

Department of the Treasury  
Internal Revenue ServiceReturn of Organization Exempt From Income Tax  
Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundations)

Do not enter social security numbers on this form as it may be made public.

Go to [www.irs.gov/Form990](http://www.irs.gov/Form990) for instructions and the latest information.

OMB No. 1545-0047

2017  
Open to Public  
Inspection

A For the 2017 calendar year, or tax year beginning 04/01/17, and ending 03/31/18

B Check if applicable:

☐ Address change☐ Name change☐ Initial return☐ Final return/  
terminated☐ Amended return☐ Application pending

C Name of organization

Southern Environmental Law Center  
Frederick S. Middleton III

Doing business as

Number and street (or P.O. box if mail is not delivered to street address)

201 West Main Street, Suite 14

Room/suite

City or town, state or province, country, and ZIP or foreign postal code

Charlottesville VA 22902-5065

F Name and address of principal officer:

Frederick S. Middleton III  
201 West Main Street, Suite 14  
Charlottesville VA 22902-5065

D Employer identification number

52-1436778

E Telephone number

434-977-4090

G Gross receipts \$ 82,631,495

H(a) Is this a group return for subordinates? ☐ Yes ☒ NoH(b) Are all subordinates included? ☐ Yes ☐ No

If "No," attach a list. (see instructions)

I Tax-exempt status: ☒ 501(c)(3) ☐ 501(c) ( ) (insert no.) ☐ 4947(a)(1) or ☐ 527J Website: [www.southernenvironment.org](http://www.southernenvironment.org)

H(c) Group exemption number

K Form of organization: ☒ Corporation ☐ Trust ☐ Association ☐ Other

L Year of formation: 1985

M State of legal domicile: VA

## Part I Summary

Activities & Governance		Revenue		Expenses		Net Assets or Fund Balances	
1 Briefly describe the organization's mission or most significant activities: To protect the environment of the Southeast United States through law and policy.							
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	30				
4 Number of independent voting members of the governing body (Part VI, line 1b)		4	29				
5 Total number of individuals employed in calendar year 2017 (Part V, line 2a)		5	195				
6 Total number of volunteers (estimate if necessary)		6	80				
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				
		Prior Year	Current Year				
8 Contributions and grants (Part VIII, line 1h)		35,875,013	44,811,460				
9 Program service revenue (Part VIII, line 2g)		150,748	135,598				
10 Investment income (Part VIII, column (A), lines 3, 4, and 7d)		1,625,713	2,069,516				
11 Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e)			0				
12 Total revenue - add lines 8 through 11 (must equal Part VIII, column (A), line 12)		37,651,474	47,016,574				
13 Grants and similar amounts paid (Part IX, column (A), lines 1-3)		199,664	35,086				
14 Benefits paid to or for members (Part IX, column (A), line 4)			0				
15 Salaries, other compensation, employee benefits (Part IX, column (A), lines 5-10)		14,615,370	16,508,717				
16a Professional fundraising fees (Part IX, column (A), line 11e)			0				
b Total fundraising expenses (Part IX, column (D), line 25) ▶ 1,522,730							
17 Other expenses (Part IX, column (A), lines 11a-11d, 11f-24e)		11,736,437	11,224,707				
18 Total expenses. Add lines 13-17 (must equal Part IX, column (A), line 25)		26,551,471	27,768,510				
19 Revenue less expenses. Subtract line 18 from line 12		11,100,003	19,248,064				
		Beginning of Current Year	End of Year				
20 Total assets (Part X, line 16)		95,406,749	119,095,278				
21 Total liabilities (Part X, line 26)		688,814	771,017				
22 Net assets or fund balances. Subtract line 21 from line 20		94,717,935	118,324,261				

## 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

Holly Hueston

Type or print name and title

Treasurer

Date

12/5/2018

Paid  
Preparer  
Use Only

Print/Type preparer's name

Robert M. Huff

Preparer's signature

Robert M. Huff

Date

11/30/18

Check ☐ if PTIN

self-employed

P00045082

Firm's name ▶ Robinson Farmer Cox Associates

Firm's EIN ▶ 54-1896113

530 Westfield Rd

Firm's address ▶ Charlottesville, VA 22901-1726

Phone no. 434-973-8314

May the IRS discuss this return with the preparer shown above? (see instructions)

☒ Yes ☐ No

For Paperwork Reduction Act Notice, see the separate instructions.

**Part III Statement of Program Service Accomplishments**

Check if Schedule O contains a response or note to any line in this Part III

☒**1** Briefly describe the organization's mission:**To protect the environment of the Southeast United States through law and policy.****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 \$ **12,411,110** including grants of \$ ) (Revenue \$ )  
**Clean Energy and Air : To promote and secure a sustainable energy policy across the Southeast that protects the people and natural resources of the region, enhances the economy, and minimizes the health, environmental, and economic harm of energy development and air pollution, including greenhouse gases.**

**4b** (Code: ) (Expenses \$ **4,860,859** including grants of \$ **14,935** ) (Revenue \$ )  
**Clean Water: To protect and restore water quality and water flow to ensure surface and ground waters in our region can meet long-term human and ecological needs.**

**4c** (Code: ) (Expenses \$ **3,379,140** including grants of \$ ) (Revenue \$ )  
**Coast and Wetlands: To protect and preserve the wetlands and high priority coastal ecosystems in the Southeast for the benefit of wildlife, marine life, and people.**

**4d** Other program services (Describe in Schedule O.)(Expenses \$ **3,500,117** including grants of \$ **20,151** ) (Revenue \$ )**4e** Total program service expenses **24,151,226**

**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	<b>X</b>	
2 Is the organization required to complete Schedule B, Schedule of Contributors (see instructions)?		<b>X</b>
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		<b>X</b>
4 <b>Section 501(c)(3) organizations.</b> 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	<b>X</b>	
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		<b>X</b>
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		<b>X</b>
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		<b>X</b>
8 Did the organization maintain collections of works of art, historical treasures, or other similar assets? If "Yes," complete Schedule D, Part III		<b>X</b>
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		<b>X</b>
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	<b>X</b>	
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	<b>X</b>	
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		<b>X</b>
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		<b>X</b>
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		<b>X</b>
e Did the organization report an amount for other liabilities in Part X, line 25? If "Yes," complete Schedule D, Part X		<b>X</b>
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		<b>X</b>
12a Did the organization obtain separate, independent audited financial statements for the tax year? If "Yes," complete Schedule D, Parts XI and XII	<b>X</b>	
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		<b>X</b>
13 Is the organization a school described in section 170(b)(1)(A)(ii)? If "Yes," complete Schedule E		<b>X</b>
14a Did the organization maintain an office, employees, or agents outside of the United States?		<b>X</b>
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		<b>X</b>
15 Did the organization report on Part IX, column (A), line 3, more than \$5,000 of grants or other assistance to or for any foreign organization? If "Yes," complete Schedule F, Parts II and IV		<b>X</b>
16 Did the organization report on Part IX, column (A), line 3, more than \$5,000 of aggregate grants or other assistance to or for foreign individuals? If "Yes," complete Schedule F, Parts III and IV		<b>X</b>
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 (see instructions)		<b>X</b>
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		<b>X</b>
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		<b>X</b>

**Part IV Checklist of Required Schedules (continued)**

	Yes	No
<b>20a</b> Did the organization operate one or more hospital facilities? If "Yes," complete Schedule H		<b>X</b>
<b>b</b> If "Yes" to line 20a, did the organization attach a copy of its audited financial statements to this return?		
<b>21</b> Did the organization report more than \$5,000 of grants or other assistance to any domestic organization or domestic government on Part IX, column (A), line 1? If "Yes," complete Schedule I, Parts I and II	<b>X</b>	
<b>22</b> Did the organization report more than \$5,000 of grants or other assistance to or for domestic individuals on Part IX, column (A), line 2? If "Yes," complete Schedule I, Parts I and III		<b>X</b>
<b>23</b> 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	<b>X</b>	
<b>24a</b> 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 25a		<b>X</b>
<b>b</b> Did the organization invest any proceeds of tax-exempt bonds beyond a temporary period exception?		
<b>c</b> Did the organization maintain an escrow account other than a refunding escrow at any time during the year to defease any tax-exempt bonds?		
<b>d</b> Did the organization act as an "on behalf of" issuer for bonds outstanding at any time during the year?		
<b>25a</b> <b>Section 501(c)(3), 501(c)(4), and 501(c)(29) organizations.</b> Did the organization engage in an excess benefit transaction with a disqualified person during the year? If "Yes," complete Schedule L, Part I		<b>X</b>
<b>b</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		<b>X</b>
<b>26</b> Did the organization report any amount on Part X, line 5, 6, or 22 for receivables from or payables to any current or former officers, directors, trustees, key employees, highest compensated employees, or disqualified persons? If "Yes," complete Schedule L, Part II		<b>X</b>
<b>27</b> 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		<b>X</b>
<b>28</b> 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):		
<b>a</b> A current or former officer, director, trustee, or key employee? If "Yes," complete Schedule L, Part IV		<b>X</b>
<b>b</b> A family member of a current or former officer, director, trustee, or key employee? If "Yes," complete Schedule L, Part IV		<b>X</b>
<b>c</b> 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		<b>X</b>
<b>29</b> Did the organization receive more than \$25,000 in non-cash contributions? If "Yes," complete Schedule M	<b>X</b>	
<b>30</b> Did the organization receive contributions of art, historical treasures, or other similar assets, or qualified conservation contributions? If "Yes," complete Schedule M		<b>X</b>
<b>31</b> Did the organization liquidate, terminate, or dissolve and cease operations? If "Yes," complete Schedule N, Part I		<b>X</b>
<b>32</b> Did the organization sell, exchange, dispose of, or transfer more than 25% of its net assets? If "Yes," complete Schedule N, Part II		<b>X</b>
<b>33</b> 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		<b>X</b>
<b>34</b> 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		<b>X</b>
<b>35a</b> Did the organization have a controlled entity within the meaning of section 512(b)(13)?		<b>X</b>
<b>b</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		
<b>36</b> <b>Section 501(c)(3) organizations.</b> Did the organization make any transfers to an exempt non-charitable related organization? If "Yes," complete Schedule R, Part V, line 2		<b>X</b>
<b>37</b> 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		<b>X</b>
<b>38</b> Did the organization complete Schedule O and provide explanations in Schedule O for Part VI, lines 11b and 19? <b>Note.</b> All Form 990 filers are required to complete Schedule O.	<b>X</b>	

**Part V Statements Regarding Other IRS Filings and Tax Compliance**Check if Schedule O contains a response or note to any line in this Part V ☐

		Yes	No
<b>1a</b> Enter the number reported in Box 3 of Form 1096. Enter -0- if not applicable	<b>1a</b> 119		
<b>b</b> Enter the number of Forms W-2G included in line 1a. Enter -0- if not applicable	<b>1b</b> 0		
<b>c</b> Did the organization comply with backup withholding rules for reportable payments to vendors and reportable gaming (gambling) winnings to prize winners?			
<b>2a</b> 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	<b>2a</b> 195		
<b>b</b> If at least one is reported on line 2a, did the organization file all required federal employment tax returns? <b>Note.</b> If the sum of lines 1a and 2a is greater than 250, you may be required to e-file (see instructions)		X	
<b>3a</b> Did the organization have unrelated business gross income of \$1,000 or more during the year?			X
<b>b</b> If "Yes," has it filed a Form 990-T for this year? If "No" to line 3b, provide an explanation in Schedule O			
<b>4a</b> 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>b</b> If "Yes," enter the name of the foreign country: See instructions for filing requirements for FinCEN Form 114, Report of Foreign Bank and Financial Accounts (FBAR).			
<b>5a</b> Was the organization a party to a prohibited tax shelter transaction at any time during the tax year?			X
<b>b</b> Did any taxable party notify the organization that it was or is a party to a prohibited tax shelter transaction?			X
<b>c</b> If "Yes" to line 5a or 5b, did the organization file Form 8886-T?			
<b>6a</b> 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>b</b> If "Yes," did the organization include with every solicitation an express statement that such contributions or gifts were not tax deductible?			
<b>7 Organizations that may receive deductible contributions under section 170(c).</b>			
<b>a</b> 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>b</b> If "Yes," did the organization notify the donor of the value of the goods or services provided?			
<b>c</b> Did the organization sell, exchange, or otherwise dispose of tangible personal property for which it was required to file Form 8282?			X
<b>d</b> If "Yes," indicate the number of Forms 8282 filed during the year	<b>7d</b>		
<b>e</b> Did the organization receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?			X
<b>f</b> Did the organization, during the year, pay premiums, directly or indirectly, on a personal benefit contract?			X
<b>g</b> If the organization received a contribution of qualified intellectual property, did the organization file Form 8899 as required?			X
<b>h</b> If the organization received a contribution of cars, boats, airplanes, or other vehicles, did the organization file a Form 1098-C?			X
<b>8 Sponsoring organizations maintaining donor advised funds.</b> Did a donor advised fund maintained by the sponsoring organization have excess business holdings at any time during the year?			X
<b>9 Sponsoring organizations maintaining donor advised funds.</b>			
<b>a</b> Did the sponsoring organization make any taxable distributions under section 4966?			X
<b>b</b> Did the sponsoring organization make a distribution to a donor, donor advisor, or related person?			X
<b>10 Section 501(c)(7) organizations.</b> Enter:			
<b>a</b> Initiation fees and capital contributions included on Part VIII, line 12	<b>10a</b>		
<b>b</b> Gross receipts, included on Form 990, Part VIII, line 12, for public use of club facilities	<b>10b</b>		
<b>11 Section 501(c)(12) organizations.</b> Enter:			
<b>a</b> Gross income from members or shareholders	<b>11a</b>		
<b>b</b> Gross income from other sources (Do not net amounts due or paid to other sources against amounts due or received from them.)	<b>11b</b>		
<b>12a Section 4947(a)(1) non-exempt charitable trusts.</b> Is the organization filing Form 990 in lieu of Form 1041?			
<b>b</b> If "Yes," enter the amount of tax-exempt interest received or accrued during the year	<b>12b</b>		
<b>13 Section 501(c)(29) qualified nonprofit health insurance issuers.</b>			
<b>a</b> Is the organization licensed to issue qualified health plans in more than one state? <b>Note.</b> See the instructions for additional information the organization must report on Schedule O.			
<b>b</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	<b>13b</b>		
<b>c</b> Enter the amount of reserves on hand	<b>13c</b>		
<b>14a</b> Did the organization receive any payments for indoor tanning services during the tax year?			X
<b>b</b> If "Yes," has it filed a Form 720 to report these payments? If "No," provide an explanation in Schedule O	<b>14b</b>		

