

# Annual Report

# 2012





# A Year in Review

the Delaware Riverkeeper

Each year at this time, I have the opportunity to reflect on the past year. In the life of a river, one year is but an instant. The Delaware is millions of years old, and the River's history, especially its more recent history, informs our perspective on issues today. Looking back in time gives us the opportunity to learn from past mistakes and avoid repeating them.

Those living outside of Pennsylvania's coal region may not be familiar with the harms that resulted from unregulated mining, but I can assure you that the legacy of past mining practices remains with us today. Impacts from those mining practices are still felt in our Watershed and across Pennsylvania. The harms resulting from mining have a real cost. Even with all that has been done to clean up abandoned mine drainage to date, the estimated cost to finish the cleanup—just in Pennsylvania—is around \$1 billion (as estimated by the Department of Environmental Protection). And in some cases the environmental damages are simply not repairable.

If we learned anything about the impacts of mining on our environment and communities—let alone the impact on the planet of burning fossil fuels—that knowledge should inform the decisions we make today about shale gas drilling. If we could go back in time to advise our grandparents and great-grandparents with what we know now about mining, we would encourage them to do it very differently. Likewise, our children's children would want us to take a conservative, considered approach to shale gas extraction. People living in those Pennsylvania communities where gas drilling is now occurring are telling painful stories of what happens when you drill. And science is making clear we will all suffer from the drilling decisions being made in Pennsylvania today.

For nearly 20 years, I have had the privilege of working to protect the magnificent Delaware River. In that time, I have seen that the land is always changing; you can never step in the same river twice. Shale gas drilling and pipeline and power line construction threaten our region anew with changes that will significantly alter the landscape of our Watershed. These new threats are compounding the other harms we already experience.

DRN is a leader in regional watershed issues (a point well demonstrated by the achievements in this report) with the ability to provide effective environmental advocacy, undertake technical watershed studies, implement cutting edge stream restoration projects and enforce compliance with environmental laws. As I reflect on our work over the past year I cannot help but recognize the growing need for legal action to achieve our mission. In 2012, that meant challenging bad legislation as well as failures by state agencies to follow their own regulations for enforcing environmental laws. Our advocacy, monitoring and restoration work continues,



*Delaware Riverkeeper Maya van Rossum kayaking the Delaware River in August 2012. Pennsylvania Governor Corbett, who is getting help righting his kayak, is in the background.*  
A. Stemplewicz

but increasingly the nature of the threats we are opposing has demanded we pursue legal action to protect the public trust that belongs to us all.

