Audited Combined Financial Statements and Supplementary Information

For the years ended December 31, 2021 and 2020

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### INDEPENDENT AUDITOR'S REPORT

To the Board of Directors Center for Biological Diversity, Inc. and Affiliate

### Opinion

We have audited the accompanying combined financial statements of Center for Biological Diversity, Inc. and its affiliate, Center Action Fund (nonprofit organizations), which comprise the combined statements of financial position as of December 31, 2021 and 2020, and the related combined statements of activities, functional expenses and cash flows for the years then ended, and the related notes to the combined financial statements

In our opinion, the combined financial statements referred to above present fairly, in all material respects, the financial position of Center for Biological Diversity, Inc. and its Affiliate as of December 31, 2021 and 2020, and the changes in its net assets and its cash flows for the years then ended in accordance with accounting principles generally accepted in the United States of America.

### **Basis for Opinion**

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of Center for Biological Diversity, Inc. and its Affiliate and to meet our other ethical responsibilities in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

### Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the combined financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the combined financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about Center for Biological Diversity Inc. and its Affiliate's ability to continue as a going concern within one year after the date that the combined financial statements are available to be issued.

### Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the combined financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements, including omissions, are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the combined financial statements.



### INDEPENDENT AUDITOR'S REPORT, Continued

In performing an audit in accordance with generally accepted auditing standards, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the combined financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the combined financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit
  procedures that are appropriate in the circumstances, but not for the purpose of expressing an
  opinion on the effectiveness of Center or Biological Diversity, Inc. and Affiliate's internal control.
  Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the combined financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about Center or Biological Diversity, Inc. and Affiliate's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control related matters that we identified during the audit.

### **Report on Supplementary Information**

Our audit was conducted for the purposes of forming an opinion on the combined financial statements as a whole. The schedules on pages 22 and 23 are presented for purposes of additional analysis and are not a required part of the combined financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the combined financial statements. The information has been subjected to the auditing procedures applied in the audit of the combined financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the combined financial statements or to the combined financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted it he United States of America. In our opinion, the information is fairly stated in all material respects in relation to the combined financial statements as a whole.

Lucing Evener + Rusing PUC March 30, 2022

# COMBINED STATEMENTS OF FINANCIAL POSITION December 31, 2021 and 2020

### **ASSETS**

	2021	2020
Current assets: Cash and cash equivalents Grants and contributions receivable Prepaid expenses Investments - other, current portion Notes receivable, current portion	\$ 12,048,603 2,529,873 342,310 2,099,947 31,666	\$ 12,256,526 653,706 259,006 412,975 30,691
Total current assets	17,052,399	13,612,904
Investments - other, non-current portion Notes receivable, non-current portion Investments - deferred compensation Investments Property and equipment, net Deposits	991,137 4,320,264 480,808 14,357,096 5,956,665 153,273	1,725,411 351,930 438,646 8,375,724 6,347,717 153,473
Total assets	\$ 43,311,642	\$ 31,005,805
Current liabilities: Accounts payable Accrued expenses	\$ 159,976 1,931,867 2,091,843	\$ 259,024 2,121,744 2,380,768
Total current liabilities  Deferred compensation liability	480,808	438,646
Total liabilities	2,572,651	2,819,414
Net assets: Without donor restrictions:	_,,	
Undesignated Expended for property and equipment Board-designated operating reserve	16,994,670 5,956,665 9,460,000	12,622,222 6,347,717 8,760,000
Total unrestricted net assets	32,411,335	27,729,939
With donor restrictions - purpose restrictions	8,327,656	456,452
Total net assets	40,738,991 \$ 43,311,642	28,186,391 \$ 31,005,805
Total liabilities and net assets	Ψ 43,311,042	Ψ 31,000,000

# COMBINED STATEMENT OF ACTIVITIES For the year ended December 31, 2021

	ithout Donor Restrictions	With Donor Restrictions	Total
Support and revenue:			
Contributions	\$ 9,771,861	\$ 9,566,095	\$ 19,337,956
Grants	914,000	5,579,690	6,493,690
Legal income	7,597,979	2,265,820	9,863,799
Investment income	1,701,018	-	1,701,018
Other income	166,820	-	166,820
Rental income	31,394	-	31,394
Total revenue and support	20,183,072	17,411,605	37,594,677
Net assets released from restrictions	9,540,401	(9,540,401)	
Total revenue, support, and reclassifications	29,723,473	7,871,204	37,594,677
Expenses:			
Program services	21,892,331	_	21,892,331
Supporting services:			
Fund-raising	1,715,144	_	1,715,144
General and administrative	1,434,602		1,434,602
Total expenses	25,042,077	-	25,042,077
Change in net assets	4,681,396	7,871,204	12,552,600
Net assets, beginning of year	27,729,939	456,452	28,186,391
Net assets, end of year	\$ 32,411,335	\$ 8,327,656	\$ 40,738,991

# COMBINED STATEMENT OF ACTIVITIES For the year ended December 31, 2020

	Without Dor Restriction	Trial Bollon	Total
Support and revenue:			
Contributions	\$ 14,472,3	53 \$ 2,379,763	\$ 16,852,116
Grants	911,1	00 3,492,423	4,403,523
Legal income	720,7	50 2,227,894	2,948,644
SBA Grant - Paycheck Protection Program	2,907,0	79 -	2,907,079
Investment income	1,151,1		1,151,118
Other income	6,2	Committee of the commit	30,551
Loss on disposition of fixed assets	(1,0	•	(1,052)
Rental income	2	50 -	250
Total revenue and support	20,167,8	74 8,124,355	28,292,229
Net assets released from restrictions	9,064,2	15 (9,064,215)	-
Total revenue, support, and reclassifications	29,232,0	89 (939,860)	28,292,229
Expenses:			
Program services	19,056,4	54 -	19,056,454
Supporting services:			
Fund-raising	1,790,20	01 -	1,790,201
General and administrative	1,464,0	72	1,464,072
Total expenses	22,310,72	27 -	22,310,727
Change in net assets	6,921,36	(939,860)	5,981,502
Net assets, beginning of year	20,808,5	77 1,396,312	22,204,889
Net assets, end of year	\$ 27,729,93	39 \$ 456,452	\$ 28,186,391