**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 or note to any line in this Part VI ☒

**Section A. Governing Body and Management**

	Yes	No
<b>1a</b> Enter the number of voting members of the governing body at the end of the tax year 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.	1a	30
<b>b</b> Enter the number of voting members included in line 1a, above, who are independent	1b	29
<b>2</b> 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
<b>3</b> 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
<b>4</b> Did the organization make any significant changes to its governing documents since the prior Form 990 was filed?	4	X
<b>5</b> Did the organization become aware during the year of a significant diversion of the organization's assets?	5	X
<b>6</b> Did the organization have members or stockholders?	6	X
<b>7a</b> 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>b</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
<b>8</b> Did the organization contemporaneously document the meetings held or written actions undertaken during the year by the following:		
<b>a</b> The governing body?	8a	X
<b>b</b> Each committee with authority to act on behalf of the governing body?	8b	X
<b>9</b> 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
<b>10a</b> Did the organization have local chapters, branches, or affiliates?	10a	X
<b>b</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	
<b>11a</b> 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>b</b> Describe in Schedule O the process, if any, used by the organization to review this Form 990.		
<b>12a</b> Did the organization have a written conflict of interest policy? If "No," go to line 13	12a	X
<b>b</b> Were officers, directors, or trustees, and key employees required to disclose annually interests that could give rise to conflicts?	12b	X
<b>c</b> 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
<b>13</b> Did the organization have a written whistleblower policy?	13	X
<b>14</b> Did the organization have a written document retention and destruction policy?	14	X
<b>15</b> 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?		
<b>a</b> The organization's CEO, Executive Director, or top management official	15a	X
<b>b</b> Other officers or key employees of the organization If "Yes" to line 15a or 15b, describe the process in Schedule O (see instructions).	15b	X
<b>16a</b> 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>b</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, GA, SC, TN, VA, NY, MD, CT, KY, OR, FL, MA, CA**

**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, address, and telephone number of the person who possesses the organization's books and records: **Gayle Davis**  
**201 West Main Street, Suite 14**  
**Charlottesville** **VA 22902-5065 434-218-7428**

**Part VII Compensation of Officers, Directors, Trustees, Key Employees, Highest Compensated Employees, and Independent Contractors**Check if Schedule O contains a response or note to any line 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 dotted 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) Frederick S. Middleton III	50.00									
President	0.00	X		X				361,830	0	72,431
(2) Allen L. McCallie	9.00									
Chair	0.00	X		X				0	0	0
(3) Anna Kate Hipp	5.00									
Vice President	0.00	X		X				0	0	0
(4) Deaderick C. Montague	6.00									
Trustee	0.00	X						0	0	0
(5) Stephen O'Day	4.00									
Trustee	0.00	X						0	0	0
(6) Joel B. Adams	5.00									
Trustee	0.00	X						0	0	0
(7) Marcia A. Angle	4.00									
Trustee	0.00	X						0	0	0
(8) Dell S. Brooke	6.00									
Trustee	0.00	X						0	0	0
(9) Cathy S. Brown	5.00									
Trustee	0.00	X						0	0	0
(10) Marion A. Cowell, Jr.	3.00									
Trustee	0.00	X						0	0	0
(11) Melvin T. Davis	2.50									
Trustee	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 dotted 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			
(12) J. Stephen Dockery, III	4.00									
Trustee	0.00	X						0	0	0
(13) James G. Hanes, III	2.50									
Trustee	0.00	X						0	0	0
(14) Matthew E. Hapgood	2.50									
Trustee	0.00	X						0	0	0
(15) Nimrod W.E. Long III	2.00									
Trustee	0.00	X						0	0	0
(16) Edward Miller	7.00									
Trustee	0.00	X						0	0	0
(17) Susan S. Mullin	2.00									
Trustee	0.00	X						0	0	0
(18) Jean C. Nelson	3.00									
Trustee	0.00	X						0	0	0
(19) William H. Schlesinger	6.00									
Trustee	0.00	X						0	0	0
<b>1b Sub-total</b>								361,830		72,431
<b>c Total from continuation sheets to Part VII, Section A</b>								1,638,098		298,203
<b>d Total (add lines 1b and 1c)</b>								1,999,928		370,634

**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 **54**

**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

	Yes	No
3		X
4	X	
5		X

**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

**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
Aquilogic, Inc Costa Mesa CA 92626	245 Fischer Ave., Ste. D-2 Coal Ash Enforcement	778,073
Berlin Rosen Ltd New York NY 10038	15 Maiden Lane, Ste 1600 Communications Support	595,000
The Campaign Workshop, Inc Washington DC 20036	1660 L St NW PR/Communications	278,124
The Greenlink Group Atlanta GA 30312	391 Ralph McGill Blvd NE, Unit C Support Energy Work	248,849
Lincoln Park Strategies Washington DC 20003	61 Pennsylvania Ave SE #112 Polling & Messaging	200,336

**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 **9**



**Part VIII Statement of Revenue**Check if Schedule O contains a response or note to any line in this Part VIII ☐

			(A) Total revenue	(B) Related or exempt function revenue	(C) Unrelated business revenue	(D) Revenue excluded from tax under sections 512-514
<b>Contributions, Gifts, Grants and Other Similar Amounts</b>	<b>1a</b> Federated campaigns	<b>1a</b>				
	<b>b</b> Membership dues	<b>1b</b>				
	<b>c</b> Fundraising events	<b>1c</b>				
	<b>d</b> Related organizations	<b>1d</b>				
	<b>e</b> Government grants (contributions)	<b>1e</b>				
	<b>f</b> All other contributions, gifts, grants, and similar amounts not included above	<b>1f</b> 44,811,460				
	<b>g</b> Noncash contributions included in lines 1a-1f: \$ 917,245					
	<b>h</b> Total. Add lines 1a-1f		44,811,460			
<b>Program Service Revenue</b>	<b>2a</b> Attorney Fees Awarded	Busn. Code	135,598	135,598		
	<b>b</b>					
	<b>c</b>					
	<b>d</b>					
	<b>e</b>					
	<b>f</b> All other program service revenue					
	<b>g</b> Total. Add lines 2a-2f		135,598			
	<b>Other Revenue</b>	<b>3</b> Investment income (including dividends, interest, and other similar amounts)		2,064,459		
<b>4</b> Income from investment of tax-exempt bond proceeds						
<b>5</b> Royalties						
<b>6a</b> Gross rents		(i) Real (ii) Personal				
<b>b</b> Less: rental exps.						
<b>c</b> Rental inc. or (loss)						
<b>d</b> Net rental income or (loss)						
<b>7a</b> Gross amount from sales of assets other than inventory		(i) Securities (ii) Other	35,619,978 0			
<b>b</b> Less: cost or other basis & sales exps.			35,614,921			
<b>c</b> Gain or (loss)			5,057			
<b>d</b> Net gain or (loss)			5,057	0		5,057
<b>8a</b> Gross income from fundraising events (not including \$ of contributions reported on line 1c). See Part IV, line 18		a				
<b>b</b> Less: direct expenses		b				
<b>c</b> Net income or (loss) from fundraising events						
<b>9a</b> Gross income from gaming activities. See Part IV, line 19		a				
<b>b</b> Less: direct expenses	b					
<b>c</b> Net income or (loss) from gaming activities						
<b>10a</b> Gross sales of inventory, less returns and allowances	a					
<b>b</b> Less: cost of goods sold	b					
<b>c</b> Net income or (loss) from sales of inventory						
<b>Miscellaneous Revenue</b>		<b>Busn. Code</b>				
<b>11a</b>						
<b>b</b>						
<b>c</b>						
<b>d</b> All other revenue						
<b>e</b> Total. Add lines 11a-11d						
<b>12</b> Total revenue. See instructions.			47,016,574	135,598	0	2,069,516

**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 or note to any line 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
<b>1</b> Grants and other assistance to domestic organizations and domestic governments. See Part IV, line 21	35,086	35,086		
<b>2</b> Grants and other assistance to domestic individuals. See Part IV, line 22				
<b>3</b> Grants and other assistance to foreign organizations, foreign governments, and foreign individuals. See Part IV, lines 15 and 16				
<b>4</b> Benefits paid to or for members				
<b>5</b> Compensation of current officers, directors, trustees, and key employees	1,475,791	535,635	686,757	253,399
<b>6</b> Compensation not included above, to disqualified persons (as defined under section 4958(f)(1)) and persons described in section 4958(c)(3)(B)				
<b>7</b> Other salaries and wages	12,153,383	10,814,469	687,962	650,952
<b>8</b> Pension plan accruals and contributions (include section 401(k) and 403(b) employer contributions)	795,666	735,666	23,181	36,819
<b>9</b> Other employee benefits	1,143,027	989,622	104,109	49,296
<b>10</b> Payroll taxes	940,850	803,016	79,375	58,459
<b>11</b> Fees for services (non-employees):				
<b>a</b> Management				
<b>b</b> Legal	1,413,373	1,413,373		
<b>c</b> Accounting	53,250	53,250		
<b>d</b> Lobbying	10,200	10,200		
<b>e</b> Professional fundraising services. See Part IV, line 17				
<b>f</b> Investment management fees	174,019		174,019	
<b>g</b> Other. (If line 11g amount exceeds 10% of line 25, column (A) amount, list line 11g expenses on Schedule O.)	1,546,386	1,546,386		
<b>12</b> Advertising and promotion	724,499	636,313		88,186
<b>13</b> Office expenses	1,091,557	976,532	64,450	50,575
<b>14</b> Information technology	618,858	510,196	47,829	60,833
<b>15</b> Royalties				
<b>16</b> Occupancy	1,778,902	1,599,883	127,325	51,694
<b>17</b> Travel	620,890	470,401	23,824	126,665
<b>18</b> Payments of travel or entertainment expenses for any federal, state, or local public officials				
<b>19</b> Conferences, conventions, and meetings	311,112	256,288	13,313	41,511
<b>20</b> Interest				
<b>21</b> Payments to affiliates				
<b>22</b> Depreciation, depletion, and amortization	388,492	338,281	32,102	18,109
<b>23</b> Insurance	128,894	113,610	9,189	6,095
<b>24</b> 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.)				
<b>a</b> Program Comm/Ed- Regional	1,273,898	1,273,898		
<b>b</b> Program Communication/Ed	386,176	386,176		
<b>c</b> Subscriptions and Referen	144,448	140,653	217	3,578
<b>d</b> Professional Dues	106,704	101,981	2,479	2,244
<b>e</b> All other expenses	453,049	410,311	18,423	24,315
<b>25</b> Total functional expenses. Add lines 1 through 24e	27,768,510	24,151,226	2,094,554	1,522,730
<b>26</b> 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 <input type="checkbox"/> if following SOP 98-2 (ASC 958-720)				

**Part X Balance Sheet**Check if Schedule O contains a response or note to any line in this Part X ☐

		(A) Beginning of year		(B) End of year
<b>Assets</b>	<b>1</b> Cash—non-interest bearing	1,200	1	1,000
	<b>2</b> Savings and temporary cash investments	3,433,734	2	5,220,319
	<b>3</b> Pledges and grants receivable, net	2,330,000	3	983,500
	<b>4</b> Accounts receivable, net		4	156,040
	<b>5</b> Loans and other receivables from current and former officers, directors, trustees, key employees, and highest compensated employees. Complete Part II of Schedule L		5	
	<b>6</b> 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 instructions). Complete Part II of Schedule L		6	
	<b>7</b> Notes and loans receivable, net		7	
	<b>8</b> Inventories for sale or use		8	
	<b>9</b> Prepaid expenses and deferred charges	294,851	9	240,223
	<b>10a</b> Land, buildings, and equipment: cost or other basis. Complete Part VI of Schedule D	10a 2,817,450		
	<b>b</b> Less: accumulated depreciation	10b 1,947,601	10c	869,849
	<b>11</b> Investments—publicly traded securities	88,298,131	11	111,431,903
	<b>12</b> Investments—other securities. See Part IV, line 11		12	
	<b>13</b> Investments—program-related. See Part IV, line 11		13	
	<b>14</b> Intangible assets		14	
	<b>15</b> Other assets. See Part IV, line 11	164,226	15	192,444
<b>16</b> Total assets. Add lines 1 through 15 (must equal line 34)	95,406,749	16	119,095,278	
<b>Liabilities</b>	<b>17</b> Accounts payable and accrued expenses	688,814	17	771,017
	<b>18</b> Grants payable		18	
	<b>19</b> Deferred revenue		19	
	<b>20</b> Tax-exempt bond liabilities		20	
	<b>21</b> Escrow or custodial account liability. Complete Part IV of Schedule D		21	
	<b>22</b> 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	
	<b>23</b> Secured mortgages and notes payable to unrelated third parties		23	
	<b>24</b> Unsecured notes and loans payable to unrelated third parties		24	
	<b>25</b> 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		25	
	<b>26</b> Total liabilities. Add lines 17 through 25	688,814	26	771,017
<b>Net Assets or Fund Balances</b>	Organizations that follow SFAS 117 (ASC 958), check here <input checked="" type="checkbox"/> and complete lines 27 through 29, and lines 33 and 34.			
	<b>27</b> Unrestricted net assets	45,462,162	27	61,569,364
	<b>28</b> Temporarily restricted net assets	45,155,773	28	52,654,897
	<b>29</b> Permanently restricted net assets	4,100,000	29	4,100,000
	Organizations that do not follow SFAS 117 (ASC 958), check here <input type="checkbox"/> and complete lines 30 through 34.			
	<b>30</b> Capital stock or trust principal, or current funds		30	
	<b>31</b> Paid-in or capital surplus, or land, building, or equipment fund		31	
	<b>32</b> Retained earnings, endowment, accumulated income, or other funds		32	
	<b>33</b> Total net assets or fund balances	94,717,935	33	118,324,261
<b>34</b> Total liabilities and net assets/fund balances	95,406,749	34	119,095,278	

**Part XI Reconciliation of Net Assets**Check if Schedule O contains a response or note to any line in this Part XI ☐

1	Total revenue (must equal Part VIII, column (A), line 12)	1	47,016,574
2	Total expenses (must equal Part IX, column (A), line 25)	2	27,768,510
3	Revenue less expenses. Subtract line 2 from line 1	3	19,248,064
4	Net assets or fund balances at beginning of year (must equal Part X, line 33, column (A))	4	94,717,935
5	Net unrealized gains (losses) on investments	5	4,358,261
6	Donated services and use of facilities	6	
7	Investment expenses	7	
8	Prior period adjustments	8	1
9	Other changes in net assets or fund balances (explain in Schedule O)	9	
10	Net assets or fund balances at end of year. Combine lines 3 through 9 (must equal Part X, line 33, column (B))	10	118,324,261

**Part XII Financial Statements and Reporting**Check if Schedule O contains a response or note to any line 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
2b 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	
2c 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
3b 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.		