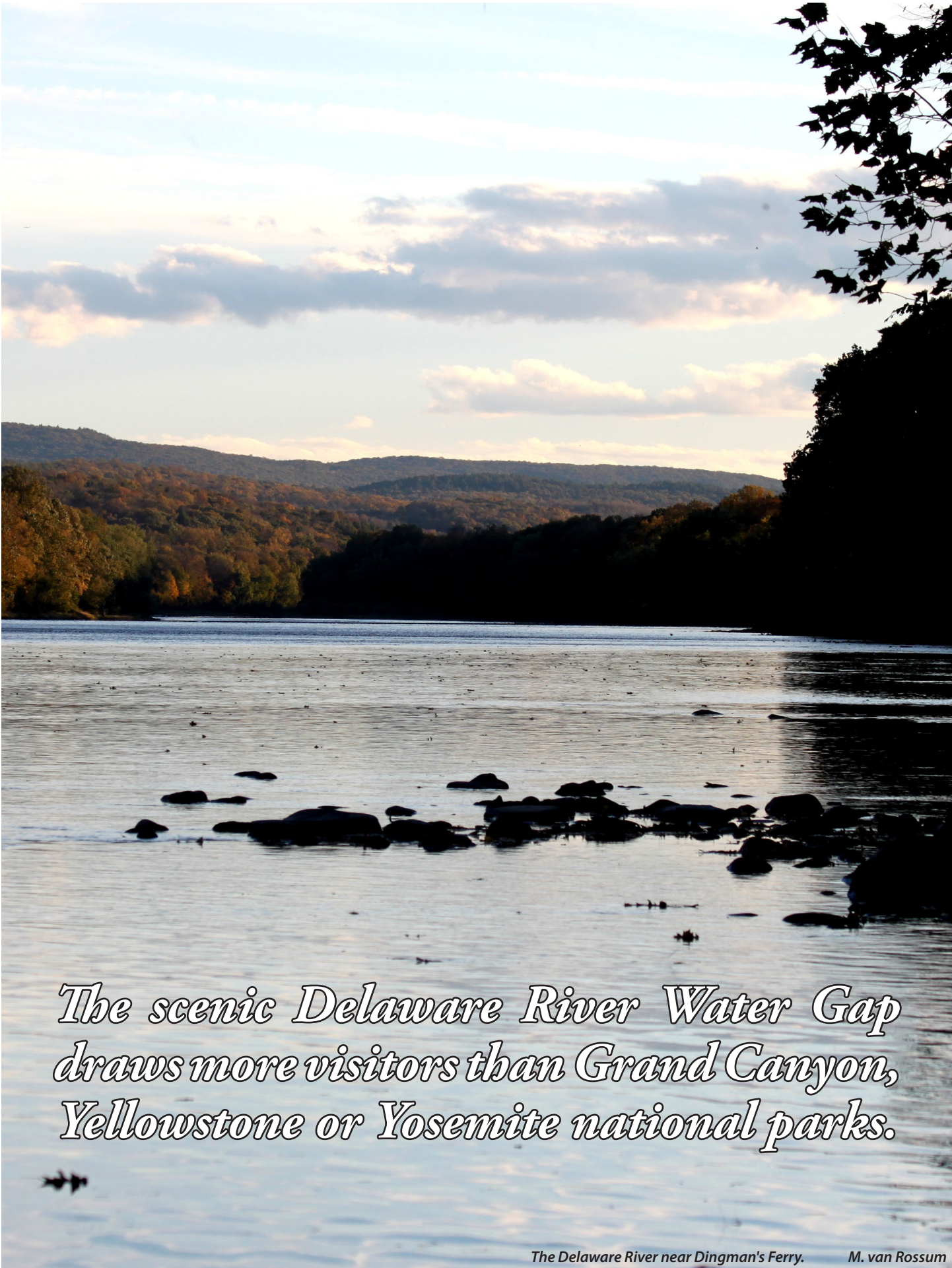
When the Clean Water Act was first passed in 1972, President Nixon vetoed it, but that veto was quickly overridden by Congress. President Reagan also vetoed the 1987 Clean Water Act amendments, which established a program to address stormwater discharges and other nonpoint sources of pollution, but that veto too was overridden by Congress. Like passage of the Clean Water Act and Clean Water Act amendments, protecting our waterways too often remains a “two steps forward, one step back” proposition. But we must not be deterred from trying to move forward with stronger protections or from holding the agencies accountable for protecting our streams. A rich and healthy future can only exist with a clean, healthy and free-flowing river system.

To ensure a healthy River, we need to be working to protect the water that is in rivers and streams, the riverside lands that are an integral part of healthy waterway function, and the watershed that is the source of it all. DRN is doing that hard work; I offer this report on our efforts in 2012 as a testament to DRN's commitment to moving forward, whatever the obstacles, the strong protections our River needs now and that future generations deserve.

*P.S. In the pages that follow, you will see the tag “MYC” (for “mark your calendar”) along with the names of regularly scheduled DRN events. As you read about DRN's top stories of 2012, these tags serve as reminders for you to mark your 2013 and 2014 calendars for the events that interest you. As we approach the month in which the event is scheduled, check our calendar online to learn more about event details. See you in the months to come!*

*Maya K. von Rossum*





*The scenic Delaware River Water Gap  
draws more visitors than Grand Canyon,  
Yellowstone or Yosemite national parks.*



# JANUARY

**Throughout 2012, DRN worked to keep fracking out of New York State.** DRN joined forces with the Natural Resources Defense Council, Earthjustice, Hudson Riverkeeper and Catskill Mountainkeeper to prepare and submit 500 pages of substantive comment on the State's proposed revised draft Supplemental Generic Environmental Impact Statement (rdS-GEIS) on fracking. DRN commissioned a number of expert analyses and reports to inform our comments on the rdS-GEIS as well as decisionmakers and the general public. Months of work went into the comment submitted in January 2012.

DRN joined with more than 600 people, 70 grass roots groups and 38 state and regional organizations in Albany in January to rally and lobby elected officials to protect New York's water and communities from gas drilling and fracking. In-office visits to legislators focused on legislation that would ban fracking, close the Hazardous Waste Loophole that allows the gas industry to circumvent requirements for hazardous waste disposal, require a Health Impact Assessment of fracking's public health impacts, and advance solar energy.

Throughout 2012, DRN worked with New Yorkers Against Fracking and other coalitions that grew in strength as the state issued a revised environmental impact study but did not conduct needed public health and other analyses first. The year ended with the New York fracking moratorium, as well as the Delaware River Watershed moratorium, still in place.

**The Delaware River's Atlantic sturgeon are a unique and distinct genetic stock,** but today there may be less than 90 spawning Atlantic sturgeon in the entire Estuary. Overfished for caviar in the past, our sturgeon populations remain decimated due to dredging and deepening, habitat loss, water pollution, boat and propeller strikes, and bycatch mortality. Compounding recovery efforts, sturgeon, though long-lived, reproduce relatively late in life and not as often as other species.

