organizations completing Part III, enter the total of exclusively religious, charitable, etc., contributions of \$1,000 or less for the year. (Enter this information once.) ▶ \$

Use duplicate copies of Part III if additional space is needed.

(a) No. from Part I	(b) Purpose of gift	(c) Use of gift	(d) Description of how gift is held
	(e) Transfer of gift		
	Transferee's name, address, and ZIP + 4		Relationship of transferor to transferee
	(e) Transfer of gift		
	Transferee's name, address, and ZIP + 4		Relationship of transferor to transferee
	(e) Transfer of gift		
	Transferee's name, address, and ZIP + 4		Relationship of transferor to transferee
	(e) Transfer of gift		
	Transferee's name, address, and ZIP + 4		Relationship of transferor to transferee
	(e) Transfer of gift		
	Transferee's name, address, and ZIP + 4		Relationship of transferor to transferee

SCHEDULE C
(Form 990 or 990-EZ)

Department of the Treasury
Internal Revenue Service

Political Campaign and Lobbying Activities

For Organizations Exempt From Income Tax Under section 501(c) and section 527

▶ **Complete if the organization is described below.** ▶ **Attach to Form 990 or Form 990-EZ.**
▶ **See separate instructions.**

OMB No. 1545-0047

2012

**Open to Public
Inspection**

If the organization answered "Yes," to Form 990, Part IV, line 3, or Form 990-EZ, Part V, line 46 (Political Campaign Activities), then

- Section 501(c)(3) organizations: Complete Parts I-A and B. Do not complete Part I-C.
- Section 501(c) (other than section 501(c)(3)) organizations: Complete Parts I-A and C below. Do not complete Part I-B.
- Section 527 organizations: Complete Part I-A only.

If the organization answered "Yes," to Form 990, Part IV, line 4, or Form 990-EZ, Part VI, line 47 (Lobbying Activities), then

- Section 501(c)(3) organizations that have filed Form 5768 (election under section 501(h)): Complete Part II-A. Do not complete Part II-B.
- Section 501(c)(3) organizations that have NOT filed Form 5768 (election under section 501(h)): Complete Part II-B. Do not complete Part II-A.

If the organization answered "Yes," to Form 990, Part IV, line 5 (Proxy Tax), or Form 990-EZ, Part V, line 35c (Proxy Tax), then

- Section 501(c)(4), (5), or (6) organizations: Complete Part III.

Name of organization EARTHJUSTICE	Employer identification number 94-1730465
---	---

Part I-A Complete if the organization is exempt under section 501(c) or is a section 527 organization.

1 Provide a description of the organization's direct and indirect political campaign activities in Part IV.

2 Political expenditures ▶ \$ _____

3 Volunteer hours ▶ _____

Part I-B Complete if the organization is exempt under section 501(c)(3).

- 1 Enter the amount of any excise tax incurred by the organization under section 4955 ▶ \$ _____
- 2 Enter the amount of any excise tax incurred by organization managers under section 4955 ▶ \$ _____
- 3 If the organization incurred a section 4955 tax, did it file Form 4720 for this year? ☐ Yes ☐ No
- 4a Was a correction made? ☐ Yes ☐ No
- b If "Yes," describe in Part IV.

Part I-C Complete if the organization is exempt under section 501(c), except section 501(c)(3).

- 1 Enter the amount directly expended by the filing organization for section 527 exempt function activities ▶ \$ _____
- 2 Enter the amount of the filing organization's funds contributed to other organizations for section 527 exempt function activities ▶ \$ _____
- 3 Total exempt function expenditures. Add lines 1 and 2. Enter here and on Form 1120-POL, line 17b ▶ \$ _____
- 4 Did the filing organization file Form 1120-POL for this year? ☐ Yes ☐ No
- 5 Enter the names, addresses and employer identification number (EIN) of all section 527 political organizations to which the filing organization made payments. For each organization listed, enter the amount paid from the filing organization's funds. Also enter the amount of political contributions received that were promptly and directly delivered to a separate political organization, such as a separate segregated fund or a political action committee (PAC). If additional space is needed, provide information in Part IV.

(a) Name	(b) Address	(c) EIN	(d) Amount paid from filing organization's funds. If none, enter -0-	(e) Amount of political contributions received and promptly and directly delivered to a separate political organization. If none, enter -0-

For Paperwork Reduction Act Notice, see the Instructions for Form 990 or 990-EZ.

Schedule C (Form 990 or 990-EZ) 2012

LHA

232041
01-07-13

Part II-A Complete if the organization is exempt under section 501(c)(3) and filed Form 5768 (election under section 501(h)).

A Check ☐ if the filing organization belongs to an affiliated group (and list in Part IV each affiliated group member's name, address, EIN, expenses, and share of excess lobbying expenditures).

B Check ☐ if the filing organization checked box A and "limited control" provisions apply.

Limits on Lobbying Expenditures (The term "expenditures" means amounts paid or incurred.)		(a) Filing organization's totals	(b) Affiliated group totals												
1a Total lobbying expenditures to influence public opinion (grass roots lobbying)		46,965.													
b Total lobbying expenditures to influence a legislative body (direct lobbying)		908,080.													
c Total lobbying expenditures (add lines 1a and 1b)		955,045.													
d Other exempt purpose expenditures		33,956,251.													
e Total exempt purpose expenditures (add lines 1c and 1d)		34,911,296.													
f Lobbying nontaxable amount. Enter the amount from the following table in both columns.		1,000,000.													
<table border="1"> <thead> <tr> <th>If the amount on line 1e, column (a) or (b) is:</th> <th>The lobbying nontaxable amount is:</th> </tr> </thead> <tbody> <tr> <td>Not over \$500,000</td> <td>20% of the amount on line 1e.</td> </tr> <tr> <td>Over \$500,000 but not over \$1,000,000</td> <td>\$100,000 plus 15% of the excess over \$500,000.</td> </tr> <tr> <td>Over \$1,000,000 but not over \$1,500,000</td> <td>\$175,000 plus 10% of the excess over \$1,000,000.</td> </tr> <tr> <td>Over \$1,500,000 but not over \$17,000,000</td> <td>\$225,000 plus 5% of the excess over \$1,500,000.</td> </tr> <tr> <td>Over \$17,000,000</td> <td>\$1,000,000.</td> </tr> </tbody> </table>		If the amount on line 1e, column (a) or (b) is:	The lobbying nontaxable amount is:	Not over \$500,000	20% of the amount on line 1e.	Over \$500,000 but not over \$1,000,000	\$100,000 plus 15% of the excess over \$500,000.	Over \$1,000,000 but not over \$1,500,000	\$175,000 plus 10% of the excess over \$1,000,000.	Over \$1,500,000 but not over \$17,000,000	\$225,000 plus 5% of the excess over \$1,500,000.	Over \$17,000,000	\$1,000,000.		
If the amount on line 1e, column (a) or (b) is:	The lobbying nontaxable amount is:														
Not over \$500,000	20% of the amount on line 1e.														
Over \$500,000 but not over \$1,000,000	\$100,000 plus 15% of the excess over \$500,000.														
Over \$1,000,000 but not over \$1,500,000	\$175,000 plus 10% of the excess over \$1,000,000.														
Over \$1,500,000 but not over \$17,000,000	\$225,000 plus 5% of the excess over \$1,500,000.														
Over \$17,000,000	\$1,000,000.														
g Grassroots nontaxable amount (enter 25% of line 1f)		250,000.													
h Subtract line 1g from line 1a. If zero or less, enter -0-		0.													
i Subtract line 1f from line 1c. If zero or less, enter -0-		0.													
j If there is an amount other than zero on either line 1h or line 1i, did the organization file Form 4720 reporting section 4911 tax for this year?			<input type="checkbox"/> Yes <input type="checkbox"/> No												

4-Year Averaging Period Under Section 501(h)

(Some organizations that made a section 501(h) election do not have to complete all of the five columns below. See the instructions for lines 2a through 2f on page 4.)

Lobbying Expenditures During 4-Year Averaging Period

Calendar year (or fiscal year beginning in)	(a) 2009	(b) 2010	(c) 2011	(d) 2012	(e) Total
2a Lobbying nontaxable amount	1,000,000.	1,000,000.	1,000,000.	1,000,000.	4,000,000.
b Lobbying ceiling amount (150% of line 2a, column(e))					6,000,000.
c Total lobbying expenditures	287,776.	606,708.	743,718.	955,045.	2,593,247.
d Grassroots nontaxable amount	250,000.	250,000.	250,000.	250,000.	1,000,000.
e Grassroots ceiling amount (150% of line 2d, column (e))					1,500,000.
f Grassroots lobbying expenditures	52,422.	188,709.	92,887.	46,965.	380,983.

Schedule C (Form 990 or 990-EZ) 2012

87431

SCHEDULE D
(Form 990)

Department of the Treasury
Internal Revenue Service

Supplemental Financial Statements

▶ Complete if the organization answered "Yes," to Form 990,
Part IV, line 6, 7, 8, 9, 10, 11a, 11b, 11c, 11d, 11e, 11f, 12a, or 12b.
▶ Attach to Form 990. ▶ See separate instructions.

OMB No. 1545-0047

2012

Open to Public
Inspection

Name of the organization

EARTHJUSTICE

Employer identification number

94-1730465

Part I Organizations Maintaining Donor Advised Funds or Other Similar Funds or Accounts. Complete if the organization answered "Yes" to Form 990, Part IV, line 6.

	(a) Donor advised funds	(b) Funds and other accounts
1 Total number at end of year		
2 Aggregate contributions to (during year)		
3 Aggregate grants from (during year)		
4 Aggregate value at end of year		
5 Did the organization inform all donors and donor advisors in writing that the assets held in donor advised funds are the organization's property, subject to the organization's exclusive legal control?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
6 Did the organization inform all grantees, donors, and donor advisors in writing that grant funds can be used only for charitable purposes and not for the benefit of the donor or donor advisor, or for any other purpose conferring impermissible private benefit?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Part II Conservation Easements. Complete if the organization answered "Yes" to Form 990, Part IV, line 7.

1 Purpose(s) of conservation easements held by the organization (check all that apply).
☐ Preservation of land for public use (e.g., recreation or education) ☐ Preservation of an historically important land area
☐ Protection of natural habitat ☐ Preservation of a certified historic structure
☐ Preservation of open space

2 Complete lines 2a through 2d if the organization held a qualified conservation contribution in the form of a conservation easement on the last day of the tax year.

	Held at the End of the Tax Year
a Total number of conservation easements	2a
b Total acreage restricted by conservation easements	2b
c Number of conservation easements on a certified historic structure included in (a)	2c
d Number of conservation easements included in (c) acquired after 8/17/06, and not on a historic structure listed in the National Register	2d

3 Number of conservation easements modified, transferred, released, extinguished, or terminated by the organization during the tax year ▶

4 Number of states where property subject to conservation easement is located ▶

5 Does the organization have a written policy regarding the periodic monitoring, inspection, handling of violations, and enforcement of the conservation easements it holds?

6 Staff and volunteer hours devoted to monitoring, inspecting, and enforcing conservation easements during the year ▶

7 Amount of expenses incurred in monitoring, inspecting, and enforcing conservation easements during the year ▶ \$

8 Does each conservation easement reported on line 2(d) above satisfy the requirements of section 170(h)(4)(B)(i) and section 170(h)(4)(B)(ii)?

9 In Part XIII, describe how the organization reports conservation easements in its revenue and expense statement, and balance sheet, and include, if applicable, the text of the footnote to the organization's financial statements that describes the organization's accounting for conservation easements.

Part III Organizations Maintaining Collections of Art, Historical Treasures, or Other Similar Assets.

Complete if the organization answered "Yes" to Form 990, Part IV, line 8.

1a If the organization elected, as permitted under SFAS 116 (ASC 958), not to report in its revenue statement and balance sheet works of art, historical treasures, or other similar assets held for public exhibition, education, or research in furtherance of public service, provide, in Part XIII, the text of the footnote to its financial statements that describes these items.

b If the organization elected, as permitted under SFAS 116 (ASC 958), to report in its revenue statement and balance sheet works of art, historical treasures, or other similar assets held for public exhibition, education, or research in furtherance of public service, provide the following amounts relating to these items:

(i) Revenues included in Form 990, Part VIII, line 1

(ii) Assets included in Form 990, Part X

2 If the organization received or held works of art, historical treasures, or other similar assets for financial gain, provide the following amounts required to be reported under SFAS 116 (ASC 958) relating to these items:

a Revenues included in Form 990, Part VIII, line 1

b Assets included in Form 990, Part X

Part III Organizations Maintaining Collections of Art, Historical Treasures, or Other Similar Assets (continued)

3 Using the organization's acquisition, accession, and other records, check any of the following that are a significant use of its collection items (check all that apply):

- a ☐ Public exhibition
 b ☐ Scholarly research
 c ☐ Preservation for future generations
 d ☐ Loan or exchange programs
 e ☐ Other _____

4 Provide a description of the organization's collections and explain how they further the organization's exempt purpose in Part XIII.

5 During the year, did the organization solicit or receive donations of art, historical treasures, or other similar assets to be sold to raise funds rather than to be maintained as part of the organization's collection? ☐ Yes ☐ No

Part IV Escrow and Custodial Arrangements. Complete if the organization answered "Yes" to Form 990, Part IV, line 9, or reported an amount on Form 990, Part X, line 21.

1a Is the organization an agent, trustee, custodian or other intermediary for contributions or other assets not included on Form 990, Part X? ☐ Yes ☒ No

b If "Yes," explain the arrangement in Part XIII and complete the following table:

	Amount
c Beginning balance	1c
d Additions during the year	1d
e Distributions during the year	1e
f Ending balance	1f

2a Did the organization include an amount on Form 990, Part X, line 21? ☒ Yes ☐ No

b If "Yes," explain the arrangement in Part XIII. Check here if the explanation has been provided in Part XIII ☒

Part V Endowment Funds. Complete if the organization answered "Yes" to Form 990, Part IV, line 10.

	(a) Current year	(b) Prior year	(c) Two years back	(d) Three years back	(e) Four years back
1a Beginning of year balance	1,486,951.	1,544,635.	1,367,639.	1,273,350.	1,447,835.
b Contributions					
c Net investment earnings, gains, and losses	137,363.	12,384.	251,288.	173,131.	-174,485.
d Grants or scholarships					
e Other expenditures for facilities and programs	72,468.	70,068.	74,292.	78,842.	
f Administrative expenses					
g End of year balance	1,551,846.	1,486,951.	1,544,635.	1,367,639.	1,273,350.

2 Provide the estimated percentage of the current year end balance (line 1g, column (a)) held as:

- a Board designated or quasi-endowment ☐ %
 b Permanent endowment ☒ 100.00 %
 c Temporarily restricted endowment ☐ %

The percentages in lines 2a, 2b, and 2c should equal 100%.

3a Are there endowment funds not in the possession of the organization that are held and administered for the organization by:

	Yes	No
(i) unrelated organizations	3a(i)	X
(ii) related organizations	3a(ii)	X
b If "Yes" to 3a(ii), are the related organizations listed as required on Schedule R?	3b	

4 Describe in Part XIII the intended uses of the organization's endowment funds.

Part VI Land, Buildings, and Equipment. See Form 990, Part X, line 10.

Description of property	(a) Cost or other basis (investment)	(b) Cost or other basis (other)	(c) Accumulated depreciation	(d) Book value
1a Land		232,880.		232,880.
b Buildings		450,468.	97,435.	353,033.
c Leasehold improvements		1,093,009.	355,740.	737,269.
d Equipment		3,485,854.	2,315,051.	1,170,803.
e Other		457,504.	411,310.	46,194.
Total. Add lines 1a through 1e. (Column (d) must equal Form 990, Part X, column (B), line 10(c).)				2,540,179.

Schedule D (Form 990) 2012

Part VII Investments - Other Securities. See Form 990, Part X, line 12.

(a) Description of security or category (including name of security)	(b) Book value	(c) Method of valuation: Cost or end-of-year market value
(1) Financial derivatives		
(2) Closely-held equity interests		
(3) Other		
(A)		
(B)		
(C)		
(D)		
(E)		
(F)		
(G)		
(H)		
(I)		
Total. (Col. (b) must equal Form 990, Part X, col. (B) line 12.) ▶		

Part VIII Investments - Program Related. See Form 990, Part X, line 13.

(a) Description of investment type	(b) Book value	(c) Method of valuation: Cost or end-of-year market value
(1)		
(2)		
(3)		
(4)		
(5)		
(6)		
(7)		
(8)		
(9)		
(10)		
Total. (Col. (b) must equal Form 990, Part X, col. (B) line 13.) ▶		

Part IX Other Assets. See Form 990, Part X, line 15.

(a) Description	(b) Book value
(1)	
(2)	
(3)	
(4)	
(5)	
(6)	
(7)	
(8)	
(9)	
(10)	
Total. (Column (b) must equal Form 990, Part X, col. (B) line 15.) ▶	

Part X Other Liabilities. See Form 990, Part X, line 25.

1. (a) Description of liability	(b) Book value
(1) Federal income taxes	
(2) LIABILITIES RELATING TO SPLIT	
(3) INTEREST GIFT AGREEMENTS	5,138,673.
(4) DEFERRED COMPENSATION LIABILITY	212,791.
(5)	
(6)	
(7)	
(8)	
(9)	
(10)	
(11)	
Total. (Column (b) must equal Form 990, Part X, col. (B) line 25.) ▶	

5,351,464.

2. FIN 48 (ASC 740) Footnote. In Part XIII, provide the text of the footnote to the organization's financial statements that reports the organization's liability for uncertain tax positions under FIN 48 (ASC 740). Check here if the text of the footnote has been provided in Part XIII ☒

Part XI Reconciliation of Revenue per Audited Financial Statements With Revenue per Return

1	Total revenue, gains, and other support per audited financial statements	1	46,644,916.
2	Amounts included on line 1 but not on Form 990, Part VIII, line 12:		
a	Net unrealized gains on investments	2a	1,223,632.
b	Donated services and use of facilities	2b	7,173,479.
c	Recoveries of prior year grants	2c	
d	Other (Describe in Part XIII.)	2d	283,050.
e	Add lines 2a through 2d	2e	8,680,161.
3	Subtract line 2e from line 1	3	37,964,755.
4	Amounts included on Form 990, Part VIII, line 12, but not on line 1:		
a	Investment expenses not included on Form 990, Part VIII, line 7b	4a	
b	Other (Describe in Part XIII.)	4b	
c	Add lines 4a and 4b	4c	0.
5	Total revenue. Add lines 3 and 4c. (This must equal Form 990, Part I, line 12.)	5	37,964,755.

