**OUR MISSION:** To protect and restore the water resources of Washington State, including the Columbia River Watershed, for communities and ecosystems through education, policy reform, agency advocacy, and public interest litigation.

**OUR VISION:** Washington State will have adequate and sustainable water supplies to support healthy ecosystems, thriving fish and wildlife, and robust communities.
Considering how small our staff is, CELP gets an amazing amount done quickly and successfully. But maybe that is not so surprising; CELP’s reach and effectiveness is due to our wonderful members, partners, and volunteers. So with this annual report, CELP honors you: expressing our gratitude and reminding you of your achievements in preserving Washington’s waters. Thank you to the hundreds of donors who have parted with hard-earned dollars to support CELP’s mission. We also thank CELP’s volunteers who have given their time, talents, and elbow-grease to shape successful programs and win victories in the courts, in the legislature, and with regulatory agencies. And thank you to CELP’s board members in 2012, John Osborn, Anne Johnson, Shirley Nixon, Lauren Rasmussen, Sally Wolf, Dave Monthie, Bart Naylor and Samantha Mace, who have shared their time and energy to preserve our waters.

Without you, our members, partners, and volunteers, CELP would not exist. Without CELP, there would not be a voice for water in Washington State.

Keeping CELP’s voice loud and strong is especially critical in these hard economic times. State and federal cutbacks mean that our regulatory agencies do not have the resources to enforce existing laws, and shy away from controversies that could impact their budgets. The adage “doing more with less” has it limits. Unfortunately, regulatory agencies are doing less with less. Moreover, the downturn has forced many of CELP’s allies to cut back. In this vacuum, environmental problems proliferate unabated.

The future of our children and this State suffers as a consequence.

Here is just one example: Agriculture is one of the largest sources of pollution in Puget Sound by volume, annually dumping roughly 11,000 tons of inorganic nitrogen, 9,900 tons of organic nitrogen, and 2,100 tons of phosphorus into our rivers, which end up in the sound. Dairies are the largest source of agricultural waste. The Clean Water Act established a Concentrated Animal Feeding Permit, but only 13 of the state’s 600+ dairies operate under the permit. State and federal regulators estimate that hundreds of dairies require the permit, but the regulators lack the resources, and perhaps the will to enforce the law. CELP is working on filling that void.

But to take on industrial agriculture, and the myriad other water problems the state faces, CELP needs more staff. More staff means a bigger budget. We will need your help to encourage friends and colleagues to join CELP, not only to keep our work going but for an additional staff attorney so that CELP can continue to anticipate and adapt to the challenges ahead, which are compounded by climate change. CELP’s mission of preserving and restoring our irreplaceable water resources for a healthy, sustainable future for our children, our state, and our planet is more imperative than ever. Only together can we grapple with the hard decisions and fights ahead of us.

Many thanks to you all,
CELP’s work spans the state, impacting all of our sixty-two watersheds.

How we work:

- **Hands-On Assistance to Citizen Activists**
  Through our *Water 9-1-1* program, we provide citizens groups, tribes and activists with technical and legal assistance on legal, political and organizational issues.

- **Agency Advocacy and Legislative Reform**
  We work in Olympia with legislators, agency staff and regulators to advocate for science-based water management.

- **Litigation to Protect the Public’s Interest in Water**
  CELP is the principal organization in Washington litigating to protect the public’s interest in our rivers and aquifers.

- **Public Education and Media**
  CELP educates the public through seminars, stories in the media, newsletters and videos. We also issue law review articles and white papers on critical water issues.
Our Impact

CELP is Washington’s “Water Watchdog” with a track record of success

CELP was founded at the University of Washington School of Law to promote the public trust in water resources. Rooted in the public trust doctrine, CELP has been empowering the public to protect this precious resource for the citizens of our state.

The public trust doctrine protects the public’s ownership interests in state waters, including the public interest in environmental quality. Washington’s Water Code embraces the doctrine by not only recognizing that the waters of the state belong to the public, but acknowledging that the state has the responsibility to act as the trustee for the public in protecting the use of those waters. CELP’s job is to ensure that the state fulfills its trust duties to the public, now and for future generations, especially as our water resources become scarcer due to climate change.

Since 1996, when CELP established standing for citizen challenges to state water rights decisions, we have worked with members of the public to speak up for water. For a list of our many accomplishments over the years, please visit our website at www.celp.org/about-us/mission-accomplishments/.

