

CENTER *for* BIOLOGICAL DIVERSITY

2009  
ANNUAL REPORT





The Center for Biological Diversity works through science, law and creative media to secure a future for all species, great or small, hovering on the brink of extinction.

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# LETTER FROM THE DIRECTORS

The Center won standout victories for endangered species in 2009, including a proposal from the federal government to designate 120 million acres of critical habitat for the polar bear in the Arctic. If finalized, this would be the largest, farthest-reaching critical habitat designation since the passing of the Endangered Species Act almost 40 years ago. It comes in response to a years-long Center-led campaign to save polar bears from global warming.

The Center also brought about the reversal of 51 illegal Bush-era decisions on endangered species and habitats, achieved vital new protections for jaguars and Mexican gray wolves, and secured an Environmental Protection Agency decision that marks the first time in history that the Clean Water Act has been invoked to address the threat of ocean acidification.

2009 was a particularly energetic year for us — a year in which, in the face of an ever-more ironclad scientific consensus that greenhouse gas emissions in the Earth’s atmosphere urgently need to be reduced to 350 parts per million or fewer to avoid catastrophic runaway global warming, only a handful of organizations, including the Center, kept up the pressure for national legislation that adheres to this scientific standard. We believe scientific imperatives — not pressure from entrenched commercial interests or the politicians in their thrall — need to determine our course of action against catastrophic climate change and the extinction crisis, and that anything less will fail to solve the problem.



And we’re more grateful than ever that you, the Center’s core members, believe so strongly in the uncompromising passion we bring, through science, law and media, to saving the richness of biological diversity and the integrity of human life-support systems.

With deepest thanks for your support,

Kierán Suckling  
Executive Director

Marcey Olajos  
Board Chair





## CRITICAL HABITAT: PROTECTING PLACE

Keeping crucial lands and waters safe for the rare animals and plants that depend on them will be more vital than ever as the shifting climate and weather patterns of global warming put dangerous pressures on endangered species. Critical habitat, a mechanism

of the Endangered Species Act, is one of the most powerful tools in existence for conserving wilderness and wildlife, and the Center continues to focus on establishing significant new critical habitat areas in the United States.

In 2009, vast swaths of territory were protected under the critical habitat umbrella as a direct result of our legal actions. Alaskan sea otters were granted 3.7 million acres of habitat after a decade of Center work on their behalf, affording them safe haven in nearshore waters off the Aleutian Islands, Bering Sea and Alaska Peninsula. Twenty-five million acres were protected for the Canada lynx in Maine, Minnesota, Wyoming, Idaho and Washington. On the Florida coast, the Center won a designation of more than 840,000 acres for the smalltooth sawfish; also in Florida, as well as Georgia and South Carolina, two newly recognized species — the frosted and reticulated flatwoods salamanders — were given 27,000 acres in response to a suit we brought with local allies.

Three new river systems were added to protected habitat for Atlantic salmon in the Northeast this year, including the Penobscot, Kennebec and Androscoggin rivers, in a designation of about 12,000 additional miles of rivers and estuaries and 300 square miles of lakes. Two little-known plants, the Cook's lomatium and large-flowered woolly meadowfoam, received 11,000 acres.

And in what will be, if it's finalized, the largest critical habitat designation in history, 128 million acres were proposed to be protected for the polar bear in response to our multiyear litigation and education program. Two million acres were proposed for the beluga whale, and 109,000 acres were

proposed for the arroyo toad. Green sturgeon, one of the most massive and prehistoric-era fishes in freshwater, received 8.6 million acres, stretching from Monterey Bay up to the Canadian border, along with a sorely needed recovery plan. And just after New Year's Day, 45 million acres were proposed as habitat for another ancient giant from the time of the dinosaurs, the Pacific leatherback sea turtle.

*Twenty-five million acres in Maine, Minnesota, Wyoming (left), Idaho and Washington were set aside as critical habitat for the Canada lynx in 2009, thanks to Center actions.*





## ENDANGERED SPECIES: BATTLING THE BUSH LEGACY

The past year has seen a cascade of victories in the Center's far-reaching campaign to redress the harm done to endangered species and habitats by the Bush government, which took a notoriously scorched-earth approach to wildlife. The Bush administration was hands-down the worst in U.S. history at listing species under the Endangered Species Act: A mere 62 species earned federal protection throughout the administration's entire eight years, compared to 522 under the Clinton administration and 231 under George H.W. Bush. The Center fought these decisions while President Bush was in office and has continued to fight them over the past year through advocacy, negotiation and the law, with dozens of legal successes.

Reversals of bad Bush decisions have come rolling in as a result of our persistence, and by the end of 2009 we had brought about 51 major changes to wrongful Bush policies on endangered species. Among others, in March we won proposals to protect habitat for four New Mexico and Texas snails and shrimp found nowhere else in the world; and in May we won an agreement from the government to reconsider habitat for the loach minnow and spikedace, two highly imperiled Southwest fish species we've been fighting for since 1993, as well as the Sonoma County population of the beautiful California tiger salamander.