Part XII Reconciliation of Expenses per Audited Financial Statements With Expenses per Return

1	Total expenses and losses per audited financial statements	1	42,061,189.
2	Amounts included on line 1 but not on Form 990, Part IX, line 25:		
a	Donated services and use of facilities	2a	7,149,893.
b	Prior year adjustments	2b	
c	Other losses	2c	
d	Other (Describe in Part XIII.)	2d	
e	Add lines 2a through 2d	2e	7,149,893.
3	Subtract line 2e from line 1	3	34,911,296.
4	Amounts included on Form 990, Part IX, line 25, but not on line 1:		
a	Investment expenses not included on Form 990, Part VIII, line 7b	4a	
b	Other (Describe in Part XIII.)	4b	
c	Add lines 4a and 4b	4c	0.
5	Total expenses. Add lines 3 and 4c. (This must equal Form 990, Part I, line 18.)	5	34,911,296.

Part XIII Supplemental Information

Complete this part to provide the descriptions required for Part II, lines 3, 5, and 9; Part III, lines 1a and 4; Part IV, lines 1b and 2b; Part V, line 4; Part X, line 2; Part XI, lines 2d and 4b; and Part XII, lines 2d and 4b. Also complete this part to provide any additional information.

PART IV, LINE 2B: AS A LAW FIRM, WE ARE REQUIRED TO HOLD MONEY RECEIVED

FOR THE BENEFIT OF CLIENTS IN STATE-SPECIFIC ATTORNEY CLIENT TRUST

ACCOUNTS, UNTIL THE FUNDS ARE APPROPRIATELY IDENTIFIED AND EITHER REFUNDED

TO THE CLIENTS OR TRANSFERRED INTO OPERATING FUNDS. AS OF 6/30/13, THE

TOTAL BALANCE IN OUR CLIENT TRUST FUND ACCOUNTS TOTALED \$463,934.

PART V, LINE 4: THE ENDOWMENT FUNDS ARE SEPARATED INTO FOUR

CATEGORIES, EACH BASED ON A DIFFERENT SPENDING RESTRICTION AS STIPULATED

Schedule D (Form 990) 2012

Part XIII Supplemental Information (continued)

BY THE DONOR. UP TO 4% OF THE ENDOWMENT FUNDS ARE USED EACH YEAR TO
SUPPORT LITIGATION PROGRAMS IN ACCORDANCE WITH THE SPENDING RESTRICTIONS
ASSOCIATED WITH EACH OF THE FOUR CATEGORIES.

PART X, LINE 2: EARTHJUSTICE ADOPTED THE PROVISIONS OF ACCOUNTING FOR
UNCERTAIN TAX POSITIONS ON JULY 1, 2009. EARTHJUSTICE HAD NO UNRECOGNIZED
TAX BENEFITS AT JUNE 30, 2013 OR 2012. EARTHJUSTICE FILES EXEMPT
ORGANIZATION RETURNS AND, IF APPLICABLE, UNRELATED BUSINESS INCOME TAX
RETURNS IN THE U.S. FEDERAL AND CALIFORNIA JURISDICTIONS.

PART XI, LINE 2D - OTHER ADJUSTMENTS:

CHANGE IN SPLIT INTEREST AGREEMENTS	283,050.
-------------------------------------	----------

Department of the Treasury
Internal Revenue Service

Statement of Activities Outside the United States

► Complete if the organization answered "Yes" to Form 990, Part IV, line 14b, 15, or 16.

▶ Attach to Form 990. ▶ See separate instructions.

OMB No. 1545-0047

2012

Open to Public Inspection

Name of the organization

Employer identification number

EARTHJUSTICE

94-1730465

Part I

General Information on Activities Outside the United States. Complete if the organization answered "Yes" to Form 990, Part IV, line 14b.

- 1 For grantmakers. Does the organization maintain records to substantiate the amount of its grants and other assistance, the grantees' eligibility for the grants or assistance, and the selection criteria used to award the grants or assistance? ☐ Yes ☐ No
- 2 For grantmakers. Describe in Part V the organization's procedures for monitoring the use of its grants and other assistance outside the United States.
- 3 Activities per Region. (The following Part I, line 3 table can be duplicated if additional space is needed.)

3 Activities per region. (The following Part I, and 2 table can be duplicated if additional space is needed.)					
(a) Region	(b) Number of offices in the region	(c) Number of employees, agents, and independent contractors in region	(d) Activities conducted in region (by type) (e.g., fundraising, program services, investments, grants to recipients located in the region)	(e) If activity listed in (d) is a program service, describe specific type of service(s) in region	(f) Total expenditures for and investments in region
EUROPE	0	1	PROGRAM SERVICES	ADVOCACY AT UN	35,428.
3 a Sub-total	0	1			35,428.
b Total from continuation sheets to Part I	0	0			0.
c Totals (add lines 3a and 3b)	0	1			35,428.

LHA For Paperwork Reduction Act Notice, see the Instructions for Form 990.

Schedule F (Form 990) 2012

Part IV Foreign Forms

- 1 Was the organization a U.S. transferor of property to a foreign corporation during the tax year? If "Yes," the organization may be required to file Form 926, Return by a U.S. Transferor of Property to a Foreign Corporation (see Instructions for Form 926) ☐ Yes ☒ No
- 2 Did the organization have an interest in a foreign trust during the tax year? If "Yes," the organization may be required to file Form 3520, Annual Return to Report Transactions with Foreign Trusts and Receipt of Certain Foreign Gifts, and/or Form 3520-A, Annual Information Return of Foreign Trust With a U.S. Owner (see Instructions for Forms 3520 and 3520-A) ☐ Yes ☒ No
- 3 Did the organization have an ownership interest in a foreign corporation during the tax year? If "Yes," the organization may be required to file Form 5471, Information Return of U.S. Persons With Respect To Certain Foreign Corporations. (see Instructions for Form 5471) ☐ Yes ☒ No
- 4 Was the organization a direct or indirect shareholder of a passive foreign investment company or a qualified electing fund during the tax year? If "Yes," the organization may be required to file Form 8621, Information Return by a Shareholder of a Passive Foreign Investment Company or Qualified Electing Fund. (see Instructions for Form 8621) ☐ Yes ☒ No
- 5 Did the organization have an ownership interest in a foreign partnership during the tax year? If "Yes," the organization may be required to file Form 8865, Return of U.S. Persons With Respect To Certain Foreign Partnerships. (see Instructions for Form 8865) ☐ Yes ☒ No
- 6 Did the organization have any operations in or related to any boycotting countries during the tax year? If "Yes," the organization may be required to file Form 5713, International Boycott Report. (see Instructions for Form 5713) ☐ Yes ☒ No

Schedule F (Form 990) 2012

Complete this part to provide the information required by Part I, line 2 (monitoring of funds); Part I, line 3, column (f) (accounting method; amounts of investments vs. expenditures per region); Part II, line 1 (accounting method); Part III (accounting method); and Part III, column (c) (estimated number of recipients), as applicable. Also complete this part to provide any additional information.

Department of the Treasury
Internal Revenue Service

**Complete if the organization answered "Yes" to Form 990, Part IV, lines 17, 18, or 19,
or if the organization entered more than \$15,000 on Form 990-EZ, line 6a.
▶ Attach to Form 990 or Form 990-EZ. ▶ See separate instructions.**

OMB No. 1545-0047

2012

Open To Public Inspection

Name of the organization

EARTHJUSTICE

Employer identification number
94-1730465

Part I

Fundraising Activities. Complete if the organization answered "Yes" to Form 990, Part IV, line 17. Form 990-EZ filers are not required to complete this part.

- 1 Indicate whether the organization raised funds through any of the following activities. Check all that apply.

- a ☒ Mail solicitations
- b ☒ Internet and email solicitations
- c ☒ Phone solicitations
- d ☒ In-person solicitations
- e ☒ Solicitation of non-government grants
- f ☐ Solicitation of government grants
- g ☒ Special fundraising events

- 2 a** Did the organization have a written or oral agreement with any individual (including officers, directors, trustees or key employees listed in Form 990, Part VII) or entity in connection with professional fundraising services?

☒ Yes☐ No

- b** If "Yes," list the ten highest paid individuals or entities (fundraisers) pursuant to agreements under which the fundraiser is to be compensated at least \$5,000 by the organization.

(i) Name and address of individual or entity (fundraiser)	(ii) Activity	(iii) Did fundraiser have custody or control of contributions?		(iv) Gross receipts from activity	(v) Amount paid to (or retained by) fundraiser listed in col. (i)	(vi) Amount paid to (or retained by) organization
		Yes	No			
MAL WARWICK ASSOCIATES - 2550 NINTH STREET, SUITE 103,	DIRECT MAIL CONSULTANT		X	3,852,870.	257,625.	3,595,245.
DONOR SERVICES GROUP, LLC - 6715 SUNSET BLVD, LOS	TELEMARKETING		X	117,973.	108,330.	9,643.
GORDON & SCHWENKMEYER, INC. - 360 NORTH SEPULVEDA BLVD,	TELEMARKETING		X	18,289.	17,512.	777.
Total				3,989,132.	383,467.	3,605,665.

- 3 List all states in which the organization is registered or licensed to solicit contributions or has been notified it is exempt from registration or licensing.

AL, AK, AZ, AR, CA, CT, FL, GA, HI, IL, KS, KY, LA, MD, MA, ME, MI, MN, MS, NH, NJ, NM, NY, NC, OH
OK, OR, PA, RI, SC, TN, UT, VA, WA, WI, MO, CO, DE, ID, IN, IA, MT, NE, NV, ND, SD, TX, VT, GU, DC

Part II Fundraising Events. Complete if the organization answered "Yes" to Form 990, Part IV, line 18, or reported more than \$15,000 of fundraising event contributions and gross income on Form 990-EZ, lines 1 and 6b. List events with gross receipts greater than \$5,000.

		(a) Event #1	(b) Event #2	(c) Other events	(d) Total events (add col. (a) through col. (c))
		(event type)	(event type)	(total number)	
Revenue	1 Gross receipts				
	2 Less: Contributions				
	3 Gross income (line 1 minus line 2)				
Direct Expenses	4 Cash prizes				
	5 Noncash prizes				
	6 Rent/facility costs				
	7 Food and beverages				
	8 Entertainment				
	9 Other direct expenses				
	10 Direct expense summary. Add lines 4 through 9 in column (d)				()
	11 Net income summary. Combine line 3, column (d), and line 10				

Part III Gaming. Complete if the organization answered "Yes" to Form 990, Part IV, line 19, or reported more than \$15,000 on Form 990-EZ, line 6a.

		(a) Bingo	(b) Pull tabs/instant bingo/progressive bingo	(c) Other gaming	(d) Total gaming (add col. (a) through col. (c))
Revenue	1 Gross revenue				
Direct Expenses	2 Cash prizes				
	3 Noncash prizes				
	4 Rent/facility costs				
	5 Other direct expenses				
	6 Volunteer labor	<input type="checkbox"/> Yes _____ % <input type="checkbox"/> No	<input type="checkbox"/> Yes _____ % <input type="checkbox"/> No	<input type="checkbox"/> Yes _____ % <input type="checkbox"/> No	
	7 Direct expense summary. Add lines 2 through 5 in column (d)				()
	8 Net gaming income summary. Combine line 1, column d, and line 7				

9 Enter the state(s) in which the organization operates gaming activities: _____

a Is the organization licensed to operate gaming activities in each of these states? ☐ Yes ☐ Nob If "No," explain: _____
_____10a Were any of the organization's gaming licenses revoked, suspended or terminated during the tax year? ☐ Yes ☐ Nob If "Yes," explain: _____

- 11 Does the organization operate gaming activities with nonmembers? ☐ Yes ☐ No
- 12 Is the organization a grantor, beneficiary or trustee of a trust or a member of a partnership or other entity formed to administer charitable gaming? ☐ Yes ☐ No
- 13 Indicate the percentage of gaming activity operated in:
- | | | |
|-------------------------------|-----|---|
| a The organization's facility | 13a | % |
| b An outside facility | 13b | % |
- 14 Enter the name and address of the person who prepares the organization's gaming/special events books and records:

Name ► _____

Address ► _____

- 15a Does the organization have a contract with a third party from whom the organization receives gaming revenue?
- ☐
- Yes
- ☐
- No

b If "Yes," enter the amount of gaming revenue received by the organization ► \$ _____ and the amount of gaming revenue retained by the third party ► \$ _____.

c If "Yes," enter name and address of the third party:

Name ► _____

Address ► _____

- 16 Gaming manager information:

Name ► _____

Gaming manager compensation ► \$ _____

Description of services provided ► _____

☐ Director/officer☐ Employee☐ Independent contractor

- 17 Mandatory distributions:

a Is the organization required under state law to make charitable distributions from the gaming proceeds to retain the state gaming license? ☐ Yes ☐ No

b Enter the amount of distributions required under state law to be distributed to other exempt organizations or spent in the organization's own exempt activities during the tax year ► \$ _____

Part IV Supplemental Information. Complete this part to provide the explanations required by Part I, line 2b, columns (iii) and (v), and Part III, lines 9, 9b, 10b, 15b, 15c, 16, and 17b, as applicable. Also complete this part to provide any additional information (see instructions).**SCHEDULE G, PART I, LINE 2B, LIST OF TEN HIGHEST PAID FUNDRAISERS:**

(I) NAME OF FUNDRAISER: MAL WARWICK ASSOCIATES

(I) ADDRESS OF FUNDRAISER:

2550 NINTH STREET, SUITE 103, BERKELEY, CA 94710

(I) NAME OF FUNDRAISER: DONOR SERVICES GROUP, LLC

(I) ADDRESS OF FUNDRAISER: 6715 SUNSET BLVD, LOS ANGELES, CA 90028

Part IV Supplemental Information (continued)

(I) NAME OF FUNDRAISER: GORDON & SCHWENKMEYER, INC.

(I) ADDRESS OF FUNDRAISER:

360 NORTH SEPULVEDA BLVD, SUITE 1055, EL SEGUNDO, CA 90245

SCHEDULE I
(Form 990)

Department of the Treasury
Internal Revenue Service

Grants and Other Assistance to Organizations,
Governments, and Individuals in the United States
Complete if the organization answered "Yes" to Form 990, Part IV, line 21 or 22.
▶ Attach to Form 990.

OMB No. 1545-0047

2012

Open to Public
Inspection

Name of the organization

EARTHJUSTICE

Employer identification number
94-1730465

Part I General Information on Grants and Assistance

1 Does the organization maintain records to substantiate the amount of the grants or assistance, the grantees' eligibility for the grants or assistance, and the selection criteria used to award the grants or assistance? ☒ Yes ☐ No

2 Describe in Part IV the organization's procedures for monitoring the use of grant funds in the United States.

Part II Grants and Other Assistance to Governments and Organizations in the United States. Complete if the organization answered "Yes" to Form 990, Part IV, line 21, for any recipient that received more than \$5,000. Part II can be duplicated if additional space is needed.

1 (a) Name and address of organization or government	(b) EIN	(c) IRC section if applicable	(d) Amount of cash grant	(e) Amount of non-cash assistance	(f) Method of valuation (book, FMV, appraisal, other)	(g) Description of non-cash assistance	(h) Purpose of grant or assistance
ENVIRONMENTAL DEFENSE FUND 257 PARK AVENUE SOUTH NEW YORK, NY 10010	52-1379661	501(C)(3)	6,000.	0.			MEMBERSHIP DUES
LEAGUE OF CONSERVATIONS VOTERS EDUCATION FUND - 1920 L STREET, SUITE 800 - WASHINGTON, DC 20036	11-6107128	501(C)(3)	10,000.	0.			EVENT SPONSORSHIPS
PARTNERSHIP PROJECT, INC. 1615 M STREET NW WASHINGTON, DC 20036	81-0606786	501(C)(3)	6,000.	0.			MEMBERSHIP DUE
MICHIGAN ENERGY, MICHIGAN JOBS 1501 N. SHORE DR., STE B EAST LANSING, MI 48823	45-5220103	501(C)(4)	275,000.	0.			RENEWABLE ENERGY DIRECT LOBBYING

2 Enter total number of section 501(c)(3) and government organizations listed in the line 1 table **3.**
3 Enter total number of other organizations listed in the line 1 table **1.**

LHA For Paperwork Reduction Act Notice, see the Instructions for Form 990.

Schedule I (Form 990) (2012)

Part III Grants and Other Assistance to Individuals in the United States. Complete if the organization answered "Yes" to Form 990, Part IV, line 22.
Part III can be duplicated if additional space is needed.

(a) Type of grant or assistance	(b) Number of recipients	(c) Amount of cash grant	(d) Amount of non-cash assistance	(e) Method of valuation (book, FMV, appraisal, other)	(f) Description of non-cash assistance

Part IV Supplemental Information. Complete this part to provide the information required in Part I, line 2, Part III, column (b), and any other additional information.

SCHEDULE I, PART I, LINE 2: GRANTS AND/OR ASSISTANCE ARE USUALLY PROVIDED

TO OTHER ORGANIZATIONS WITH WHICH EARTHJUSTICE WORKS CLOSELY AND IS

FAMILIAR, FOR PURPOSES RELATED TO COMMON INTERESTS AND ENDEAVORS ON

PARTICULAR ENVIRONMENTAL ISSUES. THOSE PURPOSES ARE CONSISTENT WITH THE

MISSION OF EARTHJUSTICE AND THE RESTRICTIONS ON 501(C)(3) ORGANIZATIONS,

WHETHER OR NOT THE RECIPIENT IS A 501(C)(3) ORGANIZATION. THE RECIPIENTS'

USE OF FUNDS IS MONITORED AS PART OF EARTHJUSTICE'S INVOLVEMENT IN THE

ISSUES OF SHARED INTEREST.

**SCHEDULE J
(Form 990)**

Department of the Treasury
Internal Revenue Service

Compensation Information

For certain Officers, Directors, Trustees, Key Employees, and Highest
Compensated Employees

▶ Complete if the organization answered "Yes" to Form 990,
Part IV, line 23.

▶ Attach to Form 990. ▶ See separate instructions.

OMB No. 1545-0047

2012

Open to Public
Inspection

Name of the organization

EARTHJUSTICE

Employer identification number

94-1730465

Part I Questions Regarding Compensation

1a Check the appropriate box(es) if the organization provided any of the following to or for a person listed in Form 990,
Part VII, Section A, line 1a. Complete Part III to provide any relevant information regarding these items.