Continuing in this tradition, here are some examples of our work from this year.

Assistance to Local Citizens Groups

A few years ago, with help from the Satterberg Foundation, CELP launched its Water 9-1-1 Program, which works directly with citizens whose water is at risk. CELP staff and volunteers provide technical and policy assistance to citizens to help them solve local water issues: from threatened potential pollution of a sole source aquifer from a gravel mine to loss of a prized waterfall to a hydroelectric project. People learn about the program via CELP’s website, http://www.celp.org/programs/water-rights-911/, and word of mouth. Some calls we handle in a conversation; other calls have ended up in cases before the Washington State Supreme Court. But we try to help however we can, to the extent we can.

In 2012, some of the citizen organizations CELP leant a hand to include: Friends of Tunk Valley (see page 8 under “Nancy Soriano”), Aqua Permanente, Five Corners Family Farmers, Friends of the San Juans, Methow Valley Citizens Council, Okanogan Highlands Alliance, Okanogan Wilderness League, Protect our Peninsula’s Future, Protect Our Whidbey Water, and RIDGE.

Northwest Fund for the Environment Supports Water Wise Land Use Planning

Since 1994, the Northwest Fund for the Environment has promoted change in the uses of natural resources to increase their protection and preservation in the State of Washington. For several years, the Northwest Fund has generously supported CELP’s Water Wise Land Use Planning program: CELP’s statewide work to better integrate wise water management with the land use permitting process. The work that falls under that program is wide ranging: from legislative advocacy, to assisting people whose water is at-risk with county governments, to filing an amicus brief in support of the Swinomish Indian Tribal Community’s precedent-setting lawsuit to protect the original Skagit River instream flow rule. CELP, and the citizens and advocates CELP helps, are indebted to the Northwest Fund.
Litigation to Restore Rivers

In 2012, CELP, in collaboration with American Whitewater, the Columbia BioRegional Education Project, the North Casades Conservation Council and the Sierra Club, filed suit to challenge the Department of Ecology’s defective water quality certification for relicensing Enloe dam. The Department’s certification failed to protect aesthetics and recreation, and would allow the local public utility district to all but dry up Similkameen Falls on the Similkameen River in Okanogan County. With Andrea Rodgers Harris as our lead counsel, we litigated this 2012 case to successful resolution in 2013 and created precedent that will protect not just the Similkameen, but rivers throughout Washington. Currently, more small hydro projects are planned for Washington’s rivers than in all other states of the country combined.

CELP also filed two suits in 2012, with the Sierra Club, to challenge the Environmental Protection Agency’s failure to create a cleanup plan (known as a TMDL or Total Maximum Daily Load plan) for the PCB-laden Spokane River, and to curtail future discharges permitted by the Department of Ecology. CELP is lucky to have attorney Richard Smith of Smith and Lowney, an expert in water quality cases, representing us. The Pollution Control Hearings Board ruled in 2013 that Ecology’s discharge permit failed to compel eventual compliance with water quality standards. The TMDL case is likely to be resolved in 2014.

For several years, CELP and other river advocates have been embroiled in litigation to restore natural flows to Icicle Creek and to bring the Leavenworth Fish Hatchery into compliance with state and federal law. In 2012, CELP and its allies began pursuing a negotiated solution: we joined the Icicle Creek Workgroup, comprised of interests in the greater Leavenworth area, to find alternative (and hopefully faster) means of returning water to the Creek and its native fish, and to bring the hatchery into legal compliance.

Legislative Advocacy

CELP’s work in the legislature is three pronged: 1) developing relationships with legislators, tribal lobbyists, and environmental lobbyists prior to the session; 2) calling on those relationships during the session to support good water bills or to fix regressive legislation; and 3) working for real reform of water policies.

In late summer of 2011, the Department of Ecology closed the Fisher Carpenter Creeks in Skagit County to further new wells. This meant that some people in Skagit and Snohomish County had a building permit but no ability to drill that new well. So come 2012, a firestorm ignited in the legislature. In response, CELP, working closely with Representative Derek Stanford, drafted a real estate disclosure bill to fully inform consumers of potential water issues before they purchased the property. Despite our best efforts, the bill died in Ways and Means.