Years of DRN advocacy met with success in 2012 when the National Marine Fisheries Service officials listed the Delaware River's Atlantic sturgeon as an endangered species. Although it failed to do so for the Delaware River deepening, this listing should provide a critical layer of protection for the sturgeon. In response to the listing, DRN urged that strong protective measures be required as part of any permitting for Southport and the proposed Philadelphia Airport expansion, two projects that we oppose because of their impacts on sturgeon as well as other harms.

However, efforts by others are already afoot to undo the endangered species listing. DRN is following the new stock assessment to be launched by the Atlantic States Marine Fisheries Commission and will continue our advocacy for these ancient and unique members of our Delaware River Watershed community.

# FEBRUARY

**In February, DRN announced the resolution of a Pennsylvania Environmental Hearing Board appeal** of a shale gas well permit that we and Damascus Citizens for Sustainability (DCS) began in 2010. The case concerned the Newfield Appalachia PA, LLC "Woodlands" well, in Damascus Township, Wayne County. The exploratory well was grandfathered by the Delaware River Basin Commission (DRBC) so that it could be drilled even though a moratorium is in place in the Watershed.

Our legal effort obtained important programmatic changes in how natural gas well permits are processed throughout Pennsylvania. Under the terms of the settlement, oil and shale gas well applications must demonstrate compliance with the Commonwealth's antidegradation regulations in High Quality or Exceptional Value watersheds prior to the commencement of any earth disturbance activities. Prior to this settlement, Pennsylvania Department of Environmental Protection (DEP) was not requiring applicants to demonstrate this for projects under five acres. The DEP also agreed to a process that will ensure proper consideration of the potential impacts of gas drilling projects on rivers designated under the federal Wild & Scenic Rivers program including the Delaware River.



Act 13 protest in Doylestown.

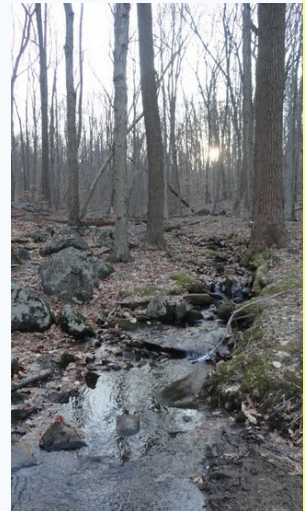
T. Carluccio

**In February, DRN went to the streets with constituents opposed to the Pennsylvania Legislature's efforts to pass Act 13,** a bill that would preempt municipalities' rights to zone natural gas and oil operations and gut municipal controls over these activities. Protests targeted specific legislators who had publicly voiced their opposition to overturning local zoning rights, but then reversed their stand and voted for final passage of the law. Rallies were held in central Bucks County and southeastern and southwestern Pennsylvania calling for accountability from these elected representatives. This began DRN's year-long multi-pronged battle to keep this draconian law from taking effect in Pennsylvania.

# MARCH

**DRN took legal action** to compel the Pennsylvania DEP to comply with state antidegradation and Sewage Facility Act requirements. The DEP had ordered Union Township, Berks County, to revise its Sewage Facility Plan to allow a new pollution discharge from a proposed small flow sewage treatment facility, despite the Township's decision that other alternatives better protected the creek and served the building owner needs. What's more, the proposed discharge would have flowed directly into Mill Creek, for which DRN had submitted a petition to redesignate the stream Exceptional Value due to its water quality.

DRN appealed DEP's order to the Environmental Hearings Board alleging that DEP failed to adequately: 1) consider DRN's pending petition to redesignate Mill Creek an Exceptional Value stream; 2) comply with Pennsylvania's antidegradation program, the Clean Streams Law, and Sewage Facilities Act; 3) evaluate project alternatives; and 4) consider the discharge's ecological impact on downstream organisms or the social, economic, and public health impact on downstream residents. Union Township also appealed the DEP order. As a result of DRN's challenge, DEP evaluated DRN's redesignation petition in March and upgraded the majority of Mill Creek to Exceptional Value existing use status. DEP also rescinded its order to the Township and currently there is no direct sewage discharge proposed to the creek at the site.



Mill Creek. F. Zerbe

**Another DRN legal challenge highlighted Pennsylvania DEP's failure to protect Cooks Creek**, an Exceptional Value waterway with a protected use for migratory fishes. DRN challenged DEP's issuance of a stream encroachment permit to the Pennsylvania Department of Transportation (PennDOT) for a bridge replacement project impacting an unnamed tributary to Cooks Creek. DEP failed to properly provide the public with notice of this project when it received PennDOT's permit application; concerned citizens and conservation groups alike were unable to comment on this project at a time that could have made a difference in the decision to permit. As a result of DRN's legal action, DEP revoked the permit it had issued to PennDOT in March in order to 1) address deficiencies in the public notice that was provided, 2) perform the legally mandated antidegradation analysis which had originally been overlooked, and 3) incorporate stormwater best management practices into the project to reduce excess runoff created by the project's footprint.

