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DELAWARE RIVERKEEPER NETWORK



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**Find our financial information on
Guidestar, www.guidestar.org/.**

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 clean, healthy, free-flowing, and
abundant with a diversity of life.

About the Delaware Riverkeeper Network

The Delaware Riverkeeper Network (DRN) works throughout the four states that are a part of the Delaware River watershed, as well as at the federal level, on issues that impact the health of the Delaware River watershed by setting important legal, policy, and programmatic precedents. DRN's work includes sharing our expertise with others engaged in environmental protection work, within and beyond the Delaware River watershed, knowing that doing so helps foster strong environmental awareness and contributes to successes that DRN can build upon in its own work. We also recognize that there is environmental and moral value in sharing our well developed expertise with others in need of assistance.

Our Programs

ADVOCACY

Securing stronger protections for the Delaware River
and tributary streams, and defeating bad projects that would harm our waters

AWARENESS

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

LEGAL ACTION

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

HABITAT RESTORATION

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

RIVER TECH

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

WATER WATCH

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

Photos:

Front cover: *T. Carluccio*. Opposite page: *F. Zerbe*.

Uplands: *F. Zerbe*; Piedmont: *T. Carluccio*; Estuary: *T. Carluccio*.

Back cover, clockwise from top left: *F. Zerbe, F. Zerbe, T. Carluccio, M.K. van Rossum*.

Back cover, background: *T. Carluccio*.

2015 by the NUMBERS

FILED 2 LAWSUITS IN PENNSYLVANIA over the disposal of fracking waste under the state's *Beneficial Use General Permitting scheme*

Challenged through law and advocacy 8 fracked gas pipeline projects

Created a petition, calling for 7 independent hearings by the Delaware River Basin Commission along the PennEast pipeline route, that SECURED OVER 6,000 SIGNATURES

Collected MORE THAN 30 ROAD SALT SAMPLES as part of a monitoring partnership with Rider University

Worked with colleague organizations to hold *March Across the Delaware*, a rally to oppose the PennEast pipeline. AN ESTIMATED 500 PEOPLE ATTENDED

Presented the 18th annual WATERSHED CONGRESS which offered a keynote by Delaware Riverkeeper Maya van Rossum, as well as 20 breakout sessions, 7 posters, and 18 exhibits & attracted over 200 participants

Presented the 3rd VIRTUAL CANOE RACE during which 400 young paddlers from more than 20 crews learned about the Delaware River

Filed 3 Right-to-Know lawsuits
SEEKING GREATER DATA ACCESS BY THE PUBLIC

Organized a litter clean-up along the Newton Creek (Camden, New Jersey) in which 65 volunteers gathered roughly 3,800 pounds of trash

REVIEWED PENNSYLVANIA'S NEW OIL AND GAS RULES (Chapter 78 revisions) and prepared a 47 page comment

ADDED VERNAL POOL MAPPING to the data collected under our Pipeline Watch effort and monitored more than 30 wetlands

Produced MORE THAN 120 VIDEOS on River issues which received more than 3,500 VIEWS ON OUR YOUTUBE CHANNEL

Helped negotiate a settlement agreement against Hamilton Township (Mercer County, New Jersey) for stormwater violations, securing redevelopment of the stormwater system and \$75,000 FOR MITIGATION

Regional & National Highlights

The Delaware Riverkeeper Network works regionally and beyond the border of Delaware River Watershed when doing so helps foster strong environmental awareness and contributes to successes that advance our work in the Watershed.

The impact we are having on environmental issues regionally and nationally was underscored when **SNL Energy** named *Delaware Riverkeeper Maya van Rossum* one of their **Most Influential People of 2015**, a recognition of how the Delaware Riverkeeper Network is shaping the debate around energy infrastructure.

The following efforts highlight our work regionally and beyond the Watershed's borders.

Coordinated a legislative briefing on buffers

The Delaware Riverkeeper Network recruited Dr. Bern Sweeney, Stroud Water Research Center, to speak to member of the Pennsylvania legislature on the benefits of streamside vegetation for water quality protection and flood damage reduction. Subsequently the newsletter of the Joint Legislative Air and Water Pollution Control and Conservation Committee included a research brief on Sweeney's research on buffers.