In June, along with our local partners, we secured agreements for reconsideration of habitat for woodland caribou, of which a single herd of only 45 animals remains in the United States, as well as for wolverines,

which are among the rarest mammals in the lower 48 states, and Hawaiian monk seals, of which now only about 1,200 remain in the world.

We won an agreement from the federal government to redo a deeply flawed Bush-era critical habitat designation for the California red-legged frog — a species that went on to receive 1.6 million acres of habitat in early 2010, quadrupling the area the Bush government had wanted to allow it. In December, we secured a proposal of 9,605 acres for the tiny Santa Ana sucker; we also persuaded the feds to reconsider giving critical habitat to 12 little-known invertebrates that live only in Texas caves, including the colorfully named robber baron cave harvestman and Comal Springs riffle beetle.

We successfully halted, last June, a plan to delist the threatened marbled murrelet, and under the terms of an October agreement with the Center, the Thorne's hairstreak butterfly and Hermes copper butterfly will be reconsidered for federal protection.



*The Hawaiian monk seal is one of more than 50 endangered species that won a second chance at protection this past year, due to our persistent campaign to overturn wrongful Bush-era policies.*



## TOXICS: PESTICIDES AND LEAD

**W**e worked on multiple fronts last year to rid our lands and waters of polluting poisons — from inadequately regulated pesticide use across our wildlands and watersheds, to the use of lead ammunition with lethal consequences for rare and vulnerable wildlife.

In the summer of 2009, in response to an appeal by the Center and our partners, the Bureau of Land Management withdrew a massive plan to



allow herbicide spraying across 1.5 million acres in southeastern New Mexico. The proposal had been one of the broadest ever seen in the state, covering source-water zones for the Bitter Lake National Wildlife Refuge, a biologically significant wetland complex. The federal agency had failed to consider alternatives to herbicide use or the impacts of the chemicals on water quality, human health or endangered species. Species saved from the spraying included two rare fish, four invertebrates and the Pecos sunflower.

Through an agreement we achieved with the Environmental Protection Agency, we secured a promise to study the effects of 74 pesticides in habitat for 11 endangered species in the San Francisco Bay area, including the Alameda whipsnake, bay checkerspot butterfly, California clapper rail, California freshwater shrimp, California tiger salamander, delta smelt, salt marsh harvest mouse, San Francisco garter snake and San Joaquin kit fox, as well as to restrict the use of these pesticides in and adjacent to the species' habitats.

Also last summer, we filed a landmark notice of intent to sue the EPA for its failure to protect threatened polar bears from the impacts of pesticides, since pesticides approved for use in the United States are transported to the Arctic and biomagnified with each step higher in the food web, reaching some of their greatest concentrations in the great white bears.



*Center campaigns are helping to rid our wildlands and watersheds of toxics — including lead in habitat for California condors and other wildlife, and pesticides in habitat for the California tiger salamander and 10 other Bay-area endangered species.*

Our nationwide campaign to end the use of lead bullets and shot — which have lethal effects on highly endangered California condors and other wildlife and also pose significant dangers to human health — gained new traction. We filed suit against the Bureau of Land Management and the Fish and Wildlife Service for their failure to protect condors from lead ammunition on public lands near the Grand Canyon. And we continued to lay the groundwork to take our campaign's success in California — which led, a few years ago, to that state's ban on lead hunting ammunition — to the national level, seeking to save a host of endangered species across the United States by replacing lead bullets with less toxic forms of ammunition, as well replacing lead fishing tackle and sinkers.



Our work to stop destructive mining is rapidly expanding. The Center's Grand Canyon campaign, waged alongside Native American allies and others committed to saving this American icon from an ugly uranium boom, helped push the Obama administration last July to temporarily close 1 million acres of public lands surrounding the Grand Canyon to new claims and the exploration or development of existing, unpatented claims.

In September, we won a major appeals court ruling that struck down federal approval of a land exchange with mining giant Asarco. The deal would have handed Asarco about 11,000 acres of valuable public lands in exchange for 7,300 acres of the company's private holdings so that it could expand its massive, open-pit Ray Copper Mine in Arizona. Saying the government's approval of the swap had been "arbitrary and capricious" and ignored the exchange's environmental impacts, the court shut down the deal. Desert tortoises, bighorn sheep and many species of birds were saved from the devastation this public-land giveaway to Asarco would have caused.

The Center's coalition work on the Black Mesa Coal Complex scored a high-profile win in December with the Environmental Protection Agency's withdrawal of a water permit for the massive mine, located on Navajo Nation and Hopi lands. The permit would have allowed the Peabody mining corporation at Black Mesa to continue discharging heavy metals and toxic pollutants into area washes, tributaries and groundwater relied on by local communities.



*In 2009 the Center successfully suspended a number of dirty-energy projects that foul our lands, water and atmosphere — from blocking permits for coal mining and new coal plants, to securing a stay on uranium mining on 1 million acres of public lands surrounding the Grand Canyon.*

Coal-fired power is the single largest contributor to global warming, and the Center believes coal-fired power plants should be phased out quickly and replaced by renewable energy sources. Our work to stop the construction of new coal plants and close dirty facilities scored several wins last year. In the face of our appeals, the EPA held back a permit approving the Desert Rock coal-fired power plant in northwest New Mexico; as we showed, the proposed plant would spew mercury and other contaminants into the San Juan River basin, where the river and two endangered fish species — the Colorado pikeminnow and razorback sucker — are already suffering heavy-metal contamination from three other coal-fired power plants. If approved, the Desert Rock coal plant could emit hundreds of millions of tons of greenhouse gases over its 50-year lifespan, exacerbating local contamination problems in the process.