Program

	Ē	Endangered		Carnivore		Public	Pop	Population and	En	Environmental					Urban			O	Government
		Species	ं।	Conservation	-	Lands	Sus	Sustainability	1	Health	ŏ	Oceans	Climate	ite	Wildlands	i	International		Affairs
Payroll and related taxes and benefits	49	3,895,431	€9	256,368	€	3,395,446	69	726,892	69	1,348,431	\$	,418,013	\$ 2,55	\$ 026,926	996,285	285 \$	667,521	69	350,424
Professional services		71,002		1,716		193,423		26,605		14,744		24,389	33	333,210	်	9,576	86,495		2,881
Rent and utilities		134,681		4,825		150,302		17,123		53,584		95,536	24	240,262	2,	84,979	71,675		24,914
Advertising		79,708		3,026		82,491		12,775		19,709		24,480	7	77,210	17,	17,556	12,046		5,997
Depreciation		153,357		147		54,165		16,226		69,917		9,852	47	57,616	'n	3,949	17,494		379
Legal		91,020		4,478		132,625		740		33,980		25,015	7	72,000	51,	51,139	7,214		1,277
Office supplies		59,673		377		24,830		7,780		8,891		9,941	W	22,231	7,	7,282	4,475		16,090
Contributions and grants		181,479		2,500		62,973		2,540		3,829		12,820		7,442	ώ	8,162	1,669		5,802
Internet organizing		17,408		7,503		17,130		16,121		16,299		16,364		16,739	16,	16,099	16,030		15,898
Printing		4,366		22		3,349		19,134		201		588		2,168	1,	1,324	820		243
Telephone and internet		46,985		1,763		34,258		7,391		14,392		15,019	ന	33,383	12,	12,285	10,774		3,431
Postage, mail service, labels		6,044		100		3,726		8,935		1,545		1,243		2,805	1,	1,664	927		236
Merchant fees				1		ı		•		ī		,					.1		•
Travel		19,503		5,277		48,607		1,629		4,484		2,578	7	21,405	'n	3,757	1,484		4,300
Insurance		18,835		1		12,664		3,226		5,117		6,186		9,880	'n	3,589	3,156		1,569
Dues and subscriptions		6,554		332		6,114		1,665		1,677		3,804		7,755	3,	3,021	704		2,910
Staff development		2,356		299		3,538		913		929		822		3,453	•	532	1,025		269
Conferences and meetings		4,011		544		5,019		2,379		889		1,432		1,901		869	1,075		161
Miscellaneous		1,867		1		794		140		309		476		1,644	-	540	139		70
Education		7,100		1		ı		12,830		1				1					
Events and rallies		25		,	-	478		2,276		293		70		2,287		58			1
Total functional expenses	49	4,801,405	8	289,645	69	4,231,932	69	887,320	69	1,598,947 \$		1,668,628 \$		3,469,361 \$	1,222,666	\$ 999	904,723	₩	437,351

See independent auditor's report and accompanying notes to combined financial statements.

# COMBINED STATEMENT OF FUNCTIONAL EXPENSES, Continued For the year ended December 31, 2021

					Program							
		Energy			Environmental Equity and			Total		General and		
		Justice	Digital	Media	Justice	Social Wellfare	Electioneering	Program	Fund-raising	Administrative	, e	Total
Payroll and related taxes and benefits	S	\$ 385,385	639,980	\$ 500,466	\$ 129,516	\$ 49,461	\$	\$ 17,524,198	\$ 728.504	\$ 996,199	s	19 248 901
Professional services		7,030	8,131	3,934	1,918	288	85,000	870,342	76,527			1.181,873
Rent and utilities		39,610	19,382	10,306	3,268	2,059	1	952,506	16,992	24,566	9	994.064
Advertising		12,133	16,669	10,742	5,926	ſ	1	380,468	156,244	12,319	6	549.031
Depreciation		33,128	2,484	460	96	1		419,270	26,841	48.074	4	494,185
Legal		2,126	1,439	1,431	41	6,174	287	430,986	510	38,438	00	469,934
Office supplies		5,211	36,954	6,710	897	957	16	212,315	84,646	21,556	9	318,517
Contributions and grants		5,287	3,403	292	486	1	•	299,155	1	. '		299,155
Internet organizing		15,924	15,967	16,450	15,810	1	ı	219,742	54,898	ı		274,640
Printing		266	1,525	136	34	74	1	34,250	198,302	2,005	5	234,557
Telephone and internet		6,357	7,431	4,487	965	1,061	29	200,011	10,606	11,204	4	221,821
Postage, mail service, labels		461	532	373	144	209	9	28,950	183,620	3,308	80	215,878
Merchant fees		1	1	1	1	ı			160,088	3,176	9	163,264
Travel		11,010	1,743	1,812	171	198	1	127,958	2,805	5,028	00	135,791
Insurance		2,488	3,038	1,721	009	10,527	490	83,086	4,176	4,622	2	91,884
Dues and subscriptions		453	829	2,449	180	1		38,447	4,755	1,463	8	44,665
Staff development		2,336	931	366	118	1		18,482	1,170	12,341	_	31,993
Conferences and meetings		739	881	367	74	1		20,341	1,892	3,632	2	25,865
Miscellaneous		129	155	87	22	1	1	6,407	2,568	11,667	7	20,642
Education			1	1	1		1	19,930	1			19,930
Events and rallies				-	,	•	,	5,487	1	1		5,487
Total functional expenses	S	738,073 \$	761,474	563,060	\$ 160,301	\$ 71,008	\$ 86,437	\$ 21,892,331	\$ 1,715,144	\$ 1,434,602	ss	25,042,077

See independent auditor's report and accompanying notes to combined financial statements.