Pushed for a GAO review of FERC

The Delaware Riverkeeper Network wrote a letter urging Senators Sanders and Warren to use their positions on the Senate Committee on Energy and Natural Resources to call for a Government Accountability Office (GAO) investigation of the Federal Energy Regulation Commission (FERC). This letter was complemented by a shorter sign-on letter, which was released when 165 environmental and community groups had signed on (later rose to 253). A sign-on letter for individuals secured over 2,000 signatures at the time of initial submission.

Launched Riverwatch

We launched a weekly video news report in February featuring 90 second videos about issues affecting the Delaware River and tributaries. In addition to our YouTube channel, the videos air on *Princeton Community TV* as well as *ROKU* and *TelVue*.

Collaborated on shale gas issues

We provided leadership and participated in several regional and national meetings including the *Energy Justice Convergence and Camp*, the *Stop the Frack Attack* national conference and the *Extreme Energy Extraction Summit* as well as several meetings on oil trains.

Continued our challenge of a zoning ordinance that opens up over 90% of a township to drilling

We worked with the Clean Air Council (CAC), and five local residents to challenge a municipal ordinance in Middlesex Township (Butler County, Pennsylvania) that would allow drilling in residential neighborhoods and areas within a half mile from the town's schools. Although unsuccessful in the lower court, we have appealed the ruling.

This litigation advances the Pennsylvania Supreme Court ruling secured by the Delaware Riverkeeper Network and seven towns that gave substantive effect to Pennsylvania's Constitutional Environmental Rights Provision.

Responded to a SLAPP suit

A Middlesex developer and a group of landowners, all of whom had leased their land for gas drilling brought a legal action against the Delaware Riverkeeper Network and our co-plaintiffs in the Middlesex case, apparently in retribution for our opposition to the pro-drilling/fracking zoning ordinance.

Published a guidebook for Pennsylvanians on the rights municipal officials have to regulate the oil and gas industry

This new guidebook, *Defending the Environmental Rights of Pennsylvania Communities from Shale Gas Development; Strategies for Residents and Local Officials*, offers specific guidance and language to help communities use zoning tools to regulate the oil and gas industry. We also offered trainings and webinars to answer officials' questions.

Launched www.StopThePipelines.org

The Delaware Riverkeeper Network collaborated with Berks Gas Truth to set up this new website with extensive resource material and information about various pipeline and export proposals in the Eastern United States.

Crafted white paper, sign-on letters on the TPP

We laid out the ways that the Trans Pacific Partnership (TPP), if passed, could end up displacing state and local bans placed on fracking, and also pump up the pressure for drilling and pipelines through the automatic approvals for LNG exports that would result.

Highlights from the Uplands

The Uplands region begins in the Catskill and Pocono mountains, where the River's headwater streams rise, and extends to the Delaware Water Gap.

The following efforts highlight our work that affects the Uplands of the Delaware River Watershed. Note some of this work extends into or affects other regions of the Watershed.

Bolstered support for banning fracking

In July, the Delaware Riverkeeper Network released an analysis of what could happen to our region if the Delaware River Basin were opened up to fracking. We commissioned the study, titled *The Potential Environmental Impact from Fracking in the Delaware River Basin*, from CNA, an independent, non-partisan, nonprofit research firm. Through their research, CNA determined that the drilling of just 4,000 wells would bring major harms to the water, air, forests, and health of Delaware River communities.

Delaware Riverkeeper Network staff met with the Delaware River Basin Commission (DRBC) commissioners for New York, Pennsylvania, and Delaware to review the CNA report and discuss the Delaware River Watershed moratorium.

Collected data to demonstrate the impacts of shale gas extraction and infrastructure

The Delaware Riverkeeper Network continues to recruit, train, and support volunteer monitors collecting water chemistry stream data, visual assessments, and macroinvertebrate data for over 140 stream stations in potential gas drilling regions of the Delaware River Basin.

We also assisted in an air monitoring study examining formaldehyde levels from compressors, based on preliminary findings of the Hancock, New York, compressor station and other compressors in Pennsylvania

Investigated the battle between New York and New Jersey over water withdrawals

As New Jersey sought to increase withdrawals from the Delaware River, we evaluated positions of both New York City Department of Environmental Protection (NYC DEP) and New Jersey Department of Environmental Protection (NJDEP). We also secured information through New York's freedom of information law which we shared with concerned Upper Delaware River organizations focused on the impacts of reservoir releases on fish populations.