Also last spring, the Center launched a legal campaign to stop the \$5-billion Ely Energy Center in Nevada, whose massive footprint would have a cascade of damaging effects on local species, groundwater and air quality, as well as the global climate. Shortly thereafter, Ely's proponent, NV Energy, announced indefinite postponement of the plant's construction on environmental grounds. And in Kentucky, we won a good decision on coal in response to a petition we'd filed in 2007, challenging the operating permit for a highly polluting coal-fired facility run by the Tennessee Valley Authority.

## TOXICS: MINING FOR URANIUM, METALS AND COAL

## GLOBAL WARMING: COAL-FIRED POWER PLANTS



The Center's groundbreaking work to protect the Clean Air Act against industry attacks and use this powerful, proven law to curb global warming has made major recent progress. A far-reaching "endangerment" finding from the federal government, which acknowledged carbon dioxide as a danger to human health that should be regulated under the Act, was proposed in April. In December, the finding was finalized — just after we filed our high-profile legal petition to the EPA asking the agency to set a 350-parts-per-million national pollution limit on greenhouse gases.



The petition was the first-ever effort to push the EPA to set a strict atmospheric standard for destructive global warming emissions. Leading climate scientists have established that we need to reduce emissions to 350 parts per million (ppm) or fewer in order to prevent catastrophic runaway global warming. The planet's now hovering around 385 ppm, and weak legislative efforts so far proposed in the United States, whose leadership is needed for global change, clearly do not go far enough. Even if perfectly implemented, for instance, the climate bill passed by the House in 2009 will only get us to 450 ppm — giving us at best a 50-50 chance of avoiding catastrophic warming and making it likely the world's oceans will become so acidic that critically important marine food webs will risk collapse.

The Center's 350 or Bust campaign encompasses this groundbreaking 350 petition and an array of other advocacy and public-education actions we've taken over the past year to push the world to 350, including the launch of our Climate Law Institute in February, our presence at the climate summit in

Copenhagen in December, and our 350 Reasons to Get to 350 campaign, which profiled 350 species that need protection now to avoid being driven extinct by climate change.

In March, instead of improving on the Bush administration's absurdly low fuel-economy standards for cars and light trucks, the Obama administration announced its own standards would be a mile per gallon lower. A few days later, the Center filed suit to overturn those disappointingly weak standards and the federal government quickly backpedaled, agreeing to increase the standards to 35.5 miles per gallon by 2016 — less than ideal, but a significant improvement thanks to our swift action.

We also successfully challenged federal denial of a waiver, required under the Clean Air Act, for the state of California to implement its 2002 Clean Vehicle Law, whose goal was to reduce greenhouse gas emissions from cars sold in California by almost 30 percent by 2030. After two years of legal efforts by the Center and allies, in June the EPA issued the vital California waiver, which will have a ripple effect in other states.

## MEMBER SPOTLIGHT *Doug La Follette*

Back in 1970, when Doug La Follette helped organize the first Earth Day and co-found "Wisconsin Environmental Decade" (now "Clean Wisconsin"), he thought one decade would be enough to fix many of the environmental problems facing his state. Forty years later, Wisconsin Secretary of State La Follette realizes that solving problems on the monumental scale of global warming will take relentless effort, even beyond his lifetime. He sees the Center's role on the climate issue as a critical one — using legal action to hold regulatory agencies like the EPA accountable — and it's one facet of our work that inspired him to become a member of our Legacy Society with a planned gift. "Since the first Earth Day we've learned that protecting our environment is not a one-day event, but must go on continuously if we're going to save the environment for future generations. That's why I was excited to make a legacy gift to the Center, so their work can continue long into the future."





## PREDATORS: AMERICAN JAGUARS

**W**e've worked for more than a decade to protect and recover the jaguar in the American Southwest, but 2009 was a landmark year for these big cats of the borderlands — in ways both tragic and triumphant.

In March 2009, when the Arizona Game and Fish Department euthanized the last known American jaguar — called Macho B — after capturing and

fitting him with a radio collar, the Center swiftly launched a campaign to determine the causes of Macho B's death and prevent the deaths of future jaguars migrating over the border. We immediately called for an independent medical investigation, which would ultimately reveal that Macho B's death was due in large part to illegal agency mismanagement. We persuaded the U.S. Fish and Wildlife Service law-enforcement arm to carry out its own independent investigation. And in September, we filed suit against Arizona Game and Fish to prevent the killing of more jaguars.

Our persistence paid off in January 2010, when the Interior Department's inspector general released a report concluding that Macho B's capture had been intentional — and that Game and Fish had no permit to capture jaguars, either intentionally or otherwise. The same month brought a long-awaited victory when, in response to our extensive litigation, and right after the Center and 36 other conservation organizations wrote a letter to Interior Secretary Ken Salazar to designate critical habitat and develop a federal recovery plan for the jaguar in the United States, the Fish and Wildlife Service announced it would do both.