# COMBINED STATEMENT OF FUNCTIONAL EXPENSES For the year ended December 31, 2020

					1	,		Program										
	ш	Endangered		Public	Рор	Population and	Ш	Environmental						Urban			٥	Government
		Species		Lands	Sus	stainability		Health		Oceans		Climate		Wildlands	<u>t</u>	International		Affairs
Payroll and related taxes and benefits	€9	3,409,533	€9	2,955,114	69	790,329	49	1,411,815	€9	1,265,639	S	2,179,130	69	651.588	69	412 429	€:	356.594
Rent and utilities		177,138		184,088		38,438		82,076		115,496		178,448		25.124		36.577	<b>+</b>	932
Professional services		47,727		127,368		8,292		23,452		24,135		265,408		22.361		69.661		1 805
Advertising		73,147		51,906		15,050		18,916		14,642		67,797		9,431		9.422		4.766
Depreciation		153,055		57,339		16,717		71,326		13,589		34,988		4,424		2.716		401
Legal		133,438		115,743		1,012		15,538		16,991		25,882		72,136		8.648		943
Office supplies		67,170		30,456		7,940		13,791		11,169		23,586		7,015		3,152		14.137
Contributions and grants		165,796		61,914		2,086		2,580		4,405		2,291		53,076		176		. '
Printing		5,719		3,696		12,122		635		1,483		3,495		1,092		738		311
Internet organizing		20,702		20,582		20,408		20,425		20,408		20,549		20,340		20,322		20.088
Travel		35,511		52,345		9,014		16,566		17,780		20,353		909'9		11,104		3.933
Telephone and internet		41,411		36,105		8,777		16,458		14,300		25,736		5,576		6,333		1.665
Postage, mail service, labels		9,518		7,858		6,854		2,545		2,046		4,380		2,821		1.242		342
Merchant fees		1		•				1		1				, ,		! '		<u>!</u> ) 1
Dues and subscriptions		21,444		12,616		2,862		11,378		8,286		17,254		3,307		28,757		1.352
Insurance		17,086		12,629		5,199		5,942		4,457		8,914		2,229		2.229		1,486
Miscellaneous		531		209		200		334		440		2,190		177		34		
Staff development		9,223		1,546		203		3,252		1,910		2,835		634		61		71
Conferences and meetings		3,120		934		1,829		332		584		992		92		375		712
Education		1		45		2,600		180		•		1		1		1		45
Events and rallies		98		356		5,727	١	505		173		83				42		
Total functional expenses	မှာ	4,391,355	S	3,733,247	4	958,959	69	1,718,043	↔	1,537,933	8	2,884,085	69	888,013	₩	614,018	sə	409,583

See independent auditor's report and accompanying notes to combined financial statements.

# COMBINED STATEMENT OF FUNCTIONAL EXPENSES, Continued For the year ended December 31, 2020

						Prog	Program											
		Ignite										Total			Ŏ	General and		
		Change	Ene	Energy Justice		Digital	Socia	Social Wellfare	Elec	Electioneering		Program	괴	Fund-raising	Ad	Administrative		Total
Payroll and related taxes and benefits	4	1,131,527	s	360,745	s		€9	333	s	21,690	4	14,946,466	G	841,689	69	1.030.498	69	16 818 652
Rent and utilities		90,442		562		1		1,089		51		930,461		26,920		24 211		981 592
Professional services		3,687		1		1		129		9		594,031		53,546		196.746		844 324
Advertising		75,237		95		1						340,409		141,770		12.919		495 098
Depreciation		35,729		82								390,366		27,394		49.906		467,666
Legal		8,397		7,355		1		6,564		305		412,952		3,454		49.308		465 714
Office supplies		52,475		946		6,745		1,546		572		240,700		92,363		19.706		352,769
Contributions and grants		1,502				1						293,826						293.826
Printing		4,456		1,424		187		79		4		35,441		248,517		473		284.430
Internet organizing		34,993		•		1		1				218,817		60,113		177		279,107
Travel		20,983		4,034		1		173		00		198,410		13,630		3,780		215,819
Telephone and internet		15,783		2,899		1		1,332		62		176,437		8,427		12,105		196,969
Postage, mail service, labels		2,198		644		1		51		2		40,501		114,894		2,094		157,489
Merchant fees		•		1		1		-				_		149,756		4,016		153,773
Dues and subscriptions		3,614		229				•				111,547		2,322		3,511		117,380
Insurance		5,200				1		9,491		441		75,303		4,786		5,263		85,351
Miscellaneous		299				1		•				5,112		40		37,651		42,803
Staff development		2,048				1						21,783		330		5,807		27,920
Conferences and meetings		767		289				1				10,182		250		555		10,987
Education				1		1		1				5,870		1		5,000		10,870
Events and rallies		702		125				41		2		7,839		-		346		8,186
Total functional expenses	မှ	1,490,039	မှာ	380,275	49	6,932	4	20,829	s	23,143	8	19,056,454	S	1,790,201	49	1,464,072	69	22,310,727

See independent auditor's report and accompanying notes to combined financial statements.

### COMBINED STATEMENTS OF CASH FLOWS For the years ended December 31, 2021 and 2020

		2021		2020
Cash flows from operating activities:		2021		2020
Change in net assets	\$	12,552,600	\$	5,981,502
Reconciliation of change in net assets to net cash				
provided by operating activities:				
Depreciation		494,185		467,666
Loss on disposition of fixed assets		-		1,052
Net realized and unrealized gain on investments		(1,588,532)		(994,315)
Reinvested interest and divididends		(5,891)		(19,644)
Note receivable issued for contribution				(310,907)
Donated marketable securites		(14,699)		(24,701)
Change in investments - deferred compensation		(42,162)		(73,446)
Change in operating assets and liabilities:		(4.070.407)		4 40- 4
Grants and contributions receivable		(1,876,167)		1,407,177
Prepaid expenses		(83,304)		(27,735)
Deposits		200		795
Accounts payable Accrued expenses		(99,048)		120,375
Deferred compensation liability		(189,877)		583,482
	-	42,162	-	73,446
Total adjustments		(3,363,133)	-	1,203,245
Net cash provided by operating activities		9,189,467		7,184,747
Cash flows from investing activities:				
Purchases of property and equipment		(103, 133)		(432,394)
Proceeds from sales of investments		2,196,889		2,535,623
Purchases of investments		(6,552,795)		(3,126,091)
Purchases of investments - other		(1,704,042)		(2,445,294)
Proceeds from maturities of investments - other		735,000		3,320,000
Advance of note receivable		(4,000,000)		00.440
Payments received on note receivable	-	30,691		23,110
Net cash used in investing activities		(9,397,390)		(125,046)
Cash flows from financing activities		-		-
Change in cash and cash equivalents		(207,923)		7,059,701
Cash and cash equivalents, beginning of year		12,256,526		5,196,825
Cash and cash equivalents, end of year	\$	12,048,603	\$	12,256,526
Supplemental schedule of cash flow information:				
Note receivable issued for contribution	\$	-	\$	310,907
Supplemental disclosure of non-cash investing information:				
Donated marketable securities	\$	14,699	\$	24,701
Reinvested interest and dividends	\$	5,891	\$	19,644
			-	

