



TRUSTEES FOR ALASKA
SUSTAIN | PROTECT | REPRESENT

ANNUAL REPORT FY16



DEAR SUPPORTERS:

Being the legal backbone of conservation in Alaska for over 40 years has given us the expertise and resilience to sustain our capacity and resources over the long haul. Trustees for Alaska is a partner in many coalitions. The work to protect what we love about Alaska does not end, and it takes many forms. Litigation goes on for years, if not decades—and before we get to lawsuits, we can achieve small successes that turn into giant protections.

In Fiscal Year 2016, we celebrated significant legal victories, including the protection of the private documents of Pebble Mine opponents that Pebble sought through legal subpoenas. We also made sure that permit expirations are respected, and that Matanuska-Susitna residents have a say in whether and how a coal mine operates in their backyard.

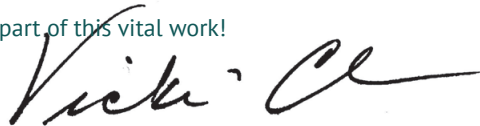
By enforcing our constitutions, statutes, and regulations, we hold powerful interests accountable to the law and to Alaskans. Our work upholds protections for Alaska's water and air, oceans and public lands, wildlife and communities, and sustainability and future.

In 2016, we provided counsel on issues with impacts throughout the state. We worked with a broad coalition to protect the fish, wildlife and lands of the Southern Brooks Range from an ill-conceived road project in Alaska's Arctic. We saw the end of the State's push to build the boondoggle Knik Arm Bridge to nowhere, threatening Cook Inlet beluga whales. We argued to uphold the hovercraft ban in our National Parks and Preserves.

The breadth and depth of our work is possible because of foundation funding and individual support. We couldn't do this work without the steadfast support of our donors. It is because of your kinship in protecting what we love about Alaska through your investment in our work that we can provide our legal services free of charge to clients on the issues that need it most.

You are a critical part of the Trustees for Alaska legal team. We are honored to have your support and proud to celebrate our legal successes in protecting Alaska's lands, waters, wildlife, and people.

Thank you for being part of this vital work!



Victoria Clark

Executive Director

LETTER FROM THE EXECUTIVE DIRECTOR



PROGRAM HIGHLIGHTS

CLEAN WATER & AIR

Stopping the Pebble Mine

Trustees for Alaska continued to protect Alaska's Bristol Bay watershed and its communities in FY16 by successfully defending the private emails and communications of several scientists and environmental organizations subpoenaed by Pebble Limited Partnership.

The ruling in our favor followed a series of legal and other actions related to a three-year study of the Bristol Bay watershed by the Environmental Protection Agency (EPA). Local tribes petitioned the EPA to exercise its authority under Section 404(c) of the Clean Water Act to restrict mining at the Pebble Project. After completing the study in January 2014, the EPA issued a Proposed Determination that would restrict environmentally damaging impacts to the salmon fishery from mining.

Pebble responded by initiating several lawsuits challenging the EPA's authority. One of the cases alleged that the EPA violated the Federal Advisory Committee Act by relying on Pebble Mine opponents during the study's public process. The question for the court is whether the EPA's communications with Pebble Mine opponents were unlawful, or whether they were simply part of a robust public process.

Pebble appropriately sought extensive documents and testimony from the EPA in the case. Trustees for Alaska got involved when



CLEAN WATER & AIR (cont'd)

Pebble started casting an outrageously broad net—to more than 60 groups, individuals, and organizations, including Trustees—to fish for information about people who oppose the mine. Trustees represented eight of these organizations and individuals.

The court found that Pebble could not have the requested documents because the subpoenas were “totally unreasonable,” “needlessly broad,” and “irrelevant.” The court’s decision upheld the right of Pebble Mine opponents to communicate with each other and make joint presentations to the EPA.

That ruling did not stop Pebble, however. It issued more subpoenas, targeting several scientists opposed to the mine, and we again defended, and will continue to defend, their First Amendment rights.



PROGRAM HIGHLIGHTS

CLIMATE CHANGE

Stopping coal mining at Wishbone Hill

Trustees for Alaska successfully argued before the U.S. District Court that the Wishbone Hill Coal Mine permit expired automatically by law after three years. The original permit was issued in 1991, but Usibelli Coal Mine did not start mining activities until 2010. The Court's ruling in our favor overturned the Office of Surface Mining's decision to allow mining at Wishbone Hill.