*A long-awaited agreement securing designated critical habitat and a federal recovery plan for the American jaguar bodes a better future for borderlands jaguars that may be poised to cross into the United States, like this one photographed by motion-sensor camera in Northern Mexico in early 2010.*



## PREDATORS: WOLVES

**2**009 was a mixed year for wolves, bringing death to hundreds in the northern Rockies due to a disappointing move last summer by the Obama administration's Department of Interior, under Secretary Salazar, to embrace a Bush-era plan to remove Endangered Species Act protection from northern wolves. As soon as the decision was announced, the Center and allies filed suit to overturn it and to stop the massive hunts planned by the states of Idaho and Montana following removal of the wolves' protection. A judge found the delisting was probably illegal but declined to stop the fall hunts, which gave carte blanche to the tragic killing of some 500 wolves over the course of the season.

In the Southwest, where wolves are far scarcer, the outlook was better: We called for a desperately needed new Mexican wolf recovery plan and for the halting of wolf removals from the wild. We petitioned to separate the Mexican gray wolf from other U.S. wolf populations and list it under the Endangered Species Act as either an endangered subspecies or a "distinct population segment" — a move that would give the wolf more protection. And as a result of a Center lawsuit, the Department of Agriculture's "Wildlife Services" predator-killing arm was ordered by the court to release records that detailed exactly where Mexican wolves had preyed on livestock, bringing about their shooting or trapping by the agency.

Also in response to our legal action, the Fish and Wildlife Service reclaimed its decision-making authority over Mexican gray wolf management from a group largely hostile to wolf recovery, meaning the much-criticized lethal "three-strikes" rule — responsible for the deaths and capture of many wolves over the years — was finally thrown out.

*From the northern Rockies to the Southwest, the Center fought on several fronts in 2009 to reform policies that have stacked the deck against recovery of gray wolves in the wild.*





## OVERPOPULATION

**E**xplosive and unsustainable human population growth is a root cause of the extinction crisis and also helps drive other key environmental problems, including global warming. In 2009 the Center tackled this major extinction threat head on, launching our creative overpopulation campaign to save endangered species. The simple truth is that without action to curb population growth, other forms of environmental advocacy can only have limited success. Vast human numbers are increasingly reducing our quality of life, sapping the planet's

resources, and driving other species to oblivion, and the possibility of diversity and abundance in the future is being foreclosed.

In the United States, which has the world's third-highest population after China and India, the fertility rate is rising again after leveling off and declining in previous decades. At 2.1 children per woman, our highest rate since 1971, the birthrate is the highest of any developed nation and well above the developed-world average of 1.6. Our current population tops

300 million and is projected to grow by 50 percent by mid-century, eventually approaching 450 million — with at least 9 billion people on the planet.

Discussion of overpopulation has, however, become taboo in the environmental movement. For that reason the first phase of the Center's campaign has been aimed at raising awareness both of the major role that overpopulation plays in environmental arenas and of the solutions to this burgeoning growth: universal access to birth control and education, empowerment of women, and a firm social and political commitment.

Our first major action was the Endangered Species Condoms project, a creative outreach effort that turned into an instant, runaway success. The Center designed and produced six different endangered species condom packages, each featuring original artwork of endangered animals: the polar bear, coquí guajón frog, snail darter, spotted owl, American burying beetle and jaguar. Each packet bears a slogan — say, “Wear with care, save the polar bear” — and language that explains the close connection between human reproductive behavior and the fate of other species. We produced a first run of 100,000 of these free condoms in early 2010 to coincide with Valentine's Day; within days we had 3,000 volunteers step forward to hand them out, all over the country. With the immediate media buzz, our overpopulation campaign went viral. In response to the clamorous demand, we are now producing hundreds of thousands more.



## MEMBER SPOTLIGHT *Tim Hogan*

**E**xtinction isn't the environmental issue that gets the most attention from the media, the public, or even from environmental groups, but Tim Hogan sees it as *the* issue. “Day-to-day species loss is the smoldering fire,” he says, and that's what drew his support to the Center's work in the Southwest's spotted-owl country almost 20 years ago. These days, Tim says, he's impressed that the Center commands a powerful voice on global issues like climate change, and still has the “chops” to tackle tough issues — like overpopulation — that others shy away from. The Boulder, Colorado-based botanist boosts his financial support of the Center with a sustaining membership that makes it simple to contribute a relatively small amount each month, for a gift that adds up over the year. “Once I make the decision, it just keeps on going.”