## NOTES TO COMBINED FINANCIAL STATEMENTS For the years ended December 31, 2021 and 2020

### 1. Organization

Center for Biological Diversity, Inc. (the Center) was organized under the laws of the State of New Mexico as a nonprofit corporation. In May 2013, the Center was reincorporated under the laws of the State of California. The Center works through science, law and creative media to secure a future for all species, great or small, hovering on the brink of extinction.

Center Action Fund (CAF) was organized under the laws of the District of Columbia during February 2018. CAF was formed to promote social welfare within the meaning of section 501(c)(4) of the Internal Revenue Code, including but not limited to: advocating for stronger environmental laws and policies to protect wildlife, the environmental laws and threats to the integrity of those laws, and advocating for and against legislators and elected officials to further advance stronger environmental protections.

### 2. Summary of Significant Accounting Policies

### **Financial Statement Presentation**

The combined financial statements include the accounts of Center for Biological Diversity and its commonly managed affiliate, Center Action Fund (collectively referred to as the Organization). The organizations share a common board of directors. All intercompany accounts and transactions have been eliminated in the combined financial statements.

The Organization reports information regarding its financial position and activities according to two classes of net assets (net assets without donor restrictions and net assets with donor restrictions) based upon the existence or absence of donor-imposed restrictions.

- <u>Net assets without donor restrictions</u> Net assets that are not subject to donor-imposed stipulations. Net assets without donor restrictions include \$9,460,000 and \$8,760,000 at December 31, 2021 and 2020, respectively, designated by the Board of Directors as an operating reserve.
- Net assets with donor restrictions Net assets subject to donor-imposed stipulations that may or will be met either by actions of the Organization and/or the passage of time. When a restriction expires, net assets with donor restrictions are reclassified to net assets without donor restrictions and reported in the combined statement of activities as net assets released from restrictions. Other donor-imposed restrictions are perpetual in nature, where the donor stipulates that resources be maintained permanently. Generally, donors of these permit the Organization to use all of part of the income earned on any related investments for general or specific purposes.

### Cash and Cash Equivalents

The Organization considers cash and highly liquid investments purchased with an original maturity of three months or less to be cash equivalents. Cash and cash equivalents consist of demand deposits with financial institutions and money market accounts.

### Grants and Contributions Receivable

Grants and contributions receivable consist principally of uncollateralized amounts due from other non-profit organizations and individual donors at year-end. No amounts included in the grants and contributions receivable balance are greater than ninety days past due. The Organization utilizes the allowance method to account for uncollectible amounts, and management believes all amounts are considered fully collectible. Therefore, no allowance for uncollectible accounts has been established at December 31, 2021 and 2020.

### Investments

Investments in marketable securities with readily determinable fair values and all investments in debt securities are valued at their fair values in the combined statement of financial position. Unrealized gains and losses are included in the change in net assets.

See independent auditor's report.

# NOTES TO COMBINED FINANCIAL STATEMENTS For the years ended December 31, 2021 and 2020

### 2. <u>Summary of Significant Accounting Policies, Continued</u>

### Investments - Other

Investments - other is comprised of various certificates of deposit held for investment that are not debt securities. The certificates of deposit mature between December 2022 and November 2030, have an annual fixed interest rates ranging from 0.10% to 2.85% and are recorded at cost which approximates fair market value.

Certificates of deposit with original maturities greater than three months and remaining maturities less than one year are classified as current, and certificates of deposit with remaining maturities greater than one year are classified as non-current.

### Volunteer Services and Donated Goods

Contributions of donated noncash assets are recorded at their fair values in the period received. Contributions of donated services that create or enhance nonfinancial assets or that require specialized skills, are provided by individuals possessing those skills, and would typically need to be purchased if not provided by donation, are recorded at their fair values in the period received.

### Property and Equipment

Property and equipment purchased with a cost of greater than \$1,000 and a useful life of greater than one year is recorded at cost. Donated property is recorded at its estimated fair market value on the date of the donation. Depreciation is calculated using the straight-line method over the following estimated useful lives of the assets:

Building and improvements	5-30 years
Furniture and equipment	3-5 years
Vehicles	5 years

The cost of repairs and maintenance is charged to expense in the year incurred. Expenditures that increase the useful lives of the assets beyond one year are capitalized. Upon the sale or retirement of depreciable assets, the related cost and accumulated depreciation are removed from the accounts. All gains or losses are reflected in revenue in the year of disposition.

### Support and Revenue

Grants and other contributions of cash and other assets are reported as support with donor restrictions if they are received with donor stipulations that limit the use of the donated assets. When a donor restriction expires, that is, when a stipulated time restriction ends or purpose restriction is accomplished, net assets with donor restrictions are reclassified to net assets without donor restrictions and reported in the combined statement of activities as net assets released from restrictions.

Effective January 1, 2019, the Organization adopted FASB ASC 606, Revenue from Contracts with Customers. The Organization's adoption of this standard did not impact amounts previously recorded, and there was no material impact to the financial statements as of and for the year ended December 31, 2020.

### Fiscal Sponsorship

The Center is party to a fiscal sponsorship agreement with an unincorporated organization whose mission is compatible with the Center's mission. In accordance with accounting principles generally accepted in the United States of America, the Center recognizes revenue received for this entity as support with donor restrictions, and the related expenses are recorded with program activities.