- | | |
|--|--|
| <input type="checkbox"/> First-class or charter travel | <input type="checkbox"/> Housing allowance or residence for personal use |
| <input type="checkbox"/> Travel for companions | <input type="checkbox"/> Payments for business use of personal residence |
| <input type="checkbox"/> Tax indemnification and gross-up payments | <input type="checkbox"/> Health or social club dues or initiation fees |
| <input type="checkbox"/> Discretionary spending account | <input type="checkbox"/> Personal services (e.g., maid, chauffeur, chef) |

b If any of the boxes on line 1a are checked, did the organization follow a written policy regarding payment or
reimbursement or provision of all of the expenses described above? If "No," complete Part III to explain

2 Did the organization require substantiation prior to reimbursing or allowing expenses incurred by all officers, directors,
trustees, and the CEO/Executive Director, regarding the items checked in line 1a?

3 Indicate which, if any, of the following the filing organization used to establish the compensation of the organization's
CEO/Executive Director. Check all that apply. Do not check any boxes for methods used by a related organization to
establish compensation of the CEO/Executive Director, but explain in Part III.

- | | |
|---|---|
| <input type="checkbox"/> Compensation committee | <input type="checkbox"/> Written employment contract |
| <input checked="" type="checkbox"/> Independent compensation consultant | <input checked="" type="checkbox"/> Compensation survey or study |
| <input type="checkbox"/> Form 990 of other organizations | <input checked="" type="checkbox"/> Approval by the board or compensation committee |

4 During the year, did any person listed in Form 990, Part VII, Section A, line 1a, with respect to the filing
organization or a related organization:

- a** Receive a severance payment or change-of-control payment?
- b** Participate in, or receive payment from, a supplemental nonqualified retirement plan?
- c** Participate in, or receive payment from, an equity-based compensation arrangement?
- If "Yes" to any of lines 4a-c, list the persons and provide the applicable amounts for each item in Part III.

Only section 501(c)(3) and 501(c)(4) organizations must complete lines 5-9.

5 For persons listed in Form 990, Part VII, Section A, line 1a, did the organization pay or accrue any compensation
contingent on the revenues of:

- a** The organization?
- b** Any related organization?
- If "Yes" to line 5a or 5b, describe in Part III.

6 For persons listed in Form 990, Part VII, Section A, line 1a, did the organization pay or accrue any compensation
contingent on the net earnings of:

- a** The organization?
- b** Any related organization?
- If "Yes" to line 6a or 6b, describe in Part III.

7 For persons listed in Form 990, Part VII, Section A, line 1a, did the organization provide any non-fixed payments
not described in lines 5 and 6? If "Yes," describe in Part III

8 Were any amounts reported in Form 990, Part VII, paid or accrued pursuant to a contract that was subject to the
initial contract exception described in Regulations section 53.4958-4(a)(3)? If "Yes," describe in Part III

9 If "Yes" to line 8, did the organization also follow the rebuttable presumption procedure described in
Regulations section 53.4958-6(c)?

Yes No

1b

2

4a

4b

4c

5a

5b

6a

6b

7

8

9

LHA For Paperwork Reduction Act Notice, see the Instructions for Form 990.

Schedule J (Form 990) 2012

Part II Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees. Use duplicate copies if additional space is needed.

For each individual whose compensation must be reported in Schedule J, report compensation from the organization on row (i) and from related organizations, described in the instructions, on row (ii). Do not list any individuals that are not listed on Form 990, Part VII.

Note. The sum of columns (B)(i)-(iii) for each listed individual must equal the total amount of Form 990, Part VII, Section A, line 1a, applicable column (D) and (E) amounts for that individual.

(A) Name and Title	(B) Breakdown of W-2 and/or 1099-MISC compensation			(C) Retirement and other deferred compensation	(D) Nontaxable benefits	(E) Total of columns (B)(i)-(D)	(F) Compensation reported as deferred in prior Form 990
	(i) Base compensation	(ii) Bonus & incentive compensation	(iii) Other reportable compensation				
(1) DONNELL VAN NORPEN PRESIDENT	(i) 326,537. (ii) 0.	25,000. 0.	0. 0.	29,730. 0.	13,847. 0.	395,114. 0.	0. 0.
(2) BRUCE NEIGHBOR VICE PRESIDENT	(i) 157,020. (ii) 0.	107. 0.	0. 0.	19,312. 0.	29,279. 0.	205,718. 0.	0. 0.
(3) WILLIAM CURTISS GENERAL COUNSEL	(i) 164,765. (ii) 0.	107. 0.	0. 0.	20,702. 0.	41,189. 0.	226,763. 0.	0. 0.
(4) KRISTINE STRATTON SR. VICE PRESIDENT	(i) 207,437. (ii) 0.	18,000. 0.	0. 0.	0. 0.	13,847. 0.	239,284. 0.	0. 0.
(5) PATTI GOLDMAN VICE PRESIDENT	(i) 217,370. (ii) 0.	0. 0.	0. 0.	28,426. 0.	29,172. 0.	274,968. 0.	0. 0.
(6) MELINDA CARMACK VICE PRESIDENT THROUGH 5/13	(i) 201,901. (ii) 0.	0. 0.	0. 0.	26,786. 0.	19,634. 0.	248,321. 0.	0. 0.
(7) MARTIN HAYDEN VICE PRESIDENT	(i) 178,902. (ii) 0.	5,000. 0.	0. 0.	23,687. 0.	29,172. 0.	236,761. 0.	0. 0.
(8) GEORGIA MCINTOSH VICE PRESIDENT	(i) 183,856. (ii) 0.	0. 0.	0. 0.	22,469. 0.	29,279. 0.	235,604. 0.	0. 0.
(9) CHRISTA BROTHERS VICE PRESIDENT	(i) 149,216. (ii) 0.	6,866. 0.	0. 0.	0. 0.	0. 0.	156,082. 0.	0. 0.
(10) PAUL ACHITOFF MANAGING ATTORNEY	(i) 149,997. (ii) 0.	0. 0.	0. 0.	17,601. 0.	11,220. 0.	178,818. 0.	0. 0.
(11) DOUG HONNOLD MANAGING ATTORNEY	(i) 154,874. (ii) 0.	0. 0.	0. 0.	17,873. 0.	10,086. 0.	182,833. 0.	0. 0.
(12) DAVID GUEST MANAGING ATTORNEY	(i) 147,110. (ii) 0.	0. 0.	0. 0.	17,221. 0.	9,752. 0.	174,083. 0.	0. 0.
(13) DAVID BARON MANAGING ATTORNEY	(i) 147,854. (ii) 0.	0. 0.	0. 0.	17,607. 0.	29,172. 0.	194,633. 0.	0. 0.
(14) DEBORAH REAMES MANAGING ATTORNEY THROUGH 10/12	(i) 71,361. (ii) 0.	0. 0.	100,000. 0.	7,373. 0.	24,005. 0.	202,739. 0.	0. 0.

Part III Supplemental Information

Complete this part to provide the information, explanation, or descriptions required for Part I, lines 1a, 1b, 3, 4a, 4b, 5a, 5b, 6a, 6b, 7, and 8, and for Part II. Also complete this part for any additional information.

PART I, LINE 4A: THE OTHER REPORTABLE COMPENSATION PAYMENT REPORTED IN

COLUMN B(III) WAS FINAL COMPENSATION PAYMENT TO THE FORMER MANAGING

ATTORNEY.

PART I, LINE 7: ONE-TIME PERFORMANCE BONUSES IN THE AMOUNTS SHOWN IN

PART II, COLUMN B(II) WERE PAID IN CALENDAR YEAR 2012. THE AMOUNT PAID TO

THE PRESIDENT WAS APPROVED BY THE BOARD; THE AMOUNTS PAID TO THE OTHERS

WERE APPROVED BY THE PRESIDENT. NONE WERE DETERMINED BY A FORMULA.

**SCHEDULE M
(Form 990)**

Department of the Treasury
Internal Revenue Service

Noncash Contributions

▶ **Complete if the organizations answered "Yes" on Form 990, Part IV, lines 29 or 30.**
▶ **Attach to Form 990.**

OMB No. 1545-0047

2012

**Open to Public
Inspection**

Name of the organization

EARTHJUSTICE

Employer identification number

94-1730465

Part I Types of Property

	(a) Check if applicable	(b) Number of contributions or items contributed	(c) Noncash contribution amounts reported on Form 990, Part VIII, line 1g	(d) Method of determining noncash contribution amounts
1 Art - Works of art				
2 Art - Historical treasures				
3 Art - Fractional interests				
4 Books and publications				
5 Clothing and household goods				
6 Cars and other vehicles				
7 Boats and planes				
8 Intellectual property				
9 Securities - Publicly traded	X	91	1,139,784.	FMV AT DONATION DATE
10 Securities - Closely held stock				
11 Securities - Partnership, LLC, or trust interests				
12 Securities - Miscellaneous				
13 Qualified conservation contribution - Historic structures				
14 Qualified conservation contribution - Other				
15 Real estate - Residential				
16 Real estate - Commercial				
17 Real estate - Other				
18 Collectibles				
19 Food inventory				
20 Drugs and medical supplies				
21 Taxidermy				
22 Historical artifacts				
23 Scientific specimens				
24 Archeological artifacts				
25 Other ▶ (.....				
26 Other ▶ (.....				
27 Other ▶ (.....				
28 Other ▶ (.....				

29 Number of Forms 8283 received by the organization during the tax year for contributions
for which the organization completed Form 8283, Part IV, Donee Acknowledgement

29

0

30a During the year, did the organization receive by contribution any property reported in Part I, lines 1-28 that it must hold for
at least three years from the date of the initial contribution, and which is not required to be used for exempt purposes for
the entire holding period?

	Yes	No
30a		X
31	X	
32a	X	
33		

b If "Yes," describe the arrangement in Part II.

31 Does the organization have a gift acceptance policy that requires the review of any non-standard contributions?

32a Does the organization hire or use third parties or related organizations to solicit, process, or sell noncash
contributions?

b If "Yes," describe in Part II.

33 If the organization did not report an amount in column (c) for a type of property for which column (a) is checked,
describe in Part II.

LHA For Paperwork Reduction Act Notice, see the Instructions for Form 990.

Schedule M (Form 990) (2012)

Part II **Supplemental Information.** Complete this part to provide the information required by Part I, lines 30b, 32b, and 33, and whether the organization is reporting in Part I, column (b), the number of contributions, the number of items received, or a combination of both. Also complete this part for any additional information.

SCHEDULE M, LINE 32B: SECURITIES BROKERS WILL SELL STOCK GIFTS ON
BEHALF OF EARTHJUSTICE; FROM TIME TO TIME, DONORS HAVE CONTRIBUTED REAL
PROPERTY, USUALLY INTO A CHARITABLE REMAINDER TRUST. WHEN THIS
HAPPENS, A REAL ESTATE AGENT WILL BE HIRED TO ASSIST IN SELLING THE
PROPERTY.

SCHEDULE O
(Form 990 or 990-EZ)

Department of the Treasury
Internal Revenue Service

Supplemental Information to Form 990 or 990-EZ

Complete to provide information for responses to specific questions on
Form 990 or 990-EZ or to provide any additional information.
▶ Attach to Form 990 or 990-EZ.

OMB No. 1545-0047

2012

Open to Public
Inspection

Name of the organization

EARTHJUSTICE

Employer identification number
94-1730465

FORM 990, PART I, LINE 1, DESCRIPTION OF ORGANIZATION MISSION:

WE USE THE LAW TO PROTECT NATURAL HERITAGE, SAFEGUARD HEALTH AND
PROMOTE A CLEAN ENERGY FUTURE.

FORM 990, PART III, LINE 1, DESCRIPTION OF ORGANIZATION MISSION:

WE BRING ABOUT FAR-REACHING CHANGE BY ENFORCING AND STRENGTHENING
ENVIRONMENTAL LAWS ON BEHALF OF HUNDREDS OF ORGANIZATIONS AND
COMMUNITIES.

FORM 990, PART VI, SECTION B, LINE 11: A FULL COPY OF FORM 990 IS POSTED
ON A SECURE WEB PORTAL ACCESSIBLE BY THE TRUSTEES AT LEAST ONE WEEK PRIOR
TO FILING. THE TRUSTEES ARE NOTIFIED OF THE FORM 990 POSTING AND ENCOURAGED
TO REVIEW AND COMMENT ON IT PRIOR TO FILING.

FORM 990, PART VI, SECTION B, LINE 12C: THE CONFLICT OF INTEREST
PREVENTION POLICY REQUIRES AN ANNUAL DISCLOSURE BY TRUSTEES AND SENIOR
STAFF OF ENTITIES IN WHICH THEY HAVE PERSONAL, FINANCIAL OR PROFESSIONAL
INTERESTS. THE RESULTS OF THOSE DISCLOSURES ARE COMPILED INTO A SCREENING
LIST OF ENTITIES USED BY THE BOARD CHAIR, CHIEF EXECUTIVE OFFICER AND
GENERAL COUNSEL WHEN REVIEWING POTENTIAL TRANSACTIONS BETWEEN EARTHJUSTICE
AND OUTSIDE ENTITIES. THE SCREENING LIST IS USED TO CHECK TO ASSURE THAT
INDIVIDUAL DECISION-MAKERS RECUSE THEMSELVES FROM ANY PARTICIPATION IN
DECISIONS AFFECTING THE ENTITIES IN WHICH THEY HAVE INTERESTS.

FORM 990, PART VI, SECTION B, LINE 15: WE GET COMPETITIVE DATA FROM AN

LHA For Paperwork Reduction Act Notice, see the Instructions for Form 990 or 990-EZ.
232211
01-04-13

Schedule O (Form 990 or 990-EZ) (2012)

Name of the organization

EARTHJUSTICE

Employer identification number
94-1730465

OUTSIDE COMPENSATION CONSULTANT FOR OUR CEO. IN ADDITION OUR VP-HR COLLECTS SALARIES OF CEOS FROM OTHER NON-PROFIT ENVIRONMENTAL ORGANIZATIONS TO OBTAIN ADDITIONAL DATA FOR THE KEY NATIONAL NON-PROFIT ENVIRONMENTAL ORGANIZATIONS. THIS INFORMATION IS PASSED ALONG TO THE EXECUTIVE COMMITTEE OF OUR BOARD OF DIRECTORS WHO REVIEWS THE DATA AND MAKES THE APPROPRIATE RECOMMENDATION FOR OUR CEO SALARY. WE DO A BI-ANNUAL REVIEW OF ALL POSITIONS IN THE ORGANIZATION INCLUDING THE CEO AND ALL STAFF. WE UPDATE ALL POSITION DESCRIPTIONS AND USE AN OUTSIDE COMPENSATION CONSULTANT TO DETERMINE SALARIES THAT MATCH THE JOB RESPONSIBILITIES IN THE NON-PROFIT SECTOR IN THE SPECIFIC GEOGRAPHIC AREAS IN WHICH OUR JOBS ARE LOCATED. OUR VP-HR ALSO CONTACTS OTHER ENVIRONMENTAL NON-PROFIT COMPANIES TO OBTAIN ADDITIONAL COMPETITIVE INFORMATION. FOR NON-ATTORNEY JOBS, EACH JOB IS ASSIGNED A GRADE. EACH GRADE HAS A MINIMUM, MIDPOINT, AND MAXIMUM SALARY. WE CONSIDER MID-POINT OF THE GRADE THE APPROPRIATE SALARY TO BE AN EMPLOYEE FULLY COMPETENT IN THE JOB. OUR VP-HR THEN WORKS WITH MANAGERS, BASED ON PERFORMANCE TO DETERMINE WHAT THE APPROPRIATE SALARY SHOULD BE WITHIN THIS RANGE. SINCE THIS PROCESS IS QUITE TIME INTENSIVE, WE DO THIS EVERY OTHER YEAR. IN THE YEAR WE DON'T GO THROUGH THIS PROCESS, WE GET COMPETITIVE DATA ABOUT WHAT THE AVERAGE RAISE WILL BE AND USE THIS AS A GUIDELINE FOR OUR BUDGETING PROCESS. OUR ATTORNEYS' PAY IS BASED ON YEAR OF GRADUATION FROM LAW SCHOOL, TO WHICH WE ADD A GEOGRAPHIC ADJUSTMENT BASED ON THE OFFICE LOCATION, E.G. BOZEMAN, MONTANA VS. NEW YORK, NY. WE CONTACT OTHER CONSERVATION ORGANIZATIONS LIKE THE SIERRA CLUB AND ALSO GOVERNMENT ENTITIES LIKE THE DEPARTMENT OF JUSTICE TO DETERMINE THE APPROPRIATE PAY FOR OUR ATTORNEYS.

FORM 990, PART VI, LINE 17, LIST OF STATES RECEIVING COPY OF FORM 990:

AL, AK, AZ, AR, CA, CT, FL, GA, IL, KS, KY, LA, MD, MA, MI, MN, MS, NH, NJ, NM, NY, NC, OH, OK, OR

232212
01-04-13

Schedule O (Form 990 or 990-EZ) (2012)

Name of the organization

EARTHJUSTICE

Employer identification number
94-1730465

PA, RI, SC, TN, UT, VA, WA, WV, WI, HI, MO, ND

FORM 990, PART VI, SECTION C, LINE 19: THE AUDITED FINANCIAL STATEMENTS, THE GOVERNING/ORGANIZING DOCUMENTS AND THE CONFLICT OF INTEREST POLICY ARE MADE AVAILABLE TO THE PUBLIC BY EMAIL REQUEST: EAJUS@EARTHJUSTICE.ORG. THE ORGANIZATION'S AUDITED FINANCIAL STATEMENTS ARE ALSO AVAILABLE ON THE ORGANIZATION'S WEBSITE.

FORM 990, PART XI, LINE 9, CHANGES IN NET ASSETS:

CHANGE IN SPLIT INTEREST AGREEMENTS	283,050.
DONATED SOFTWARE AND SERVICES CAPITALIZED FOR BOOK	23,586.
TOTAL TO FORM 990, PART XI, LINE 9	306,636.

990, PART XII, LINE 2C

AUDIT COMMITTEE AND OVERSIGHT

THERE HAVE BEEN NO CHANGES TO THIS PROCESS FROM PRIOR YEAR.