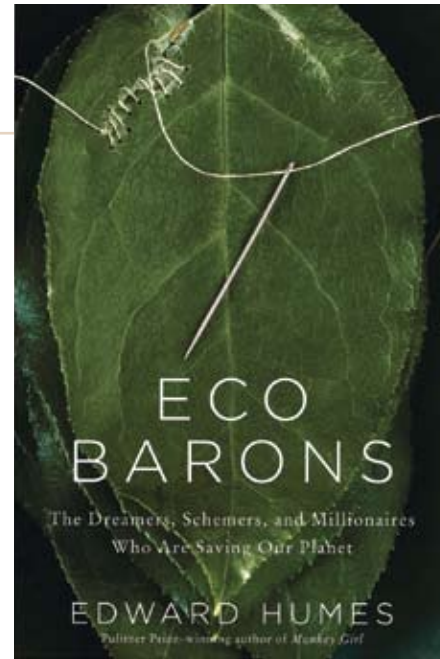
## MEDIA: OF BOOKS & BARONS

Pulitzer Prize-winning journalist Ed Humes' book *Eco Barons*, which was published in 2009 to widespread critical acclaim in reviews and blogs from *The New York Times* to *Time Magazine*, told the story of a quiet green revolution being led by visionaries including the Center for Biological Diversity's founders and staff. Humes believes these "eco barons" are making a vast difference to endangered species and landscapes from the North Pole to the South. Three lengthy chapters in *Eco Barons* were devoted to the Center, whose creative leaders, wrote Humes, have given new life to a stodgy environmental movement.

In Humes' words, "The Center's unparalleled success rate has quietly transformed the American landscape, safeguarding hundreds of millions of acres of wilderness . . . routinely outperforming the better-known and more moneyed conservation organizations in exposing corruption and official lawbreaking, then bending local governments, multinational corporations, and even presidents to its leaders' will . . . It's no exaggeration to say that the modern American environmental movement has been reinvented by the Center."

Also published this year with a strong focus on the Center was Douglas Bevington's *The Rebirth of Environmentalism: Grassroots Activism from the Spotted Owl to the Polar Bear*, a sweeping examination of contemporary activism. According to Bevington: "The Center for Biological Diversity has become one the most successful grassroots biodiversity groups, both in terms of environmental protection and organizational growth . . . It has a 90 percent success rate in litigation . . . And in terms of influence, the Center has more of an impact on species protection through listings and critical habitat designation than even the largest national groups."

*The Center's innovative spirit was celebrated in a wide variety of media last year — including two books charting our rise from a grassroots group saving the Southwest's spotted owls, to a force to be reckoned with on the national scene. Opposite page: Frostpaw the polar bear drew reporters in Copenhagen, while our larger-than-life memorial to Macho B became a powerful presence at Tucson's All Souls Procession.*



## MEDIA: FROSTPAW & MACHO B

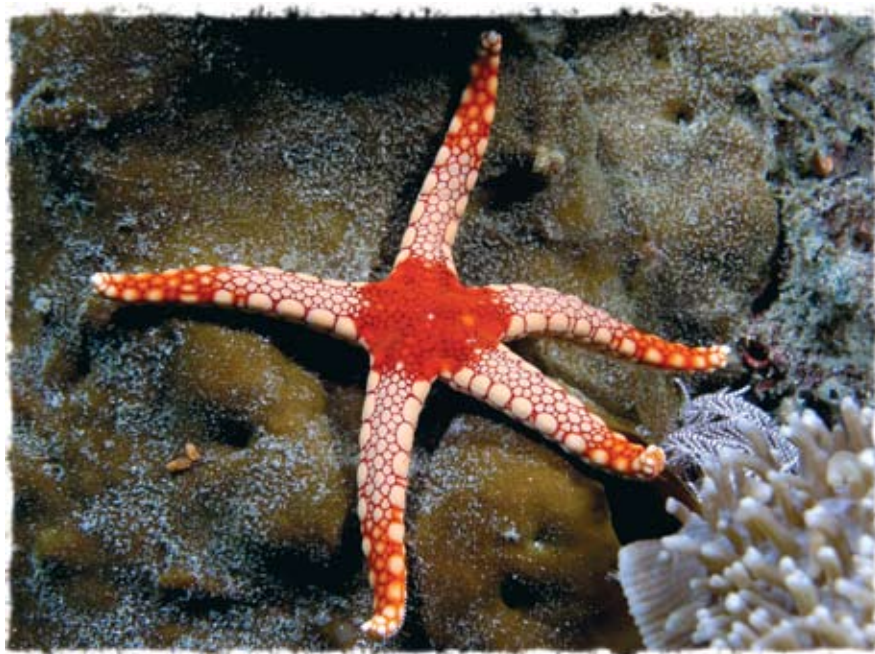
Last year saw our largest-ever media outreach effort in sheer numbers: The hard-hitting polar bear television ads we distributed on a shoestring budget received more than 100 million views by year's end, in both English and Spanish-speaking households, from Alaska to New York to Arizona. The ads clearly helped raise the profile of the great white predators, now a worldwide symbol of the Arctic climate crisis thanks in large part to our legal and media work. Since launching, our ads have ranked 13th most popular of all public service announcements nationwide, creating a groundswell of public fervor that helped us deliver 94,000 petitions to the Obama administration urging it to revoke Bush's "special rule" sharply limiting polar bear protection.