MYC: 2014 Watershed Congress

# APRIL

**The Swamp Creek restoration project improves the green infrastructure of the Erwinna historical district** by improving habitat and water quality. In collaboration with a project design team, DRN provided planning and design for this streambank and riparian buffer restoration project that utilized bioengineering. Partners in implementation included Tincum Township and the Tincum Conservancy.

In April, DRN led the first phase of installation, purchasing and installing 100 trees along the corridor with volunteers. DRN produced a video during this event, highlighting the environmental value and goals of the restoration; the video was posted online at DRN's YouTube channel. A few months later, DRN obtained the required permits/clearances for the streambank restoration so that in the fall, DRN and DRN's landscape contractor were able to install the streambank restoration and complete the 1,500 linear feet of riparian corridor planting. DRN continued with management and maintenance through February 2013.



Bioengineering material installed (L); With plant growth (R). J. Nystedt

**Also in April, DRN participated in a emergency response exercise focusing on the Delaware Bay** that was organized by the U.S. Coast Guard for the Preparedness for Response Exercise Program (PREP). The purpose of this exercise was to test the response community in the event of an oil spill. PREP exercises provide opportunities to study the reactions of the response community; observe interactions among industry, federal, state and local governments, and non-government organizations like DRN; and make recommendations for improvements. DRN's role in the exercise centered on coordinating volunteers. The exercise also tested DRN's role in informing the community and the press.

DRN staff have also been trained in incident command system (ICS) management practices. ICS represents a standardized approach, using best management practices, to respond to planned events, natural disasters, and acts of terrorism anywhere in the county. DRN staff have received ICS -300 and ICS-400 training for those needing advanced knowledge and application of incident response best management practices. With this training, DRN is now a lead partner in the area contingency plan if and when another oil spill occurs.

MYC: Virtual Canoe Race, Young Paddler Edition



# MAY

MYC: Horseshoe Crab Census



TGP right-of-way.

F. Zerbe

**With at least 13 natural gas pipeline construction projects proposed to impact our region, shale gas development taking place elsewhere is posing threats all across the Watershed.** In May, DRN staff and trained volunteers monitored pipeline construction activities and documented unstabilized sediment, damaging wetland crossings, scant mulch, and mediocre vegetation growth at many rights-of-way. DRN also logged and responded to pollution report calls from citizens documenting pipeline pollution. As a result of this work, over 17 notices of violation were issued for the Tennessee Gas Company's (TGP's) 300 Line project in Pike County in Spring 2012 alone. Wayne County also found violations along this pipeline project.

According to TGP's own estimates, the 300 line project "temporarily" disturbed 108 wetland acres and permanently destroyed 22.9 wetland acres. TGP was required to restore the temporarily disturbed wetlands, but the company delayed these activities until amphibian populations were already present in these areas for breeding. DRN notified state and local agencies to request that TGP be ordered to hold off on their invasive wetlands work so that young amphibians present could grow to adulthood and move on, but the agencies ignored us. DRN is using this experience to advocate for amphibian windows for future pipeline projects.

Visual assessments of pipeline construction activities continued throughout the year and identified violations and lagging restorations along the rights-of-way.

**Every spring, horseshoe crabs converge along bay beaches in the dark of night to spawn.** In May and again in June, DRN staff and volunteers participated in the annual census of horseshoe crabs. For almost 10 years, DRN has committed to monitoring horseshoe crabs by moonlight along South Bowers Beach.

In 2012, DRN's efforts to protect horseshoe crab populations and the migratory bird species dependent upon them included commenting on the Comprehensive Conservation Plan to challenge the use of spoils from the Deepening for salt marsh restoration without full National Environmental Policy Act compliance. DRN also worked with the Manomet Center to develop a messaging plan to enhance and broaden support for horseshoe crab protection.

# JUNE

MYC: National Rivers Month



Van Sciver rain garden.

J. Nystedt

**DRN assisted the Haddon Township Board of Education and Haddon Township with a green infrastructure project**—a biofiltration rain garden totaling 0.6 acres adjacent to the Van Sciver School—which reduces and treats stormwater runoff before it enters Saddlers Run. By helping to limit erosion, pollution and downstream sedimentation in Saddlers Run, this project also benefits Saddlers Woods; it will also increase the native habitat adjacent to Saddlers Woods.