**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 dotted 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			
(20) Thomas F. Taft, Sr.	5.00									
Trustee	0.00	X						0	0	0
(21) William L. Want	3.00									
Trustee	0.00	X						0	0	0
(22) Nancy Hanes White	2.00									
Trustee	0.00	X						0	0	0
(23) Wendy B. Brown	8.00									
Trustee	0.00	X						0	0	0
(24) Charles W. Patrick, Jr	5.00									
Trustee	0.00	X						0	0	0
(25) Laura B. Fjeld	3.00									
Trustee	0.00	X						0	0	0
(26) Jeffery M. Gleason	3.50									
Trustee	0.00	X						0	0	0
(27) C. Grey McLean	2.50									
Trustee	0.00	X						0	0	0
<b>1b Sub-total</b>										
<b>c Total from continuation sheets to Part VII, Section A</b>										
<b>d Total (add lines 1b and 1c)</b>										

**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

**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		
4		
5		

**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

**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

**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 dotted 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			
(28) John Simpkins	3.00									
Trustee	0.00	X						0	0	0
(29) B. Clayton Rolader	8.00									
Trustee	0.00	X						0	0	0
(30) Melanie P. Grinney	3.00									
Trustee	0.00	X						0	0	0
(31) Holly Hueston	50.00									
Treasurer	0.00			X				163,982	0	27,468
(32) Hayley M. Parrish	45.00									
Secretary	0.00			X				91,377	0	16,517
(33) Derb Carter	50.00									
Dir. of NC Office	0.00			X				209,361	0	36,188
(34) Marie Hawthorne	50.00									
Dir. of Development	0.00			X				203,522	0	43,847
(35) John Suttles	50.00									
Dir. of Litigation	0.00			X				197,583	0	33,416
<b>1b Sub-total</b>								<b>865,825</b>		<b>157,436</b>
<b>c Total from continuation sheets to Part VII, Section A</b>										
<b>d Total (add lines 1b and 1c)</b>										

**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

**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		
4		
5		

**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

**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

**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 dotted 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			
(36) Frank Holleman	50.00									
Senior Litigator	0.00					X		158,005	0	45,245
(37) Oliver Pollard	50.00									
Senior Attorney	0.00					X		156,210	0	38,463
(38) Barry A. Brock	50.00									
Senior Attorney	0.00					X		153,844	0	16,450
(39) David Carr	50.00									
General Counsel	0.00					X		152,887	0	27,026
(40) James Holman	50.00									
Senior Attorney	0.00					X		151,327	0	13,583
<b>1b Sub-total</b>								<b>772,273</b>		<b>140,767</b>
<b>c Total from continuation sheets to Part VII, Section A</b>										
<b>d Total (add lines 1b and 1c)</b>										

**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

**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

4

5

**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

**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

**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.**

▶ **Go to [www.irs.gov/Form990](http://www.irs.gov/Form990) for instructions and the latest information.**

OMB No. 1545-0047

**2017**

**Open to Public  
Inspection**

Name of the organization

**Southern Environmental Law Center  
Frederick S. Middleton III**

Employer identification number

**52-1436778**

**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 12, 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 (Form 990 or 990-EZ).)
- 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 agricultural research organization described in **section 170(b)(1)(A)(ix)** operated in conjunction with a land-grant college or university or a non-land grant college of agriculture (see instructions). Enter the name, city, and state of the college or university: .....
- 10 ☐ 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.)
- 11 ☐ An organization organized and operated exclusively to test for public safety. See **section 509(a)(4)**.
- 12 ☐ 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 in lines 12a through 12d that describes the type of supporting organization and complete lines 12e, 12f, and 12g.
- a ☐ **Type I.** A supporting organization operated, supervised, or controlled by its supported organization(s), typically by giving the supported organization(s) the power to regularly appoint or elect a majority of the directors or trustees of the supporting organization. **You must complete Part IV, Sections A and B.**
- b ☐ **Type II.** A supporting organization supervised or controlled in connection with its supported organization(s), by having control or management of the supporting organization vested in the same persons that control or manage the supported organization(s). **You must complete Part IV, Sections A and C.**
- c ☐ **Type III functionally integrated.** A supporting organization operated in connection with, and functionally integrated with, its supported organization(s) (see instructions). **You must complete Part IV, Sections A, D, and E.**
- d ☐ **Type III non-functionally integrated.** A supporting organization operated in connection with its supported organization(s) that is not functionally integrated. The organization generally must satisfy a distribution requirement and an attentiveness requirement (see instructions). **You must complete Part IV, Sections A and D, and Part V.**
- e ☐ Check this box if the organization received a written determination from the IRS that it is a Type I, Type II, Type III functionally integrated, or Type III non-functionally integrated supporting organization.
- f Enter the number of supported organizations: .....
- g Provide the following information about the supported organization(s): .....

(i) Name of supported organization	(ii) EIN	(iii) Type of organization (described on lines 1–10 above (see instructions))	(iv) Is the organization listed in your governing document?		(v) Amount of monetary support (see instructions)	(vi) Amount of other support (see instructions)
			Yes	No		
(A)						
(B)						
(C)						
(D)						
(E)						
Total						

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

Schedule A (Form 990 or 990-EZ) 2017



**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) 2013	(b) 2014	(c) 2015	(d) 2016	(e) 2017	(f) Total
<b>1</b> Gifts, grants, contributions, and membership fees received. (Do not include any "unusual grants.")	22,982,313	38,048,275	34,321,929	35,875,013	44,811,460	176,038,990
<b>2</b> Tax revenues levied for the organization's benefit and either paid to or expended on its behalf						
<b>3</b> The value of services or facilities furnished by a governmental unit to the organization without charge						
<b>4 Total.</b> Add lines 1 through 3	22,982,313	38,048,275	34,321,929	35,875,013	44,811,460	176,038,990
<b>5</b> 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)						0
<b>6 Public support.</b> Subtract line 5 from line 4.						176,038,990

**Section B. Total Support**

Calendar year (or fiscal year beginning in)	(a) 2013	(b) 2014	(c) 2015	(d) 2016	(e) 2017	(f) Total
<b>7</b> Amounts from line 4	22,982,313	38,048,275	34,321,929	35,875,013	44,811,460	176,038,990
<b>8</b> Gross income from interest, dividends, payments received on securities loans, rents, royalties, and income from similar sources	659,204	798,585	991,374	1,389,136	2,064,459	5,902,758
<b>9</b> Net income from unrelated business activities, whether or not the business is regularly carried on						
<b>10</b> Other income. Do not include gain or loss from the sale of capital assets (Explain in Part VI.)	8,955					8,955
<b>11 Total support.</b> Add lines 7 through 10						181,950,703
<b>12</b> Gross receipts from related activities, etc. (see instructions)					12	692,145
<b>13 First five years.</b> 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 <b>stop here</b>						<input type="checkbox"/>

**Section C. Computation of Public Support Percentage**

<b>14</b> Public support percentage for 2017 (line 6, column (f) divided by line 11, column (f))	<b>14</b>	96.75%
<b>15</b> Public support percentage from 2016 Schedule A, Part II, line 14	<b>15</b>	97.15%
<b>16a 33 1/3% support test—2017.</b> If the organization did not check the box on line 13, and line 14 is 33 1/3% or more, check this box and <b>stop here.</b> The organization qualifies as a publicly supported organization	<input checked="" type="checkbox"/>	
<b>b 33 1/3% support test—2016.</b> 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 <b>stop here.</b> The organization qualifies as a publicly supported organization	<input type="checkbox"/>	
<b>17a 10%-facts-and-circumstances test—2017.</b> 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 <b>stop here.</b> Explain in Part VI how the organization meets the "facts-and-circumstances" test. The organization qualifies as a publicly supported organization	<input type="checkbox"/>	
<b>b 10%-facts-and-circumstances test—2016.</b> 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 <b>stop here.</b> Explain in Part VI how the organization meets the "facts-and-circumstances" test. The organization qualifies as a publicly supported organization	<input type="checkbox"/>	
<b>18 Private foundation.</b> 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"/>	

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

(Complete only if you checked the box on line 10 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) 2013	(b) 2014	(c) 2015	(d) 2016	(e) 2017	(f) Total
<b>1</b> Gifts, grants, contributions, and membership fees received. (Do not include any "unusual grants.")						
<b>2</b> 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						
<b>3</b> Gross receipts from activities that are not an unrelated trade or business under section 513						
<b>4</b> Tax revenues levied for the organization's benefit and either paid to or expended on its behalf						
<b>5</b> The value of services or facilities furnished by a governmental unit to the organization without charge						
<b>6</b> Total. Add lines 1 through 5						
<b>7a</b> Amounts included on lines 1, 2, and 3 received from disqualified persons						
<b>b</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						
<b>c</b> Add lines 7a and 7b						
<b>8</b> Public support. (Subtract line 7c from line 6.)						

**Section B. Total Support**

Calendar year (or fiscal year beginning in)	(a) 2013	(b) 2014	(c) 2015	(d) 2016	(e) 2017	(f) Total
<b>9</b> Amounts from line 6						
<b>10a</b> Gross income from interest, dividends, payments received on securities loans, rents, royalties, and income from similar sources						
<b>b</b> Unrelated business taxable income (less section 511 taxes) from businesses acquired after June 30, 1975						
<b>c</b> Add lines 10a and 10b						
<b>11</b> Net income from unrelated business activities not included in line 10b, whether or not the business is regularly carried on						
<b>12</b> Other income. Do not include gain or loss from the sale of capital assets (Explain in Part VI.)						
<b>13</b> Total support. (Add lines 9, 10c, 11, and 12.)						
<b>14</b> 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 <input type="checkbox"/>						

**Section C. Computation of Public Support Percentage**

<b>15</b> Public support percentage for 2017 (line 8, column (f) divided by line 13, column (f))	15	%
<b>16</b> Public support percentage from 2016 Schedule A, Part III, line 15	16	%

**Section D. Computation of Investment Income Percentage**

<b>17</b> Investment income percentage for 2017 (line 10c, column (f) divided by line 13, column (f))	17	%
<b>18</b> Investment income percentage from 2016 Schedule A, Part III, line 17	18	%
<b>19a</b> 33 1/3% support tests—2017. 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 <input type="checkbox"/>		
<b>b</b> 33 1/3% support tests—2016. 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 <input type="checkbox"/>		
<b>20</b> Private foundation. If the organization did not check a box on line 14, 19a, or 19b, check this box and see instructions <input type="checkbox"/>		

**Part IV Supporting Organizations**

(Complete only if you checked a box in line 12 on Part I. If you checked 12a of Part I, complete Sections A and B. If you checked 12b of Part I, complete Sections A and C. If you checked 12c of Part I, complete Sections A, D, and E. If you checked 12d of Part I, complete Sections A and D, and complete Part V.)

**Section A. All Supporting Organizations**

	Yes	No
<b>1</b> Are all of the organization's supported organizations listed by name in the organization's governing documents? If "No," describe in <b>Part VI</b> how the supported organizations are designated. If designated by class or purpose, describe the designation. If historic and continuing relationship, explain.		
<b>2</b> Did the organization have any supported organization that does not have an IRS determination of status under section 509(a)(1) or (2)? If "Yes," explain in <b>Part VI</b> how the organization determined that the supported organization was described in section 509(a)(1) or (2).		
<b>3a</b> Did the organization have a supported organization described in section 501(c)(4), (5), or (6)? If "Yes," answer (b) and (c) below.		
<b>b</b> Did the organization confirm that each supported organization qualified under section 501(c)(4), (5), or (6) and satisfied the public support tests under section 509(a)(2)? If "Yes," describe in <b>Part VI</b> when and how the organization made the determination.		
<b>c</b> Did the organization ensure that all support to such organizations was used exclusively for section 170(c)(2)(B) purposes? If "Yes," explain in <b>Part VI</b> what controls the organization put in place to ensure such use.		
<b>4a</b> Was any supported organization not organized in the United States ("foreign supported organization")? If "Yes," and if you checked 12a or 12b in Part I, answer (b) and (c) below.		
<b>b</b> Did the organization have ultimate control and discretion in deciding whether to make grants to the foreign supported organization? If "Yes," describe in <b>Part VI</b> how the organization had such control and discretion despite being controlled or supervised by or in connection with its supported organizations.		
<b>c</b> Did the organization support any foreign supported organization that does not have an IRS determination under sections 501(c)(3) and 509(a)(1) or (2)? If "Yes," explain in <b>Part VI</b> what controls the organization used to ensure that all support to the foreign supported organization was used exclusively for section 170(c)(2)(B) purposes.		
<b>5a</b> Did the organization add, substitute, or remove any supported organizations during the tax year? If "Yes," answer (b) and (c) below (if applicable). Also, provide detail in <b>Part VI</b> , including (i) the names and EIN numbers of the supported organizations added, substituted, or removed; (ii) the reasons for each such action; (iii) the authority under the organization's organizing document authorizing such action; and (iv) how the action was accomplished (such as by amendment to the organizing document).		
<b>b</b> <b>Type I or Type II only.</b> Was any added or substituted supported organization part of a class already designated in the organization's organizing document?		
<b>c</b> <b>Substitutions only.</b> Was the substitution the result of an event beyond the organization's control?		
<b>6</b> Did the organization provide support (whether in the form of grants or the provision of services or facilities) to anyone other than (i) its supported organizations, (ii) individuals that are part of the charitable class benefited by one or more of its supported organizations, or (iii) other supporting organizations that also support or benefit one or more of the filing organization's supported organizations? If "Yes," provide detail in <b>Part VI</b> .		
<b>7</b> Did the organization provide a grant, loan, compensation, or other similar payment to a substantial contributor (defined in section 4958(c)(3)(C)), a family member of a substantial contributor, or a 35% controlled entity with regard to a substantial contributor? If "Yes," complete Part I of Schedule L (Form 990 or 990-EZ).		
<b>8</b> Did the organization make a loan to a disqualified person (as defined in section 4958) not described in line 7? If "Yes," complete Part I of Schedule L (Form 990 or 990-EZ).		
<b>9a</b> Was the organization controlled directly or indirectly at any time during the tax year by one or more disqualified persons as defined in section 4946 (other than foundation managers and organizations described in section 509(a)(1) or (2))? If "Yes," provide detail in <b>Part VI</b> .		
<b>b</b> Did one or more disqualified persons (as defined in line 9a) hold a controlling interest in any entity in which the supporting organization had an interest? If "Yes," provide detail in <b>Part VI</b> .		
<b>c</b> Did a disqualified person (as defined in line 9a) have an ownership interest in, or derive any personal benefit from, assets in which the supporting organization also had an interest? If "Yes," provide detail in <b>Part VI</b> .		
<b>10a</b> Was the organization subject to the excess business holdings rules of section 4943 because of section 4943(f) (regarding certain Type II supporting organizations, and all Type III non-functionally integrated supporting organizations)? If "Yes," answer 10b below.		
<b>b</b> Did the organization have any excess business holdings in the tax year? (Use Schedule C, Form 4720, to determine whether the organization had excess business holdings.)		