Our own lifelike polar bear, who goes by the moniker "Frostpaw," made numerous *New York Times*, TV, and YouTube interview appearances this year at such venues as the international climate summit in Copenhagen. And far away from the North Pole, in the Center's headquarter city of Tucson, Arizona, our media presence played a critical role in supporting a highly successful campaign to secure new protections for jaguars after the death of Macho B, the last known American jaguar, euthanized in March by a state agency. Our memorial service for Macho was held outside the local offices of the U.S. Fish and Wildlife Service and made a plea for better protection of other jaguars; we also crafted and carried a Macho B puppet in the city's annual All Souls Procession — an immense homemade jaguar with a paper mâché head and paws that floated through a crowd of 50,000.



Our work to save our oceans from global warming and associated large-scale threats like acidification won a crucial victory last spring, when the Environmental Protection Agency, in response to our petition and litigation threat, agreed to take steps to protect U.S. waters from the threat of ocean acidification under the Clean Water Act.

The EPA decision marked the first time that the Clean Water Act had ever been invoked to address ocean acidification, which is degrading seawater quality and could have a ripple effect on marine organisms and ecosystems, stopping shell-building in marine animals and threatening to erode coral reefs within our lifetime.



The Center has long advocated for the protection of corals as a crucial step toward protecting our oceans; the first species ever declared threatened by global warming were staghorn and elkhorn corals, protected under the Endangered Species Act in response to our petition. This past October we built on that precedent by filing a petition to protect no fewer than 83 imperiled coral species under the Act. These corals, living in U.S. waters from Florida and Hawaii to the Caribbean, face a growing threat of extinction due to rising ocean temperatures caused by global warming and the related threat of ocean acidification.

Scientists have warned that coral reefs are likely to be the first worldwide ecosystem to collapse due to global warming; without rapid action all the world's reefs could be destroyed by 2050.

## OCEANS: CORALS & ACIDIFICATION

With the change of presidential administrations early in 2009, there were hopes that U.S. Arctic policy would dramatically improve. Unfortunately, conservationists are being forced to keep fighting tough defensive battles to keep fossil-fuel drilling and climate change from driving Arctic species extinct. The Center is actively working to save polar bears, bearded, spotted, ringed and ribbon seals, and Pacific walruses in the Arctic, among other animals.

A federal denial of desperately needed protections for ribbon seals, late in the Bush administration, ignored scientists' predictions about the dramatic decline of the animals' sea-ice habitat in the Bering and Okhotsk seas. So in summer 2009, the Center and allies filed suit. If greenhouse gas emissions continue as usual, sea ice in the seal's range could decline 40 percent by mid-century, leading to widespread pup mortality.

And despite the more than 94,000 petitions the Center delivered to President Obama's Interior Department in May, along with 30-some newspaper-board editorials and letters to the editor, asking the government to revoke the damaging Bush-era 4(d) "special rule" that hurts polar bears, Interior Secretary Salazar announced in May that he would leave the lethal rule in place. Meanwhile, data released by the government because of a Center suit confirmed population declines of polar bears and Pacific walruses in Alaska.

In fall, after a partial settlement in a lawsuit brought by the Center and its partners, the Fish and Wildlife Service proposed to designate more than 128 million acres (or about 200,500 square miles) of coastal lands and waters along Alaska's north coast as critical habitat for polar bears — which, if made final, would become the largest expanse of habitat ever protected under the Endangered Species Act.



## OCEANS: THE ARCTIC BATTLEGROUND



## FORESTS

The Center's campaigning yielded swaths of new protections for forests across the country in 2009. First, 93 million acres were protected from harmful Bush-era regulations under the National Forest Management Act; then another Bush attack, on 2001's far-reaching Roadless Rule, was struck down in court as a result of our work with a broad coalition, improving protections for 50 million relatively pristine roadless acres across the country.

In December, another suit we brought with allies yielded a decision from a federal judge to uphold a "survey and manage" requirement that national forests in the country's Northwest look for hundreds of hard-to-find, ecologically important species like snails, mosses and mushrooms before they allow the cutting of big trees — a ruling that essentially struck down the last remaining piece of the Bush strategy to increase logging in spotted owl territory.

We also made tremendous headway stopping a wide array of individual projects, tackled by our lawyers, scientists and activists on a case-by-case basis, that put vulnerable species and habitats at high risk. We saved 1,600 acres from cutting in the Sierra Nevada through our innovative greenhouse gas litigation; we stopped the quadrupling of clearcutting on 2.6 million acres through the Western Oregon Plan Revision; and we protected 942,000 roadless acres in four Southern California forests — the Angeles, Los Padres, Cleveland and San Bernardino — when we had a biological opinion struck down in a far-reaching victory that will help scores of species, including the California condor, Peninsular bighorn sheep and Quino checkerspot butterfly. A massive old-growth timber sale was stopped on Alaska's precious Tongass National Forest near the end of the year.



Our work to stop off-road vehicle damage on public lands also saw some key victories: The Grand Canyon-bordering Kaibab National Forest's harmful ORV plan was halted in August; an ORV plan on 3 million acres of Bureau of Land Management-administered Mojave Desert was struck down in the fall; and a permit was pulled in October from a dirt-bike race in California's Eldorado National Forest. In December, we won an ATV victory on 350,000 acres in Vermont.