In 2012, DRN and project partners finalized project documentation, and obtained the necessary approvals and permits. DRN prepared and distributed bid documents, and selected the installation contractor. The bioretention rain garden and adjacent meadow were installed in June by the landscape contractor, with regular oversight by DRN. This installation was followed up with volunteer planting of perennials, and three months of maintenance by the landscape contractor. In Winter 2012-2013, additional plantings were added in response to functional, visual and habitat desires. The bioretention area was highly successful handling small and large storm events, cleaning and infiltrating stormwater, and increasing habitat.

**For years, the citizens of Delanco Township and neighboring communities have enjoyed the Delanco Dunes Trails Area** which is also known as the West Avenue Nature Trails at the Dunes. New Jersey DEP is now attempting to dump dredge spoils from maintenance dredging on a large portion of this defined trail way, and DEP brought a lawsuit against the Township to accomplish its goal.

In 2012, DRN sought to intervene in the suit to ensure that public access to the Delaware River and reasonable use of the upland trail system be maintained. In June, DRN was granted leave to participate in the lawsuit as amicus curiae ("a friend of the court"), and has engaged in mediation and participated in case management conferences between the parties and the judge. This case is ongoing.

# JULY

**DRN worked as a leader of a coalition of over 60 organizations** supporting legislation that would prevent fracking waste from being processed, discharged or stored in New Jersey. Fracking waste from shale gas wells is poorly regulated, highly toxic with many ingredients that pose hazards to human health and the environment. When the general public learned that fracking waste was already being discharged in New Jersey and that no New Jersey facility is designed to clean all the pollutants in this waste, the state legislature acted to protect drinking water and communities. With bipartisan support, the Frack Waste Ban bill was passed to prevent water pollution in New Jersey.

Governor Christie subsequently vetoed the bill, but DRN and our colleagues plan to continue our grassroots advocacy to restore the legislation with an override of Christie's veto before the bill expires in January 2014.



Shale gas well pad. T. Carluccio

**In February, the Pennsylvania legislature passed Act 13**, which amended the state's Oil and Gas Act. Act 13 passed only after much debate, arm-twisting, threats to cut funding for public programs, back room deal making, and last minute flip-flops by legislators. As passed, Act 13 would require that all types of oil and gas operations, except for natural gas processing plants, be allowed in all zoning districts; i.e., communities would be forced to allow drilling where we live, go to school, enjoy nature and historic sites, or seek to heal at a hospital.

In March, DRN and seven municipalities challenged Act 13 in Commonwealth Court. In April, the Court issued a preliminary injunction against the provision preempting local zoning ordinances. By July, at least 67 more local governments had either adopted a resolution or voted to send a letter in support of our lawsuit. On July 26th, the Court declared the state-wide zoning provisions in Act 13 unconstitutional, null, void and unenforceable. The Court also struck down the provision that required DEP to grant waivers to zoning setback requirements. This decision is being appealed to the Pennsylvania Supreme Court, but the injunction preventing the preemption of local zoning remains in place during the appeal. Pennsylvania's Supreme Court heard arguments in October, but there has been no decision as yet.

DRN continues to engage and educate municipalities about the harms of Act 13.

# AUGUST

**On a foggy August morning, Pennsylvania Governor Corbett decided he was going to kayak down the Delaware River.** To draw attention to his efforts to open our Watershed to shale gas development and ensuring a DEP friendly to pipelines, compressors, water withdrawals, wastewater discharges and other infrastructure needs of the gas industry, DRN organized an armada to greet him. Surrounded by the Delaware's beauty and magic, we challenged him to rethink his positions and actions on drilling.

During the trip, Delaware Riverkeeper Maya van Rossum secured a promise of a one-hour meeting with the governor. At that meeting, which took place in January 2013, van Rossum dedicated her time to those who have suffered from the harmful impacts of shale gas development, and those concerned about keeping Pennsylvania's water, air and land clean. DRN put out a call for video messages and compiled the submissions into a montage that was shown to Governor Corbett. Many of those who spoke on the video also opposed planned expansion of natural gas pipelines throughout the state. Several physicians voiced their opposition to a provision of Act 13 which limits access to information about chemicals used in fracking.



Corbett Protest. DRN staff

**When it came to broadcast TV, the natural gas industry and their lobbying groups like the American Natural Gas Alliance long enjoyed a virtual monopoly with advertising campaigns** that overwhelmed objective news reporting that critically analyzed industry claims. In 2012, DRN broke the advertising monopoly with a 30-second TV public service awareness ad, "Protect Our Water Before It's Too Late," that aired on Lifetime, MSNBC, CNBC, and Fox News. The ad aired in the Philadelphia and New York City media markets.