**Part IV Supporting Organizations (continued)**

	Yes	No
<b>11</b> Has the organization accepted a gift or contribution from any of the following persons?		
<b>a</b> A person who directly or indirectly controls, either alone or together with persons described in (b) and (c) below, the governing body of a supported organization?		
<b>b</b> A family member of a person described in (a) above?		
<b>c</b> A 35% controlled entity of a person described in (a) or (b) above? If "Yes" to a, b, or c, provide detail in Part VI.		

**Section B. Type I Supporting Organizations**

	Yes	No
<b>1</b> Did the directors, trustees, or membership of one or more supported organizations have the power to regularly appoint or elect at least a majority of the organization's directors or trustees at all times during the tax year? If "No," describe in Part VI how the supported organization(s) effectively operated, supervised, or controlled the organization's activities. If the organization had more than one supported organization, describe how the powers to appoint and/or remove directors or trustees were allocated among the supported organizations and what conditions or restrictions, if any, applied to such powers during the tax year.		
<b>2</b> Did the organization operate for the benefit of any supported organization other than the supported organization(s) that operated, supervised, or controlled the supporting organization? If "Yes," explain in Part VI how providing such benefit carried out the purposes of the supported organization(s) that operated, supervised, or controlled the supporting organization.		

**Section C. Type II Supporting Organizations**

	Yes	No
<b>1</b> Were a majority of the organization's directors or trustees during the tax year also a majority of the directors or trustees of each of the organization's supported organization(s)? If "No," describe in Part VI how control or management of the supporting organization was vested in the same persons that controlled or managed the supported organization(s).		

**Section D. All Type III Supporting Organizations**

	Yes	No
<b>1</b> Did the organization provide to each of its supported organizations, by the last day of the fifth month of the organization's tax year, (i) a written notice describing the type and amount of support provided during the prior tax year, (ii) a copy of the Form 990 that was most recently filed as of the date of notification, and (iii) copies of the organization's governing documents in effect on the date of notification, to the extent not previously provided?		
<b>2</b> Were any of the organization's officers, directors, or trustees either (i) appointed or elected by the supported organization(s) or (ii) serving on the governing body of a supported organization? If "No," explain in Part VI how the organization maintained a close and continuous working relationship with the supported organization(s).		
<b>3</b> By reason of the relationship described in (2), did the organization's supported organizations have a significant voice in the organization's investment policies and in directing the use of the organization's income or assets at all times during the tax year? If "Yes," describe in Part VI the role the organization's supported organizations played in this regard.		

**Section E. Type III Functionally-Integrated Supporting Organizations**

- 1** Check the box next to the method that the organization used to satisfy the Integral Part Test during the year (see instructions).
- a** ☐ The organization satisfied the Activities Test. Complete line 2 below.
- b** ☐ The organization is the parent of each of its supported organizations. Complete line 3 below.
- c** ☐ The organization supported a governmental entity. Describe in Part VI how you supported a government entity (see instructions).

**2 Activities Test. Answer (a) and (b) below.**

- a** Did substantially all of the organization's activities during the tax year directly further the exempt purposes of the supported organization(s) to which the organization was responsive? If "Yes," then in Part VI identify those supported organizations and explain how these activities directly furthered their exempt purposes, how the organization was responsive to those supported organizations, and how the organization determined that these activities constituted substantially all of its activities.
- b** Did the activities described in (a) constitute activities that, but for the organization's involvement, one or more of the organization's supported organization(s) would have been engaged in? If "Yes," explain in Part VI the reasons for the organization's position that its supported organization(s) would have engaged in these activities but for the organization's involvement.
- 3 Parent of Supported Organizations. Answer (a) and (b) below.**
- a** Did the organization have the power to regularly appoint or elect a majority of the officers, directors, or trustees of each of the supported organizations? Provide details in Part VI.
- b** Did the organization exercise a substantial degree of direction over the policies, programs, and activities of each of its supported organizations? If "Yes," describe in Part VI the role played by the organization in this regard.

	Yes	No
<b>2a</b>		
<b>2b</b>		
<b>3a</b>		
<b>3b</b>		

**Part V Type III Non-Functionally Integrated 509(a)(3) Supporting Organizations**

- 1 ☐ Check here if the organization satisfied the Integral Part Test as a qualifying trust on Nov. 20, 1970 (explain in Part VI). See instructions. All other Type III non-functionally integrated supporting organizations must complete Sections A through E.

Section A - Adjusted Net Income		(A) Prior Year	(B) Current Year (optional)
1	Net short-term capital gain	1	
2	Recoveries of prior-year distributions	2	
3	Other gross income (see instructions)	3	
4	Add lines 1 through 3.	4	
5	Depreciation and depletion	5	
6	Portion of operating expenses paid or incurred for production or collection of gross income or for management, conservation, or maintenance of property held for production of income (see instructions)	6	
7	Other expenses (see instructions)	7	
8	Adjusted Net Income (subtract lines 5, 6 and 7 from line 4).	8	

Section B - Minimum Asset Amount		(A) Prior Year	(B) Current Year (optional)
1	Aggregate fair market value of all non-exempt-use assets (see instructions for short tax year or assets held for part of year):		
a	Average monthly value of securities	1a	
b	Average monthly cash balances	1b	
c	Fair market value of other non-exempt-use assets	1c	
d	Total (add lines 1a, 1b, and 1c)	1d	
e	Discount claimed for blockage or other factors (explain in detail in Part VI):		
2	Acquisition indebtedness applicable to non-exempt-use assets	2	
3	Subtract line 2 from line 1d.	3	
4	Cash deemed held for exempt use. Enter 1-1/2% of line 3 (for greater amount, see instructions).	4	
5	Net value of non-exempt-use assets (subtract line 4 from line 3)	5	
6	Multiply line 5 by .035.	6	
7	Recoveries of prior-year distributions	7	
8	Minimum Asset Amount (add line 7 to line 6)	8	

Section C - Distributable Amount			Current Year
1	Adjusted net income for prior year (from Section A, line 8, Column A)	1	
2	Enter 85% of line 1.	2	
3	Minimum asset amount for prior year (from Section B, line 8, Column A)	3	
4	Enter greater of line 2 or line 3.	4	
5	Income tax imposed in prior year	5	
6	Distributable Amount. Subtract line 5 from line 4, unless subject to emergency temporary reduction (see instructions).	6	
7	<input type="checkbox"/> Check here if the current year is the organization's first as a non-functionally integrated Type III supporting organization (see instructions).		

**Part V Type III Non-Functionally Integrated 509(a)(3) Supporting Organizations** (continued)**Section D - Distributions**

Current Year

<b>1</b>	Amounts paid to supported organizations to accomplish exempt purposes	
<b>2</b>	Amounts paid to perform activity that directly furthers exempt purposes of supported organizations, in excess of income from activity	
<b>3</b>	Administrative expenses paid to accomplish exempt purposes of supported organizations	
<b>4</b>	Amounts paid to acquire exempt-use assets	
<b>5</b>	Qualified set-aside amounts (prior IRS approval required)	
<b>6</b>	Other distributions (describe in <b>Part VI</b> ). See instructions.	
<b>7</b>	<b>Total annual distributions.</b> Add lines 1 through 6.	
<b>8</b>	<b>Distributions to attentive supported organizations to which the organization is responsive</b> (provide details in <b>Part VI</b> ). See instructions.	
<b>9</b>	Distributable amount for 2017 from Section C, line 6	
<b>10</b>	Line 8 amount divided by line 9 amount	

**Section E - Distribution Allocations** (see instructions)(i)  
Excess Distributions(ii)  
Underdistributions  
Pre-2017(iii)  
Distributable  
Amount for 2017

<b>1</b>	Distributable amount for 2017 from Section C, line 6			
<b>2</b>	Underdistributions, if any, for years prior to 2017 (reasonable cause required-explain in <b>Part VI</b> ). See instructions.			
<b>3</b>	Excess distributions carryover, if any, to 2017:			
<b>a</b>				
<b>b</b>	From 2013			
<b>c</b>	From 2014			
<b>d</b>	From 2015			
<b>e</b>	From 2016			
<b>f</b>	<b>Total</b> of lines 3a through e			
<b>g</b>	Applied to underdistributions of prior years			
<b>h</b>	Applied to 2017 distributable amount			
<b>i</b>	Carryover from 2012 not applied (see instructions)			
<b>j</b>	Remainder. Subtract lines 3g, 3h, and 3i from 3f.			
<b>4</b>	Distributions for 2017 from Section D, line 7: \$			
<b>a</b>	Applied to underdistributions of prior years			
<b>b</b>	Applied to 2017 distributable amount			
<b>c</b>	Remainder. Subtract lines 4a and 4b from 4.			
<b>5</b>	Remaining underdistributions for years prior to 2017, if any. Subtract lines 3g and 4a from line 2. For result greater than zero, explain in <b>Part VI</b> . See instructions.			
<b>6</b>	Remaining underdistributions for 2017. Subtract lines 3h and 4b from line 1. For result greater than zero, explain in <b>Part VI</b> . See instructions.			
<b>7</b>	<b>Excess distributions carryover to 2018.</b> Add lines 3j and 4c.			
<b>8</b>	Breakdown of line 7:			
<b>a</b>	Excess from 2013			
<b>b</b>	Excess from 2014			
<b>c</b>	Excess from 2015			
<b>d</b>	Excess from 2016			
<b>e</b>	Excess from 2017			

**Part VI Supplemental Information.** Provide the explanations required by Part II, line 10; Part II, line 17a or 17b; Part III, line 12; Part IV, Section A, lines 1, 2, 3b, 3c, 4b, 4c, 5a, 6, 9a, 9b, 9c, 11a, 11b, and 11c; Part IV, Section B, lines 1 and 2; Part IV, Section C, line 1; Part IV, Section D, lines 2 and 3; Part IV, Section E, lines 1c, 2a, 2b, 3a and 3b; Part V, line 1; Part V, Section B, line 1e; Part V, Section D, lines 5, 6, and 8; and Part V, Section E, lines 2, 5, and 6. Also complete this part for any additional information. (See instructions.)

**Part II, Line 10 - Other Income Detail**

**Misc Income** \$ 8,955

**Supplemental Information**

**Misc Income - \$8,955 University of Virginia Environmental Law Clinic**

**SCHEDULE C**  
**(Form 990 or 990-EZ)**

**Political Campaign and Lobbying Activities**

OMB No. 1545-0047

**2017**

**Open to Public  
Inspection**

**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.**

▶ **Go to [www.irs.gov/Form990](http://www.irs.gov/Form990) for instructions and the latest information.**

Department of the Treasury  
Internal Revenue Service

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

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

Name of organization **Southern Environmental Law Center  
Frederick S. Middleton III**

Employer identification number  
**52-1436778**

**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. (see instructions for definition of "political campaign activities")
- 2 Political campaign activity expenditures (see instructions) ▶ \$
- 3 Volunteer hours for political campaign activities (see instructions)

**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-
(1)				
(2)				
(3)				
(4)				
(5)				
(6)				



**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												
<b>1a</b> Total lobbying expenditures to influence public opinion (grass roots lobbying) .....	177,810													
<b>b</b> Total lobbying expenditures to influence a legislative body (direct lobbying) .....	218,142													
<b>c</b> Total lobbying expenditures (add lines 1a and 1b) .....	395,952													
<b>d</b> Other exempt purpose expenditures .....	27,372,558													
<b>e</b> Total exempt purpose expenditures (add lines 1c and 1d) .....	27,768,510													
<b>f</b> 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.													
<b>g</b> Grassroots nontaxable amount (enter 25% of line 1f) .....	250,000													
<b>h</b> Subtract line 1g from line 1a. If zero or less, enter -0- .....	0													
<b>i</b> Subtract line 1f from line 1c. If zero or less, enter -0- .....	0													
<b>j</b> 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 separate instructions for lines 2a through 2f.)