FORM 990, PART III

EARTHJUSTICE IS THE PREMIER NON-PROFIT PUBLIC INTEREST LAW FIRM DEDICATED TO PROTECTING THE MAGNIFICENT PLACES, NATURAL RESOURCES, AND WILDLIFE OF THIS EARTH AND TO DEFENDING THE RIGHT OF ALL PEOPLE TO A HEALTHY ENVIRONMENT. FOR MORE THAN FOUR DECADES, EARTHJUSTICE HAS EMPOWERED CITIZENS BY REPRESENTING THEM IN COURT AT NO CHARGE TO HOLD POLLUTERS AND THE GOVERNMENT ACCOUNTABLE TO OUR ENVIRONMENTAL LAWS. THIS PAST YEAR, EARTHJUSTICE HAS CONTINUED TO MAKE THE PROMISE OF OUR ENVIRONMENTAL LAWS A REALITY AND TACKLE THE MOST PRESSING THREATS TO THE FUTURE WE WANT FOR THE PLANET AND FUTURE GENERATIONS.

Name of the organization

EARTHJUSTICE

Employer identification number
94-1730465

FORM 990, PART III

CASE SUMMARIES

PROMOTING A CLEAN ENERGY FUTURE:

MAKING A DRAMATIC SHIFT AWAY FROM FOSSIL FUELS TO CLEAN ENERGY

REDUCING CLIMATE POLLUTION:

WITH CONGRESS UNABLE TO PASS CLIMATE LEGISLATION, WE AND OUR COLLEAGUES

HAVE MADE THE CLEAN AIR ACT THE PRINCIPAL TOOL FOR REINING IN CLIMATE

POLLUTION. FOUR YEARS AFTER THE SUPREME COURT UPHELD THE ENVIRONMENTAL

PROTECTION AGENCY'S (EPA'S) AUTHORITY TO REGULATE CLIMATE POLLUTION,

THE EPA FINALIZED THE FIRST REGULATIONS LIMITING CARBON EMISSIONS FROM

CARS AND LIGHT TRUCKS AND CREATE A PERMITTING SCHEME FOR NEW POWER

PLANTS AND OTHER POLLUTING INDUSTRIAL FACILITIES. AFTER LOSING IN THE

D.C. CIRCUIT, MORE THAN 100 INDUSTRY GROUPS AND ALLIED STATES HAVE

TAKEN THEIR CHALLENGE TO THE U.S. SUPREME COURT. (FORTUNATELY, THE

SUPREME COURT HAS DECLINED TO REVISIT IMPORTANT ASPECTS OF THE D.C.

CIRCUIT'S DECISION AFFIRMING EPA'S THRESHOLD FINDING THAT GREENHOUSE

GASES ENDANGER HUMAN HEALTH AND THE ENVIRONMENT AND ITS CARBON STANDARD

FOR MOTOR VEHICLES BASED ON THAT FINDING. HOWEVER, THE COURT HAS AGREED

TO HEAR ARGUMENT REGARDING EPA'S AUTHORITY TO REGULATE GREENHOUSE GASES

UNDER SEPARATE PERMITTING PROVISIONS, AND WE WILL BE PART OF THE TEAM

OF LAWYERS BRIEFING THE CASE ON BEHALF OF THE CONSERVATION COMMUNITY.)

MEANWHILE, PRESIDENT OBAMA HAS COMMITTED TO EXPANDING REGULATION OF

CLIMATE POLLUTION TO ENCOMPASS ADDITIONAL REGULATION OF EMISSIONS FROM

NEW AND EXISTING POWER PLANTS, AND IN ADDITION TO STRONG STANDARDS FOR

THE POWER SECTOR, ONCE THE POWER PLANT RULE IS IN PLACE WE ARE PRESSING

FOR REGULATION OF THE OTHER BIGGEST EMITTERS OF CARBON: REFINERIES, OIL

Name of the organization

EARTHJUSTICE

Employer identification number
94-1730465

AND GAS, CEMENT KILNS, AND AIRCRAFT.

REDUCING RELIANCE ON COAL FOR ENERGY GENERATION AND THE HARM TO PEOPLE
AND COMMUNITIES FROM BURNING COAL:

EARTHJUSTICE IS LEADING THE LITIGATION TO OBTAIN STRONG NATIONAL
STANDARDS TO LIMIT TOXIC AIR, WATER, AND WASTE POLLUTION FROM
COAL-FIRED POWER PLANTS FORCING RETIREMENTS WHEN CLEAN-UPS DO NOT MAKE
ECONOMIC SENSE. AS THE DOMESTIC COAL MARKET SHRINKS AND COAL COMPANIES
TURN TO FOREIGN MARKETS, WE ARE ALSO WORKING TO PREVENT COAL EXPORTS TO
ASIA FROM THE WEST COAST. THIS YEAR, WE MADE GREAT STRIDES ON ALL
FRONTS.

OBTAINING STRONG NATIONAL STANDARDS TO LIMIT AIR POLLUTION FROM
COAL-FIRED POWER PLANTS:

AFTER LITIGATING TO FORCE THE EPA TO MEET ITS OBLIGATIONS UNDER THE
CLEAN AIR ACT, EARTHJUSTICE LAWSUITS ARE DRIVING FUNDAMENTAL CHANGE,
REQUIRING THE INSTALLATION OF MODERN POLLUTION CONTROLS AT COAL-FIRED
POWER PLANTS, NOTORIOUSLY DIRTY FACILITIES THAT HAVE LONG EVADED
POLLUTION LIMITS. IN RESPONSE TO A SERIES OF LAWSUITS OVER 17 YEARS,
EPA HAS AT LAST FINALIZED FIRST-EVER STANDARDS TO LIMIT THE EMISSION OF
HAZARDOUS AIR POLLUTANTS SUCH AS MERCURY FROM POWER PLANTS. EPA
ESTIMATES THAT THIS NEW RULE WILL SAVE UP TO 11,000 LIVES EACH YEAR,
PREVENT THOUSANDS OF HEART ATTACKS, CASES OF ASTHMA AND OTHER
RESPIRATORY ILLNESSES EVERY YEAR, AND ADDRESS THE GREATEST SOURCE OF
MERCURY EMISSIONS IN THE COUNTRY, MEANING THAT WE WILL BE ADDRESSING
THE ROOT CAUSE OF MERCURY CONTAMINATED FISH IN RIVERS AND LAKES ACROSS
THE COUNTRY. NUMEROUS INDUSTRIES HAVE CHALLENGED THE RULE SO WE HAVE
INTERVENED TO DEFEND IT.

232212
01-04-13

Name of the organization

EARTHJUSTICE

Employer identification number
94-1730465

OUR LITIGATION HAS ALSO FORCED EPA TO ACCOUNT FOR SCIENTIFIC DATA ESTABLISHING THAT NATIONAL AIR STANDARDS HAVE NOT BEEN STRINGENT ENOUGH TO PROTECT PUBLIC HEALTH AND TO ISSUE NEW, PROTECTIVE AMBIENT AIR-QUALITY STANDARDS FOR SOOT, SULFUR DIOXIDE, AND NITROGEN DIOXIDE. THESE NEW STANDARDS ARE ALSO DRIVING COAL PLANT CLEAN-UPS AND RETIREMENTS.

FURTHER, AS EPA STRENGTHENS THE NATIONAL AMBIENT AIR-QUALITY STANDARDS, THERE IS STILL WORK TO DO TO ATTAIN COMPLIANCE EVEN WITH THE CURRENT OZONE STANDARD AND WITH THE WEAKER STANDARDS FOR SOOT AND SULFUR DIOXIDE THAT WERE PREVIOUSLY IN PLACE. EPA HAS DEVELOPED TWO SUCCESSIVE EMISSIONS TRADING PROGRAMS FOR POWER PLANTS TO ENFORCE THE CLEAN AIR ACT'S SO-CALLED "GOOD NEIGHBOR" PROVISION, WHICH REQUIRE STATES TO CURB POLLUTION THAT IS PREVENTING ATTAINMENT OF AIR-QUALITY STANDARDS IN DOWNWIND STATES. EPA'S LATEST GOOD NEIGHBOR RULE HAS BEEN AN IMPORTANT DRIVER OF COAL PLANT CLEAN-UPS AND RETIREMENTS, BUT IT WAS SUCCESSFULLY CHALLENGED BY INDUSTRY IN THE D.C. CIRCUIT. WE ARE PART OF THE LEGAL TEAM REPRESENTING ENVIRONMENTAL GROUPS BEFORE THE SUPREME COURT SEEKING TO REINSTATE THE RULE.

OUR LITIGATION IS ALSO FORCING THE STATES AND EPA TO IMPLEMENT THE CLEAN AIR ACT'S REGIONAL HAZE MANDATES TO RESTORE VISIBILITY AND HEALTHY AIR QUALITY IN OUR NATIONAL PARKS AND PUBLIC LANDS. CLEAN-UP PLANS ARE NOW REQUIRED IN 40 STATES AS A RESULT OF AN EARTHJUSTICE LAWSUIT. BECAUSE COAL PLANTS ARE THE LEADING CULPRIT IMPAIRING VISIBILITY IN MANY REGIONS, WE ARE ADVOCATING AND LITIGATING AS NECESSARY TO ENSURE THESE PLANS INCLUDE STRONG EMISSION LIMITS FOR COAL

Name of the organization

EARTHJUSTICE

Employer identification number

94-1730465

PLANTS, AND IN TURN, THESE LIMITS ARE COMPELLING THE CLEAN-UP AND RETIREMENT OF AGING, HIGHLY POLLUTING COAL UNITS. THIS PAST YEAR, WE WERE ACTIVELY ENGAGED IN SECURING STRONG HAZE PLANS IN ARIZONA, FLORIDA, MINNESOTA, MONTANA, NEBRASKA, NEVADA, NEW MEXICO, NEW YORK, NORTH DAKOTA, PENNSYLVANIA, TEXAS, UTAH, AND WYOMING. WE ALSO HAVE BROUGHT NATIONAL LITIGATION TO CHALLENGE EPA EFFORTS TO CREATE BROAD HAZE EXEMPTIONS FOR COAL PLANTS IN THE EASTERN HALF OF THE UNITED STATES.

OBTAINING STRONG NATIONAL STANDARDS TO LIMIT WATER POLLUTION FROM COAL-FIRED POWER PLANTS:

WE ARE SEEKING TO REDRESS WHOLESALE REGULATORY FAILURES WITH RESPECT TO WATER POLLUTION AND WASTE FROM COAL PLANTS. WHILE COAL PLANTS ARE THE SINGLE LARGEST DISCHARGERS OF TOXIC WATER POLLUTION NATIONWIDE, CONTRIBUTING 60 PERCENT OF THE TOXINS THAT ENTER U.S. WATERWAYS EVERY YEAR, THERE ARE NO NATIONAL LIMITS ON THE TOXIC POLLUTANTS IN COAL PLANT WASTEWATERS. SIMILARLY, COAL PLANTS GENERATE THE BIGGEST WASTE STREAM IN THE COUNTRY, SECOND ONLY TO HOUSEHOLD GARBAGE, BUT THERE ARE NO STANDARDS TO REQUIRE SAFE DISPOSAL OF THIS WASTE, WHICH IS LADEN WITH MERCURY, ARSENIC, AND OTHER TOXIC METALS PRESENT IN COAL.

EARTHJUSTICE LAWSUITS AND ADVOCACY HAVE FORCED EPA TO UNDERTAKE A RULEMAKING TO LIMIT TOXIC WASTEWATER DISCHARGES FROM COAL PLANTS AND PRODUCED THE FIRST PROPOSED REGULATION OF COAL ASH DUMPS AND IMPOUNDMENTS, WHICH ARE LEACHING TOXIC METALS AND OTHER CONTAMINANTS INTO WATER SUPPLIES AROUND THE COUNTRY. IN RESPONSE TO THESE PROPOSALS, WE HAVE WORKED WITH EXPERTS TO PROVIDE EPA WITH COMPELLING EVIDENCE THAT THE STRONG NEW STANDARDS ARE WARRANTED.

Name of the organization

EARTHJUSTICE

Employer identification number
94-1730465

FORCING DIRTY COAL PLANTS TO CLEAN UP OR SHUT DOWN:

EARTHJUSTICE WORKS CLOSELY WITH OUR CLIENTS IN A WIDE ARRAY OF PERMITTING AND ENFORCEMENT CASES AROUND THE COUNTRY TO FORCE INDIVIDUAL COAL PLANTS EITHER TO COMPLY WITH ENVIRONMENTAL STANDARDS OR SHUT DOWN, AND WE ARE ACTIVELY ENGAGED AT SEVERAL PUBLIC UTILITY COMMISSIONS TO PREVENT UNECONOMIC INVESTMENTS IN RETROFITTING OLD PLANTS. THESE EFFORTS WERE ONGOING THIS PAST YEAR IN KENTUCKY, OHIO, MICHIGAN, MISSOURI, INDIANA, PENNSYLVANIA, TEXAS, NEW MEXICO, TENNESSEE, AND FLORIDA.

AMONG THE SIGNIFICANT GAINS MADE WAS A SETTLEMENT AGREEMENT BETWEEN CITIZEN GROUPS, STATES, EPA, AND AMERICAN ELECTRIC POWER (AEP) REQUIRING AEP TO STOP BURNING COAL BY 2015 AT THREE POWER PLANTS IN INDIANA, OHIO AND KENTUCKY-A RESULT THAT WILL REDUCE CLIMATE-DISRUPTING CARBON POLLUTION BY 12 MILLION TONS AND PREVENT MORE THAN 200 DEATHS, 300 HEART ATTACKS, AND 3,000 ASTHMA ATTACKS EACH YEAR. AEP ALSO AGREED TO REPLACE A PORTION OF THIS RETIRING COAL GENERATION WITH NEW WIND AND SOLAR INVESTMENTS IN INDIANA AND MICHIGAN, BRINGING MORE CLEAN ENERGY ON LINE TO MEET THE REGION'S ELECTRICITY NEEDS.

WITH ANOTHER MAJOR VICTORY AT THE KENTUCKY PUBLIC UTILITY COMMISSION, WE MADE FURTHER PROGRESS IN SHRINKING AEP'S FLEET IN KENTUCKY WHEN WE DERAILED ITS EFFORT TO SADDLE RATEPAYERS WITH THE COSTS OF A \$1 BILLION RETROFIT OF ITS BIG SANDY COAL PLANT. THE BIG SANDY PLANT IS NOW SLATED FOR RETIREMENT.

IN TEXAS, IN ONGOING FEDERAL COURT LITIGATION OVER AIR PERMIT VIOLATIONS AT LUMINANT'S MARTIN LAKE POWER PLANT, THE SINGLE GREATEST

Name of the organization

EARTHJUSTICE

Employer identification number
94-1730465

SOURCE OF CARBON EMISSIONS IN THE COUNTRY AND ALSO ONE OF THE TOP TEN
EMITTERS OF MERCURY EVERY YEAR, WE OBTAINED A DECISION FROM THE
MAGISTRATE JUDGE RECOMMENDING THAT THE COURT REJECT LUMINANT'S BID TO
DISMISS OUR LAWSUIT, AND WE ARE NOW PREPARING FOR TRIAL.

FORM 990, PART III

CASE SUMMARIES CONTINUED

STOPPING NEW CONSTRUCTION OF POWER PLANTS:

THANKS IN PART TO OUR EFFORTS IN COLLABORATION WITH A NETWORK OF ALLIED
ADVOCATES AROUND THE COUNTRY, THE RUSH TO BUILD NEW COAL PLANTS APPEARS
TO BE OVER, BUT WE HAVE BEEN BATTLING THE LAST FEW LIVE PROPOSALS, MOST
PROMINENTLY, THE PROPOSED SUNFLOWER PLANT IN KANSAS. THIS YEAR, WE HAVE
HAD TWO MAJOR VICTORIES THAT ARE LIKELY TO BLOCK THE PLANT PERMANENTLY.
IN MAY 2013, THE D.C. CIRCUIT DISMISSED SUNFLOWER'S APPEAL OF OUR
VICTORY BLOCKING ANY FURTHER APPROVALS OF THE SUNFLOWER COAL PLANT
UNTIL THE RURAL UTILITIES SERVICE PREPARES AN ENVIRONMENTAL IMPACT
STATEMENT ON THE PLANT, CREATING A SUBSTANTIAL OBSTACLE TO MOVING
FORWARD WITH THIS PLANT. (AND IN OCTOBER 2013, WE WON OUR APPEAL OF THE
SUNFLOWER AIR PERMIT BEFORE THE KANSAS SUPREME COURT.)

MOUNTAINTOP REMOVAL MINING:

MOUNTAINTOP REMOVAL MINING EPITOMIZES THE COAL INDUSTRY'S DETERMINATION
TO PROFIT AT ANY COST TO THE ENVIRONMENT AND THE HEALTH OF COMMUNITIES
IN APPALACHIA. BUILDING ON YEARS OF LITIGATION AND ADVOCACY, WE HAD A
STUNNING VICTORY IN OUR CHALLENGE TO THE U.S. ARMY CORPS OF ENGINEERS'
PERMIT FOR THE SPRUCE MINE, ONE OF THE LARGEST MOUNTAINTOP REMOVAL
MINES EVER PROPOSED. IN JANUARY 2011, EPA VETOED THAT PERMIT,

Name of the organization

EARTHJUSTICE

Employer identification number
94-1730465

HIGHLIGHTING CONCERNS ABOUT DOWNSTREAM WATER QUALITY, HEALTH, AND ENVIRONMENTAL JUSTICE. IN A CHALLENGE TO THE VETO BY THE MINGO LOGAN COAL COMPANY, A DISTRICT COURT HELD THAT EPA HAD NO AUTHORITY TO VETO AN ALREADY ISSUED PERMIT, BUT IN APRIL 2013, THE D.C. CIRCUIT UNANIMOUSLY REVERSED. THIS VICTORY HELPS BUILD MOMENTUM FOR FURTHER ACTION FROM EPA AT A TIME WHEN IT FACES EXTREME PRESSURE FROM INDUSTRY TO ALLOW MOUNTAINTOP REMOVAL TO GO FORWARD WITHOUT NEEDED REGULATION.