In fall 2012, *Artists Against Fracking* created the #DontFrackNY video contest as part of an effort to help convince Governor Andrew Cuomo to ban fracking in New York. *Artists Against Fracking* founders Yoko Ono and Sean Lennon invited the submission of 30-second ads and short videos. DRN was encouraged by *Artists Against Fracking* to submit our commercial. Nearly 100 videos were submitted to the contest in two categories: TV-ready ads and short videos. Out of that stiff competition, our ad, "Protect Our Water Before It's Too Late," was selected as the winning TV-ready ad. As the winning ad, it was shown in the New York City and Albany media markets, airing during the week of February 11th.



# SEPTEMBER

In September, the Federal District Court in Philadelphia entered a final judgment in a Clean Water Act citizen suit brought by DRN against the Philadelphia Gun Club (PGC). DRN alleged that PGC, which holds live pigeon shoots on its property adjacent to the Delaware River in Bensalem, Pennsylvania, was violating the Clean Water Act by discharging shot, casings, dead and dying pigeons and other material into the River without a permit. According to the PGC's own statements, the practice has been going on for over 100 years. The judgment obligated PGC to apply for a discharge permit from Pennsylvania DEP by December 31st and to pay legal costs incurred by DRN.

MYC: World Rivers Day



Great egret on Newton Creek.

J. Nystedt

**Rivers, streams and creeks may sometimes separate communities**, but they can also bring them together. The Newton Creek flows from affluent suburban communities into economically depressed urban ones. It also has serious water quality problems. In 2012, DRN took advantage of the creek's connecting influence to bring suburban and city residents together. DRN planned and led a watershed tour in September that took participants from Newton Creek's headwaters to its confluence with the Delaware River. The tour showcased some of the Newton Creek's uniquely beautiful character, such as urban farm plots and artistically designed rain gardens, as well as its ecological challenges, such as Superfund sites and manicured park lands so overrun with geese that humans tend not to tread.

Watershed tours raise awareness and help instill a sense of ownership. DRN is now piggy-backing on the tour to re-invigorate a watershed association that will continue to use the Newton as a bridge connecting communities so they all benefit from a healthy waterway.

# OCTOBER

MYC: DRN Family Camping Trip



New S-R towers.

S. Olson

**The 147 mile Susquehanna-Roseland power line project will impact the landscape of both Pennsylvania and New Jersey.** Seventy-two of these miles lie within our Watershed. In 2012, the Final Environmental Impact Statement was issued and permits were approved allowing construction to begin on the high-voltage electrical transmission lines which will tower twice the height of nearby trees and cross the River in the Delaware Water Gap National Recreation Area (DWGNRA), and be visible 10 miles away.

In October, DRN and partner organizations filed a motion in federal court for a preliminary injunction against utilities PSE&G and PPL, and also against the National Park Service (NPS) and the Department of the Interior because their approvals contradict the government's mandate, under the Organic Act of 1916 (which created the NPS), to protect the National Park System "unimpaired for future generations." DRN also called upon DRBC to exercise its authority over the full length of the project in our Watershed rather than just the 4.3 miles that traverse the DWGNRA. DRN has organized tours of the area to be harmed and enlisted volunteers to help document potential permit violations along the power line route.



Pipeline tour.

S. Rando

**The Commonwealth pipeline project proposed to transport shale gas from northern Pennsylvania to Chester County and beyond.** The route for the 120-mile project would travel through Schuylkill, Berks, Chester and other counties, and revealed how close to highly residential areas of our Watershed the pipeline companies are prepared to go. Treasured open spaces including Hopewell Big Woods, Warwick County Park and French Creek State Park were along the pipeline route. DRN participated in meetings held in Warwick Township in Chester County to discuss pipeline upgrades and expansion, pipeline impacts, and how to oppose them. In late December, the company sponsoring the Commonwealth pipeline project announced the project had been put on hold indefinitely.

Also in October, DRN began offering tours along TGP's 300 Line project to provide concerned citizens with firsthand experience of the long-term environmental damage that results from pipeline projects and raise concerns about the next segment, TGP's Northeast Upgrade.



# NOVEMBER

**Proposed development threatened to exacerbate already chronic and catastrophic flooding** in Philadelphia's Eastwick neighborhood, a predominantly African American community in the southwest section of the city near the airport. Korman Residential, together with the City's planned airport expansion, proposed developing 128 acres of floodplain for 722 new rental units, 1,000 new parking spaces and expanded overflow airport parking.

DRN joined a coalition of residents and other organizations to form the Eastwick Friends and Neighbors Coalition (EFNC) to challenge the wisdom of building on a floodplain when flooding is already devastating the area. Effective community outreach, including going door-to-door, weekly community meetings, press coverage and using social media, resulted in standing room only City Council meetings. In November, City Council pulled the zoning bill that would have allowed construction on floodplain adjacent to Eastwick and the John Heinz National Wildlife Refuge.