Area residents can now breathe easier. The neighborhoods around the old mine have grown and changed dramatically since issuance of the first permit, with 900 homes now within a mile of the mine. These residents were concerned about the impacts of coal dust and traffic on their health and safety. Usibelli will need to apply for a new permit to mine coal at Wishbone Hill, and that process will allow public input that addresses the community's growth and concerns.

First Private Water Reservation Decided

Trustees for Alaska secured one water reservation for the Chuitna Citizens Coalition after years of procedural and legal delays.

In 2009, Trustees for Alaska filed applications on behalf of the coalition for instream flow reservations to protect fish in Middle Creek, a tributary of the Chuitna River and an important salmon spawning and rearing habitat. After Trustees challenged the Alaska Department of Natural Resources' (DNR) failure to act on the applications, the Court ordered adjudication and is overseeing the process. The DNR held a hearing for part of Middle Creek in August 2015. The area has been under threat since the State issued coal leases over 40 years ago. In October 2015, the DNR granted one water reservation to the coalition and denied two others. The mine applicant and other industry organizations filed administrative appeals of the water reservation.



PROGRAM HIGHLIGHTS

AMERICA'S ARCTIC

Stopping the Ambler Road

Trustees for Alaska provides counsel to a broad coalition of tribes, community groups, and individuals who oppose the Ambler Road and want to protect the fish, wildlife, waterways and lands of the Southern Brooks Range.

Four federal agencies tasked with reviewing the 220-mile Road to Ambler project rejected the Alaska Industrial Development and Export Authority's (AIDEA) application as incomplete. AIDEA insisted on filing the application in November 2015, despite the State's fiscal crisis and the incredibly high price tag to permit, build and maintain the road. The rejection of the application raised doubts about the readiness and costs associated with the project.

The proposed Road to Ambler would cross the Southern Brooks Range, cutting from the Dalton Highway west through Gates of the Arctic National Park and Preserve to the Ambler Mining District. The road would cross approximately 2,990 streams, impact thousands of acres of wetlands, and cut through key habitat used by grizzly bears, wolves, Dall sheep, moose, wolverines, and three caribou herds, including Alaska's largest, the Western Arctic Caribou Herd.

Controlling Development in the National Petroleum Reserve - Alaska

Trustees for Alaska participated with partners and stakeholders in helping the Bureau of Land Management (BLM) develop a Regional Mitigation Strategy for the National Petroleum Reserve-Alaska (NPRA).

Despite its unfortunate moniker, "petroleum reserve," NPRA contains vast areas of critical habitat, including Teshekpuk Lake. The fish and wildlife in the NPRA also provide vital subsistence resources for numerous communities. Trustees for Alaska continues to work with a coalition in protecting these areas.

ConocoPhillips continues to extend road development for the Alpine project within the NPRA. In response, the BLM is taking a broader look at how to mitigate against the impacts of development. Rather than doing it piecemeal, project-by-project, the goal is to develop regional mitigation plans that look more broadly at landscapes and cumulative impacts before projects are proposed. Stakeholders, including Trustees and our partners, set two goals in helping develop a regional strategy for the NPRA: (1) mitigate the impacts from a current project, and (2) create a vision and approach for the BLM to address future development projects and mitigate the impacts.

PROGRAM HIGHLIGHTS

WILD LANDS AND WILDLIFE

Defending Waters in National Parks

Trustees for Alaska represented 13 conservation groups in an amici curiae brief, or friends of the court brief, supporting National Park Service (NPS) authority to manage activities on rivers within parks. The case heard by the U.S. Supreme Court concerns the use of hovercraft within Yukon Charley Rivers National Preserve. The Supreme Court, which accepted the case after the Ninth Circuit Court of Appeals upheld NPS authority, disagreed with the lower court's reasoning and remanded the case for further review. The NPS bans hovercraft from national parks and preserves because they can travel outside of riverbeds on shallow wetlands and tundra, and are significantly louder than motorboats. Trustees for Alaska will urge the Ninth Circuit to uphold NPS authority to stop harmful and incompatible activities in Alaska's most iconic places—our national parks.