**Lobbying Expenditures During 4-Year Averaging Period**

Calendar year (or fiscal year beginning in)	(a) 2014	(b) 2015	(c) 2016	(d) 2017	(e) Total
<b>2a</b> Lobbying nontaxable amount	1,000,000	1,000,000	1,000,000	1,000,000	4,000,000
<b>b</b> Lobbying ceiling amount (150% of line 2a, column (e))					6,000,000
<b>c</b> Total lobbying expenditures	259,071	387,535	459,827	395,952	1,502,385
<b>d</b> Grassroots nontaxable amount	250,000	250,000	250,000	250,000	1,000,000
<b>e</b> Grassroots ceiling amount (150% of line 2d, column (e))					1,500,000
<b>f</b> Grassroots lobbying expenditures	16,157	99,973	177,390	177,810	471,330

**Part II-B Complete if the organization is exempt under section 501(c)(3) and has NOT filed Form 5768 (election under section 501(h)).**

For each "Yes," response on lines 1a through 1i below, provide in Part IV a detailed description of the lobbying activity.

	(a)		(b)
	Yes	No	Amount
1 During the year, did the filing organization attempt to influence foreign, national, state or local legislation, including any attempt to influence public opinion on a legislative matter or referendum, through the use of:			
a Volunteers?			
b Paid staff or management (include compensation in expenses reported on lines 1c through 1i)?			
c Media advertisements?			
d Mailings to members, legislators, or the public?			
e Publications, or published or broadcast statements?			
f Grants to other organizations for lobbying purposes?			
g Direct contact with legislators, their staffs, government officials, or a legislative body?			
h Rallies, demonstrations, seminars, conventions, speeches, lectures, or any similar means?			
i Other activities?			
j Total. Add lines 1c through 1i			
2a Did the activities in line 1 cause the organization to be not described in section 501(c)(3)?			
b If "Yes," enter the amount of any tax incurred under section 4912			
c If "Yes," enter the amount of any tax incurred by organization managers under section 4912			
d If the filing organization incurred a section 4912 tax, did it file Form 4720 for this year?			

**Part III-A Complete if the organization is exempt under section 501(c)(4), section 501(c)(5), or section 501(c)(6).**

	Yes	No
1 Were substantially all (90% or more) dues received nondeductible by members?		
2 Did the organization make only in-house lobbying expenditures of \$2,000 or less?		
3 Did the organization agree to carry over lobbying and political campaign activity expenditures from the prior year?		

**Part III-B Complete if the organization is exempt under section 501(c)(4), section 501(c)(5), or section 501(c)(6) and if either (a) BOTH Part III-A, lines 1 and 2, are answered "No," OR (b) Part III-A, line 3, is answered "Yes."**

1 Dues, assessments and similar amounts from members	1	
2 Section 162(e) nondeductible lobbying and political expenditures (do not include amounts of political expenses for which the section 527(f) tax was paid).		
a Current year	2a	
b Carryover from last year	2b	
c Total	2c	
3 Aggregate amount reported in section 6033(e)(1)(A) notices of nondeductible section 162(e) dues	3	
4 If notices were sent and the amount on line 2c exceeds the amount on line 3, what portion of the excess does the organization agree to carryover to the reasonable estimate of nondeductible lobbying and political expenditure next year?	4	
5 Taxable amount of lobbying and political expenditures (see instructions)	5	

**Part IV Supplemental Information**

Provide the descriptions required for Part I-A, line 1; Part I-B, line 4; Part I-C, line 5; Part II-A (affiliated group list); Part II-A, lines 1 and 2 (see instructions); and Part II-B, line 1. Also, complete this part for any additional information.

## Part IV Supplemental Information (continued)

**SCHEDULE D  
(Form 990)**

Department of the Treasury  
Internal Revenue Service

**Supplemental Financial Statements**

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

▶ Attach to Form 990.

▶ Go to [www.irs.gov/Form990](http://www.irs.gov/Form990) for instructions and the latest information.

OMB No. 1545-0047

**2017**

Open to Public  
Inspection

Name of the organization

**Southern Environmental Law Center  
Frederick S. Middleton III**

Employer identification number

**52-1436778**

**Part I Organizations Maintaining Donor Advised Funds or Other Similar Funds or Accounts.**

Complete if the organization answered "Yes" on Form 990, Part IV, line 6.

	(a) Donor advised funds	(b) Funds and other accounts
1 Total number at end of year		
2 Aggregate value of contributions to (during year)		
3 Aggregate value of 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" on Form 990, Part IV, line 7.

1 Purpose(s) of conservation easements held by the organization (check all that apply).

<input type="checkbox"/> Preservation of land for public use (e.g., recreation or education)	<input type="checkbox"/> Preservation of a historically important land area
<input type="checkbox"/> Protection of natural habitat	<input type="checkbox"/> Preservation of a certified historic structure
<input type="checkbox"/> 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 7/25/06, 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? ☐ Yes ☐ No

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

7 Amount of expenses incurred in monitoring, inspecting, handling of violations, 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)? ☐ Yes ☐ No

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" on 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) Revenue included on 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 Revenue included on 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" on 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:

- c Beginning balance .....  
 d Additions during the year .....  
 e Distributions during the year .....  
 f Ending balance .....

	Amount
1c	
1d	
1e	
1f	

2a Did the organization include an amount on Form 990, Part X, line 21, for escrow or custodial account liability? ☐ Yes ☐ No

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

**Part V Endowment Funds.**

Complete if the organization answered "Yes" on 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	34,112,253	25,690,860	8,319,470	7,642,602	6,579,853
b Contributions	8,787,556	5,098,926	17,782,155		
c Net investment earnings, gains, and losses	6,253,758	3,322,467	-410,765	676,868	1,062,749
d Grants or scholarships					
e Other expenditures for facilities and programs					
f Administrative expenses					
g End of year balance	49,153,567	34,112,253	25,690,860	8,319,470	7,642,602

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

- a Board designated or quasi-endowment ▶ 79.00 %  
 b Permanent endowment ▶ 8.00 %  
 c Temporarily restricted endowment ▶ 13.00 %

The percentages on 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:

- (i) unrelated organizations .....  
 (ii) related organizations .....

	Yes	No
3a(i)		X
3a(ii)		X
3b		

b If "Yes" on line 3a(ii), are the related organizations listed as required on Schedule R?

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

**Part VI Land, Buildings, and Equipment.**

Complete if the organization answered "Yes" on Form 990, Part IV, line 11a. 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				
b Buildings				
c Leasehold improvements		1,423,740	1,041,936	381,804
d Equipment		828,384	500,368	328,016
e Other		565,326	405,297	160,029
<b>Total.</b> Add lines 1a through 1e. (Column (d) must equal Form 990, Part X, column (B), line 10c.)				869,849

**Part VII Investments—Other Securities.**

Complete if the organization answered "Yes" on Form 990, Part IV, line 11b. 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) .....		
<b>Total.</b> (Column (b) must equal Form 990, Part X, col. (B) line 12.) ▶		

**Part VIII Investments—Program Related.**

Complete if the organization answered "Yes" on Form 990, Part IV, line 11c. See Form 990, Part X, line 13.

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

**Part IX Other Assets.**

Complete if the organization answered "Yes" on Form 990, Part IV, line 11d. See Form 990, Part X, line 15.

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

**Part X Other Liabilities.**

Complete if the organization answered "Yes" on Form 990, Part IV, line 11e or 11f. See Form 990, Part X, line 25.

1. (a) Description of liability	(b) Book value
(1) Federal income taxes .....	
(2) .....	
(3) .....	
(4) .....	
(5) .....	
(6) .....	
(7) .....	
(8) .....	
(9) .....	
<b>Total.</b> (Column (b) must equal Form 990, Part X, col. (B) line 25.) ▶	

2. Liability for uncertain tax positions. 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.**

Complete if the organization answered "Yes" on Form 990, Part IV, line 12a.

1	Total revenue, gains, and other support per audited financial statements	1	51,216,021
2	Amounts included on line 1 but not on Form 990, Part VIII, line 12:		
a	Net unrealized gains (losses) on investments	2a	4,358,261
b	Donated services and use of facilities	2b	15,205
c	Recoveries of prior year grants	2c	
d	Other (Describe in Part XIII.)	2d	
e	Add lines 2a through 2d	2e	4,373,466
3	Subtract line 2e from line 1	3	46,842,555
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	174,019
b	Other (Describe in Part XIII.)	4b	
c	Add lines 4a and 4b	4c	174,019
5	Total revenue. Add lines 3 and 4c. (This must equal Form 990, Part I, line 12.)	5	47,016,574

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

Complete if the organization answered "Yes" on Form 990, Part IV, line 12a.

1	Total expenses and losses per audited financial statements	1	27,609,696
2	Amounts included on line 1 but not on Form 990, Part IX, line 25:		
a	Donated services and use of facilities	2a	15,205
b	Prior year adjustments	2b	
c	Other losses	2c	
d	Other (Describe in Part XIII.)	2d	
e	Add lines 2a through 2d	2e	15,205
3	Subtract line 2e from line 1	3	27,594,491
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	174,019
b	Other (Describe in Part XIII.)	4b	
c	Add lines 4a and 4b	4c	174,019
5	Total expenses. Add lines 3 and 4c. (This must equal Form 990, Part I, line 18.)	5	27,768,510

**Part XIII Supplemental Information.**

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 XIII - Supplemental Financial Information****Part V, Line 4 - Intended Uses of Endowment Funds**

To provide a source of long-term operating revenue.

Part XIII Supplemental Information (continued)



**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" on Form 990, Part IV, line 21 or 22.  
▶ Attach to Form 990.

OMB No. 1545-0047

**2017**

**Open to Public  
Inspection**

Name of the organization

**Southern Environmental Law Center  
Frederick S. Middleton III**

Employer identification number

**52-1436778**

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

☒ Yes ☐ No

**Part II Grants and Other Assistance to Domestic Organizations and Domestic Governments.** Complete if the organization answered "Yes" on 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
(1)	GA Forestwatch 81 Crown Mountain Place, Building C Dahlonega GA 30533	58-2188475		11,000				Forests
(2)	Virginia Wilderness Committee PO Box 1235 Lexington VA 22450	31-1641293		8,651				Forests
(3)	Cahaba River Society 2717 7th Avenue South Birmingham AL 35233	63-0987276		5,785				Clean Water
(4)								
(5)								
(6)								
(7)								
(8)								
(9)								

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

▶ 7

**3** Enter total number of other organizations listed in the line 1 table

▶ 1

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

DAA

Schedule I (Form 990) (2017)

**Part III Grants and Other Assistance to Domestic Individuals.** Complete if the organization answered "Yes" on 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 noncash assistance	(e) Method of valuation (book, FMV, appraisal, other)	(f) Description of noncash assistance
1					
2					
3					
4					
5					
6					
7					

**Part IV Supplemental Information.** Provide the information required in Part I, line 2; Part III, column (b); and any other additional information.**Part I, Line 2 - Procedures for Monitoring the Use of Grant Funds**

When SELC receives grant award correspondence, essential information is recorded in the donor database about grantor's intentions and restrictions on how the grant monies are to be utilized. All grant agreements and pertinent correspondence is kept on file in the Development department and is forwarded annually to SELC's accounting department for audit purposes. Grant revenue received and the various restrictions on it is tracked and reconciled annually against the records of SELC's accounting department. Grantees are given written grant award letters that require them to use the funds in accordance with the grant letters.

**SCHEDULE J**  
**(Form 990)**

**Compensation Information**

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

- Complete if the organization answered "Yes" on Form 990, Part IV, line 23.  
► Attach to Form 990.

► Go to [www.irs.gov/Form990](http://www.irs.gov/Form990) for instructions and the latest information.

OMB No. 1545-0047

**2017**

Open to Public Inspection

Department of the Treasury  
Internal Revenue Service

Name of the organization

**Southern Environmental Law Center  
Frederick S. Middleton III**

Employer identification number

**52-1436778**

**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 on 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 checked="" 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 (such as, 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 directors, trustees, and officers, including 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 checked="" type="checkbox"/> Compensation committee          | <input type="checkbox"/> Written employment contract                                |
| <input type="checkbox"/> Independent compensation consultant        | <input checked="" type="checkbox"/> Compensation survey or study                    |
| <input checked="" 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 on 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), 501(c)(4), and 501(c)(29) organizations must complete lines 5–9.**

**5** For persons listed on 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" on line 5a or 5b, describe in Part III.

**6** For persons listed on 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" on line 6a or 6b, describe in Part III.

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

**8** Were any amounts reported on 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" on line 8, did the organization also follow the rebuttable presumption procedure described in Regulations section 53.4958-6(c)?

Yes No

**1b** **X**

**2** **X**

**4a** **X**

**4b** **X**

**4c** **X**

**5a** **X**

**5b** **X**

**6a** **X**

**6b** **X**

**7** **X**

**8** **X**

**9**

**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 on 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 aren't 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 in column (B) reported as deferred on prior Form 990
	(i) Base compensation	(ii) Bonus & incentive compensation	(iii) Other reportable compensation				
1 Frederick S. Middleton III President	298,730	38,000	25,100	50,157	22,274	434,261	0
2 Holly Hueston Treasurer	146,716	14,900	2,366	14,920	12,548	191,450	0
3 Derb Carter Dir. of NC Office	193,518	15,000	843	18,761	17,427	245,549	0
4 Marie Hawthorne Dir. of Development	170,862	15,000	17,660	19,052	24,795	247,369	0
5 John Suttles Dir. of Litigation	167,374	15,000	15,209	18,044	15,372	230,999	0
6 Frank Holleman Senior Litigator	142,327	15,000	678	15,351	29,894	203,250	0
7 Oliver Pollard Senior Attorney	119,757	14,600	21,853	14,169	24,294	194,673	0
8 Barry A. Brock Senior Attorney	132,830	20,419	595	4,373	12,077	170,294	0
9 David Carr General Counsel	128,655	9,600	14,632	13,918	13,108	179,913	0
10 James Holman Senior Attorney	123,122	12,000	16,205	13,583	0	164,910	0
11							0
12							
13							
14							
15							
16							

Part III Supplemental Information

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

Part I, Line 1a - Fringe or Expense Explanation

Frederick S. Middleton's wife, Chita Middleton travelled to a board meeting in order to carry out requested board activities on behalf of SELC. This is deemed to be a working condition fringe benefit.