Pressure to develop floodplains is still being exerted in the community. EFNC is now leading a community-based planning and negotiating process and working with the U.S. Environmental Protection Agency on two Superfund sites in the community. With DRN and EFNC support, Eastwick residents recognize that protecting the floodplains can help protect sensitive habitat, reduce flooding, keep people out of harm's way and improve their quality of life.



Sandbags in Eastwick.

E. Rodgers

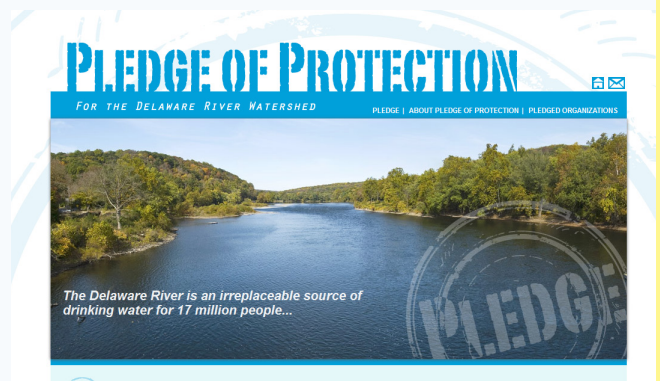
**DRN, as Delaware Riverkeeper Network Press, published *A River Again: The Story of the Schuylkill River Project***, a history of the mid-century effort to clear the Schuylkill River of millions of tons of coal silt that had been discharged into it over many decades. The story of how unregulated coal mining harmed the Schuylkill River offers clear parallels to shale gas drilling today. *A River Again* serves as a cautionary tale for decision-making about how we care for our rivers.

DRN published *A River Again* as a free PDF in June followed by the publication of a 6" x 9" jacketed and cloth-bound hardcover in November. The 234-page *A River Again* was written by DRN staff with layout, design and copy-editing all done in-house, allowing DRN to enhance its communication skills and capabilities. The book was published through Lightning Source, the on-demand printer for Ingram Content Group, Inc.

MYC: DRN's Run for the River team at the 2014 Philadelphia Marathon

# DECEMBER

**The Pledge of Protection, with a dedicated website, [protectdelriv.org](http://protectdelriv.org), was launched in December.** DRN led the effort to create the Pledge, which provides the opportunity to demonstrate, both as individuals and as a community, our commitment to protecting our Delaware River Watershed from the ravages of shale gas development, and our commitment to conservation and sustainable energy for ensuring a bright and healthy future for all. The Pledge also provides an opportunity to reflect on the importance, power and firmness of our individual and collective commitment. Since December, scores of organizations and thousands of people have signed onto the Pledge.