PROGRESS IN STOPPING COAL EXPORTS FROM THE WEST COAST:

WE ARE THE LEGAL ARM OF A BROAD-BASED CAMPAIGN TO PREVENT NEW WEST COAST TERMINAL FACILITIES THAT WOULD ALLOW FOR A MAJOR RAMP-UP IN THE EXPORT OF COAL TO ASIA. OUR FIGHT BEGAN WHEN IT WAS REVEALED THAT THE WEST COAST COAL EXPORT FACILITY WOULD BE FIVE TIMES AS LARGE AS THE REPRESENTATIONS MADE TO THE REGULATORS. WITH ITS CREDIBILITY SEVERELY UNDERMINED, THE COMPANY WITHDREW THE PERMIT APPLICATION SHORTLY BEFORE THE TRIAL WAS SCHEDULED TO BEGIN, ALTHOUGH IT PLANS TO SEEK APPROVAL FOR THE WHOLE PROJECT IN THE FUTURE. SINCE THEN, THREE OF THE SIX PROPOSED WEST COAST COAL EXPORT FACILITIES HAVE BEEN ABANDONED, AND WE ARE LAYING THE GROUNDWORK FOR CHALLENGING FUTURE PROPOSALS.

PROMOTING CLEAN ENERGY:

EARTHJUSTICE IS COMMITTED TO PROMOTING ENERGY CONSERVATION AND CLEAN ENERGY BY: (1) PUSHING FOR NATIONAL STANDARDS THAT WILL FORCE INNOVATION TO MAKE OUR APPLIANCES AND EQUIPMENT MORE ENERGY EFFICIENT; AND (2) ADVOCATING FOR RULES AND DECISIONS AT STATE UTILITY COMMISSIONS AND THE FEDERAL ENERGY REGULATORY COMMISSION THAT INCENTIVIZE RELIANCE ON CLEAN ENERGY AND REMOVE THE BARRIERS TO A NATIONAL SCALE-UP OF CLEAN ENERGY RESOURCES THROUGH STATE UTILITY COMMISSIONS.

Name of the organization

EARTHJUSTICE

Employer identification number
94-1730465FEDERAL ENERGY EFFICIENCY RULES:

OUR ADVOCACY TO OBTAIN NATIONAL ENERGY EFFICIENCY STANDARDS CONTINUES TO PRODUCE RESULTS. THIS YEAR, THE DEPARTMENT OF ENERGY (DOE) ISSUED ONLY TWO FINAL RULES UPDATING ENERGY EFFICIENCY STANDARDS-FOR MICROWAVE OVENS AND ELECTRICITY DISTRIBUTION TRANSFORMERS, THE LATTER EXPEDITED BY A SCHEDULE NEGOTIATED TO SETTLE A 2007 EARTHJUSTICE LAWSUIT. DOE ALSO COMPLETED TEST-PROCEDURE UPDATES FOR, AMONG OTHER ITEMS, CLOTHES DRYERS, MICROWAVE OVENS, FURNACES AND BOILERS, AND WATER HEATERS. OVER THE SPRING AND SUMMER OF 2013, DOE CONVENED A NEGOTIATED RULEMAKING COMMITTEE TO PROPOSE REGULATIONS ESTABLISHING CERTIFICATION AND ENFORCEMENT REQUIREMENTS GOVERNING COMMERCIAL HEATING, AIR-CONDITIONING, WATER HEATING, AND REFRIGERATION EQUIPMENT. A REPRESENTATIVE FROM EARTHJUSTICE SERVED ON THIS COMMITTEE, WHICH REACHED CONSENSUS ON A SUITE OF REQUIREMENTS THAT WILL BE PROPOSED THROUGH A SERIES OF RULEMAKINGS OVER THE NEXT YEAR.

IN JANUARY 2013, THE FEDERAL TRADE COMMISSION (FTC) FINALLY UPDATED ITS ENERGY LABELING RULE TO MAKE IT EASIER FOR ONLINE CONSUMERS TO COMPARE THE ENERGY CONSUMPTION OF NEW APPLIANCES. RETAILERS WILL DISPLAY THIS INFORMATION NEXT TO THE PRODUCT PHOTO AND PURCHASE PRICE, AND MANUFACTURERS WILL MAKE IT AVAILABLE ON THEIR OWN WEBSITES. WE HAD PETITIONED THE FTC TO MAKE THIS CHANGE SO THAT ONLINE CONSUMERS WOULD HAVE THE SAME ACCESS TO INFORMATION AS SHOPPERS AT BRICK-AND-MORTAR STORES.

STATE PROMOTION OF EFFICIENCY AND CLEAN ENERGY RESOURCES:

IN CALIFORNIA, EARTHJUSTICE AND ALLIES HAVE BEEN WORKING TO MAKE ENERGY

Name of the organization

EARTHJUSTICE

Employer identification number
94-1730465

STORAGE A KEY OPERATIONAL COMPONENT OF CALIFORNIA'S ENERGY SYSTEM. (IN OCTOBER 2013, THE CALIFORNIA PUBLIC UTILITIES COMMISSION MADE A GROUND-BREAKING DECISION TO REQUIRE 1,325 MEGAWATTS OF STORAGE BY 2020 WITH INTERMEDIATE PROCUREMENT TARGETS BEGINNING IN 2014. CALIFORNIA IS THE FIRST STATE TO REQUIRE UTILITIES TO DEVELOP ENERGY STORAGE SYSTEMS, WHICH ARE ESSENTIAL TO LARGE-SCALE DEPLOYMENT OF INTERMITTENT RENEWABLE ENERGY RESOURCES.)

IN HAWAI'I, WE HAVE BEEN WORKING ON BEHALF OF THE SOLAR INDUSTRY TO ELIMINATE BARRIERS TO SCALING UP DISTRIBUTED GENERATION OF SOLAR ENERGY, AND THE STATE HAS BECOME A NATIONAL TRENDSETTER IN MARKET PENETRATION OF ROOFTOP SOLAR. IN LATE JANUARY, HAWAIIAN ELECTRIC AGREED TO A PROACTIVE APPROACH TO PLANNING THAT WILL CONTINUE TO ACCOMMODATE MORE ROOFTOP SOLAR, THANKS IN PART TO OUR ADVOCACY ON BEHALF OF THE SOLAR INDUSTRY IN A STAKEHOLDER PROCESS ESTABLISHED BY THE HAWAI'I PUBLIC UTILITIES COMMISSION. JUST THREE YEARS AGO, THE UTILITY HAD PROPOSED A MORATORIUM ON NEW SOLAR INSTALLATIONS. NOW THE UTILITY IS PROACTIVELY CONDUCTING STUDIES TO DETERMINE HOW TO ELIMINATE GRID CONSTRAINTS TO CONTINUED GROWTH OF THE SOLAR SECTOR.

IN JUNE 2013, THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION APPROVED A DECOUPLING PLAN THAT WE DEVELOPED WITH PUGET SOUND ENERGY TO ENCOURAGE MAXIMUM INVESTMENT IN ENERGY EFFICIENCY. THE PLAN WILL DECOUPLE THE PROFITS THE UTILITY RECEIVES FROM THE AMOUNT OF ENERGY SOLD, REMOVING A STRUCTURAL DISINCENTIVE FOR THE UTILITY TO ESTABLISH EFFECTIVE ENERGY EFFICIENCY AND CONSERVATION PROGRAMS.

FINALLY, IN THE MIDWEST, WE HAVE LEVERAGED SETTLEMENTS REGARDING THE

Name of the organization

EARTHJUSTICE

Employer identification number

94-1730465

RETIREMENT OF COAL-FIRED UNITS TO OBTAIN ENFORCEABLE COMMITMENTS TO RAMP UP CLEAN ENERGY. OUR FEBRUARY 2013 SETTLEMENT WITH AEP, WHICH IS DISCUSSED ABOVE, REQUIRES AEP TO DEVELOP 200 MEGAWATTS OF WIND OR SOLAR ENERGY BY 2015.

PROTECTING PEOPLE, COMMUNITIES, AND WILDLANDS FROM THE IMPACTS OF NATURAL GAS DEVELOPMENT:

THIS YEAR, EARTHJUSTICE ADVANCED PROTECTION OF NATIONAL PARKS, WILDLIFE HABITAT, ROADLESS AREAS, AND OTHER PUBLIC LANDS FROM RAMPANT OIL AND GAS DEVELOPMENT AND CONTINUED TO MAKE PROGRESS TO REIN IN THE ENVIRONMENTAL THREATS POSED BY GAS FRACKING WITH LITIGATION AND ADVOCACY: TO LIMIT AIR AND WATER POLLUTION; TO PROMOTE THE PUBLIC'S RIGHT TO KNOW ABOUT THE CHEMICALS IN FRACKING FLUIDS; AND TO DEFEND THE LOCAL AUTHORITY OF COMMUNITIES TO ENACT EFFECTIVE ZONING RESTRICTIONS TO PREVENT FRACKING WITHIN THEIR TOWN LIMITS.

RESCISSION OF BUSH ADMINISTRATION OIL AND GAS LEASES NEAR NATIONAL PARKS AND WILDLANDS:

IN SEPTEMBER 2012, THE 10TH CIRCUIT REJECTED AN INDUSTRY CHALLENGE TO SECRETARY OF THE INTERIOR SALAZAR'S RESCISSION OF OIL AND GAS LEASES IN UTAH AND WYOMING NEAR NATIONAL TREASURES SUCH AS ARCHES AND CANYONLANDS NATIONAL PARKS AND DESOLATION CANYON. UNJUSTIFIABLY, THE BUREAU OF LAND MANAGEMENT HAD AUCTIONED THE LEASES BEFORE RESOLVING ENVIRONMENTAL CHALLENGES. THE FULL 10TH CIRCUIT DENIED REHEARING AND THE SUPREME COURT REJECTED INDUSTRY'S REQUEST TO HEAR THE CASE ON OCTOBER 7, 2013.

OIL SHALE DEVELOPMENT:

AS A RESULT OF DUAL LAWSUITS CHALLENGING BUSH-ERA DECISIONS, THE

Name of the organization

EARTHJUSTICE

Employer identification number
94-1730465

DEPARTMENT OF INTERIOR HAS HALVED THE ACREAGE OPEN TO OIL SHALE DEVELOPMENT ON WESTERN PUBLIC LANDS AND HAS PROPOSED RULES THAT RAISE ROYALTY RATES. THE PROPOSED RULES WOULD ALSO REQUIRE OIL SHALE AND TAR SANDS DEVELOPERS TO DEMONSTRATE THROUGH RESEARCH PROJECTS THAT THEIR TECHNOLOGIES CAN WORK TO PRODUCE OIL IN AN ENVIRONMENTALLY SOUND MANNER BEFORE BEING ALLOWED TO PROCEED WITH COMMERCIAL DEVELOPMENT.

ROAN PLATEAU:

LAST YEAR, WE PREVAILED IN OUR LONGSTANDING LAWSUIT CHALLENGING THE BUSH ADMINISTRATION'S MASSIVE OIL AND GAS LEASING OF COLORADO'S ROAN PLATEAU. THE COURT SENT THE LEASING PLAN BACK TO THE BUREAU OF LAND MANAGEMENT, DIRECTING THE AGENCY TO CONSIDER RESTRICTING DESTRUCTIVE DRILLING ON THE TOP OF THE PLATEAU-THE MOST ENVIRONMENTALLY SENSITIVE HABITAT-AND TO ADDRESS THE CUMULATIVE AIR POLLUTION FROM ALL THE DRILLING IN THE AREA. ALTHOUGH ONE OF THE COMPANIES HAS APPEALED, THE BUREAU OF LAND MANAGEMENT IS COMPLYING WITH THE DECISION AND HAS INITIATED A SUPPLEMENTAL ENVIRONMENTAL REVIEW. WE ARE URGING THAT THE BUREAU CANCEL THE LEASES AND FORBID ALL DRILLING WHILE IT RE-EVALUATES ITS APPROACH TO ENERGY DEVELOPMENT IN THE REGION.

FORM 990, PART III

CASE SUMMARIES CONTINUED

THOMPSON DIVIDE:

IN THE SPRING, THE BUREAU EXTENDED THE LIFE OF 25 OIL AND GAS LEASES ON COLORADO'S THOMPSON DIVIDE, A BIOLOGICALLY RICH AREA ON THE WHITE RIVER AND GRAND MESA UNCOMPAHGRE NATIONAL FORESTS. ON THE PLUS SIDE, THE BUREAU COMMITTED TO CONDUCT FURTHER ENVIRONMENTAL REVIEW AND CANCEL OR MODIFY THE LEASES BASED ON THE REVIEW. IN MAY 2013, WE APPEALED THE

Name of the organization

EARTHJUSTICE

Employer identification number
94-1730465

LEASE EXTENSIONS, ARGUING THAT THE LEASES SHOULD HAVE EXPIRED SINCE THEY HAVE SAT UNUSED FOR TEN YEARS. DRILLING THESE OLD, UNUSED LEASES WOULD HARM ROADLESS AREAS AND A PRIZED WILDLIFE REFUGE.

REINING IN AIR POLLUTION FROM OIL AND GAS DEVELOPMENT:

IN APRIL 2012, OUR LITIGATION PRODUCED NEW NATIONAL AIR POLLUTION STANDARDS FOR OIL AND GAS PRODUCTION AFTER YEARS OF DELAY. EPA'S RULE IS THE FIRST STANDARD TO CURB AIR POLLUTION FROM FRACKING AND WILL LEAD TO EFFICIENCIES THAT REDUCE CLIMATE POLLUTION. WE ARE DEFENDING THE RULE AGAINST INDUSTRY CHALLENGES IN ADDITION TO REQUIRING THE EPA TO FILL THE KEY GAPS IT LEFT, INCLUDING THE AGENCY'S FAILURE TO LIMIT RELEASES OF METHANE, A POTENT CLIMATE POLLUTANT.

A VICTORY FOR LOCAL AUTHORITY TO REGULATE FRACKING:

IN MAY 2013, A NEW YORK APPEALS COURT UPHELD THE RIGHT OF THE TOWNS OF DRYDEN AND MIDDLEFIELD TO BAN FRACKING AND OTHER OIL AND GAS ACTIVITIES WITHIN TOWN LIMITS, ALTHOUGH THIS RULING HAS BEEN APPEALED TO NEW YORK'S HIGHEST COURT, WHERE WE WILL AGAIN REPRESENT THE TOWN OF DRYDEN. MORE THAN 150 MUNICIPALITIES IN NEW YORK HAVE ADOPTED BANS OR MORATORIA ON FRACKING, SO THIS PRECEDENT WILL HAVE WIDE-RANGING IMPACT ACROSS NEW YORK IF IT IS UPHELD ON APPEAL.

UNSEALING FRACKING LITIGATION RECORDS:

A PENNSYLVANIA COURT UNSEALED THE COURT RECORDS FROM A FAMILY'S LAWSUIT AGAINST GAS COMPANIES FOR HARM CAUSED BY FRACKING NEAR THEIR DREAM HOME, REJECTING THE COMPANIES' CLAIM THAT UNSEALING THE RECORDS WOULD INFRINGE THEIR RIGHT TO PRIVACY. WE REPRESENTED HEALTH PROFESSIONALS WHO SOUGHT THE RECORDS ALONGSIDE TWO NEWSPAPERS. THE COURT RECORDS ARE

Name of the organization

EARTHJUSTICE

Employer identification number
94-1730465

NOW AVAILABLE ON THE INTERNET.

PRESERVING OUR NATURAL HERITAGE:

PROTECTING BIODIVERSITY AND A SUSTAINABLE PLANET FOR FUTURE GENERATIONS
IN AN ERA OF CLIMATE CHANGE

PRESERVING ROADLESS AREAS IN OUR NATIONAL FORESTS FOR FUTURE
GENERATIONS:

EARTHJUSTICE HAD A VICTORY WHEN THE 10TH CIRCUIT UNANIMOUSLY UPHELD
NATIONWIDE PROTECTION FOR NEARLY 50 MILLION ACRES OF ROADLESS AREAS IN
OUR NATIONAL FORESTS, AND THE SUPREME COURT REFUSED TO DISTURB THAT
RULING IN OCTOBER 2012. EARTHJUSTICE HAS BEEN THE LAW FIRM DEFENDING
ROADLESS AREA PROTECTION FOR MORE THAN A DOZEN YEARS. WE CONTINUE TO
FACE ONE REMAINING CHALLENGE BY THE STATE OF ALASKA, WHICH RESURRECTED
ITS LAWSUIT WHEN WE SUCCEEDED IN STRIKING DOWN THE BUSH
ADMINISTRATION'S "TEMPORARY" EXEMPTION OF THE TONGASS NATIONAL FOREST
IN MARCH 2011, A DECISION THAT IS UP ON APPEAL. IN MARCH 2013, A
DISTRICT JUDGE IN WASHINGTON D.C. THREW OUT ALASKA'S LAWSUIT FOR BEING
TOO LATE, BUT ALASKA AND VARIOUS INDUSTRIES HAVE APPEALED THAT RULING.

DUAL VICTORIES FOR WILD BISON IN THE GREATER YELLOWSTONE ECOSYSTEM:

IN JUNE 2013, WE, ALONG WITH THE ASSINIBOINE AND SIOUX TRIBES, DEFENDED
THE RELOCATION OF WILD BISON LEAVING YELLOWSTONE NATIONAL PARK TO THE
FORT PECK AND BELKNAP RESERVATIONS. THE TRIAL COURT HAD BLOCKED FURTHER
RELOCATIONS, BUT THE MONTANA SUPREME COURT HELD THAT NONE OF THE
STATUTORY REQUIREMENTS CITED BY THE CHALLENGERS APPLIED AND REVERSED
THE INJUNCTION.

Name of the organization

EARTHJUSTICE

Employer identification number
94-1730465

IN JANUARY 2013, A MONTANA JUDGE REJECTED ATTEMPTS TO STOP WILD BISON FROM ROAMING OUTSIDE THE NORTHERN BOUNDARY OF YELLOWSTONE NATIONAL PARK. THE RULING REBUFFS DEMANDS BY SOME LIVESTOCK PRODUCERS AND THEIR ALLIES TO REQUIRE AGGRESSIVE HAZING AND SLAUGHTERING OF BISON THAT ENTER THE GARDINER BASIN AREA FROM YELLOWSTONE NATIONAL PARK IN THE WINTER AND EARLY SPRING IN SEARCH OF THE FORAGE THEY NEED TO SURVIVE. THE MONTANA FARM BUREAU AND PARK COUNTY STOCKGROWERS ASSOCIATION HAVE APPEALED.