**SCHEDULE M**  
**(Form 990)**

**Noncash Contributions**

OMB No. 1545-0047

**2017**

**Open To Public  
Inspection**

Department of the Treasury  
Internal Revenue Service

- ▶ **Complete if the organizations answered "Yes" on Form 990, Part IV, lines 29 or 30.**  
▶ **Attach to Form 990.**  
▶ **Go to [www.irs.gov/Form990](http://www.irs.gov/Form990) for the latest information.**

Name of the organization

**Southern Environmental Law Center  
Frederick S. Middleton III**

Employer identification number

**52-1436778**

**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	<b>X</b>	<b>73</b>	<b>917,245</b>	<b>FMV</b>
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

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

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

31 Does the organization have a gift acceptance policy that requires the review of any nonstandard 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 didn't report an amount in column (c) for a type of property for which column (a) is checked, describe in Part II.

Yes No

30a		<b>X</b>
31		<b>X</b>
32a	<b>X</b>	

**Part II Supplemental Information.** 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.

**Part I, Line 32b - Third Party Used to Process Noncash Contributions**

Scott & Stringfellow processes stock donations for Southern Environmental Law Center.

**Schedule M - Supplemental Information**

Southern Environmental Law Center is reporting in Part I, column (b) the number of contributions.

**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.

▶ Go to [www.irs.gov/Form990](http://www.irs.gov/Form990) for the latest information.

OMB No. 1545-0047

**2017**

Open to Public  
Inspection

Name of the organization

Southern Environmental Law Center  
Frederick S. Middleton III

Employer identification number

52-1436778

**Form 990, Part III, Line 4d - All Other Accomplishments**

**National Forests and Parks:** To ensure that Southern  
Appalachian national forests are managed primarily for fish and wildlife;  
clean water, recreation and scenic beauty; and to protect the integrity of  
the Great Smoky Mountains and Shenandoah National Parks.

**Land and Community:** To promote vibrant communities and the protection of  
natural and rural areas, and to reduce regional greenhouse gas emissions  
and other harmful pollutants through smarter growth and more sustainable  
transportation systems.

**Form 990, Part VI, Line 11b - Organization's Process to Review Form 990**

The Form 990 was distributed to all board members before filing.

The Board Audit Committee met and discussed the document with independent  
auditors, Executive Director, Director of Finance and General Counsel.

**Form 990, Part VI, Line 12c - Enforcement of Conflicts Policy**

The conflict of interest policy is a section of SELC's Code of Ethics  
included in the employee's policies, and is provided to every employee  
as part of their orientation and is available on the company intranet. The  
conflict of interest policy is distributed to all Trustees annually and any  
potential conflicts of interest are to be immediately disclosed to the  
Audit committee.



Name of the organization

Employer identification number

Southern Environmental Law Center

52-1436778

## Form 990, Part VI, Line 15a - Compensation Process for Top Official

The Compensation subcommittee of the Executive Committee meets annually and in the absence of the Executive Director to discuss the Executive Director's performance. The committee determines compensation and benefits using comparative data from other organizations' Form 990 and salary surveys. The committee chair communicates the decisions made by the committee to the Executive Director and Director of Finance in a signed memo.

## Form 990, Part VI, Line 15b - Compensation Process for Officers

The Compensation subcommittee makes decisions based on the recommendations from the Executive Director.

## Form 990, Part VI, Line 17 - Other States Where Copy of Return is Filed

New Jersey, Dist of Columbia, Pennsylvania, Illinois, Kansas, Michigan, Minnesota, New Hampshire, New Mexico, Rhode Island, Utah, West Virginia, Wisconsin, Mississippi

## Form 990, Part VI, Line 19 - Governing Documents Disclosure Explanation

These documents are available to the public upon written request.

**Southern Environmental Law Center**  
**Litigation Statement**  
*September 2018*

1. Lynne Vicary, et al. v. Town of Awendaw, et al.
  - a. South Carolina Supreme Court
  - b. To challenge illegal annexation of national forest land to secure connections to an in-holding of the Francis Marion National Forest.
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
2. Defenders of Wildlife v. BP
  - a. United States District Court for the Eastern District of Louisiana.
  - b. To ensure that BP is held responsible for the harm to endangered species and their habitat that occurred as a result of the Deepwater Horizon oil spill.
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
3. In the Matter of: Application of Duke Energy Corporation and Progress Energy, Inc. to Engage in a Business Combination Transaction and to Address Regulatory Conditions and Codes of Conduct
  - a. North Carolina Utilities Commission
  - b. To advocate for conditions on approval of the merger of Duke Energy and Progress Energy to protect customers and the environment.
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
4. Application Regarding the Acquisition of Progress Energy, Incorporated by Duke Energy Corporation and Merger of Progress Energy Carolinas, Incorporated and Duke Energy Carolinas, LLC
  - a. South Carolina Public Service Commission
  - b. To advocate for conditions on approval of the merger of Duke Energy and Progress Energy to protect customers and the environment.
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
5. In the Matter of: Santee-Cooper restoration of Santee River fish passages
  - a. United States District Court; United States Court of Appeals
  - b. Restore fish passage and water flows for the Santee River.
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.

6. Catawba Riverkeeper Foundation and Clean Air Carolina v. North Carolina Department of Transportation, Eugene Conti, Secretary, NCDOT, Federal Highway Administration, John F. Sullivan, III, Division Administrator, FHWA (5:15-cv-00029-D)
  - a. United States District Court for the Eastern District of North Carolina, Western Division.
  - b. We are seeking to enforce the National Environmental Policy Act as to the proposed Garden Parkway to be built near Charlotte, North Carolina. The case has been dismissed.
  - c. We submitted an application for attorneys' fees in the Eastern District on June 7, 2016. On March 1, 2017 we submitted a Joint Notice of Provisional Settlement, wherein we stated our intent to withdraw our application for attorneys' fees upon settlement of the case. The settlement agreement was executed on November 9, 2017. We received \$2,000 on February 7, 2018 from FHWA. We filed a motion to withdraw our application for attorneys' fees on April 24, 2018 and the motion was granted on April 30th, 2018.
7. State of North Carolina v. Duke Energy Progress
  - a. North Carolina Superior Court for Wake County
  - b. To intervene in a state-initiated Clean Water Act enforcement action for contamination from coal ash ponds.
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
8. R. Allen Kipp v. Jefferson County; United States v. Jefferson County
  - a. United States District Court, Northern District of Alabama
  - b. We have taken over as counsel for intervenor Cahaba River Society, to enforce the terms of a consent decree negotiated in 1996 regarding Jefferson County, Alabama's repair and maintenance of its sewer system and sewage treatment plants.
  - c. No attorneys' fees were sought or recovered from April 1, 2017 to March 31, 2018.
9. Application of Virginia Electric and Power Company for approval and certification of the Surry-Skiffes Creek transmission line
  - a. Virginia State Corporation Commission
  - b. To support plans to retire the coal-fired units at Yorktown Power Station and Chesapeake Energy Center.
  - c. No attorney's fees were sought or recovered between April 1, 2017 and March 31, 2018.
10. White Stallion Energy Center, LLC v. EPA,
  - a. U.S. Court of Appeals for the District of Columbia
  - b. We are representing American Academy of Pediatrics, American Lung Association, American Nurses Association, American Public Health Association, and Physicians for Social Responsibility to defend health protection standards against hazardous air pollution from coal- and oil-fired power plants. This case is the culmination of our work to overturn the power plant hazardous air pollution delisting rule.

- c. No attorney's fees were sought or recovered between April 1, 2017 and March 31, 2018.
11. Georgia Power Advanced Solar Initiative
- a. Georgia Public Service Commission
  - b. To participate in the review of Georgia Power's proposed Advanced Solar Initiative and Advanced Solar Initiative-Prime and provide feedback as necessary to ensure that the utility is fairly valuing solar generation
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
12. Sound Rivers, North Carolina Coastal Federation v. N.C. Department of Environmental Quality, Division of Water Resources and Martin Marietta Materials, Inc.
- a. N.C. Court of Appeals (appeal filed January, 2018)
  - b. To represent organizations challenging NPDES permit issued by N.C. Division of Water Resources under the authority of the Clean Water Act authorizing Martin Marietta's disposal of mine water into Blounts Creek.
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
13. Global Enforcement – NC Coal Ash Sites
- a. NC Superior Courts
  - b. To pursue clean-up of coal ash storage sites across North Carolina.
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
14. Haw River Assembly v. North Carolina Mining and Energy Commission
- a. Wake County Superior Court
  - b. We are involved in this case for several reasons. We have been opposing fracking for years in North Carolina, and this is an extension of that effort. Additionally, we are involved as this case is a way to get at the legislative overreach that has been occurring for the past five years in N.C. This is a direct challenge under the N.C. Constitution to the Legislature's overreach into other branches of government. We are attempting to limit that overreach and reinstate a strong separation of powers in North Carolina.
  - c. No attorneys' fees were sought or recovered from April 1, 2017 to March 31, 2018.
15. Sierra Club v. Virginia Electric and Power Co., d/b/a Dominion Virginia Power
- a. U.S. District Court for the Eastern District of Virginia
  - b. To stop coal ash contamination at Dominion's Chesapeake Energy Center power plant
  - c. Attorneys' fees were sought between this period, and the District Court issued an opinion awarding fees. However, no fees have been recovered as the defendant is appealing both the District Court's decision on the merits and the fee award. The matter is therefore still to be determined.

16. Georgia Power Company's Application for the Certification of the 2015 and 2016 Advanced Solar Initiative Prime Power Purchase Agreements and Request for Approval of the 2015 Advanced Solar Initiative Power Purchase Agreements
  - a. Georgia Public Service Commission
  - b. To support approval of Georgia Power Company's request for certification of new utility-scale solar resources.
  - c. No attorney's fees were sought or received between April 1, 2017 and March 31, 2018.
17. In the Matter of: South Carolina Electric & Gas Company's Annual Update on Demand Side Management Programs and Petition for an Update to Rate Rider
  - a. South Carolina Public Service Commission
  - b. To review SCE&G's implementation of energy efficiency programs and compensation mechanism
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
18. In the Matter of: South Carolina Electric & Gas Company's Annual Update on Demand Side Management Programs and Petition for an Update to Rate Rider
  - a. South Carolina Public Service Commission
  - b. To Review SCE&G's implementation of energy efficiency programs and compensation mechanism.
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
19. In the Matter of: Duke Energy Carolinas, LLC's Integrated Resource Plan (IRP)
  - a. South Carolina Public Service Commission
  - b. To advocate for greater reliance by utility on energy efficiency and renewable energy.
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
20. In the Matter of: Duke Energy Progress, LLC's Integrated Resource Plan (IRP)
  - a. South Carolina Public Service Commission
  - b. To advocate for greater reliance by utility on energy efficiency and renewable energy.
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
21. NC Public Records Act: News & Observer, et al. v. McCrory, et al. (16-725), SELC v. Tennyson (16 CVS 013862), and SELC v. Cohen (16 CVS 013863), and Waterkeeper Alliance v. Troxler (17 CVS 09342)
  - a. North Carolina Superior Court and North Carolina Court of Appeals
  - b. We are seeking to enforce the North Carolina Public Records Act against the North Carolina Governor and his administration. This case is now closed.

- c. Plaintiffs in the case received \$250,000 as part of the settlement agreement. Of that amount, we received \$131,285.05
- d. In 16 CVS 013862, SELC and NCDOT reached a settlement agreement on March 22, 2017 wherein SELC accepted \$1,500 for attorneys' fees on from NCDOT in full settlement of its claims. We received the check for attorneys' fees on April 18, 2017. The case has subsequently been dismissed.
- e. In 16 CVS 013863 the parties reached a settlement agreement, which was executed on June 9, 2017, wherein DHHS paid SELC \$1,500 in attorneys' fees. We received the check for attorneys' fees on July 20, 2017. The case was dismissed on July 18, 2017.
- f. In 17 CVS 09342 the parties executed a settlement agreement on October 4, 2017, wherein the North Carolina Department of Agriculture and Consumer Services reimbursed SELC \$200 for the case's filing fee and \$487.50 for SELC's share of the mediation fee.

22. One Hundred Miles vs. Shore Protection Committee

- a. Georgia Office of State Administrative Hearings
- b. In December 2015, the Sea Island Company received a Georgia Shore Protection Act permit to construct a 360-foot-long T-groin on a spit of land extending from the southernmost end of Sea Island. The proposed groin would have a significant adverse impact on the sand-sharing system, the dynamic dune system, and the conservation of wildlife and critical wildlife habitat on the spit. In January 2016, following the issuance of the Shore Protection Act permit, SELC filed a petition in the Georgia Office of State Administrative Hearings on behalf of One Hundred Miles challenging the permit. We received an adverse decision in that case, which was closed on December 22, 2016, without SELC seeking or recovering fees.
- c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.

23. Virginia Uranium, Inc. et al v. McAuliffe, et al., Case No. 4:15-cv-00031-JLK-RSB

- a. U.S. District Court for the Eastern District of Virginia
- b. To defend the statewide moratorium on uranium mining against Plaintiffs' arguments that the mining band is preempted by the federal Atomic Energy Act
- c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.

24. Virginia Uranium, Inc. et al v. The Commonwealth of Virginia, et al., Case No. CL15-623

- a. Virginia Circuit Court of Wise County
- b. To defend the statewide moratorium on uranium mining against Plaintiffs' arguments that the mining band is invalid under the Virginia Constitution
- c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.