## NOTES TO COMBINED FINANCIAL STATEMENTS For the years ended December 31, 2021 and 2020

### 2. Summary of Significant Accounting Policies, Continued

### Legal Income

Legal income related to legal returns is classified as revenue with donor restrictions as required by law. When the purpose of the restriction is accomplished, net assets with donor restrictions are reclassified to net assets without donor restrictions and reported in the combined statement of activities as net assets released from restrictions. Legal income received from the outcome of favorable legal settlements is reported as income without donor restrictions.

### Functional Expenses

The combined financial statements report certain categories of expenses that are attributed to more than one program or supporting function. Expenses are summarized and categorized based upon their functional classification as either program or supporting services. Specific expenses that are readily identifiable to a single program or activity are charged directly to that function. Certain categories of expenses are attributable to more than one program or supporting function.

These expenses require allocation on a reasonable basis that is consistently applied. The expenses that are allocated on a time-and-effort basis include payroll, related taxes and benefits, travel, conferences and meetings, dues and subscriptions, education, and staff development. In addition, rent and utilities, office supplies, depreciation, telephone and internet, and postage are allocated on a full-time equivalent basis.

### **Advertising Costs**

The cost of advertising is expensed when incurred or when the first advertising takes place. The Organization does not participate in direct-response advertising, which requires the capitalization and amortization of related costs.

### Accounting Estimates

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amount of assets and liabilities and disclosure of contingent assets and liabilities at the date of the combined financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

### Income Taxes

The Center is exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3) and from Arizona income tax under Arizona Revised Statutes Section 43-1201(4). The Center is classified as other than a private foundation under IRC 509(a)(1). There were no income taxes paid during the years ended December 31, 2021 and 2020.

CAF is exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(4) and from Arizona income tax under Arizona Revised Statutes Section 43-1201(4). CAF is classified as other than a private foundation under IRC 509(a)(1). There were no income taxes paid during the years ended December 31, 2021 and 2020.

The Organization's policy is to disclose or recognize income tax positions based on management's estimate of whether it is reasonably possible or probable, respectively, that a liability has been incurred for unrecognized income tax positions. As of December 31, 2021, management is not aware of any uncertain tax positions that are potentially material. In addition, management is not aware of any matters that would cause the Organization to lose its tax-exempt status.

### Reclassifications

Certain items from the 2020 combined financial statements have been reclassified to conform to the 2021 financial statement presentation.

# NOTES TO COMBINED FINANCIAL STATEMENTS For the years ended December 31, 2021 and 2020

### 3. Liquidity and Availability

Under the Organization's liquidity management plan, it has a policy to structure its financial assets to be available as its general expenditures, liabilities and other obligations come due. In addition, the Organization invests cash in excess of daily requirements in short-term investments, certificates of deposit and other short-term investments.

Financial assets available for general expenditure, that is, without donor or other restrictions limiting their use, within one year of the combined statement of financial position date, are comprised of the following at December 31,:

	2021	2020
Cash and cash equivalents	\$ 12,048,603	\$ 12,256,526
Grants and contributions receivable	2,529,873	653,706
Investments - other, current portion	2,099,947	412,975
Note receivable, current portion	31,666	30,691
Total financial assets available within one year	16,710,089	13,353,898
Less:		
Amounts unavailable for general expenditures		
within one year due to purpose restrictions	(8,327,656)	(456,452)
Total financial assets available to management for		
general expenditure within one year	\$ 8,382,433	<u>\$ 12,897,446</u>

The Organization also maintains a board designated operating reserve. The balance was \$9,460,000 and \$8,760,000 at December 31, 2021 and 2020, respectively. Although the Organization does not intend to spend from these funds, these funds can be made available by Board of Director approval if necessary.

### 4. Concentration Risk

Cash balances are maintained at various financial institutions. The Federal Deposit Insurance Corporation (FDIC) insures cash accounts at banks up to \$250,000 per institution. Investments held by other institutions are covered up to \$500,000 under insurance provided by the Securities Investor Protection Corporation (SIPC). However, the SIPC does not protect against losses in market value. It is the opinion of management that the solvency of the referenced financial institutions is not of concern at this time. The Organization had cash and investments of \$27,925,438 and \$19,897,209 as of December 31, 2021 and 2020, respectively at various banks and institutions in excess of FDIC and SIPC limitations.

### 5. Investments

Investments, including investments – deferred compensation, are stated at market value and consist of the following at December 31,:

		2020		
Common stock	\$	7,818,135	\$	5,904,887
US Treasury bills		2,988,281		327,855
Municipal and government bonds		2,488,345		1,325,091
Corporate bonds		1,538,499		812,872
Mutual funds		-		220,672
Guaranteed annuity		4,644		222,993
Total investments	\$	14,837,904	\$	8,814,370

See independent auditor's report.

# NOTES TO COMBINED FINANCIAL STATEMENTS For the year ended December 31, 2021 and 2020

### 5. Investments, Continued

Investment income, net including earnings on investments – other, consists of the following for the year ended December 31,:

	2021			2020
Interest and dividends Net realized and unrealized gain Investment expense	\$	208,418 1,588,532 (95,932)	\$	233,830 994,315 (77,027)
Investment income, net	\$	1,701,018	\$	1,151,118

### 6. Notes Receivable

Notes receivable consists of the following at December 31,:

	2021			2020	
Note receivable from a nonprofit conservation organization, non interest-bearing and no payments due until the maturity date of November 2026. If the borrower complies with certain conditions contained in the note agreement, the Organization will forgive \$1,000,000 of the total note amount at maturity. The note is secured with a deed of trust on real property. As of December 31, 2021, \$4,000,000 of the \$7,000,000 note amount had been disbursed.	\$	4,000,000	\$	<del>-</del>	
Note receivable due in monthly installments of \$2,025 including interest at 4.0% through March 2024.		52,201		73,938	
Note receivable due in monthly installments of \$1,000					
including interest at 1.0% through September 2050.		299,729		308,683	
Total notes receivable		4,351,930		382,621	
Less current portion		(31,666)		(30,691)	
Non-current portion	\$	4,320,264	\$	351,930	

Future maturities of the notes receivable at December 31, 2021 are:

### Year ended December 31,

2022	\$ 31,666
2023	32,679
2024	15,263
2025	9,320
2026	4,009,413
Thereafter	253,589
Total notes receivable	\$ 4,351,930

# NOTES TO COMBINED FINANCIAL STATEMENTS For the years ended December 31, 2021 and 2020

### 7. Property and Equipment

Property and equipment consists of the following at December 31,:

	2021			2020	
Land	\$	150,000	\$	150,000	
Building and improvements		7,197,728		6,803,142	
Furniture and equipment		955,519		893,772	
Vehicles		35,920		35,920	
Construction in process		34,964		389,158	
Total property and equipment, at cost or donated value		8,374,131		8,271,992	
Less accumulated depreciation		(2,417,466)		(1,924,275)	
Property and equipment, net	\$	5,956,665	\$	6,347,717	

Construction in process of \$34,964 at December 31, 2021 includes costs related to renovations on a building located in Tucson, Arizona that are expected to be completed during April 2022 at a total estimated cost of \$65,000. Construction in process of \$389,158 at December 31, 2020 was placed into service during the year ended December 31, 2021.

### 8. Fair Value Measurements

The Financial Accounting Standards Board has established a framework for measuring fair value. That framework provides a fair value hierarchy that prioritizes the inputs to valuation techniques used to measure fair value. The hierarchy gives the highest priority to unadjusted quoted prices in active markets for identical assets or liabilities (level 1 measurements) and the lowest priority to unobservable inputs (level 3 measurements). The three levels of the fair value hierarchy are described as follows:

- Level 1: Inputs to the valuation methodology are unadjusted quoted prices for identical assets or liabilities in active markets that the Organization has the ability to access.
- Level 2: Inputs to the valuation methodology include:
  - Quoted prices for similar assets or liabilities in active markets:
  - Quoted prices for identical or similar assets or liabilities in inactive markets;
  - Inputs other than quoted prices that are observable for the asset or liability:
  - Inputs that are derived principally from or corroborated by observable market data by correlation or other means.
  - If the asset or liability has a specified (contractual) term, the Level 2 input must be observable for substantially the full term of the asset or liability.

Level 3: Inputs to the valuation methodology are unobservable and significant to the fair value measurement.

The asset or liability's fair value measurement level within the fair value hierarchy is based on the lowest level of any input that is significant to the fair value measurement. Valuation techniques used need to maximize the use of observable inputs and minimize the use of unobservable inputs.

Following is a description of the valuation methodologies used for assets measured at fair value. There have been no changes in the methodologies used at December 31, 2021 and 2020.

- Common stock, treasury bills, mutual funds, corporate bonds, municipal and government bonds: Valued at fair value based on national trade listing.
- Guaranteed annuity: Valued at contract value which approximates fair value.

See independent auditor's report.

## NOTES TO COMBINED FINANCIAL STATEMENTS For the years ended December 31, 2021 and 2020

### 8. Fair Value Measurements, Continued

The methods described above may produce a fair value calculation that may not be indicative of net realizable value or reflective of future fair values. Furthermore, while the Organization believes its valuation methods are appropriate and consistent with other market participants, the use of different methodologies or assumptions to determine the fair value of certain financial instruments could result in a different fair value measurement at the reporting date.

Fair values of investment assets, including investments – deferred compensation, measured on a recurring basis at December 31, 2021 are:

	Level 1		Level 2	L	evel 3	Total		
Common stock	\$	7,818,135	\$ -	\$	-	\$	7,818,135	
US Treasury bills		2,988,281			-		2,988,281	
Municipal and government bonds		2,488,345	-		-		2,488,345	
Corporate bonds		1,538,499	-		-		1,538,499	
Guaranteed annuity		-	4,644		-		4,644_	
Total	\$	14,833,260	\$ 4,644	\$	_	\$	14,837,904	

Fair values of investment assets, including investments – deferred compensation, measured on a recurring basis at December 31, 2020 are:

	Level 1	Level 2		Level 3			Total
Common stock	\$ 5,904,887	\$	_	\$	-	\$	5,904,887
Municipal bonds	1,325,091		-		-		1,325,091
Corporate bonds	812,872		-		-		812,872
US Treasury bills	327,855		15 1025		-		327,855
Guaranteed annuity	_		222,993		-		222,993
Mutual funds	220,672		-			Name and Address of the Owner, where the Owner, which is the Own	220,672
Total	\$ 8,591,377	\$	222,993	\$		\$	8,814,370

### 9. Net Assets With Donor Restrictions

Net assets with donor restrictions are restricted for the following purposes at December 31,:

	2021			2020	
Subject to expenditure for specified purpose:					
Public lands	\$	7,040,000	\$	-	
Energy justice		532,359		·	
Environmental health		216,666		-	
Population and sustainability		183,333		-	
Oceans		172,500		143,684	
Climate		105,497		26,423	
Endangered species		50,000		-	
Other		27,301		94,871	
Urban wildlands		-		191,474	
Total net assets with donor restrictions	\$	8,327,656	\$	456,452	

# NOTES TO COMBINED FINANCIAL STATEMENTS For the years ended December 31, 2021 and 2020

### 9. Net Assets With Donor Restrictions, Continued

Activity in net assets with donor restrictions is comprised of the following for the year ended December 31, 2021:

	C	Contributions		Releases
Subject to expenditure for specified purpose:				
Public lands	\$	7,866,834	\$	(826,834)
Energy justice		1,270,432		(738,073)
Environmental health		557,800		(341, 134)
Population and sustainability		340,813		(157,480)
Oceans		826,288		(797,472)
Climate		3,548,266		(3,469,192)
Endangered species		2,005,125		(1,955,125)
Other		43,256		(110,826)
Urban wildlands		536,334		(727,808)
Carnivore conservation		200,249		(200, 249)
International		198,818		(198,818)
Government affairs		16,790		(16,790)
Media		600		(600)
Total net assets with donor restrictions	\$	17,411,605	\$	(9,540,401)

Activity in net assets with donor restrictions is comprised of the following for the year ended December 31, 2020:

	 ontributions	Releases		
Subject to expenditure for specified purpose:				
Endangered species	\$ 2,030,242	\$	(2,691,337)	
Climate	1,840,658		(1,914,016)	
Public lands	912,251		(1,415,646)	
Oceans	1,243,678		(1,166,049)	
Urban wildlands	1,014,573		(889,085)	
Population and sustainability	161,458		(161,458)	
Environmental health	331,744		(331,744)	
Ignite change	80,994		(80,994)	
International	94,754		(94,754)	
Government affairs	20,494		(20,494)	
Energy justice	275,495		(275,495)	
Other	118,014		(23,143)	
Total net assets with donor restrictions	\$ 8,124,355	\$	(9,064,215)	

### 10. Commitments

### **Lease Commitments**

The Organization leases office space for administration and branch operations under operating leases with expiration dates ranging from May 2021 to January 2025. Total rent expense during the years ended December 31, 2021 and 2020 was \$893,259 and \$900,833, respectively.