Provided guidance on how to intervene in a pipeline project

Using the Orion Pipeline as an example, the Delaware Riverkeeper Network presented a webinar for the general public on how to become an intervenor in a pipeline project. This webinar is a complement to the written handout giving step by step instructions for intervention, and is based on intervention trainings first given by the Delaware Riverkeeper network, Berks Gas Truth, and the Pipeline Safety Coalition offered previously for the PennEast project.

Participated in the stakeholder group focused on preservation and advancement of the New York City watershed protection program

Through this role, we were alerted that local opposition to New York City's voluntary flood buyout program submitted in the 11th hour of public comment had resulted in the State's failure to approve this most recent element of their Flood Avoidance Determination program. We submitted responsive comment and are taking a leadership role in advancing an appropriate conservation community response.

Highlights from the Piedmont

The Piedmont region begins at the Delaware Water Gap and extends to the fault line that runs from Philadelphia north to Trenton.

The following efforts highlight our work that affects the Piedmont of the Delaware River Watershed. Note some of this work extends into or affects other regions of the Watershed.

Led the fight against the PennEast pipeline

Delaware Riverkeeper Network staff travelled the length of the proposed PennEast Pipeline to inform communities about the impacts of pipelines and how to oppose them. We attended scoping meetings and testified. We organized trainings about landowner rights and pipeline laws. Our staff responded to a pollution incident caused by the PennEast company test drilling without a permit. We presented webinars for the general public on intervention and we were gratified to see over 1,000 individuals, communities and organizations file to intervene. We also led the call for seven independent hearings by the DRBC along the pipeline route and we prepared to file a unique constitutional challenge to the pipeline that was filed in 2016.

Organized to stop a hazardous waste facility proposed for Delaware River floodplain

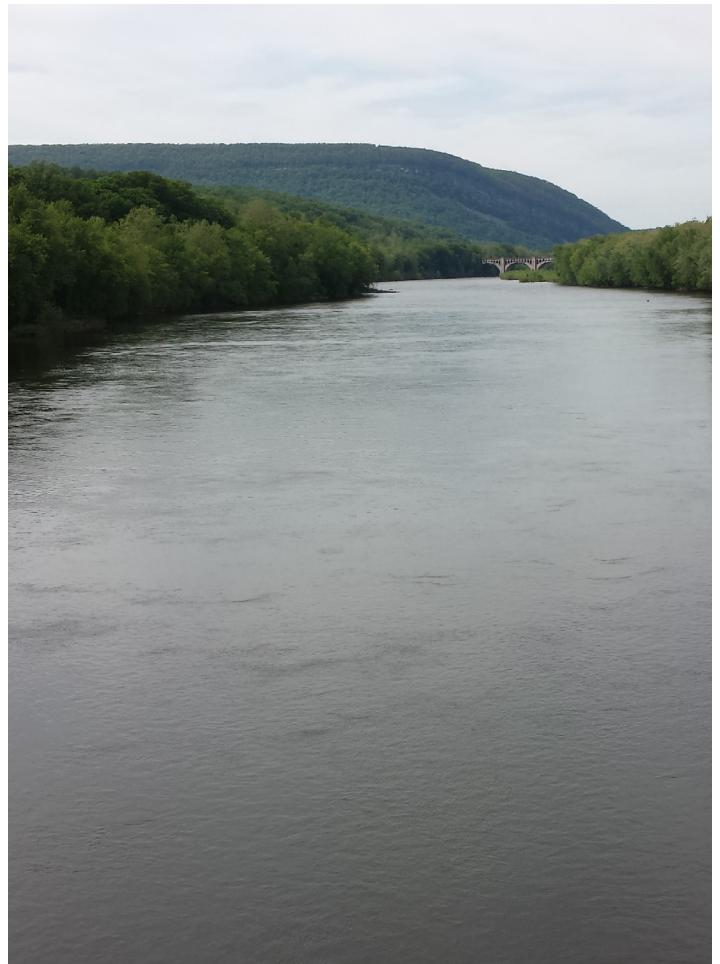
The Delaware Riverkeeper Network commissioned a study of the 100 year floodplain in relation to a hazardous waste facility proposed for Falls Township (Bucks County, Pennsylvania). We used this information in our community advocacy and with the Pennsylvania Department of Environmental Protection (PADEP) as justification to deny the facility's permit.

Completed the Haddon Township EcoGarden

A volunteer planting day capped the Delaware Riverkeeper Network's multi-year effort to design and install two vegetated swales, two rain gardens, diverse native plants, a riparian buffer, and a trail head connecting to a riparian woodland and a county park.