25. Virginia Uranium, Inc. et al v. McAuliffe, et al., Case No. 16-1005

- a. U.S. Court of Appeals for the Fourth Circuit
  - b. To defend the statewide moratorium on uranium mining against Plaintiffs' arguments that the mining ban is preempted by the federal Atomic Energy Act
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
26. Virginia Uranium, Inc. et al v. McAuliffe, et al., Case No. 16-1275
- a. U.S. Supreme Court
  - b. To defend the statewide moratorium on uranium mining against Plaintiffs' arguments that the mining ban is preempted by the federal Atomic Energy Act
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
27. Black Warrior Riverkeeper v. U.S. Army Corps of Engineers (Black Creek Mine)
- a. Northern District of Alabama
  - b. To challenge the Corps' approval of a large coal mine in the Black Warrior River watershed without adequate analysis under the National Environmental Policy Act and without any consultation under the Endangered Species Act.
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
28. Black Warrior Riverkeeper v. U.S. Army Corps of Engineers (BWM Mine #2)
- a. Northern District of Alabama
  - b. To challenge the Corps' approval of a large coal mine in the Black Warrior River watershed without adequate analysis under the National Environmental Policy Act and without any consultation under the Endangered Species Act.
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
29. Congaree Riverkeeper v. Carolina Water Service
- a. District of South Carolina
  - b. To require Carolina Water Service to comply with the terms of its National Pollution Discharge Elimination System Permit and connect to a regional wastewater facility and eliminate its discharge from the Saluda River.
  - c. We filed a petition for approximately \$450,000 in attorneys' fees on April 13, 2017. The court has not yet ruled on this motion.
30. NWF et al v. Corps of Engineers
- a. 6<sup>th</sup> Circuit Court of Appeals and U.S. Supreme Court
  - b. To defend the administration's "Waters of the United States Rule" from challenges brought by industry and states, and to raise discrete affirmative challenges to the rule.
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.

31. SCE&G Solar Valuation Proceeding – 2017

- a. South Carolina Public Service Commission
- b. Our advocacy in this docket aims to ensure that SCE&G is fairly calculating the value of solar in its annual update, consistent with methodology agreed to as part of a settlement with utilities in South Carolina on net metering. Our advocacy in this docket also aims to ensure that SCE&G is fairly and accurately calculating avoided cost rates under federal and state law.
- c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.

32. SCE&G Solar Valuation Proceeding – 2018

- a. South Carolina Public Service Commission
- b. Our advocacy in this docket aims to ensure that SCE&G is fairly calculating the value of solar in its annual update, consistent with methodology agreed to as part of a settlement with utilities in South Carolina on net metering. Our advocacy in this docket also aims to ensure that SCE&G is fairly and accurately calculating avoided cost rates under federal and state law.
- c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.

33. South Carolina Solar Interconnection Standards

- a. South Carolina Public Service Commission
- b. Our advocacy in this docket aims to ensure that utilities' proposed interconnection standards will encourage rather than impede South Carolina customers trying to install and connect solar systems to the electricity grid.
- c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.

34. NC Solar 3rd Party Sales Intervention

- a. North Carolina Utilities Commission and North Carolina Court of Appeals
- b. To support the position that the Commission can and should interpret NC law to allow for third party sales of solar power, promoting access to common-sense financing arrangements that make it easier to invest in solar. On appeal, SELC filed a brief of amici curiae on behalf of faith groups challenging the legal interpretation of the Utilities Commission prohibiting third-party sales of solar power.
- c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.

35. Georgia Power 2016 IRP

- a. Georgia Public Service Commission
- b. To participate in the review of Georgia Power's proposed Integrated Resource Plan and demand side management programs and advocate for increased investments in cost effective solar power and energy efficiency, and ensure that the utility is fairly valuing solar generation



- c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.

36. Alabama Power Renewable Power Proceeding

- a. Alabama Public Service Commission
- b. To advocate in support of renewable energy in connection with Alabama Power's request for authorization to secure up to 500 MW of renewable energy over the next few years.
- c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.

37. DEP Solar Valuation Proceeding - 2017

- a. South Carolina Public Service Commission
- b. Our advocacy in this docket aims to ensure that DEP is fairly calculating the value of solar in its annual update, consistent with methodology agreed to as part of a settlement with utilities in South Carolina on net metering.
- c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.

38. DEP Solar Valuation Proceeding – 2018

- a. South Carolina Public Service Commission
- b. Our advocacy in this docket aims to ensure that DEP is fairly calculating the value of solar in its annual update, consistent with methodology agreed to as part of a settlement with utilities in South Carolina on net metering.
- c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.

39. Red Wolf Coalition et al. v. U.S. Fish and Wildlife Service

- a. Eastern District, North Carolina
- b. Clients Red Wolf Coalition, Defenders of Wildlife, and Animal Welfare Institute are seeking to stop actions of the U.S. Fish and Wildlife Service that are jeopardizing the continued existence of the highly endangered red wolf, the only wild population of which lives in eastern North Carolina.
- c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.

40. Sierra Club v. North Carolina Department of Transportation; James H. Trogon III, Secretary, NCDOT; Federal Highway Administration; John F. Sullivan, Division Administrator, FHWA; U.S. Fish and Wildlife Service; and Pete Benjamin, Field Supervisor, USFWS (16-cv-00300-FL)

- a. United States District Court for the Eastern District of North Carolina, Eastern Division.
- b. We are seeking to enforce the National Environmental Policy Act, Section 4(f) of the Department of Transportation Act, and the Endangered Species Act in regard to the proposed Havelock Bypass to be built in Craven County, North Carolina. The case has subsequently been dismissed.
- c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018. However, we are currently seeking attorneys' fees.

41. Save Our Sound OBX, Inc., Thomas Aschmoneit, Richard Ayella, David Hadley, Mark Haines, Jer Mehta, and Glenn Stevens v. North Carolina Department of Transportation; James Trogdon, Secretary, NCDOT; Federal Highway Administration; and John F. Sullivan, Division Administration, FHWA; and Southern Environmental Law Center.
- a. United States District Court for the Eastern District of North Carolina, Northern Division.
  - b. We intervened in this case as defendant-intervenors in order to defend the settlement agreement reached in a previous iteration of this case (2:11-cv-00035-FL, “Bonner Bridge”).
  - c. No attorneys’ fees were sought or recovered between April 1, 2017 and March 31, 2018.
42. SCE&G Company Nuclear Cost Increase
- a. South Carolina Public Service Commission
  - b. Intervention in the South Carolina PSC on behalf of Coastal Conservation League contending that approval of construction cost increases for under construction nuclear units should be conditioned on new energy efficiency programs to lower customers’ bills. PSC denied our request and we did not appeal.
  - c. No attorneys fees were sought or recovered between April 1, 2017 and March 31, 2018.
43. Sierra Club v. N.C. Department of Transportation, U.S. Federal Highways, U.S. Fish and Wildlife Service
- a. U.S. District Court for the Eastern District of North Carolina
  - b. To represent Sierra Club challenging federal agencies’ approval of the construction of the Havelock Bypass through the Croatan National Forest.
  - c. No attorneys’ fees were sought or recovered between April 1, 2017 and March 31, 2018.
44. Sunset Beach Taxpayers Association, N.C. Coastal Federation v. N.C. Department of Environmental Quality, Division of Coastal Management; Sunset Beach West, LLC
- a. North Carolina Office of Administrative Hearings
  - b. To represent local organizations challenging permit authorizing development on part of an undisturbed barrier island that is adjacent to a state nature preserve.
  - c. No attorneys’ fees were sought or recovered between April 1, 2017 and March 31, 2018.
45. Catawba Riverkeeper Foundation, Inc., Waterkeeper Alliance and Sierra Club v. N.C. Department of Environmental Quality, Division of Water Resources and Duke Energy Carolinas, LLC
- a. North Carolina Office of Administrative Hearings
  - b. To challenge under the CWA the issuance of NPDES Permit NC0004987 for the Marshall Steam Station because of unlawful designation of streams as effluent channels and illegal permit terms.
  - c. No attorneys’ fees were sought or recovered between April 1, 2017 and March 31, 2018.

46. Altamaha Riverkeeper, Inc. v. Richard Dunn, Director, Environmental Protection Division, Georgia Department of Natural Resources, Georgia Court of Appeals
- Georgia Office of State Administrative Hearings, Georgia Court of Appeals
  - To challenge a permit issued by Georgia Department of Natural Resources' Environmental Protection Division against Rayonier Performance Fibers, LLC for discharges into Altamaha River.
  - No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
47. NCUC Biennial Avoided Cost Proceeding
- North Carolina Utilities Commission
  - Our advocacy in this docket aims to ensure that North Carolina electric utilities, including Duke Energy and Dominion North Carolina Power, are fairly and accurately calculating avoided cost rates and providing nondiscriminatory terms and conditions under federal and state law.
  - No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
48. Coosa Riverkeeper, Inc. v. Oxford Water Works and Sewer Board
- Northern District of Alabama, Southern Division
  - We filed this citizen's suit action under the Clean Water Act to enforce serious permit violations (illegal discharges) by the plant.
  - Attorney's fees have been sought but not awarded as the case is pending.
49. State of Alabama v. Oxford Waterworks and Sewer Board
- Circuit Court of Talladega County, Alabama
  - We intervened in this case (as a plaintiff) filed by state regulators to ensure that all permit violations sued upon are properly enforced.
  - Attorney's fees have been sought but not awarded as the case is pending.
50. Maxine Mine – Black Warrior Riverkeeper v. Drummond Company
- Northern District of Alabama, Southern District
  - We filed this citizen's suit under the Clean Water Act to stop illegal discharges of acid mine drainage and compel remediation of an abandoned mine site.
  - Attorney's fees have been requested but not awarded as the case is pending.
51. N.C. Sustainable Energy Association v. State of North Carolina ex rel. Utilities Commission, et al.
- North Carolina Court of Appeals
  - To challenge narrow utilities commission interpretation of statutory definition of energy efficiency to exclude a type of combined heat and power technology.
  - No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
52. Alabama Rivers Alliance and American Rivers v. FERC and U.S. Fish and Wildlife Service

- a. United States Court of Appeals for the District of D.C.
  - b. To challenge a FERC license for 7 dams on the Coosa River that was approved without adequate environmental review, mitigation, or consultation on endangered species' impacts
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
  
- 53. National Park Conservation Association and the St. Marys Riverkeeper v. Camden County
  - a. Camden County Board of Commissioners
  - b. We were involved in the case to challenge a variance that the Camden County Planning Commission had issued to a partnership that was proposing to build 10 houses on the Cumberland Island National Seashore. The Cumberland Island National Seashore is an iconic barrier island off the coast of Georgia. It is our intent to do everything we can to limit any development of Cumberland Island . The Board of Commissioners tabled the appeal of the variance when the National Park Service decided to facilitate the disagreement between the partnership and other property owners on the island and the public. We are now waiting for the facilitation to begin. We are hoping to reach a creative solution to this dispute.
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
  
- 54. Direct Energy Services, LLC - Petition for a Declaratory Judgment
  - a. Virginia State Corporation Commission
  - b. To support access to third-party financing for renewable energy
  - c. No attorney's fees were sought or recovered between April 1, 2017 – March 31, 2018.
  
- 55. In Re: Evaluating the establishment of protocols, a methodology, and a formula to measure the impact of energy efficiency measures
  - a. Virginia State Corporation Commission
  - b. To advocate for better protocols to evaluate, measure, and verify utility-sponsored demand-side management programs.
  - c. No attorney's fees were sought or recovered between April 1, 2017 – March 31, 2018.
  
- 56. Plantation Pipeline Spill (Kinder Morgan Energy Partners, LP)
  - a. US Court of Appeals for the 4<sup>th</sup> Circuit
  - b. To challenge the ongoing, unlawful discharges of gasoline and petroleum contaminants into the Savannah River watershed.
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
  
- 57. Flint Riverkeeper et al. v. TenCate
  - a. Middle District of Georgia
  - b. Major Clean Water Act citizen suit case.

- c. Attorney's fees were sought but not recovered between April 1, 2017 – March 31, 2018. The case is ongoing so we haven't submitted anything to the Court yet. Our time so far is around \$200,000.

58. National Audubon Society v. U.S. Army Corps of Engineers and Town of Ocean Isle Beach

- a. United States District Court for the Eastern District of North Carolina
- b. To represent Audubon in challenging permit authorizing construction of a terminal groin on the east end of Ocean Isle Beach
- c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018

59. Potomac Riverkeeper, Inc. d/b/a Potomac Riverkeeper Network and Shenandoah Riverkeeper v. Virginia Department of Environmental Quality and Massanutten Public Service Corporation

- a. Circuit Court of the City of Richmond
- b. To obtain nutrient limits for the Massanutten sewage treatment plant to improve water quality in the Shenandoah.
- c. No attorneys' fees were sought or recovered from April 1, 2017 and March 31, 2018.

60. Atlantic Seismic – TGS, et al.

- a. Department of Interior Board of Land Appeals
- b. Clients North Carolina Coastal Federation, South Carolina Coastal Conservation League, 100 Miles, and Defenders of Wildlife sought to intervene in industry challenge to the denial of the permits to conduct seismic testing in the Atlantic.
- c. No attorneys' fees were sought or recovered from April 1, 2017 and March 31, 2018.

61. Clean Air Carolina, Natural Resources Defense Council, Inc., and U.S. Public Interest Research Group, Inc. v. U.S. Department of Transportation, Elaine L. Chao, Federal Highway Administration, and Brandye Hendrickson (1:17-cv-5779)

- a. United States District Court for the Southern District of New York.
- b. We are seeking to hold unlawful and set aside FHWA's suspension of a final greenhouse gas regulation under the Administrative Procedure Act.
- c. No attorneys' fees were sought or recovered between April 1, 2017, and March 31, 2018.

62. SELC v. U.S. Environmental Protection Agency (3:17-cv-00061) and SELC and Environmental Defense Fund v. U.S. Environmental Protection Agency (3:18-cv-00018)

- a. United States District Court for the Western District of Virginia, Charlottesville Division.