CELP also helped defeat regressive bills in 2012 that would have given free rein to new permit exempt wells—irrespective of the impact of water-short rivers and streams.

In September 2012, CELP sponsored a legislative workshop for water wise legislators, tribal lobbyists and staff, and environmental lobbyists and staff to coordinate and plan for the 2013 legislative session. Our honored attendees included Swinomish Indian Tribal Community Chairman Brian Cladoosby, Senator Sharon Nelson, Representative Derek Stanford, Representative Kristine Lytton and Representative Christine Rolfes.

Public Education

Changing how we use and think about water requires education and outreach.

In May 2012, CELP partnered with Washington Water Trust to organize a one-day continuing legal education seminar “Getting Out of Hot Water”, focused on hot topics in water law and policy and potential “soft-path” solutions. Also in May, Professor Charles Wilkinson spoke in Seattle before a rapt audience on how the legal courage of Northwest Tribes improved the lives of tribal people nationwide.

In September, CELP co-led a one-day seminar on the Columbia River Treaty in Ellensburg at the annual state meeting of the American Water Resources Association. Attendees came from B.C., Oregon, Idaho and Washington.

And in December, CELP sponsored its second Water Law and the Public Trust continuing legal education seminar in Seattle to examine water policy issues from a sustainability perspective. All of these conferences are open to the public.
**Professor Bill Rodgers, CELP Supporter**

Professor Rodgers, a longstanding CELP member, is nationally recognized as a founder of environmental law. His four volume treatise and hornbook on environmental law are the foundational texts for law schools nationwide. He has educated thousands of passionate advocates for the environment. To mark his immense contribution, the University of Washington named him its first Stimson Bullitt Professor of Environmental Law.

Over the years, Professor Rodgers has generously supported CELP financially, as well as helping CELP on cases, and by being a featured speaker at CELP events. Why? As Professor Rodgers says:

“CELP was invented by Rachael Paschal Osborn while she was a student of mine in law school. She was driven and determined in its objectives. Since both Rachael and CELP left the law school, it has been ferociously protective of and beautifully guided in its aims and purposes. CELP has never waivered in its conviction to protect the waters in this state. CELP’s work is persistent, daring and confident.”

His latest assistance to CELP? Introducing his daughter, Andrea Rodgers Harris, to our work.

**Andrea Rodgers Harris, CELP Volunteer**

CELP's small staff relies on committed, talented volunteer attorneys and scientists to restore Washington's rivers and aquifers. With their invaluable help, CELP’s reach and impact is magnified many times over. Andrea Rodgers Harris is one of CELP’s many wonderful professional volunteers. Andrea has boundless energy, dedication and smarts and, in 2012, headed up our challenge to the Okanogan Public Utility District’s latest effort to re-energize Enloe Dam (see page 6 under “Litigation to Restore Rivers”).

Andrea helped CELP and our coalition prove in a five day hearing to the Pollution Control Hearings Board that the PUD’s proposal ran afoul of state law’s mandate to preserve aesthetic values. **By the time the hearing was over, Andrea had donated over 400 hours to helping CELP and our coalition of river advocates save the Similkameen River and its falls. Why is she so generous?**

“Free-flowing water is worth fighting for and it has been an honor and a pleasure to work with CELP and its partners to ensure that the Department of Ecology fulfills its obligation to protect the beauty of Similkameen Falls for present and future generations. I learned from my Dad that the aesthetic values of rivers have been protected under the law for centuries. But we could never have protected the Similkameen River without a great litigation team—and CELP’s attorneys and staff were critical to our team’s success. CELP’s willingness and capacity, to not only file litigation, but to do the day-to-day hard work of litigation, is unique and essential to protect the rivers and aquifers of Washington.”
Bruce Wishart, CELP Staff

With over 27 years working in the Washington State Legislature, Bruce has an incredible track record of effective advocacy and a reputation for in-depth understanding of complicated issues. Bruce is a 1985 graduate of the University of Oregon law school, and has worked in policy and government affairs for the Sierra Club and People for Puget Sound. Legislators—whether they agree with CELP’s position or not—know that Bruce’s analysis of bills is spot on. His thoughtfulness and integrity are great assets to CELP’s work in the legislature.