And a landmark agreement we forged with Arizona Forest Restoration Products and the Grand Canyon Trust in April is now the nation's largest comprehensive forest restoration effort. The plan is aimed at safe

restoration of beneficial fires and the conservation of biological diversity in northern Arizona ponderosa pine forests, the world's largest contiguous ponderosa pine forest. It will allow operation of an oriented strand board plant to use small-diameter trees resulting from about 30,000 acres of ecological restoration treatments per year across a 2.4 million-acre area. After a century of ecological decline and decades of litigation in these remarkable forests, the agreement, which was 15 years in the making, marks a sea change in southwestern forest politics, focusing both industry and conservation groups on a common goal of conserving species and ecosystems in a rapidly warming climate.

*Hundreds of low-profile but critically important denizens of Pacific Northwest forests — like the Chelan mountainsnail (left) — had protections upheld in 2009 due to Center legal action, which also saved old-growth habitat for spotted owls and other wildlife in the process.*



## URBAN SPRAWL

Our work to stop runaway development on California lands in 2009 won the Center three spots in the prestigious “Top Achievements” Report of nonprofit Environment Now in early 2010. This work included our advocacy to stop the Mid-County “Parkway” — in fact a \$3 billion, 32-mile, six-lane freeway in Riverside County — which ultimately cut the size of the development by half. The western end of the so-called Parkway, which we and our local allies blocked, would have hurt numerous homes as well as vital habitat conservation areas.

In other victories over sprawl in 2009, we blocked the building of a carbon-dioxide spewing Walmart Supercenter near Joshua Tree National Park and defended an injunction that’s protecting San Diego vernal pool habitat. We continue to lead a powerful, high-profile, multiphase fight against the leviathan Tejon Ranch development, at the head of a broad coalition of endangered species advocates, Native Americans, environmental justice

advocates, and local residents. The growing opposition is being drawn together by concern for the California condor, the sacred sites of the Chumash people, air quality degradation, and decreased quality of life for current residents if the sprawl complex is built, and in late 2009 our coalition filed suit to overturn Kern County’s approval of the controversial Tejon Mountain Village resort development.

In response to a Center lawsuit, the Fish and Wildlife Service agreed to reconsider its deeply flawed decision to slash critical habitat for the Riverside fairy shrimp last December, a disappearing species whose last stronghold is highly desirable for agriculture and housing development.



## MEMBER SPOTLIGHT

### *Elsie Wattson Lamb*

Tucsonan Elsie Wattson Lamb first “met” the Center for Biological Diversity in the mid-90s at a meeting about the cactus ferruginous pygmy owl — the tiny predator that would spark the Sonoran Desert Conservation Plan, perhaps the nation’s most visionary plan to protect endangered species and open space from urban growth. The link between habitat loss and biodiversity loss made an impression that day, and so did the “rough and tumble” organization spearheading the effort to save the owl. Fifteen years later, Elsie still puts her money on the Center for our “smart, effective and efficient” legal work, and last year offered a generous challenge grant to our members. “My hope was to maximize my gift to the Center by encouraging others to join in the giving.”

*The Center continues to lead the fight against widespread sprawl development that would pave over astoundingly diverse landscapes at Tejon Ranch — the largest expanse of unprotected wilderness remaining in California.*





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Make Yourself Foundation  
Martin Foundation  
New Hampshire Charitable Foundation  
New-Land Foundation  
Newman's Own Foundation  
Orchard Foundation  
Proteus Fund  
San Francisco Foundation  
Sandler Foundation  
Sierra Club—San Gorgonio Chapter  
Temper of the Times Foundation  
Turner Foundation  
Wallace Global Fund  
Wilburforce Foundation  
WildSpaces  
Working Assets



## MATCHING GIFT PROGRAMS

The Center thanks employees of the following foundations and companies for directing funds from their workplace giving programs to support our work.

Adobe Systems Incorporated  
Aetna Foundation, Inc.  
American Express Foundation  
Amgen Foundation  
Applied Biosystems  
Bank of America  
Barclays Global Investors  
BP Foundation, Inc.  
Bristol-Myers Squibb Foundation CA, Inc.  
C.R. Bard Foundation  
Caterpillar Foundation  
Employee's Community Fund of the Boeing Company  
First Data Foundation  
FM Global Foundation  
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Google Matching Gifts Program  
Hewlett-Packard  
Intuit Foundation  
Johnson & Johnson  
JPMorgan Chase Foundation Matching Gift & Volunteer Programs  
Kingdon Capital Management LLC  
Kraft Foods Matching Gifts Program  
McKesson Foundation, Inc.  
Merrill Lynch & Co. Foundation, Inc.  
Microsoft Employee Giving Campaign  
Motorola Foundation  
MSNBC.com  
Nestle Foundation  
New York Times Company Foundation  
Nintendo of America  
Oracle Matching Gifts Program

Pepsico Foundation  
Pfizer Foundation Matching Gifts  
Progressive Insurance Foundation  
Research Corporation  
City of Seattle  
Symantec  
Truist  
Tyco Matching Gifts Program  
Unilever United States Foundation, Inc. Matching Gift Program  
United eWay  
United Way Columbia-Williamette  
United Way for Greater Rochester  
United Way of Santa Cruz County  
United Way of Tucson & Southern Arizona  
Mesa United Way  
Verizon Foundation  
Combined Fund Drive of Washington State  
Wellpoint Foundation Associate Giving Campaign  
William Wrigley Jr. Company Foundation  
Yahoo