MARINE ECOSYSTEMS

“Bridge to Nowhere” Going Nowhere

Trustees for Alaska worked with opponents of the Knik Arm Bridge, one of Alaska's “bridges to nowhere,” for over a decade to protect Cook Inlet beluga whales and to stop an unneeded boondoggle project. The State of Alaska's decision to shut down the project this year gave marine wildlife, local community groups and taxpayers cause for celebration. The proposed bridge sucked up millions of dollars each year and posed a threat to the marine environment. The Cook Inlet beluga population continues to decline, hovering at a dangerously small population of approximately 300 whales.



THE NEXT GENERATION

SUMMER 2016 INTERNS

Each year interns arrive to spend their summer with Trustees for Alaska. While here, they explore Alaska while gaining valuable on-the-ground legal experience. They conduct legal research, draft pleadings, participate in client meetings, and assist with litigation that helps prepare them for their future careers.

Esack Grueskin

My summer working for Trustees was pivotal to shaping my future. Law school can squeeze the optimism right out of you, and it was starting to squeeze it out of me. At the risk of sounding dramatic, I'd say my summer with Trustees changed my entire law school experience. I've known for some time now how hard public interest attorneys have to work, but now I know the hard work pays off. The attorneys at Trustees are incredible, tireless, and dedicated. Each of them are my new role models. - ***Esack Francis Grueskin, University of Oregon School of Law.***



Jaclyn Brass

Interning for Trustees for Alaska was everything I hoped it would be and more. I was able to dig into several new subjects and get a taste for what a career in public interest environmental law might look like. I have learned so much about the law, but also about how to research more efficiently



and write more clearly. The feedback was detailed and helpful on both the substantive and organizational fronts. Beyond that, the entire office is passionate, caring and willing to share their knowledge and opinions.

-***Jaclyn Brass, University of Colorado***

Christian Tucker

Trustees represents some of the most important work going on in the field of environmental law today. I cannot imagine a better place or better organization to



learn the intricacies of natural resource law. The beauty and wildness of this state demand those who care for it to fight, and I am incredibly excited to be a part of that.

Christian Tucker, University of Richmond.

Kendall Freed

Externing for Trustees for Alaska was the perfect capstone to my last year of law school. I learned skills that I could not get from a law school textbook or classroom.

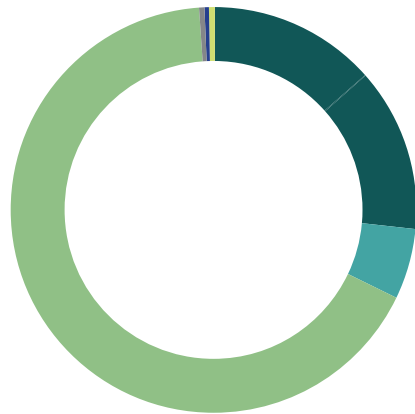
Through each project, I learned about a new area of substantive law. I also learned about unique environmental issues in Alaska and Alaska-specific federal laws, such as the Alaska National Interest Lands Conservation Act. My legal research skills improved and I gained the ability to translate that research into practical client advice. Trustees also made sure to give me opportunities to develop skills I will need as a new attorney. I was surprised and honored that Trustees even let me present results of a research project directly to a client. By doing so, I gained confidence and learned how to communicate legal concepts in a clear and concise way. I am thankful to have had the opportunity to assist with Trustees' work on climate change, protecting Alaska's Arctic, and protecting public lands and wildlife.



FINANCIALS

2016

REVENUE



Grants 28%	\$492,749
Contributions 66%	\$1,174,617
In-kind Revenue 6%	\$111,947
Interest <1%	\$1884
Other <1%	\$0
Colleen Burgh Fund for Science and the Law <1%	\$5,000
Total:	\$1,786,197

EXPENSES



America's Arctic 16%	\$211,831
Clean Air & Water 19%	\$241,055
Climate Change 34%	\$444,472
Marine Ecosystems 1%	\$12,136
Wild Lands & Wildlife 6%	\$80,447
Administration 12%	\$153,930
Fundraising 12%	\$151,464
Total:	\$1,295,335

STATEMENTS OF FINANCIAL POSITION

September 30th

ASSETS

Current Assets:

Cash and cash equivalents

\$ 388,940 \$ 628,384

Receivables:

Foundation grants

– 73,748

Other receivables

1,414 5,422

Prepaid expenses

7,604 19,828

Total Current Assets

397,958 727,382

Property and equipment

44,307 43,557

Less accumulated depreciation

(35,727) (30,485)