Bruce has also helped CELP create working groups of tribal lobbyists and environmental lobbyists to share information and coordinate positions on bills. In the press of the legislative session, when bills pop up on calendars for hearing with no notice whatsoever, that is very, very hard to do. **But because of Bruce’s efforts, CELP and its allies have successfully coordinated to improve Washington’s water policies and laws.**

Bruce enjoys working with the CELP’s dedicated staff and volunteer leaders because **“CELP effectively combines litigation with policy work in Olympia and at the local level. It’s a powerful combination that yields results on the ground—real protection for streams and salmon.”**

Nancy Soriano, Activist in Tunk Valley

Prairie meets sky at Jim and Nancy Soriano’s ranch located along Tunk Creek in Okanogan County. The Sorianos raise grass-fed beef on their ranch, keeping the herd to a sustainable size compatible with wildlife, including sharp-tail grouse, a threatened species in Washington. But Okanogan County is dry. More years than not, agricultural water rights are interrupted in the Methow and Okanogan Valleys because of water scarcity. And yet, Okanogan County refuses to factor water scarcity into its land use planning. The County’s planning process ignores water limits to encourage unsustainable new development, with inevitable tragic consequences for wildlife and habitat.

Nancy says: **“Environmental protections are to Okanogan County Land Use Planning, what Civil Rights were to Mississippi in the sixties: very volatile and divisive.**

During almost 30 years in Okanogan County, I have known many people to be afraid to speak up for environmental protections. When people have spoken up, their input has been ignored. CELP is not afraid to speak truth to power. CELP’s input, based on expert knowledge of water law, cannot be ignored. Water is life. CELP’s strategies to protect water resource benefit wildlife and habitat from reckless development. **CELP helps activists like myself push Okanogan County to follow the law. We are grateful.”**

Anne Johnson, CELP Board of Directors

A long-time member of CELP’s board of directors, **Anne embodies the heart and soul of CELP.** She has been involved with the work of CELP since its inception in 1993 as a research institute at the University of Washington when her husband, Professor Ralph Johnson of the Law School, had the vision to create CELP, together with Rachael Paschal Osborn, who was then a law student. To further CELP’s mission of protecting the public’s interest in water, our most essential resource, Anne generously helps raise money for CELP—the fundamental work that makes CELP’s advocacy possible. As Anne puts it, **“CELP’s work to keep water flowing in our rivers, and our drinking water clean, is all the more important to protect our children and grandchildren as we adapt to the changes global warming will bring.”**

In addition to her dedication to CELP, Anne is a board member of the Metropolitan Democratic Club, a specialist in modern art, and an avid hiker and skier.
Celp Supporters

Our work is possible because of your support — Thank you!

Donors

$15,000 and above: Northwest Fund for the Environment

$5,000—$14,999: Kenney Bros. Foundation; John and Rachael Osborn; Squaxin Island Tribal Community; Swinomish Indian Tribal Community; Tulalip Tribe; Sally Wolf.

$1,000 - $4,999: Bob Anderson and Marilyn Heiman; Anonymous; Douglas and Ann Christensen; Susan Estep; Robert and Dorothy Fontana; Anne Johnson; Kanji and Katzen Law Firm; Phil Katzen; Calvin Osborn; Zachary Paschal; John Reardon; Suzanne Skinner and Jeff Brown; Smith-Barbieri Progressive Fund; Nancy and Jim Soriano; Suquamish Tribe.

$500 - $999: Melissa and Clyde Arias; Gerard and JoAnn Bentrux; Bullitt Foundation; Tom Fox; Mickey Gendler and Nan Johnson; Nina Janopaul; Arthur Johnson; Kate and Noel Lloyd; Marie Osborn.