- b. We are seeking to enforce the Freedom of Information Act with regard to EPA's lack of response to our FOIA requests.
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018 in either case.
63. State of North Carolina v. Duke Energy Progress
- a. North Carolina Court of Appeals
  - b. Appeal of Order on Partial Summary Judgment in Superior Court Cases 13-CVS-14661 and 13-CVS-11032 by Duke Energy.
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
64. Sierra Club and the Virginia Wilderness Committee v. US Department of the Interior, National Park Service, Ryan Zinke, Michael T. Reynolds and Stan Austin in their official capacities and Atlantic Coast Pipeline, LLC
- a. United States Court of Appeals for the Fourth Circuit 18-1082
  - b. To challenge the National Park Service's Right of Way Permit No. 5-140-1945 to cross the Blue Ridge Parkway and the Appalachian National Scenic Trail with the Atlantic Coast Pipeline.
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
65. Defenders of Wildlife, Sierra Club and the Virginia Wilderness Committee, v. U.S. Fish and Wildlife Service, Ryan Zinke, Greg Sheehan and Cindy Schulz in their official capacities and Atlantic Coast Pipeline, LLC
- a. United States Court of Appeals for the Fourth Circuit 18-1083- this case was consolidated with the previous case (18-1082) on 3/13/2018
  - b. To challenge the Fish and Wildlife Service's Biological Opinion and Incidental Take Statement dated October 16, 2017 for the Atlantic Coast Pipeline.
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
66. Cowpasture River Preservation Association, Highlanders for Responsible Development, Shenandoah Valley Battlefields Foundation, Shenandoah Valley Network, Sierra Club, Virginia Wilderness Committee and Wild Virginia v. U.S. Forest Service, Kathleen Atkinson and Ken Arney in their official capacities and Atlantic Coast Pipeline, LLC
- a. United States Court of Appeals for the Fourth Circuit 18-1144
  - b. To challenge the U.S. Forest Service's Atlantic Coast Pipeline Project Special Use Permits, Land and Resource Management Plan Amendments Record of Decision and Special Use Permits.
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
67. Sierra Club through its Tennessee Chapter, Tennessee Hartwood and Heartwood
- a. United States District Court Eastern District of Tennessee at Chattanooga

- b. To administratively object to the Cherokee National Forest Service's decision approving the "Dinkey Project" which authorizes high-impact commercial logging on steep slopes adjacent to a pristine trout stream
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018. This case is expected to seek cost recovery.
68. Georgia Power Company's Seventeenth Semi-Annual Construction Monitoring Report, Request for Approval of the Expenditures Made Between January 1, 2017 and June 30, 2017, and Request for Approval of the Revised Project Cost Estimates and Construction Schedule Pursuant to O.C.G.A. § 46-3A-7(b)
- a. Georgia Public Service Commission
  - b. To prevent construction of Plant Vogtle Nuclear Units 3 and 4 by opposing Georgia Power's requested construction cost increase and extended schedule, and to promote solar energy and energy efficiency resources as less costly, reliable alternatives to meet electricity needs.
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
69. Georgia Interfaith Power & Light, et al. v. Georgia Public Service Commission, et al.,
- a. Fulton County Superior Court
  - b. This is an appeal of the final decision in Public Service Commission Docket No. 29849 (see item 4 above) and has the same overall objective.
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
70. Georgia Power Company's Eighteenth Semi-Annual Construction Monitoring Report for Plant Vogtle Units 3 and 4
- a. Georgia Public Service Commission
  - b. This is a continuation of the same docket as item 4 above and has the same overall objective.
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
71. Roanoke River Basin v. Duke Energy Progress LLC (Mayo Plant)
- a. U.S. District Court for the Middle District of NC
  - b. To require Duke Energy to comply with requirement of the federal Coal Combustion Rule to publish a closure plan for the Mayo coal ash lagoon that complies with the federal CCR Rule.
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
72. Roanoke River Basin Association v. Duke Energy Progress LLC (Roxboro Plant)
- a. U.S. District Court for the Middle District of NC

- b. To require Duke Energy to comply with requirement of the federal Coal Combustion Rule to publish a closure plan for the Mayo coal ash lagoon that complies with the federal CCR Rule.
- c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.

73. Roanoke River Basin Association v. Duke Energy Progress LLC (Mayo Plant)

- a. U.S. District Court for the Middle District of NC
- b. To enforce the Clean Water Act and a Clean Water Act permit for water pollution at Duke Energy's Mayo coal ash site.
- c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.

74. Roanoke River Basin Association v. Duke Energy Progress LLC (Roxboro Plant)

- a. U.S. District Court for the Middle District of NC
- b. To enforce the Clean Water Act and a Clean Water Act permit for water pollution at Duke Energy's Roxboro coal ash site.
- c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.

75. Alabama Power Solar Surcharge

- a. Alabama Public Service Commission
- b. To challenge Alabama Power's standby charge on solar-generating customers.
- c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.

76. Alabama Electric Vehicle Docket

- a. Alabama Public Service Commission
- b. To submit comments concerning the Alabama Commission's jurisdiction over electric vehicle charging stations.
- c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.

77. Catawba Riverkeeper Foundation v. NC Department of Environmental Quality

- a. NC Office of Administrative Hearings
- b. We challenged an air permit issued to Duke Energy for its Allen steam station that would have allowed it to use bromide additives, which can cause carcinogens in downstream drinking water. After we filed, NCDEQ quickly reversed course and issued a new permit forbidding bromide additives, so we dismissed our challenge.
- c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.

78. Union County Interbasin Transfer

- a. NC Office of Administrative Hearings



- b. Water Quality protection/sustainable land use practices.
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
79. Francis X DeLuca v. Stein (Attorney General of NC)
- a. Wake County Superior Court
  - b. SELC represents Intervenor-Defendants NC Coastal Federation and Sound Rivers who have received several grants each under the Environmental Enhancement Grant section of the 2000 Agreement between Smithfield and the Attorney General of NC.
  - c. Defendant Stein was awarded summary judgment by the trial court.
80. South Carolina Coastal Conservation League v. Army Corps
- a. United States District Court for the District of S.C.
  - b. To challenge the approval of a new \$2 billion interstate to Myrtle Beach, SC that would destroy hundreds of acres of wetlands when a viable alternative exists but wasn't considered
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
81. In re: Virginia Electric and Power Company's Integrated Resource Plan filing pursuant to Va. Code § 56-597 et seq.
- a. Virginia State Corporation Commission
  - b. To oppose identify errors in the Company's long-term planning that under-deploy renewable and efficiency resources
  - c. No attorney's fees were sought or recovered between April 1, 2017 – March 31, 2018.
82. In re: Appalachian Power Company's Integrated Resource Plan filing pursuant to Va. Code § 56-597 et seq.
- a. Virginia State Corporation Commission
  - b. To oppose identify errors in the Company's long-term planning that under-deploy renewable and efficiency resources
  - c. No attorney's fees were sought or recovered between April 1, 2017 – March 31, 2018.
83. Virginia Electric and Power Company - Petition for approval to extend an existing demand-side management program and for approval of two updated rate adjustment clauses pursuant to § 56-585.1 A 5 of the Code of Virginia
- a. Virginia State Corporation Commission
  - b. To support the Company's application for demand-side management programs and to advocate for greater investments in such programs in order to achieve Virginia's 10% energy savings goal.
  - c. No attorney's fees were sought or recovered between April 1, 2017 – March 31, 2018.

84. Appalachian Power Company - Application for approval of an 100% renewable energy rider pursuant to Sec. 56-577.A.5 of the Code of Virginia
- a. Virginia State Corporation Commission
  - b. To oppose APCo's attempts to block customer access to third-party renewable energy offerings through a utility program that nominally offers renewable energy access but does so at an unjustifiable premium.
  - c. No attorney's fees were sought or recovered between April 1, 2017 – March 31, 2018
85. Virginia Electric and Power Company - For approval of 100 percent renewable energy tariffs pursuant to VA Code section 56-577 A 5 and 56-234
- a. Virginia State Corporation Commission
  - b. To oppose Dominion's attempts to block customer access to third-party renewable energy offerings through a utility program that nominally offers renewable energy access but does so at an unjustifiable premium.
  - c. No attorney's fees were sought or recovered between April 1, 2017 – March 31, 2018
86. Virginia Electric and Power Company - Application for approval of 100 percent renewable energy tariffs for residential and non-residential customers pursuant to VA Code sections 56-577 A 5 and 56-234
- a. Virginia State Corporation Commission
  - b. To oppose Dominion's attempts to block customer access to third-party renewable energy offerings through a utility program that nominally offers renewable energy access but does so at an unjustifiable premium.
  - c. No attorney's fees were sought or recovered between April 1, 2017 – March 31, 2018
87. Virginia Electric and Power Company - To revise its fuel factor pursuant to Va. Code § 56-249.6
- a. Virginia State Corporation Commission
  - b. To evaluate the means by which Dominion uses its captive customers to shift all risk and cost of developing the Atlantic Coast Pipeline onto its customers, regardless of need and service provided to those customers.
  - c. No attorney's fees were sought or recovered between April 1, 2017 – March 31, 2018
88. Virginia Electric and Power Company - Application for approval to establish a Virginia community solar pilot program, pursuant to VA Code section 56-585.1:3
- a. Virginia State Corporation Commission
  - b. To implement community solar legislation that we helped author to provide customer access to solar energy located offsite.
  - c. No attorney's fees were sought or recovered between April 1, 2017 – March 31, 2018

89. Virginia Electric and Power Company v. State Corporation Commission, et al., Supreme Court Record Number 171151
- a. Virginia Supreme Court
  - b. To support the Virginia State Corporation Commission's ruling in Case No. PUE-2016-00094 that large customers have broad access to renewable energy provided by entities other than utilities
  - c. No attorney's fees were sought or recovered between April 1, 2017 – March 31, 2018. The Supreme Court awarded damages to prevailing Appellees in the amount of \$250. SELC's share was \$83.33.
90. Friends of the Earth and Sierra Club v. SCE&G
- a. Public Service Commission of South Carolina
  - b. To protect customers from unnecessary costs related to SCE&G's decisions to abandon its under-construction nuclear facilities and to shape the energy future of South Carolina to focus first on renewable energy and energy efficiency.
  - c. No attorney's fees were sought or recovered between April 1, 2017 – March 31, 2018.
91. ORS Request for Rate Relief from SCE&G's Rates Pursuant to S.C. Code Ann. § 58-27-920
- a. Public Service Commission of South Carolina
  - b. To protect customers from unnecessary costs related to SCE&G's decisions to abandon its under-construction nuclear facilities and to shape the energy future of South Carolina to focus first on renewable energy and energy efficiency.
  - c. No attorney's fees were sought or recovered between April 1, 2017 – March 31, 2018.
92. Joint Application and Petition of SCE&G and Dominion Energy for Review and Approval of a Proposed Business Combination Between SCANA Corporation and Dominion Energy, Inc. ("Dominion Energy")
- a. Public Service Commission of South Carolina
  - b. To protect customers from unnecessary costs related to SCE&G's decisions to abandon its under-construction nuclear facilities and to shape the energy future of South Carolina to focus first on renewable energy and energy efficiency.
  - c. No attorney's fees were sought or recovered between April 1, 2017 – March 31, 2018.
93. NC Community Solar Rulemaking Proceeding
- a. North Carolina Utilities Commission
  - b. Our advocacy in this docket aims to ensure that the rules governing Duke Energy's community solar program are consistent with the North Carolina renewable energy legislation passed in 2017 and with national best practices for community solar programs. Removing barriers to solar power access and making solar power more accessible to low and moderate income customers are key goals of our solar initiative.
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
94. Proceedings to Implement NC Renewable Energy Legislation

- a. North Carolina Utilities Commission
  - b. Our advocacy in these dockets aims to ensure that implementation of North Carolina renewable energy legislation passed in 2017 will promote new investments in large-scale and rooftop solar. Removing barriers to solar power access and making solar power more accessible to low and moderate income customers are key goals of our solar initiative. These proceedings address the following topics related to the renewable energy legislation: solar rebates, solar leasing, community solar, competitive bidding for large-scale projects, and corporate green tariff programs.
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
95. North Carolina Solar Interconnection Standards
- a. North Carolina Utilities Commission
  - b. Our advocacy in this docket aims to ensure that updates to North Carolina's interconnection standards will encourage rather than impede North Carolina customers and solar businesses trying to install and connect solar systems to the electricity grid.
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
96. American Rivers et al. v. Pruitt et al.
- a. U.S. District of South Carolina
  - b. To advocate for clear protections of at risk water resources.
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
97. In the Matter of: Application of Duke Energy Carolinas, LLC for Approval of Demand-Side Management and Energy Efficiency Cost Recovery Rider Pursuant to G.S. 133.9 and Commission Rule R8-69
- a. North Carolina Utilities Commission.
  - b. To review Duke Energy's implementation of energy efficiency programs and compensation mechanism.
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
98. In the Matter of: Application of Progress Energy Carolinas, LLC. for Approval of DSM and Energy Efficiency Cost Recovery Rider Pursuant to G.S. 133.9 and Commission Rule R8-69
- a. North Carolina Utilities Commission
  - b. To review Progress Energy Carolinas' implementation of energy efficiency programs and compensation mechanism.
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
99. In the Matter of: Application of Duke Energy Carolinas, LLC for Approval of Rider 6
- a. South Carolina Public Service Commission

- b. To review Duke Energy Carolinas' implementation of energy efficiency programs and compensation mechanism.
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
100. In the Matter of: Application of Duke Energy Progress, LLC for Approval of Rider DSM/EE-9
- a. South Carolina Public Service Commission
  - b. To review Duke Energy Progress' implementation of energy efficiency programs and compensation mechanism.
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
101. In the Matter of: Application of Duke Energy Carolinas, LLC, for Adjustment of Rates and Charges Applicable to Electric Service in North Carolina
- a. North Carolina Utilities Commission
  - b. To advocate for rates and fees that encourage clean energy and protect ratepayers.
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
102. In the Matter of: Application of Duke Energy Progress, LLC, for Adjustment of Rates and Charges Applicable to Electric Service in North Carolina
- a. North Carolina Utilities Commission
  - b. To advocate for rates and fees that encourage clean energy and protect ratepayers.
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
103. In the Matter of: Application of Duke Energy Carolinas, LLC for a Certificate of Public Convenience and Necessity to Construct a 402-MW Natural Gas-Fired Combustion Turbine Generating Facility in Lincoln County, North Carolina
- a. North Carolina Utilities Commission
  - b. To oppose construction of new gas-fired power plant.
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
104. In the Matter of: Appalachian Voices et al. v. State Water Control Board et al.
- a. U.S. Court of Appeals for the Fourth Circuit
  - b. To oppose construction of new interstate natural gas pipeline
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.
105. In the Matter of: Appalachian Voices et al. v. Federal Energy Regulatory Commission
- a. U.S. Court of Appeals for the Fourth Circuit
  - b. To petition the Fourth Circuit for review of FERC's Order Issuing Certificates in ACP LLC entered on October 13, 2017
  - c. No attorneys' fees were sought or recovered between April 1, 2017 and March 31, 2018.