WOLVERINES:

THREE LEGAL ACTIONS SPANNING MORE THAN A DECADE FINALLY PRODUCED A FEDERAL PROPOSAL TO LIST THE WOLVERINE IN THE LOWER 48 STATES AS A THREATENED SPECIES UNDER THE ENDANGERED SPECIES ACT. BIOLOGISTS ESTIMATE THERE ARE FEWER THAN 300 WOLVERINES IN THE CONTIGUOUS UNITED STATES, PRIMARILY IN MONTANA, IDAHO, WYOMING, AND NORTH-CENTRAL WASHINGTON. DUE TO CLIMATE CHANGE AND INCREASING HUMAN ENCROACHMENT, WOLVERINES ARE LIKELY BECOMING INCREASINGLY ISOLATED IN THEIR MOUNTAIN STRONGHOLDS. PROTECTING WOLVERINES FROM OTHER HAZARDS SUCH AS TRAPPING WILL BE CRITICAL TO ENABLE THEM TO PERSIST IN THEIR SCATTERED HABITATS AND MOVE SAFELY ACROSS THE LANDSCAPE.

NORTHWEST OLD-GROWTH FORESTS:

EARTHJUSTICE SPENT A DECADE IN THE 1980S-1990S SUCCESSFULLY LITIGATING TO STOP THE LIQUIDATION OF OLD-GROWTH FORESTS IN THE PACIFIC NORTHWEST AND OBTAIN PROTECTIONS FOR THE FORESTS AS AN ECOSYSTEM. WE SUBSEQUENTLY DEFENDED THOSE PROTECTIONS AGAINST A CONCERTED EFFORT BY THE BUSH ADMINISTRATION TO DISMANTLE THEM. THE TIMBER INDUSTRY CONTINUES TO PURSUE LITIGATION SEEKING TO STRIP AWAY NORTHWEST OLD-GROWTH FOREST PROTECTIONS. IN APRIL 2013, A D.C. DISTRICT COURT RULED AGAINST THE

Name of the organization

EARTHJUSTICE

Employer identification number
94-1730465

INDUSTRY IN ITS ATTEMPTS TO ELIMINATE ENDANGERED SPECIES ACT

PROTECTIONS FOR THE MARBLED MURRELET, A SMALL SEABIRD THAT NESTS IN THE BRANCHES OF COASTAL OLD-GROWTH TREES. THE FISH AND WILDLIFE SERVICE HAD AGREED TO ELIMINATE ALL CRITICAL HABITAT PROTECTIONS FOR THE MURRELET (3.7 MILLION ACRES IN ALL) FOR AT LEAST THE NEXT SIX YEARS, BUT THE DISTRICT COURT REFUSED TO APPROVE THIS LONG GAP IN PROTECTION.

AS PART OF ITS ATTACK ON ECOSYSTEM PROTECTIONS FOR OLD-GROWTH FORESTS IN THE PACIFIC NORTHWEST, THE TIMBER INDUSTRY HAS LONG ARGUED THAT THE BUREAU OF LAND MANAGEMENT IS REQUIRED TO MEET THE TIMBER PRODUCTION TARGETS IN ITS MANAGEMENT PLANS. NO COURT HAD ACCEPTED THIS ARGUMENT UNTIL JUNE 2013, WHEN A D.C. DISTRICT JUDGE CONSTRUED THESE TARGETS TO BE MANDATORY. WE ARE APPEALING THIS RULING.

SIERRA NEVADA:

AS PART OF OUR STRATEGY TO OBTAIN STRONG ECOSYSTEM PROTECTIONS IN THE SIERRA NEVADA, WE BROUGHT A SERIES OF LAWSUITS YEARS AGO TO COMPEL THE U.S. FISH AND WILDLIFE SERVICE TO AFFORD VARIOUS SIERRA SPECIES PROTECTION UNDER THE ENDANGERED SPECIES ACT. IN APRIL THE SERVICE PROPOSED TO LIST BOTH THE MOUNTAIN YELLOW-LEGGED FROG AND THE YOSEMITE TOAD, AND IN MARCH 2013, A CALIFORNIA SUPERIOR COURT DIRECTED THAT THE PACIFIC FISHER BE PROTECTED AS A CANDIDATE SPECIES UNDER THE CALIFORNIA ENDANGERED SPECIES ACT, WHILE THE STATE OBTAINS AN INDEPENDENT PEER REVIEW AND DETERMINES WHETHER THE FISHER WARRANTS PERMANENT PROTECTION.

OVER THE YEARS, WE WERE SUCCESSFUL IN CHALLENGING THE BUSH ADMINISTRATION'S REVISIONS OF THE SIERRA NEVADA FRAMEWORK TO INCREASE OLD-GROWTH LOGGING FIVEFOLD. IN PARTICULAR, THE 9TH CIRCUIT CHASTISED

Name of the organization

EARTHJUSTICE

Employer identification number
94-1730465

THE FOREST SERVICE FOR LOGGING LARGE TREES TO PAY FOR FUEL REDUCTION PROJECTS WITHOUT CONSIDERING ALTERNATIVE SOURCES OF FUNDING. IN APRIL 2013, A DISTRICT COURT ORDERED THE FOREST SERVICE TO CONSIDER SUCH ALTERNATIVES, BUT REFUSED TO VACATE THE FRAMEWORK REVISION OR ENJOIN LOGGING OF OLD-GROWTH TREES IN THE INTERIM.

IN JANUARY 2013, A DISTRICT COURT RULED IN OUR FAVOR AND SENT THE TRAVEL MANAGEMENT PLAN FOR THE STANISLAUS NATIONAL FOREST IN THE SIERRA NEVADA BACK TO THE FOREST SERVICE. SPECIFICALLY, THE FOREST SERVICE MUST ENSURE THAT OFF-ROAD VEHICLES WOULD MINIMIZE DAMAGE TO THE ENVIRONMENT AS REQUIRED BY GOVERNING REGULATIONS.

PRESERVING NATIONAL GEMS:

OVER THE COURSE OF THE YEAR, WE HAD SEVERAL VICTORIES THAT PRESERVED NATIONAL GEMS:

YOSEMITE NATIONAL PARK:

THE 9TH CIRCUIT PUT AN END TO A DEVELOPER'S QUEST TO BUILD A NEW ROAD INTO YOSEMITE NATIONAL PARK FROM A PROPOSED DEVELOPMENT.

LAKE TAHOE:

IN JANUARY 2013, A FEDERAL JUDGE BLOCKED CONSTRUCTION OF A PROPOSED EXPANSION OF A LAKE TAHOE SKI RESORT UNTIL THE COUNTY AND THE TAHOE REGIONAL PLANNING AGENCY CONSIDER THE FEASIBILITY OF A SMALLER EXPANSION.

DEFENDING A MORATORIUM ON URANIUM MINING AROUND THE GRAND CANYON:

IN MARCH 2013, A DISTRICT COURT REJECTED A KEY PART OF THE INDUSTRY

Name of the organization

EARTHJUSTICE

Employer identification number

94-1730465

CHALLENGE TO THE 20-YEAR WITHDRAWAL FROM MINING OF MORE THAN ONE
MILLION ACRES OF FEDERAL LAND AROUND THE GRAND CANYON. THE COURT UPHELD
THE SECRETARY OF INTERIOR'S AUTHORITY TO WITHDRAW LANDS FROM MINING. WE
EXPECT AN APPEAL.

RESTORING THE EVERGLADES:

WE CONTINUE TO FORCE PROGRESS TO RESTORE THE EVERGLADES UNDER THE
HISTORIC 1992 CONSENT DECREE BETWEEN FLORIDA, THE FEDERAL GOVERNMENT,
AND CONSERVATIONISTS REPRESENTED BY EARTHJUSTICE. THE LATEST ROUND OF
NEGOTIATIONS BETWEEN THE STATE AND FEDERAL GOVERNMENTS HAS PUT THE
ACQUISITION OF THOUSANDS OF ACRES OF TREATMENT MARSHES ON THE TABLE,
BUT WE ARE PRESSING TO MAKE THE POLLUTION GOALS OF THE SETTLEMENT
CONCRETE AND ENFORCEABLE.

FORM 990, PART III

CASE SUMMARIES CONTINUED

PROTECTING AMERICA'S ARCTIC FROM OIL DRILLING:

MUCH OF THE RECENT ACTION IN THE ARCTIC HAS TAKEN PLACE OUTSIDE THE
COURTROOM.

-FIRST, IN FEBRUARY 2013, SHELL ANNOUNCED THAT IT WOULD NOT SEEK TO
DRILL IN THE ARCTIC IN 2013, AFTER AN EMBARRASSING STRING OF ACCIDENTS
AND VIOLATIONS OF ENVIRONMENTAL LAWS. CONOCOPHILLIPS FOLLOWED SUIT IN
APRIL 2013 AFTER LEARNING THAT ITS OIL SPILL RESPONSE PLAN WOULD NOT
SAIL THROUGH THE INTERIOR DEPARTMENT'S APPROVAL PROCESS AFTER OUR
ADVOCACY RAISED THE BAR FOR SUCH APPROVALS.

-SECOND, IN FEBRUARY 2013, THE DEPARTMENT OF INTERIOR ADOPTED A NEW
PLAN FOR THE NATIONAL PETROLEUM RESERVE-ALASKA ON ALASKA'S NORTH SLOPE.
THE PLAN PROTECTS SEVERAL SPECIAL AREAS, INCLUDING TESHEKPUK LAKE AND

Name of the organization

EARTHJUSTICE

Employer identification number

94-1730465

THE COLVILLE RIVER, WHICH WE LITIGATED FOR YEARS TO PROTECT BECAUSE OF THEIR CRITICAL IMPORTANCE TO FISH, WILDLIFE, RECREATION, AND ALASKA NATIVE SUBSISTENCE.

-THIRD, THE ARCTIC COUNCIL MINISTERS SIGNED A REGIONAL AGREEMENT ON OIL SPILL PREPAREDNESS AND RESPONSE IN MAY OF 2013.

PROMOTING SUSTAINABLE FISHERIES BY REDUCING OVERFISHING AND BYCATCH AND PROTECTING FORAGE FISH AND OCEAN ECOSYSTEMS:

WE CONTINUE TO PROMOTE PROTECTIONS OF FORAGE FISH, LIKE HERRING, WHICH ARE FOOD FOR LARGE FISH LIKE STRIPED BASS, BLUEFIN TUNA, AND SHARKS, AS WELL AS MARINE MAMMALS AND SEABIRDS.

PROTECTIONS FOR RIVER HERRING:

IN MARCH 2012, A DISTRICT COURT HELD THAT FEDERAL REGULATORS ERRED WHEN THEY DROPPED RIVER HERRING (WHICH SPAWN IN RIVERS BUT SPEND MOST OF THEIR LIVES AT SEA) FROM THE FISHERY PLAN COVERING ATLANTIC HERRING (WHICH SPEND THEIR ENTIRE LIVES IN THE OCEAN). THE COURT RULED THAT THE LAW REQUIRES THAT FISHERY PLANS COVER ALL STOCKS IN A FISHERY THAT ARE IN NEED OF CONSERVATION AND MANAGEMENT. IN AUGUST 2012, THE JUDGE SENT THE PLAN BACK TO BE REVISED TO ADDRESS RIVER HERRING AND IMPROVE BYCATCH MEASURES.

OUR LITIGATION SPURRED THE NATIONAL MARINE FISHERIES SERVICE (NMFS) TO ELIMINATE A LOOPHOLE THAT WOULD HAVE ALLOWED INDUSTRIAL FISHING VESSELS, WHEN FISHING IN GROUND FISH-CLOSED AREAS, TO DISCARD BYCATCH WITHOUT FIRST BRINGING THE BYCATCH ON BOARD FOR DOCUMENTATION BY FEDERAL OBSERVERS. IN JULY 2012, THE NEW ENGLAND COUNCIL EXTENDED THESE SAFEGUARDS TO ALL GROUND FISH-CLOSED AREAS AND REQUIRED 100% OBSERVER

Name of the organization

EARTHJUSTICE

Employer identification number
94-1730465

COVERAGE AND TIGHTER DISCARDING LIMITS THROUGHOUT THE ENTIRE FISHERY.

NMFS HAS PROPOSED A RULE TO INCORPORATE THESE SAFEGUARDS. THE 1ST CIRCUIT UPHELD SECTOR MANAGEMENT OF THE GROUND FISH FISHERY IN NEW ENGLAND IN NOVEMBER 2012. UNDER SECTOR MANAGEMENT, FISHERMEN POOL THEIR CATCH AND MEET SCIENTIFICALLY BASED CATCH LIMITS, WHICH HAVE RESULTED IN REBOUNDING FISH POPULATIONS.

IN APRIL 2013, MAINE ADOPTED A NEW LAW THAT WILL REQUIRE REMOVAL OF A BLOCKADE ACROSS A U.S.-CANADIAN BORDER RIVER TO PREVENT ALEWIVES (RIVER HERRING) FROM RETURNING TO THEIR HISTORIC SPAWNING HABITAT. THE BLOCKADE HAD BEEN ERECTED AT THE BEHEST OF SPORT FISHING GUIDES WHO VIEWED RIVER HERRING AS COMPETITORS FOR SMALLMOUTH BASS. IN JULY 2012, IN RESPONSE TO OUR LAWSUIT, THE EPA FOUND NO "SOUND SCIENTIFIC RATIONALE FOR EXCLUDING INDIGENOUS RIVER HERRING" FROM THE ST. CROIX RIVER AND DIRECTED MAINE TO RESTORE FULL RIVER PASSAGE.

PROTECTIONS FOR CARIBBEAN PARROTFISH:

IN MARCH 2013, THE NMFS PROPOSED TO LIMIT THE SIZE OF PARROTFISH CAUGHT IN FEDERAL WATERS IN THE CARIBBEAN IN AN EFFORT TO PREVENT PARROTFISH POPULATIONS FROM FALLING BELOW SUSTAINABLE LEVELS. THIS PROPOSAL WOULD HELP PROTECT CORAL REEFS SINCE PARROTFISH EAT ALGAE THAT SMOTHERS THE REEFS, BUT WE ARE IN COURT SEEKING TO REDUCE PARROTFISH CATCH FURTHER TO PROTECT THE REEFS.

LANDMARK AGREEMENT TO PROTECT WHALES AND DOLPHINS FROM AIRGUN SURVEYS:

DURING THE MIDST OF THE DEEPWATER HORIZON DISASTER, WE JOINED COLLEAGUES IN CHALLENGING HIGH-INTENSITY AIRGUN SURVEYS USED BY THE OIL AND GAS INDUSTRY IN THE GULF OF MEXICO. THE SEISMIC BLASTS PRODUCE

Name of the organization

EARTHJUSTICE

Employer identification number

94-1730465

NOISE ALMOST AS INTENSE AS DYNAMITE AND OCCUR AS OFTEN AS EVERY 10-12 SECONDS, BOMBARDING MARINE MAMMALS, WHICH DEPEND ON SOUND TO FEED, MATE, AND NAVIGATE. THE SETTLEMENT WILL PUT PROTECTIONS IN PLACE WHILE THE DEPARTMENT OF INTERIOR UNDERTAKES A PROGRAMMATIC ENVIRONMENTAL REVIEW. THE SAFEGUARDS INCLUDE A PROHIBITION ON AIRGUN BLASTING IN BIOLOGICALLY IMPORTANT AREAS, MANDATORY SEPARATION DISTANCES BETWEEN BLASTS, USE OF LISTENING DEVICES TO LOCATE AND AVOID MARINE MAMMALS, AND RESEARCH INTO LESS HARMFUL ALTERNATIVES.

PROTECTING FALSE KILLER WHALES FROM LONGLINES:

IT TOOK THREE LAWSUITS TO PRODUCE THE BINDING PLAN TO REDUCE THE TAKE OF FALSE KILLER WHALES THAT WENT INTO EFFECT AT THE END OF FEBRUARY 2013. THE PLAN REQUIRES LONGLINES TO USE "WEAK HOOKS" THAT ARE STRONG ENOUGH TO HOLD AN AHI TUNA, THE FISHERY'S TARGET SPECIES, BUT WEAK ENOUGH TO ALLOW LARGER AND STRONGER FALSE KILLER WHALES TO PULL OUT THE HOOKS AND AVOID SERIOUS INJURY.

PROTECTIONS FOR POINT REYES MARINE WILDERNESS:

IN LATE NOVEMBER 2012, SECRETARY SALAZAR ALLOWED THE LEASE FOR A COMMERCIAL OYSTER FARM WITHIN THE POINT REYES NATIONAL SEASHORE TO EXPIRE ACCORDING TO ITS TERMS, AS CONGRESS HAD INTENDED WHEN IT DESIGNATED THE DRAKES ESTERO MARINE WILDERNESS. IN FEBRUARY 2013, A DISTRICT COURT REJECTED THE OYSTER COMPANY'S CHALLENGE, BUT THE 9TH CIRCUIT STAYED THAT DECISION PENDING APPEAL. WE PARTICIPATED AS FRIENDS OF THE COURT SUPPORTING THE SECRETARY'S DECISION. (NOTE THAT THE 9TH CIRCUIT AFFIRMED THE DISTRICT COURT DECISION IN THE FALL OF 2013.)

SAFEGUARDING PUBLIC HEALTH:

232212
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Name of the organization

EARTHJUSTICE

Employer identification number
94-1730465

PROTECTING PEOPLE, PARTICULARLY THE MOST EXPOSED AND VULNERABLE, FROM
ENVIRONMENTAL HAZARDS TO HEALTH

REDUCING AIR POLLUTION THAT HARMS PUBLIC HEALTH:

THE CLEAN AIR ACT MANDATES IMPROVEMENT IN AIR QUALITY TO INCORPORATE
TECHNOLOGICAL ADVANCES IN POLLUTION CONTROL AND TO ENSURE PROTECTION OF
EVERYONE, INCLUDING OUR MOST VULNERABLE POPULATIONS SUCH AS CHILDREN.
HOWEVER, WITHOUT CITIZEN OVERSIGHT AND LAWSUITS, THOSE MANDATES WOULD
BE NOTHING MORE THAN A PAPER TIGER. FOR FOUR DECADES, EARTHJUSTICE HAS
BEEN THE ORGANIZATION THAT HAS FORCED EPA TO MEET ITS OBLIGATIONS TO
REDUCE SMOG, SOOT, AND ACID RAIN POLLUTION AND TO PROTECT PEOPLE FROM
HAZARDOUS AIR POLLUTION, OFTEN BY FORCING INDUSTRIES TO MAKE OVERDUE
INVESTMENTS IN EFFECTIVE POLLUTION CONTROLS. EARTHJUSTICE'S AIR
POLLUTION DOCKET SAVES LIVES AND SPARES PEOPLE CANCER, HEART AND LUNG
DISEASE, AND ASTHMA ATTACKS, AMONG OTHER SERIOUS HEALTH PROBLEMS. IN
ADDITION TO OBTAINING STRONG NATIONAL AIR POLLUTION STANDARDS, AS
DESCRIBED BELOW, WE ARE CONTINUING TO WORK, AS WE HAVE FOR MORE THAN A
DECADE, TO CLEAN UP THE AIR IN CALIFORNIA'S CENTRAL VALLEY, WHERE THE
AIR IS SO POLLUTED OFFICIALS TELL CHILDREN TO STAY INSIDE ON DIRTY AIR
DAYS.