## NOTES TO COMBINED FINANCIAL STATEMENTS For the years ended December 31, 2021 and 2020

### 10. Commitments, Continued

Minimum future lease payments as of December 31, 2021 under the operating leases are:

### Year ended December 31,

2022	\$ 568,304
2023	395,019
2024	316,061
2025	26,400
Total minimum lease payments	\$ 1,305,784

### 11. Retirement Plans

### 403(b) Defined Contribution Plan

The Organization sponsors a salary deferral plan under Section 403(b) of the IRC. The plan allows eligible employees to defer a portion of their compensation on a tax-deferred basis until the employee withdraws the funds. Employees are eligible to make elective deferral contributions on their date of hire and are eligible to receive employer contributions on their date of hire after one consecutive year of service as long as they have reached 21 years of age. The Organization may also make contributions to the 403(b) plan. Total expense related to this plan for the years ended December 31, 2021 and 2020 was \$1,449,498 and \$770,024, respectively, and is included with payroll and related taxes and benefits in the combined statements of functional expenses.

### 457(b) Eligible Deferred Compensation Plan

The Organization has a 457(b) eligible deferred compensation plan (457(b) Plan) that allows eligible employees to defer pretax annual compensation up to certain limitations imposed by the IRS. The 457(b) Plan covers employees of the Organization whose annual salary is in excess of limits imposed by the IRS. The Organization reports assets and liabilities of equal amounts attributable to the amount deferred and the related investment earnings. The balance of the deferred compensation liability and related assets at December 31, 2021 and 2020 are \$480,808 and \$438,646, respectively.

### 12. Joint Costs

During the years ended December 31, 2021 and 2020, the Organization incurred joint costs of \$1,182,587 and \$1,342,265, respectively, for informational materials, payroll and benefits, outside services and activities that included fund-raising appeals. The Organization allocated \$243,629 and \$206,401, respectively, to program expense, \$5,480 and \$3,081, respectively, to administrative expense and \$933,478 and \$1,132,783, respectively, to fund-raising expense for the years ended December 31, 2021 and 2020, respectively.

### 13. Forgivable Loan - Paycheck Protection Program

On April 29, 2020, the Center was granted a loan from Beneficial State Bank ("Lender") in the amount of \$2,907,079 pursuant to the Paycheck Protection Program ("PPP") under the federal Cares Act. The PPP loan, which is in the form of a note dated April 29, 2020, matures on April 29, 2022, bears interest at a rate of 1.0% per annum, and is payable monthly beginning on November 29, 2020. The Center may prepay the note at any time prior to maturity with no prepayment penalty. The Company may be eligible for forgiveness of all or a portion of the loan amount, including accrued interest on the forgiven portion, by providing evidence that the loan proceeds were used to fund eligible costs, during either an eight or twenty-four week period, and that additional criteria for forgiveness have been met. Any amount not forgiven will be payable, in full and including interest, on April 29, 2022; however, the Center may negotiate with the lender to extend the maturity date to April 29, 2025.

# NOTES TO COMBINED FINANCIAL STATEMENTS For the years ended December 31, 2021 and 2020

### 13. Forgivable Loan - Paycheck Protection Program, Continued

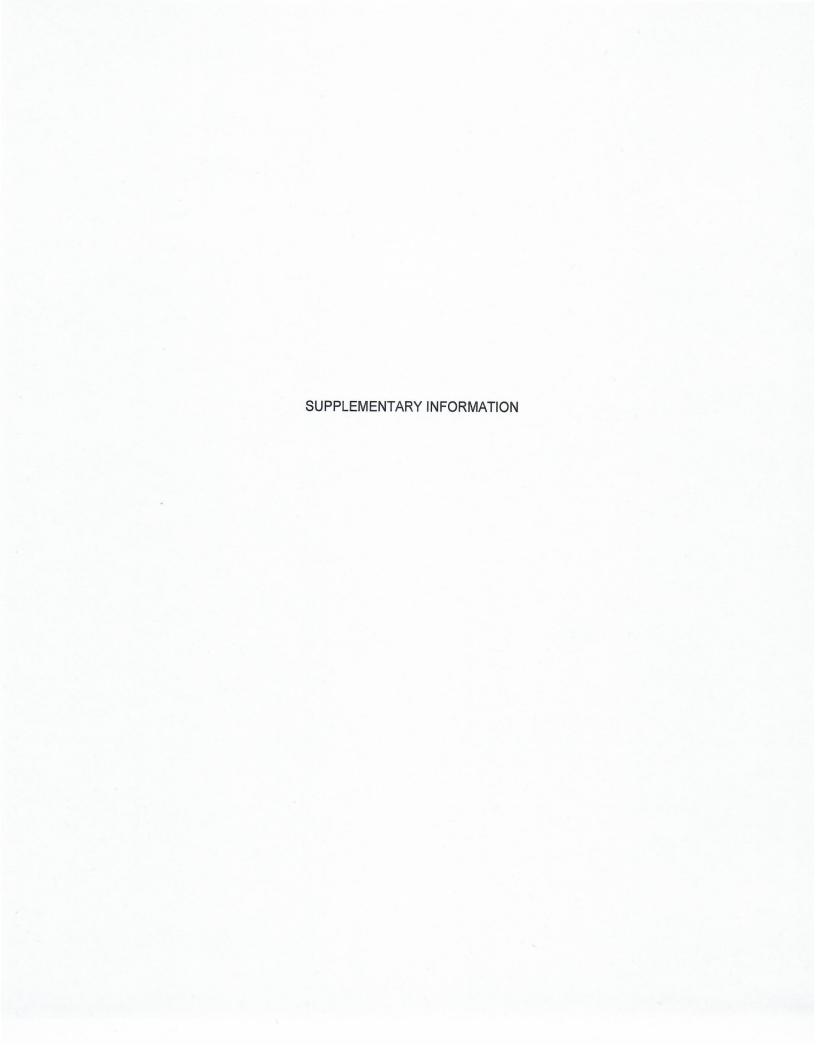
The Center accounted for the proceeds as a conditional contribution under FASB ASC 958-605 *Not-for-Profit Entities – Revenue Recognition*. Under this guidance, the loan forgiveness is recognized as contribution revenue as the conditions of forgiveness are substantially met. As of December 31, 2020, the Center had expended 100% of the proceeds for eligible expenses during the covered period of the loan and fulfilled the additional forgiveness criteria under the Program, including FTE and wage reduction requirements and exceptions. As a result, the Center recognized grant revenue in the amount of \$2,907,079 for the year ended December 31, 2020. During the year ended December 31, 2021, the Center was granted forgiveness of the entire loan amount.