## SERVICES & IN-KIND GIFTS

Walt Anderson  
Karen Ashley  
Bob Baxter  
Douglas Bevington  
Mike Danzenbaker  
Peter Galvin  
Carrie Garrison  
David Johnson  
Thomas D. Mangelsen  
Lawrence Master  
Paul Mirocha  
Gary Nafis  
Marcey Olajos  
Scott Power, Herchmer LLC  
Joel Sartore Photography  
Bill Snape  
Robert Zeller

## IN REMEMBRANCE

Thank you to all who gave gifts in memory of:  
Jeannette Koch  
T.J. Langley  
Elsie Miller  
Isaac Sesay  
Anna Worth

## LEGACY SOCIETY

The Center for Biological Diversity thanks the following supporters who have remembered us in their retirement plans, wills or other estate plans. To learn more about joining the Center's Legacy Society and leaving a lasting gift for endangered species and wild places, contact Tim Janes at (866) 357-3349 x. 318 or [tjanes@biologicaldiversity.org](mailto:tjanes@biologicaldiversity.org).

Jim & Peggy Alexander  
Michael Becker  
Will Berliner  
Dale Berry  
Florence Bisanz  
Barry Braden  
Matt Burgess  
Christopher Canino  
Tom Carlino  
Ronald M. Clayton  
Bill Collins  
Melisande Congdon-Doyle  
Efren Cotero  
Charlene Craig  
Nancy Cunningham  
John D'Ambra  
Darry Dolan  
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Judie Eisenhauer  
Anne Epstein  
The Eshbaugh Family  
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Andy Studebaker  
Sigmund Szujewski  
Nancy Taylor  
Janet & Mark Thew  
John Tyler  
Steve Tyler  
Charles Warlop  
Elsie Wattson Lamb  
Beverly White  
Beverly White-McCartt

## 2009 STATEMENT OF ACTIVITIES

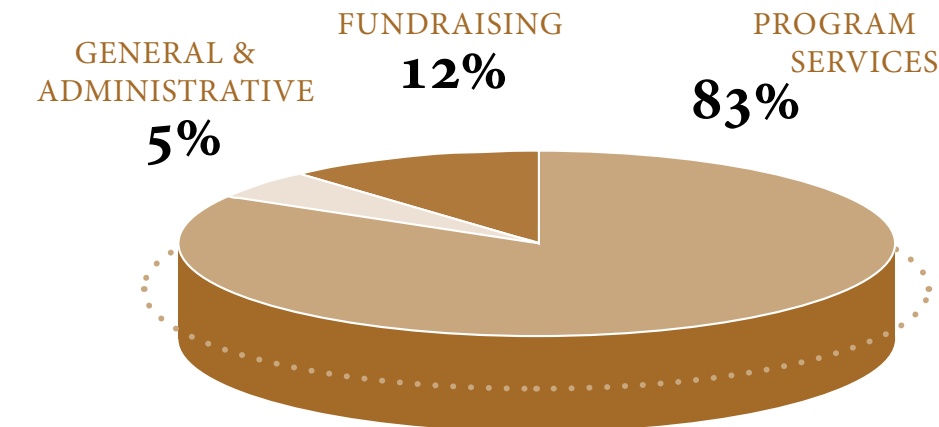
For Year Ended 12/31/09. Totals include restricted and unrestricted support. Audited financial statements are available on request.

### SUPPORT AND REVENUE

Grants and donations	
Foundation grants	\$ 1,423,127
Membership and donations	4,795,424
<b>Total public support</b>	<b>6,218,551</b>
Revenue	
Legal returns	1,173,517
Contracts	5,780
Miscellaneous	15,162
Investment income	69,531
<b>Total revenue</b>	<b>1,263,990</b>
<b>Total support and revenue</b>	<b>7,482,541</b>

### EXPENSES

Program services	
Endangered Species	1,261,075
Climate	987,648
Public Lands	1,368,117
International	207,108
Oceans	638,570
Urban Wildlands	369,136
<b>Total program services</b>	<b>4,831,654 (83%)</b>
Supporting services	
General and administrative	284,064 (5%)
Fundraising	675,408 (12%)
Total support services	959,472
<b>Total expenses</b>	<b>5,791,126</b>
Change in net assets	1,691,415
<b>Net assets, beginning of year</b>	<b>6,462,365</b>
<b>Net assets, end of year</b>	<b>\$ 8,153,780</b>



In 2009, the Center's supporters contributed close to \$7.5 million to our critical efforts to protect imperiled wildlife and habitat. Our highly effective use of funds resulted in 83 percent of all expenses going directly to support our conservation programs, earning us continued high marks from charity raters. We've again weathered a tough economy with the wisest possible investment: continuing to grow our large, loyal membership base, whose unflagging support steadies us against a fluctuating financial market and lays an ever-stronger foundation for our future.





CENTER *for* BIOLOGICAL DIVERSITY  
P.O. Box 710 • Tucson, AZ 85702-0710

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