REDUCING HARMFUL AIR POLLUTION FROM SOOT:

IN DECEMBER 2012, EARTHJUSTICE LITIGATION RESULTED IN NEW REGULATIONS
THAT WILL SAVE LIVES AND SPARE THOUSANDS OF PEOPLE HEART AND LUNG
DISEASE FROM SOOT POLLUTION. OUR LAWSUIT LED THE D.C. CIRCUIT TO
CHASTISE THE BUSH ADMINISTRATION FOR ADOPTING POLLUTION LIMITS FOR
AIRBORNE SOOT THAT WERE WEAKER THAN THE RECOMMENDATIONS OF EPA'S
SCIENTIFIC ADVISORY PANEL. ANOTHER LAWSUIT FORCED EPA TO ADOPT THE

Name of the organization

EARTHJUSTICE

Employer identification number
94-1730465

REPLACEMENT STANDARDS AT YEAR'S END. POLLUTING INDUSTRIES HAVE CHALLENGED THE NEW REGULATIONS IN COURT, AND WE HAVE INTERVENED TO DEFEND THEM AT EPA'S SIDE. MEANWHILE, IN JANUARY 2013, THE D.C. CIRCUIT STRUCK DOWN WEAK AIR POLLUTION IMPLEMENTATION STANDARDS, HOLDING THAT THE MOST STRINGENT CLEAN-UP REQUIREMENTS MUST BE USED IN COMMUNITIES WITH THE WORST SOOT POLLUTION.

OUR LITIGATION PRODUCED UPGRADED STANDARDS FOR ACID RAIN POLLUTION, AND IN A PAIR OF DECISIONS ISSUED IN JULY 2012, THE D.C. CIRCUIT REJECTED INDUSTRY CHALLENGES TO THE UPGRADED STANDARDS FOR SULFUR DIOXIDE AND NITROGEN OXIDES. THE SUPREME COURT REFUSED TO HEAR THE INDUSTRY CHALLENGES.

WE ARE ALSO THE NATIONAL LEADERS IN HOLDING EPA TO THE CLEAN AIR ACT'S MANDATES TO PROTECT PEOPLE FROM HAZARDOUS AIR POLLUTANTS SUCH AS MERCURY, LEAD, AND BENZENE FROM POLLUTING INDUSTRIES. AFTER EPA FAILED TO ADOPT STANDARDS TO LIMIT EMISSIONS OF THESE EXTRAORDINARILY DANGEROUS AND OFTEN CARCINOGENIC POLLUTANTS, OUR LITIGATION COMPELLED EPA TO ADOPT STRONG STANDARDS RESTRICTING TOXIC AIR POLLUTION NOT ONLY FROM COAL-FIRED POWER PLANTS, BUT ALSO FROM LEAD SMELTERS, PAPER AND PULP MILLS, POLYVINYL CHLORIDE (PVC) PLANTS, AND MARINE VESSELS. THESE STANDARDS WILL SAVE THOUSANDS OF LIVES AND PREVENT THOUSANDS OF SERIOUS ILLNESSES EVERY YEAR.

FORM 990, PART III

CASE SUMMARIES CONTINUED

PROTECTING PEOPLE FROM TOXIC CHEMICALS AND PESTICIDES:

Name of the organization

EARTHJUSTICE

Employer identification number
94-1730465EXPANDING THE PUBLIC'S RIGHT TO KNOW:

OUR ADVOCACY IS EXPANDING THE PUBLIC'S RIGHT TO KNOW ABOUT CHEMICALS AND THE IMPACTS OF EXPOSURE TO THEM. EPA IS CRACKING DOWN ON OVERZEALOUS INDUSTRY CLAIMS TO TRADE SECRETS THAT HAVE BLOCKED PUBLIC ACCESS TO HEALTH STUDIES SHOWING ADVERSE EFFECTS FROM CHEMICALS THAT ARE CURRENTLY IN COMMERCIAL USE. ONE OF OUR LAWSUITS REVEALED INGREDIENTS IN THE DISPERSANTS AUTHORIZED FOR USE IN RESPONDING TO OIL SPILLS, AS WELL AS 80 HEALTH AND SAFETY STUDIES RELATED TO THE DISPERSANTS. IN RESPONSE TO OUR ADVOCACY, EPA HAS COMMITTED TO ADOPTING RULES THAT WILL REQUIRE DISCLOSURE OF FRACKING CHEMICALS AND TOXICITY TESTING FOR DISPERSANT CHEMICALS, AND NEW YORK HAS AGREED TO REQUIRE DISCLOSURE OF INGREDIENTS IN HOUSEHOLD CLEANERS.

IN MAY 2013, A DISTRICT COURT REJECTED AN INDUSTRY CHALLENGE TO THE LISTING OF STYRENE, A PETROLEUM AND NATURAL GAS BYPRODUCT USED IN CONSUMER GOODS, AS REASONABLY ANTICIPATED TO BE A HUMAN CARCINOGEN. THE INDUSTRY CHALLENGE IS PART OF INDUSTRY RESISTANCE TO CLASSIFICATION AND DISSEMINATION OF THE HAZARDS OF DANGEROUS CHEMICALS TO THE PUBLIC.

PROTECTING FARMWORKERS AND THEIR FAMILIES FROM PESTICIDE POISONINGS:
LITIGATION THAT WE BEGAN IN 2004 BORE FRUIT THIS YEAR-LITERALLY APPLES, PEARS, AND OTHER FRUIT PRODUCED WITHOUT AZINPHOS-METHYL (AZM), AN EXTREMELY TOXIC PESTICIDE THAT HAS POISONED WORKERS AND THEIR FAMILIES EVER SINCE IT WAS ADAPTED FOR USE IN THE FIELDS AFTER WORLD WAR II (IT HAD ORIGINALLY BEEN DEVELOPED AS A NERVE GAS). AS OF SEPTEMBER 30, 2012, THIS PESTICIDE CAN NO LONGER BE SOLD IN THE U.S., WITH ALL USAGE BECOMING ILLEGAL IN 2013.

Name of the organization

EARTHJUSTICE

Employer identification number
94-1730465HUMAN TESTING OF PESTICIDES:

IN FEBRUARY 2013, EPA REVISED BUSH-ERA REGULATIONS THAT HAD ALLOWED UNETHICAL CHEMICAL INDUSTRY TESTING OF PESTICIDES ON PEOPLE TO PRODUCE STUDIES THAT WOULD SUPPORT WEAKER FEDERAL REGULATION OF THE PESTICIDES. OUR 2006 CHALLENGE TO THE BUSH STANDARDS FOR OFFENDING BOTH ETHICAL AND SCIENTIFIC STANDARDS PRODUCED A SETTLEMENT IN WHICH EPA AGREED TO REVISE THE STANDARDS. THE REVISED STANDARDS DO NOT ENTIRELY PROHIBIT TESTING PESTICIDES ON PEOPLE, BUT PREVENT EPA FROM RELYING ON SUCH TESTS CONDUCTED ON PREGNANT WOMEN AND CHILDREN OR THAT SIMILARLY RUN AFOUL OF ETHICAL NORMS OR STANDARDS OF SCIENTIFIC CREDIBILITY.

PESTICIDES AND SALMON:

FOR MORE THAN A DECADE, EARTHJUSTICE LITIGATION HAS PROTECTED ENDANGERED SALMON FROM TOXIC PESTICIDES AND HAS PUT IN PLACE BUFFERS AND OTHER TEMPORARY MEASURES TO KEEP THE PESTICIDES OUT OF SALMON STREAMS. CONDUCTING REVIEWS REQUIRED BY COURT ORDERS, THE NMFS HAS FOUND THAT MUCH MORE NEEDS TO BE DONE TO PROTECT IMPERILED SALMON AND STEELHEAD FROM 21 COMMONLY USED PESTICIDES, BUT EPA HAS RESISTED. WE ARE IN COURT PRESSING FOR FULL IMPLEMENTATION OF THE FISHERIES SERVICE'S PROTECTIONS, WHILE INDUSTRY HAS CHALLENGED SOME OF THOSE PROTECTIONS IN COURT WITH MODEST SUCCESS. MEANWHILE, THE NATIONAL ACADEMY OF SCIENCES ISSUED A REPORT IN APRIL RECOMMENDING THAT EPA ACCOUNT FOR NON-LETHAL HARMS FROM PESTICIDES SUCH AS IMPAIRMENT OF LIFE FUNCTIONS AND IMPACTS TO FOOD SUPPLY AND HABITAT, AS WELL AS THE COMBINED EFFECTS OF EXPOSURE TO MULTIPLE PESTICIDES. THE FISHERIES SERVICE WILL BE REVISING ITS MITIGATION REQUIREMENTS ACCORDINGLY.

PROGRESS IN SAFEGUARDING CLEAN AND PLENTIFUL WATER:232212
01-04-13

Schedule O (Form 990 or 990-EZ) (2012)

Name of the organization

EARTHJUSTICE

Employer identification number
94-1730465

CLEANING UP FLORIDA'S GREEN SLIME:

OUR LITIGATION HAS LED EPA TO ADOPT HARD NUMERIC CAPS ON POLLUTION FROM MANURE, FERTILIZERS, AND SEWAGE THAT TRIGGERS TOXIC ALGAE OUTBREAKS IN FLORIDA WATERS. THE FIRST CAPS APPLICABLE TO FRESHWATER LAKES AND STREAMS WERE UPHELD BY A FEDERAL DISTRICT JUDGE IN FEBRUARY 2012. ON NOVEMBER 30, 2012, AFTER THE DISTRICT COURT REFUSED TO GIVE EPA MORE TIME, EPA PROPOSED CAPS FOR COASTAL, ESTUARY, AND MARINE WATERS AND CANALS, BUT ALSO APPROVED FLORIDA'S WEAKER RULE, WHICH EXEMPTS MANY WATERS FROM THE STRONGER EPA STANDARDS. WE ARE IN COURT OVER THE DUELING STANDARDS.

WE HAVE LONG SOUGHT TO LIMIT POLLUTION INTO LAKE OKEECHOBEE. OUR SUCCESSFUL CLEAN WATER ACT ENFORCEMENT ACTION WAS DERAILED BY THE BUSH ADMINISTRATION'S ADOPTION OF A RULE EXEMPTING TRANSFERS OF WATER FROM THE ACT. WE AND SEVERAL STATES HAVE CHALLENGED THAT RULE IN BOTH THE DISTRICT COURT AND THE COURT OF APPEALS. THE 11TH CIRCUIT HELD THAT THE CASE BELONGS IN THE DISTRICT COURT. EPA THEN ASKED THE SUPREME COURT TO TAKE THE CASE. WE OPPOSED, AND ON OCTOBER 15, 2013, THE COURT TURNED DOWN THAT REQUEST.

RESTORING MAUI STREAM FLOWS:

IN AUGUST 2012, THE HAWAI'I SUPREME COURT ORDERED THE STATE WATER COMMISSION TO RECONSIDER THE FATE OF NA WAI 'EHA (THE FOUR GREAT WATERS), THIS TIME GIVING GREATER WEIGHT TO NATIVE HAWAIIANS' AND THE PUBLIC'S RIGHTS TO FLOWING STREAMS. AFTER A LENGTHY TRIAL AND MULTIPLE ROUNDS OF BRIEFING, THE HEARING EXAMINER HAD RECOMMENDED RESTORING MASSIVE AMOUNTS OF WATER TO ALL FOUR STREAMS, BUT THE COMMISSION FAILED

Name of the organization

EARTHJUSTICE

Employer identification number
94-1730465

TO FOLLOW THE RECOMMENDATION FOR THE TWO LARGER STREAMS. IN THIS NEXT
ROUND, MORE WATER SHOULD BE LEFT IN THE STREAMS.

CALIFORNIA'S RUSSIAN RIVER:

IN OCTOBER 2012, WE REACHED A SETTLEMENT THAT WILL DRAMATICALLY SHRINK
GRAVEL MINING OPERATIONS ON THE RUSSIAN RIVER IN NORTHERN CALIFORNIA
AND SUBJECT THE MINING TO MONITORING, SCIENTIFIC REVIEW, AND
REQUIREMENTS FOR SALMON HABITAT IMPROVEMENTS.

STORMWATER POLLUTION IN WESTERN WASHINGTON:

OUR PAST LITIGATION VICTORIES INVALIDATED THE STORMWATER PERMITS FOR
MUNICIPALITIES IN WESTERN WASHINGTON AND LED TO THE ISSUANCE OF NEW
PERMITS IN AUGUST 2012 THAT REQUIRE LOW-IMPACT DEVELOPMENT AS THE MOST
ENVIRONMENTALLY PROTECTIVE METHOD FOR CONTROLLING STORMWATER RUNOFF
FROM NEW DEVELOPMENT. WE HAVE INTERVENED TO DEFEND THE PERMITS IN THE
FACE OF CHALLENGES FROM NUMEROUS LOCAL GOVERNMENTS. IN A SEPTEMBER 2012
DECISION IN ANOTHER LAWSUIT, A STATE COURT OF APPEALS REJECTED CLARK
COUNTY'S WEAK DEVELOPMENT RULES THAT WOULD ALLOW MORE POLLUTED RUNOFF
THAN ALLOWED UNDER STATEWIDE STANDARDS.

A TOOL FOR LIMITING FACTORY FARM POLLUTION UPHELD:

IN JANUARY 2013, A NORTH CAROLINA TRIAL COURT HELD THAT THE CLEAN WATER
ACT APPLIES TO EXCREMENT, AMMONIA, AND OTHER POLLUTION BLOWN THROUGH
VENTILATORS AT A FACTORY FARM HOUSING NEARLY 4 MILLION EGG-LAYING HENS
INTO NEARBY STREAMS AND THE WETLANDS IN A NATIONAL WILDLIFE REFUGE. THE
COURT REJECTED THE FARM'S ARGUMENT THAT THE ACT DOESN'T REACH POLLUTION
THAT IS TRANSMITTED THROUGH THE AIR INTO WATER.

Name of the organization

EARTHJUSTICE

Employer identification number
94-1730465

CONCLUSION:

EARTHJUSTICE LITIGATION CONTINUES TO BE THE ENGINE FOR REVERSING ILL-CONCEIVED POLICIES THAT GIVE AWAY PUBLIC RESOURCES AND SACRIFICE HUMAN LIVES AND HEALTH TO INDUSTRIAL EXCESSES. THE ORGANIZATION'S LITIGATION AND ADVOCACY HAS ALSO SPURRED FORWARD PROGRESS ON REGULATING CLIMATE POLLUTION, FAIRLY CONSIDERING AND MOVING TOWARD ALTERNATIVES TO FOSSIL FUELS, CURBING AIR POLLUTION THAT COSTS FAR TOO MANY LIVES EVERY YEAR, ENDING MOUNTAINTOP REMOVAL MINING, PROTECTING FORAGE FISH AND OCEAN ECOSYSTEMS, AND PROTECTING PEOPLE, COMMUNITIES, AND TREASURED WILDLANDS FROM FRACKING.

FORM 990, PART III

SCHEDULE OF COURT AWARDED ATTORNEY FEES & COSTS

001132	WYOMING ROADLESS	765.76
001146	CANYONLANDS 2477 INTERVENTION	388.23
001149	CO ROADLESS LEASING	177.65
001151	DEEP CREEK MTNS RS 2477	439.65
001163	INYO COUNTY, CA 2477 CASE	23.98
001164	JARBIDGE RS 2477 INTERVENTION	936.65
001167	MISSOURI BREAKS NM	2,758.76
001216	CENTRAL MAUI STREAMS RESTORATION	1,032.84
001221	MAKUA EIS	234,383.42
001252	24-FTAA FOIA	955.50
001307	CHUKCHI OCS LEASE SALE 193	1,584.16
001316	JUNEAU ACCESS PROJECT	105,821.01
001346	TONGASS ROADLESS EXEMPTION	1,827.24
001388	SIERRA FRAMEWORK CHALLENGE	200.45

Name of the organization	Employer identification number
EARTHJUSTICE	94-1730465
001404 1999 HYDRO ESA 67.59	
001406 BLM PLANS 33,240.40	
001467 UPPER SNAKE BIOP CHALLENGE 283,224.29	
001473 EVERGLADES 1,559.70	
001510 COMPARABLE FUELS 14.95	
001511 CSO BLUEPLAINS 119.16	
001605 AZ STRIP PLAN 796.68	
001698 BRICK KILNS DEADLINE 61,859.07	
001703 SUNFLOWER RUS NEPA 1,034.06	
001715 GLEN CANYON FLOWS 757.64	
001723 GENETICALLY ENGINEERED SUGAR BEETS 1,234,915.77	
001761 JARBIDGE - 2005 ROD 1,315.32	
001768 HAZARDOUS WASTE GASIFICATION 256.45	
001770 ROAN PLATEAU 15,607.20	
001780 OZONE STANDARDS 367.95	
001810 CARLSBAD CEC INTERVENTION 282.32	
001819 PETROLEUM REFINERY NSPS 116.22	
001850 WOLF DELISTING II 376,385.55	
001859 IDAHO ROADLESS RULE 3,077.21	
001862 STEAM BUFFER ZONE RULEM 95.56	
001908 MONTGOMERY COUNTY MS4 1,095.51	
001922 EPACT WWEC 28,268.01	
001933 SWORDFISH LONGLINES 1,652.40	
001936 UTAH WILDERNESS LEASE INTERVENTION 171.60	
001938 SON OF FEMA 16,325.00	
001962 SALMON BIOP INTERVENTION 793.20	
001982 MONTANA DNRC CHP 301.54	
001992 KEYSTONE I 164,347.60	