### 14. Related Party Transactions

During the years ended December 31, 2021 and 2020, members of the board of directors donated \$307,043 and \$172,137, respectively, to the Center.

### 15. Subsequent Events

The Organization was unaware of any subsequent events as of March 30, 2022, the date the combined financial statements were available to be issued.



# COMBINING STATEMENT OF FINANCIAL POSITION December 31, 2021

### **ASSETS**

Current ecoete	Center for Biological Diversity	Ac	Center		Combining Entries	Combined Total
Current assets: Cash and cash equivalents Grants and contributions receivable Prepaid expenses Investments - other, current portion Note receivable, current portion	\$ 12,006,674 2,529,873 342,310 2,099,947 31,666	\$	41,929 - - -	\$		\$ 12,048,603 2,529,873 342,310 2,099,947 31,666
Total current assets	17,010,470		41,929		_	17,052,399
Investments - other, non-current portion Note receivable, non-current portion Investments - deferred compensation Investments Property and equipment, net Due from Center Action Fund	991,137 4,320,264 480,808 14,357,096 5,956,665 15,246		- - - - -		- - - - (15,246)	991,137 4,320,264 480,808 14,357,096 5,956,665
Deposits Total assets	\$ 153,273 43,284,959		41,929	\$	(15,246)	\$ 153,273
Current liabilities:	TES AND NET		TS			
Accounts payable Accrued expenses Due to Center for Biological Diversity	\$ 159,976 1,931,867 	\$	- - 15,246	\$	- - (15,246)	\$ 159,976 1,931,867 -
Total current liabilities	2,091,843		15,246		(15,246)	2,091,843
Deferred compensation liability	480,808		-		-	480,808
Total liabilities  Net assets  Without donor restrictions:	2,572,651		15,246		(15,246)	2,572,651
Undesignated Expended for property and equipment Board-designated operating reserve	16,995,288 5,956,665 9,460,000		(618) - -		:	16,994,670 5,956,665 9,460,000
Total net assets without donor restrictions	32,411,953		(618)	_	-	32,411,335
With donor restrictions: Purpose restrictions	8,300,355		27,301		_	8,327,656
Total net assets	40,712,308		26,683			40,738,991
Total liabilities and net assets	\$ 43,284,959	\$	41,929	\$	(15,246)	\$ 43,311,642

# COMBINING STATEMENT OF ACTIVITIES For the year ended December 31, 2021

	Cen	Center for Biological Diversity	iversity		Center Action Fund				Combined Total	
	Without Donor	With Donor		Without Donor	With Donor		Combining	Mithout Conor	Mith Donor	
	Restrictions	Restrictions	Total	Restrictions	Restrictions	Total	Futries	Restrictions	Poetrictions	Loto
Support and revenue:								STORING TO	Nesti Icilolis	I Olai
Contributions	\$ 9,771,716	\$ 9,522,839	\$ 19.294.555	5 \$ 145	\$ 43.256	43 401	<b>&amp;</b>	0 771 061 6	200 002 0	0.000
Grants	914,000	5,579,690	6.493,690		2021			9,77,000	9,000,090	19,337,956
Legal income	7.597,979	2.265,820	9 863 799					914,000	089'876'6	6,493,690
Investment income, net	1,701,018		1,701,018					9/8/86/	7,265,820	9,863,799
Other income	166,820		166 820					1,701,018		1,701,018
Rent income	31,394		31,394					31 394		166,820
Total revenue and support	20,182,927	17,368,349	37,551,276	3 145	43.256	43.401		20 183 072	17 A11 BOE	27 504 677
Net assets released from restrictions	9,429,575	(9,429,575)	•	110.826	(110,826)		,	9 540 401	(0 540 404)	10,460,10
Total revenue, support, and reclassifications	29,612,502	7,938,774	37,551,276		(67,570)	43.401		29 723 473	7 871 204	37 504 677
Expenses:								2, 10, 10	107,110,1	1.0,+60,10
Program services	21,734,886		21,734,886	157,445		157,445		21,892,331		21,892,331
Fund-raising	1,714,382		1,714,382	762	,	762	1	1715 144		1 715 144
General and administrative	1,432,099		1,432,099	2,503		2,503	1	1,434,602		1 434 602
Total expenses	24,881,367	'	24,881,367	160,710	1	160,710		25,042,077		25 042 077
Change in net assets	4,731,135	7,938,774	12,669,909	(49,739)	(67,570)	(117,309)		4.681,396	7 871 204	12.552.600
Net assets, beginning of year	27,680,818	361,581	28,042,399	49,121	94,871	143,992		27.729,939	456.452	28 186 391
Net assets, end of year	\$ 32,411,953	\$ 8,300,355	\$ 40,712,308	(618)	\$ 27,301	26,683 \$	ı	\$ 32,411,335 \$	8.327,656 \$	

Supplementary Information. See independent auditor's report.

	1	