Opposed a proposed quarry that would harm the Hosensack Creek watershed

We informed our members of the June hearing on the proposed quarry, prepared talking points for those interested in speaking, and testified at the hearing which attracted an overflow crowd, all firmly opposed to the quarry.



Helped preserve open space in Eastwick

Three years of work with Eastwick Friends and Neighbors Coalition to save a 128 acre parcel in Eastwick (Philadelphia) along the Darby Creek met with success in 2015 when the City agreed to buy out the developer's interest in the parcel which is near the Heinz Wildlife Refuge.

Collaborated for a fossil free region

We worked with economic justice and environmental organizations to establish *Green Justice Philly*, a coalition formed to protect Philadelphians' health and safety from the city's fossil fuel industry, and to create a sustainable 21st century economy that will support clean air and water and healthy communities.

Challenged water quality-related permits issued by Pennsylvania and New Jersey

The Delaware Riverkeeper Network filed a lawsuit in the United States Court of Appeals for the Third Circuit to stop the Pennsylvania Department of Environmental Protection from improperly sequencing its environmental review of pipeline projects in violation of the Pennsylvania Code (*Note: This case was recently decided. We did not prevail, but we secured a decision that allows for challenges in Courts of Appeals to state permits issued to interstate natural gas facilities*).

Highlights from the Estuary

The Delaware Estuary stretches 134 miles from the Trenton falls to the mouth of the Delaware Bay between Cape May, New Jersey, and Cape Henlopen, Delaware.

The following efforts highlight our work that affects the Delaware Estuary. Note some of this work extends into or affects other regions of the Watershed.

Secured a public hearing on DCR's permit application

We began 2015 by helping to mobilize the community to comment on the Delaware City Refinery's (DCR) draft permit and to request a public hearing. The outpouring of response secured a public hearing as well as an extension of the comment period allowing more time for public participation. We submitted our comments in February, calling for closed cycle cooling to be reinstated as a requirement in the permit. We determined that Delaware's permitting process failed to protect endangered sturgeon, violating the Endangered Species Act. We then began drafting a sixty day notice of intent to sue in an effort to spark appropriate responsive action by the agencies.

Mobilized the community to weigh in on Salem's draft permit

In June, NJDEP issued a draft permit for the Salem Nuclear Generating Station (this draft permit was issued as the result of a Delaware Riverkeeper Network legal action and settlement agreement). We sent out a call to action to the community, asking people to support an extended comment deadline; we secured a two week extension. Then we asked for comments on the draft permit. Over 650 comments were submitted because of a Delaware Riverkeeper Network action alert. We offered text to other organizations for their comments, and we authored a sign on letter endorsed by seven other organizations. We submitted our own 25 page comment on the draft permit along with two expert reports and a host of attachments.

Monitored and tagged horseshoe crabs

We tagged 500 horseshoe crabs in 2015 as part of a collaboration with American Littoral Society and Celebrate Delaware Bay, working under the U.S. Fish and Wildlife Service and the Horseshoe Crabs Spawning Survey. Collectively we tag 3,000 horseshoe crabs annually making this the largest horseshoe crab tagging program on the Delaware Bay and the largest in New Jersey.



Continued legal action against GlouCo soil recycling facility

We successfully fought off a motion from soil recycler Soil Safe that sought to prevent us from sampling the product Soil Safe places in Gloucester County parks, and conducting site inspections at the Soil Safe facility and a county park. We also took the deposition of Soil Safe employees; during depositions Soil Safe admitted that it performed little to no treatment of the contaminated soils it received before placing the soils at the county park and the Birch Creek sites. Our litigation continued throughout 2015 and into 2016.

Advocated for PFC standards, cleanup

For over 10 years, we have called for better regulation of perfluorinated chemicals (PFCs) and clean up to remove these pollutants from our groundwater, soils, and surface water. In April, New Jersey's Drinking Water Quality Institute (DWQI) recommended to NJDEP a maximum contaminant level (MCL) for perfluorononanoic acid (PFNA) after researching safe drinking water level and treatment technology. In late 2015, NJDEP adopted an interim groundwater standard for PFNA. In October, the DWQI continued its work on PFCs, proposing an MCL for 1-2-3-TCP, and beginning work on an MCL for PFOA.



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