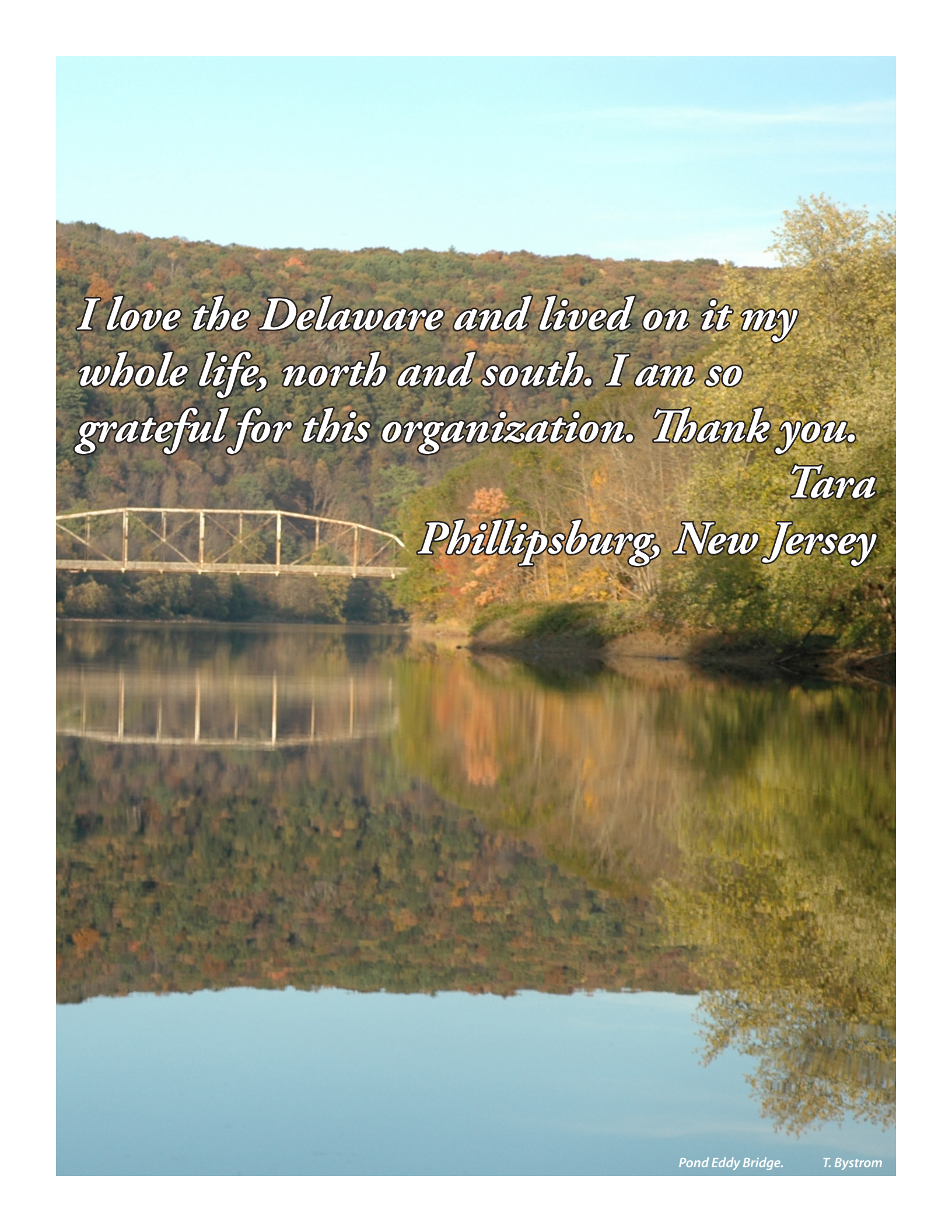
**The Delaware City Refinery kills over 45 million striped bass, white perch, bay anchovy and weakfish each year**, according to recent counts. Of course, other species are killed too, but these four are the only species counted—and still the figure is an alarming 45 million! The Clean Water Act says the Delaware City Refinery has to minimize fish kills caused by the facility's cooling water intake structures, but the Clean Water Act permit for the refinery expired in 2002. For 11 years, this facility has been operating under an expired permit, and they have not yet been forced to comply with the law.

In December, Delaware's Department of Natural Resources and Environmental Control (DNREC) proposed renewing the Delaware City Refinery permits to continue operating as usual. DRN submitted strong comments urging the agency not to permit continuing operations that result in unnecessary fish kills. The refinery could reduce its fish kills by as much as 90% by using up-to-date existing technology.

Filing these comments was the first step in a campaign undertaken by DRN and colleague organizations in Delaware (the Delaware Audubon Society and the Delaware Chapter of the Sierra Club) to ensure that the Delaware City Refinery is held to the same legal standards as every other industrial operation in the state that withdraws cooling water.

MYC: DRN's Year-End Giving Campaign



A scenic view of a river with a bridge, surrounded by autumn foliage. The bridge is a simple truss bridge with a curved top. The water is calm and reflects the surrounding trees and sky. The trees are in various shades of green, yellow, and orange, indicating autumn. The sky is a clear, light blue.

*I love the Delaware and lived on it my whole life, north and south. I am so grateful for this organization. Thank you.*

*Tara  
Phillipsburg, New Jersey*



## the Delaware Riverkeeper

Giving a voice to the Delaware River, its tributaries and all the communities that appreciate and depend upon them.

### The Delaware Riverkeeper Network

Championing the rights of our communities to a Delaware River and tributary streams that are free-flowing, clean and healthy.

#### ADVOCACY

Securing stronger regulations to protect the Delaware River and tributary streams and defeating bad projects that would harm our waters.

#### LEGAL ACTION

Building strong cases that protect the River, enforce the law, and set precedent for its future protection.

#### Our Programs

##### AWARENESS

Providing tools and training to help private citizens take action on behalf of their local streams.

##### RIVER TECH

Sharing technical expertise with watershed groups, other conservation groups, agencies, and municipalities.

##### HABITAT RESTORATION

Restoring native plant communities, increasing wildlife habitat value, improving stream function and transport, and encouraging infiltration of stormwater.

##### WATER WATCH

Mobilizing a network of trained citizens who serve as on-the-ground investigators for the Delaware River and its tributary streams.



Great Egret. F. Miles

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## **Delaware Riverkeeper Network**

925 Canal Street, Suite 3701 • Bristol, PA 19007

Phone: 215-369-1188 • Fax: 215-369-1181 • Hotline: 1-800-8-Delaware

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*Dingman's Ferry.*

*J. Brunner*