$100 - $499: Ann and Knut Aagaard; Laura Allen; Avista Corp.; Lynn Bahrych; Peter Baird; Bonnie Beavers; Angela Belbeck/Ogden Murphy Wallace Attorneys at Law; Mary Lou Bennington; Sue Billings and Tom Ring; Alison Birmingham; Steve Boessow; Jeannette Whitcomb Boothe; Elizabeth Boyle; Janette Brimmer; Alexandra Brookshire; Thomas and Mary Brucker; Emory Bundy; John Burgess; Dalen and Glenda Buterbaugh; Stanley and Susan Carlson; Louise Chadez; Jody and Ann Chafee; City of Seattle Combined Charities; Hugh and Suzanne Clark; Glen and Greta Cosby; Dr. Arthur and Joan Craig; Dianne D’Alessandro; Thomas Deming; Earl and Tena Doan; David Doughman; Harrison Dunning; Deborah Dwyer; Robert and Elizabeth Elsner; Evergreen State College; Alix Foster; David Gates; Jena Gilman; Lila and George Girvin; Marcy and Helmut Golde; Jeff Grathwohl; Alison Haig; Don Hamilton and Lorna St. John; Joan Hansen; Kathryn Haupt; Steve and Claudia Hirschey; Buell and Donna Hollister; Ingrid Holmlund; John and Anne Hollowed; Claudette Hunt; Emily Hutchinson; Kathi and Allan Jett; Daniel Johnston; James Jordan; John Kaiser; Christopher Karr; Charles Kimbrough; Colette Kostelec and Richard Talbot; Michael Laurie; Stephen Lecuyer; Estella Leopold; Francis Lill; Knoll Lowney; Kevin Lyon and Lisa Veneroso; Dave and Ellen Mann; Gregory Marton; (James) Doyle McClure; James McRoberts; Joe Mentor; Ken Merrill; Mary Moltke; Dave Montheie and Janet Ball; Jaime Morin; Morisset, Schlosser & Joziawak Law Firm; Mushleshoot Tribe; Shirley and Bob Nixon; Cassandra Noble; NW Indian Fisheries Commission; Kitteridge Oldham; Gordon and Betty Orians; Elaine Packard; Deborah Polley; Max Peabody; Lewis Persons; Chris Pitre and Sheryl Wilhelm; Rick and Christine Poulin; Lauren and Ken Rasmussen; Doug and Bree Reynolds; Bill Rodgers; Katherine Root; Mike and Edith Ruby; Tom and Anna Rudd; Nancy and Richard Rust; Save A Valuable Environment; Terrence Sawyer; John and Katherine Schuitemaker; Jeff Schuster and Nadine Narya; J. C. Skinner; Bruce and Denise Smith; Greg Smith; Richard Smith; Thomas Soeldner; Ann Speckman; Kenneth and Gertrude Swedborg; Toby Thaler and Becky Sukovaty; Judith Thornton and Jerry Gettel; Julie Titone; Lois Trevino; Brian Walsh; Washington Combined Fund Drive; Larry and Barbara Wasserman; Pat Waterston; Jim and Heidi Weber; Brian Wendt; Norman and Cynthia Whitlessley; William Willard; Manuela Winter; Fran and Bunny Wood; David Vogel.

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In Kind
Ivar’s Salmon House; Anne Johnson; Northwest Energy Coalition; People for Puget Sound; Suzanne Skinner; Heather Trim; Washington Women’s Foundation; Sally Wolf.

Volunteers and Interns
Melissa Arias; Molly Barker; Lucie Brown; Fred Christ; Carolyn Connelly; Ysa Diaz; Elizabeth Doran; Heather Foise; Crystal Gartner; Brooks Goode; Lydell Gorski; Liz Heyliger; Suzi Hokonson; Clifford Kato; Shallan Knowles; Bea Lackaff; Jeff Lambert; Carolyn Leon; Rich Leon; Sam Mace; Keith Masill; Tom May; Janet Nazi; Rachael Paschal Osborn; Catherine Phelps; Jacob Phillips; Valerie Rickman; Marc Schillios; Patricia Skinner; Paula Whitson; Rollin Wood.

Pro Bono Counsel, Volunteer Professionals
Melody Allen; Anonymous; Janette Brimmer; Heather Foise; Tom Graham; Andrea Rodgers Harris; Jan Hasselman; John Hollowed; Skip Johnsen; Kristen J. Larson; Dave Monthie; Kimberly Orden; John Osborn; Jacob Phillips; Dr. Eric Schulenberg; Jeff Schuster; Richard Smith; Patrick Williams.

By the Numbers

INCOME

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Income

- **Memberships** 47%
- **Foundations** 29%
- **Earned Income** 7%
- **Special Events** 17%

Expenses

- **Other Programs** 53%
- **Legislative** 17%
- **Fundraising** 15%
- **Administration** 15%

Net assets beginning of the year: $96,569.00
Net assets end of the year: $81,827.00

Change in net assets: $(14,742.00)