Name of the organization

EARTHJUSTICE

Employer identification number
94-1730465

001993 SALMON-CHALLIS TRAVEL PLAN 81,372.76

001999 LAHAINA INJECTION WELL 9,107.30

002001 01AVENAL POWER PLANT 1,039.94

002002 GULF LONGLINES & SEA TURTLES 2 29,155.91

002005 HAWAII FEED-IN TARIFFS 86.53

002008 OTTER CREEK COAL LEASE 1,040.82

002014 COAL PLANT ELGS 13,250.00

002017 PM2.5 NSR GRANDFATHERING INTER 572.71

002019 SHELL CHUKCHI SEA 2010 CLEAN A 431.22

002026 CLARK COUNTY AGREED ORDER 150.77

002027 GHOST SHIPS 723.68

002031 CLARK COUNTY ENFORCEMENT ACTION 11.27

002033 GHG ENDANGERMENT FINDING 55.64

002039 METHYL IODIDE DPR 397,816.44

002044 FOUR CORNERS PSD 1,217.35

002046 24NON-ROAD & AIRCRAFT GHGS CAA 268.97

002058 SJV 1-HOUR OZONE SIP 98,918.00

002059 FISHER CESA II 178,837.00

002065 PIKE SAN ISABEL MOTOR VEHICLE 192.78

002067 STANISLAUS TMP 132.47

002068 TEXAS POWER PLANTS 39,564.87

002071 STELLER SEA LION CONSULTATION 2,604.82

002073 CHLORPYRIFOS UNREASONABLE DELAY 742.72

002077 SALMON PESTICIDE BIOP DEFENSE 602.72

002078 SALMON PESTICIDE BIOP ENFORCEMENT 1,138.00

002079 WA BUILDING CODE PREEMPTION 59.44

002083 DIRECT HEATING EQUIPMENT 73.96

002088 GALLATIN WINTER USE 66.51

Name of the organization

EARTHJUSTICE

Employer identification number

94-1730465

002090 LUMINANT POWER PLANT ENFORCEMENT 1,722.59

002091 COHO INTERVENTION 796.40

002095 LANDFILLS NSPS 16.44

002100 FEMA FOIA 9,833.80

002106 SHELL OIL SPILL PLANS 487.42

002108 TIERING TO ROAN EIS 55.72

002122 NO MORE WILDERNESS INTERVENTION 369.81

002125 RUSSIAN RIVER GRAVEL MINING 84.97

002131 WESTERN ENERGY ALLIANCE PROTEST 402.57

002147 WA TRIENNIAL WATER QUALITY STAND 157.26

002151 O&C LANDS INTERVENTION 1,594.20

002164 HAZE PLANS 2 136,601.00

002165 FOUR CORNERS PUC 2,400.00

002168 WASHINGTON REFINERIES' GHG RAC 4,341.22

002180 2011 CAA RTR DEADLINES 400.59

002185 ATLANTIC HERRING FMP AMENDMENT 168,246.07

002188 GOLD MINES 630.66

002209 COLORADO RES DEFENSE 132.88

002219 MTR SPRUCE VETO DEFENSE 169.92

002221 ENERGY STORAGE - CPUC 130.96

002222 NORTH BOUNDARY BISON INTERVENTION 2,419.70

002225 PERSISTENT BIOACCUMULATIVE TOXINS 93,006.10

002226 SEWAGE SLUDGE INCINERATORS 2,569.47

002232 MONTANA REGIONAL HAZE 2,472.22

002233 COLSTRIP TITLE V 2,400.00

002237 DEFINITION OF NONHAZARDOUS SOL 234.32

002238 SHELL BEAUFORT SEA OCS EXPLORATION 238.10

002243 SHELL CHUKCHI SEA OCS EXPLORATION 206.67

232212
01-04-13

Name of the organization

EARTHJUSTICE

Employer identification number
94-1730465

002244 SHELL KULLUK DRILLSHIP CLEAN A 1,079.55

002246 OCPI SKAGIT AMICUS 69.41

002250 NEVADA BART SIP 483.10

002259 FLAMING GORGE WATER PIPELINE 25.85

002267 AVISTA DECOUPLING 437.07

002268 PSE DECOUPLING 168.55

002273 SAN JUAN GENERATING STATION HA 2,556.33

002281 COASTAL PELAGIC SPECIES AMENDMENT 238.69

002283 : PM NAAQS DEADLINE 134,651.58

002289 IDAHO ANTIDegradation 375.27

002290 DC MS4 2011 45.60

002300 WY FRACKING DISCLOSURE 2,560.05

002301 FERN HARDY HFRA TIMBER SALE 281.11

002302 WY WOLF DELISTING 561.20

002304 GRAND CANYON URANIUM WITHDRAWAL 2,606.60

002305 TAHOE HOMEWOOD 2,090.36

002308 MN REGIONAL HAZE SIP/FIP 362.56

002314 IS COOS BAY DREDGING PERMIT NM 1,966.76

002315 PRIMARY LEAD AIR TOXICS RISK A 327.44

002320 DIRECT HEATING EQUIPMENT II 10.80

002324 XL FOIA - LOBBYISTS WORK TYPE: 376.90

002333 SALMON BIOP INTERVENTION APP 369.04

002337 SECONDARY LEAD AIR TOXICS RISK 109.21

002338 INDUSTRIAL BOILERS II 819.30

002339 BISON-RELOCATION INTERVENTION 2,595.10

002344 CAL FRACKING 760.23

002353 MURRELET DELISTING INTERVENTION 997.70

002356 CPUC LTPP 2012 177.00

232212
01-04-13

Name of the organization

EARTHJUSTICE

Employer identification number

94-1730465

002361 AR REGIONAL HAZE 126.90

002366 PM2.5 IMPLEMENTATION GUIDANCE 10,771.90

002374 STATUTE OF LIMITATIONS AMICUS 90.40

002380 FALSE KILLER WHALE TRP DEADLINE 10,000.00

002393 PVC II 455.13

002396 UNCLASSIFIABLE OZONE DESIGNATION 1,268.19

002400 OZONE ATTAINMENT DELAY 2012 659.05

002405 REGIONAL HAZE 309 PROGRAM 1,541.24

002409 TAHOE TRAVEL MANAGEMENT 288.30

002417 OIL & GAS AIR RULES II 450.00

002421 NEB. REGIONAL HAZE SIP APPEAL 324.05

002428 COLSTRIP COAL ASH ENFORCEMENT 6,676.41

002432 CA BRODIFACUM REEVALUATION 149.42

002434 STORMWATER PERMIT DEFENSE 156.06

002440 AEP NEW SOURCE REVIEW CONSENT 46,063.00

002441 CLEARWATER TRAVEL PLAN INTERVE 481.65

002450 OIL & GAS AIR TOXICS 375.00

002453 LEECO STACY BRANCH MINE 404 P 130.10

002465 CHROME PLATING AIR TOXICS RISK 502.32

002490 MONTANA LEGISLATIVE ADVOCACY 101.86

002535 OTTER CREEK MINING PERMIT 674.36

Part V Transactions With Related Organizations (Complete if the organization answered "Yes" to Form 990, Part IV, line 34, 35b, or 36.)**Note.** Complete line 1 if any entity is listed in Parts II, III, or IV of this schedule.**1** During the tax year, did the organization engage in any of the following transactions with one or more related organizations listed in Parts II-IV?

	Yes	No
a Receipt of (i) interest (ii) annuities (iii) royalties or (iv) rent from a controlled entity		<input checked="" type="checkbox"/>
b Gift, grant, or capital contribution to related organization(s)		<input checked="" type="checkbox"/>
c Gift, grant, or capital contribution from related organization(s)		<input checked="" type="checkbox"/>
d Loans or loan guarantees to or for related organization(s)		<input checked="" type="checkbox"/>
e Loans or loan guarantees by related organization(s)		<input checked="" type="checkbox"/>
f Dividends from related organization(s)		<input checked="" type="checkbox"/>
g Sale of assets to related organization(s)		<input checked="" type="checkbox"/>
h Purchase of assets from related organization(s)		<input checked="" type="checkbox"/>
i Exchange of assets with related organization(s)		<input checked="" type="checkbox"/>
j Lease of facilities, equipment, or other assets to related organization(s)		<input checked="" type="checkbox"/>
k Lease of facilities, equipment, or other assets from related organization(s)		<input checked="" type="checkbox"/>
l Performance of services or membership or fundraising solicitations for related organization(s)		<input checked="" type="checkbox"/>
m Performance of services or membership or fundraising solicitations by related organization(s)		<input checked="" type="checkbox"/>
n Sharing of facilities, equipment, mailing lists, or other assets with related organization(s)		<input checked="" type="checkbox"/>
o Sharing of paid employees with related organization(s)		<input checked="" type="checkbox"/>
p Reimbursement paid to related organization(s) for expenses		<input checked="" type="checkbox"/>
q Reimbursement paid by related organization(s) for expenses		<input checked="" type="checkbox"/>
r Other transfer of cash or property to related organization(s)		<input checked="" type="checkbox"/>
s Other transfer of cash or property from related organization(s)		<input checked="" type="checkbox"/>

2 If the answer to any of the above is "Yes," see the instructions for information on who must complete this line, including covered relationships and transaction thresholds.

	(a) Name of other organization	(b) Transaction type (a-s)	(c) Amount involved	(d) Method of determining amount involved
(1)				
(2)				
(3)				
(4)				
(5)				
(6)				

Part VII Supplemental Information

Complete this part to provide additional information for responses to questions on Schedule R (see instructions).

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

2012 DEPRECIATION AND AMORTIZATION REPORT

FORM 990 PAGE 10

990

Asset No.	Description	Date Acquired	Method	Life	Conv	Line No.	Unadjusted Cost Or Basis	Bus % Excl	Section 179 Expense	* Reduction In Basis	Basis For Depreciation	Beginning Accumulated Depreciation	Current Sec 179 Expense	Current Year Deduction	Ending Accumulated Depreciation
	BUILDINGS														
5	OTHER BUILDING	VARIOUS	SL	.000		16	450,468.				450,468.	94,579.		2,856.	97,435.
	* 990 PAGE 10 TOTAL BUILDINGS						450,468.				450,468.	94,579.		2,856.	97,435.
	MACHINERY & EQUIPMENT														
1	FURNITURE & EQUIPMENT	VARIOUS	SL	.000		16	1,598,990.				1,598,990.	740,864.		177,429.	918,293.
6	COMPUTER EQUIPMENT	VARIOUS	SL	.000		16	1,886,864.				1,886,864.	1,110,720.		286,038.	1,396,758.
	* 990 PAGE 10 TOTAL MACHINERY & EQUIPMENT						3,485,854.				3,485,854.	1,851,584.		463,467.	2,315,051.
	LAND														
4	LAND	VARIOUS	L				232,880.				232,880.			0.	
	* 990 PAGE 10 TOTAL LAND						232,880.				232,880.	0.		0.	0.
	OTHER														
2	LEASEHOLD IMPROVEMENTS	VARIOUS	SL	.000		16	1,093,009.				1,093,009.	234,137.		121,603.	355,740.
3	LIBRARY	VARIOUS	SL	.000		16	457,504.				457,504.	373,129.		38,181.	411,310.
	* 990 PAGE 10 TOTAL OTHER						1,550,513.				1,550,513.	607,266.		159,784.	767,050.
	* GRAND TOTAL 990 PAGE 10 DEPR						5,719,715.				5,719,715.	2,553,429.		626,107.	3,179,536.

228111
05-01-12

(D) - Asset disposed

* ITC, Salvage, Bonus, Commercial Revitalization Deduction, GO Zone

Application for Extension of Time To File an Exempt Organization Return

OMB No. 1545-1709

► **File a separate application for each return.**

- If you are filing for an **Automatic 3-Month Extension**, complete only **Part I** and check this box ☒ **X**
- If you are filing for an **Additional (Not Automatic) 3-Month Extension**, complete only **Part II** (on page 2 of this form).

Do not complete Part II unless you have already been granted an automatic 3-month extension on a previously filed Form 8868.

Electronic filing (e-file). You can electronically file Form 8868 if you need a 3-month automatic extension of time to file (6 months for a corporation required to file Form 990-T), or an additional (not automatic) 3-month extension of time. You can electronically file Form 8868 to request an extension of time to file any of the forms listed in Part I or Part II with the exception of Form 8870, Information Return for Transfers Associated With Certain Personal Benefit Contracts, which must be sent to the IRS in paper format (see instructions). For more details on the electronic filing of this form, visit www.irs.gov/efile and click on *e-file for Charities & Nonprofits*.

Part I Automatic 3-Month Extension of Time. Only submit original (no copies needed).

A corporation required to file Form 990-T and requesting an automatic 6-month extension - check this box and complete

Part I only ☐

All other corporations (including 1120-C filers), partnerships, REMICs, and trusts must use Form 7004 to request an extension of time to file income tax returns.

Type or print File by the due date for filing your return. See instructions.	Name of exempt organization or other filer, see instructions. EARTHJUSTICE	Employer identification number (EIN) or 94-1730465
	Number, street, and room or suite no. If a P.O. box, see instructions. 50 CALIFORNIA STREET, SUITE 500	Social security number (SSN)
	City, town or post office, state, and ZIP code. For a foreign address, see instructions. SAN FRANCISCO, CA 94111	

Enter the Return code for the return that this application is for (file a separate application for each return)

Application Is For	Return Code	Application Is For	Return Code
Form 990 or Form 990-EZ	01	Form 990-T (corporation)	07
Form 990-BL	02	Form 1041-A	08
Form 4720 (individual)	03	Form 4720	09
Form 990-PF	04	Form 5227	10
Form 990-T (sec. 401(a) or 408(a) trust)	05	Form 6069	11
Form 990-T (trust other than above)	06	Form 8870	12

BRUCE M. NEIGHBOR, VP FINANCE - 50 CALIFORNIA STREET,

- The books are in the care of ► **SUITE 500 - SAN FRANCISCO, CA 94111**

Telephone No. ► **(415) 217-2000**

FAX No. ►

- If the organization does not have an office or place of business in the United States, check this box ☐
- If this is for a Group Return, enter the organization's four digit Group Exemption Number (GEN) . If this is for the whole group, check this box ☐. If it is for part of the group, check this box ☐ and attach a list with the names and EINs of all members the extension is for.

- 1 I request an automatic 3-month (6 months for a corporation required to file Form 990-T) extension of time until **FEBRUARY 15, 2014**, to file the exempt organization return for the organization named above. The extension is for the organization's return for:
- ☐ calendar year or
- ☒ tax year beginning **JUL 1, 2012**, and ending **JUN 30, 2013**.

- 2 If the tax year entered in line 1 is for less than 12 months, check reason: ☐ Initial return ☐ Final return
- ☐ Change in accounting period

3a If this application is for Form 990-BL, 990-PF, 990-T, 4720, or 6069, enter the tentative tax, less any nonrefundable credits. See instructions.	3a	\$	0.
b If this application is for Form 990-PF, 990-T, 4720, or 6069, enter any refundable credits and estimated tax payments made. Include any prior year overpayment allowed as a credit.	3b	\$	0.
c Balance due. Subtract line 3b from line 3a. Include your payment with this form, if required, by using EFTPS (Electronic Federal Tax Payment System). See instructions.	3c	\$	0.

Caution. If you are going to make an electronic fund withdrawal with this Form 8868, see Form 8453-EO and Form 8879-EO for payment instructions.

LHA For Privacy Act and Paperwork Reduction Act Notice, see instructions.

Form 8868 (Rev. 1-2013)

• If you are filing for an **Additional (Not Automatic) 3-Month Extension**, complete only Part II and check this box ☒ **X**

Note. Only complete Part II if you have already been granted an automatic 3-month extension on a previously filed Form 8868.

• If you are filing for an **Automatic 3-Month Extension**, complete only Part I (on page 1).

Part II **Additional (Not Automatic) 3-Month Extension of Time.** Only file the original (no copies needed).

Enter filer's identifying number, see instructions

Type or print File by the due date for filing your return. See instructions.	Name of exempt organization or other filer, see instructions	Employer identification number (EIN) or
	EARTHJUSTICE	94-1730465
	Number, street, and room or suite no. If a P.O. box, see instructions. 50 CALIFORNIA STREET, SUITE 500	Social security number (SSN)
	City, town or post office, state, and ZIP code. For a foreign address, see instructions. SAN FRANCISCO, CA 94111	

Enter the Return code for the return that this application is for (file a separate application for each return) 0 1

Application Is For	Return Code	Application Is For	Return Code
Form 990 or Form 990-EZ	01		
Form 990-BL	02	Form 1041-A	08
Form 4720 (individual)	03	Form 4720	09
Form 990-PF	04	Form 5227	10
Form 990-T (sec. 401(a) or 408(a) trust)	05	Form 6069	11
Form 990-T (trust other than above)	06	Form 8870	12

STOP! Do not complete Part II if you were not already granted an automatic 3-month extension on a previously filed Form 8868.

JAY SCHWARTZ, VP FINANCE - 50 CALIFORNIA STREET, SUITE

• The books are in the care of **500 - SAN FRANCISCO, CA 94111**

Telephone No. **(415) 217-2000**

FAX No.

• If the organization does not have an office or place of business in the United States, check this box ☐

• If this is for a Group Return, enter the organization's four digit Group Exemption Number (GEN) . If this is for the whole group, check this box ☐. If it is for part of the group, check this box ☐ and attach a list with the names and EINs of all members the extension is for.

4 I request an additional 3-month extension of time until **MAY 15, 2014**

5 For calendar year , or other tax year beginning **JUL 1, 2012**, and ending **JUN 30, 2013**

6 If the tax year entered in line 5 is for less than 12 months, check reason: ☐ Initial return ☐ Final return

☐ Change in accounting period

7 State in detail why you need the extension

EXAMINATION OF THE ACCOUNTS AND RECORDS IS NOT SUFFICIENTLY COMPLETE TO FILE AN ACCURATE AND COMPLETE RETURN AT THIS TIME.

8a If this application is for Form 990-BL, 990-PF, 990-T, 4720, or 6069, enter the tentative tax, less any nonrefundable credits. See instructions.	8a	\$	0.
b If this application is for Form 990-PF, 990-T, 4720, or 6069, enter any refundable credits and estimated tax payments made. Include any prior year overpayment allowed as a credit and any amount paid previously with Form 8868.	8b	\$	0.
c Balance due. Subtract line 8b from line 8a. Include your payment with this form, if required, by using EFTPS (Electronic Federal Tax Payment System). See instructions.	8c	\$	0.

Signature and Verification must be completed for Part II only.

Under penalties of perjury, I declare that I have examined this form, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete, and that I am authorized to prepare this form.

Signature **Jay Schwartz** Title **C.P.A.**

Date **2/10/2014**

Form 8868 (Rev. 1-2013)