Property and Equipment, Net

8,580 13,072

Total Assets

\$ 406,538 \$ 740,454

LIABILITIES AND NET ASSETS

Current Liabilities:

Accounts payable

\$ 14,892 \$ 7,850

Accrued payroll liabilities and leave

23,588 23,586

Current portion, capital lease payable

4,635 4,454

Total Current Liabilities

43,115 35,890

Long Term Liabilities - capital lease payable, net of current position

791 5,426

Total Liabilities

\$ 43,906 41,316

NET ASSETS

Unrestricted:

Designated by the board for operations

150,000 150,000

Undesignated

59,922 112,326

Temporarily restricted

152,710 436,812

Total Net Assets

\$ 362,632 \$ 699,138

Total Liabilities and Net Assets

\$ 406,538 \$ 740,454

IN GRATITUDE

THANK YOU

Thank you to all the generous individuals and foundations that make our work to defend Alaska's lands, waters, wildlife, and people possible.

FY16 FOUNDATIONS

444S Foundation
Alaska Conservation Foundation
The Brainerd Foundation
Brenden Mann Foundation
Bullitt Foundation
Campion Foundation
Eaglemere Foundation

Giles W. & Elise G. Mead Foundation
The Harder Foundation
The Leighty Foundation
The Merlin Foundation
New-Land Foundation
Patagonia, Inc.
Pew Charitable Trusts

True North Foundation
West Wind Foundation
William B. Wiener, Jr. Foundation
Wilburforce Foundation



CLIENTS & PARTNER ORGANIZATIONS

Trustees for Alaska works alongside many organizations in defense of Alaska's most valuable assets—its natural heritage. We never charge for our legal services. Groups that we represented and helped Trustees make a difference in FY16 include:

Alaska Center for the Environment/Alaska
Conservation Voters
Alaska Community Action on Toxics
Alaska Marine Conservation Council
Alaska Quiet Rights Coalition
Alaska Wilderness League
Alaska Wildlife Alliance
Alaskans for Wildlife
Alaskans for Energy Freedom
Ambler Traditional Council
American Rivers
Audubon Alaska
Brooks Range Council
Castle Mountain Coalition
Center for Biological Diversity
Chitna Citizens Coalition
Conservation Lands Foundation
Cook Inletkeeper
Copper Country Alliance

Curyung Tribal Council (IRA)
Defenders of Wildlife
Denali Citizens Council
Earth Island Institute
Earthworks
Ekwok Tribal Council (IRA)
Eyak Preservation Council
Friends of Alaska National Wildlife Refuges
Gwich'in Steering Committee
The Humane Society
Kachemak Bay Conservation Society
Koliganek Village Council (IRA)
National Audubon Society
National Parks Conservation Association
National Wildlife Refuge Association
Native Village of Nuiqsut (IRA)
Natural Resources Defense Council
Northern Alaska Environmental Center
Nunamta Aulukestai

The Pew Charitable Trusts
REDOIL (Resisting Environmental
Destruction on Indigenous Lands)
Resurrection Bay Conservation Alliance
Residents of Nuiqsut
Salmon State
Sierra Club
Southeast Alaska Conservation Council
The Wilderness Society
Third-parties subpoenaed in the Pebble v.
EPA litigation
Trout Unlimited
Wild Salmon Center
Wilderness Watch



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To see a list of our current Board and their bios, go to www.trustees.org/board-of-trustees/; for staff, go to www.trustees.org/our-team/



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MISSION STATEMENT

Trustees for Alaska, a nonprofit public interest law firm, works to protect and sustain Alaska's natural environment on behalf of Native villages, community groups, and local and national conservation groups by providing legal services, policy advice, and strategic counsel free of charge.

TRUSTEES FOR ALASKA

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Trustees for Alaska is a 501(c)3 nonprofit organization. Contributions are tax-deductible to the extent allowed by law. Tax ID: 92-6010379

Trustees for Alaska thanks the talented photographers that contributed their images for this report:

Cover photo, Jim Spitzer; page 1, Coby Brock; page 2, Carl Johnson; page 3, Carl Johnson; page 4, Top and bottom: Fredrik Norsell, Middle: Eric McKittrick; page 5, Amy Gulick; page 6, Bob Waldrop; page 7, Trustees interns and staff; page 9, Bob Waldrop; page 11, Coby Brock; page 12, Jim Spitzer