

**DELAWARE
RIVERKEEPER
NETWORK**

2023



ABOUT THE DELAWARE RIVERKEEPER NETWORK

The Delaware Riverkeeper Network (DRN) champions 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. DRN works throughout the four states of the Delaware River watershed, as well as at the federal level, when issues that impact the health of the Delaware River watershed play out on a national stage.



DRN is a Pennsylvania non-profit corporation.

- DRN's Entity Number, assigned by the Pennsylvania Department of State's Bureau of Corporations and Charitable Organizations, is 3813360.
- DRN's Employer Identification Number (EIN) is 74-3255972.
- DRN's registered office address (also the principal office address) is 925 Canal Street, Suite 3701; Bristol, PA 19007. This address is in Bucks County.

BOARD OF DIRECTORS

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FINANCIAL INFORMATION

Our most recent financial information is available online at [ProPublica's Nonprofit Explorer](#) or [Candid's 990 Finder](#).

OUR PROGRAMS

- **Advocacy** – Defending our River and communities from harm now and fighting for regulations that will provide protection in the future
- **Litigation** – Pursuing legal action on behalf of the River and its affected communities
- **Monitoring** – Detecting pollution and helping diagnose the health of our living River
- **Restoration** – Implementing on-the-ground actions that are driven by, and measured against, benefits to the health of the waters of the Delaware River Basin
- **Awareness** – Sharing information, tools, and training to help people protect local streams
- **River Tech** – Providing technical assistance to watershed organizations, conservation groups, municipalities, agencies, and others to develop and implement watershed plans and projects

OUR STAFF

MAYA K. VAN ROSSUM, the Delaware Riverkeeper

The Delaware Riverkeeper is charged with giving a voice to the Delaware River, its tributaries, and all the communities that appreciate and depend upon them. In this role, the Delaware Riverkeeper is supported by:

SENIOR LEADERSHIP

Tracy Carluccio, Deputy Director

Kacy Manahan, Senior Attorney

Chari Towne, Director, Grants & Operations

Tim White, Chief Innovation Officer

OUR TEAM

Alexis Berends, Administrative Assistant to the Delaware Riverkeeper

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Shaelyn Parker, River Protection and Environmental Rights Advocacy Associate

Ed Rodgers, Video Producer

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Amanda Vendetti, Office Support Manager

Faith Zerbe, Monitoring Director

Photos & Illustrations: Front Cover, *T.Carluccio* | Page 1, *A.van Rossum* | Page 2, Top: *E.Rodgers*; Bottom: *F.Stine* | Page 3, Top Left: *M.Atz*; Top Right and Bottom: *A.van Rossum* | Page 4, Top *F.Zerbe*; Bottom, *M.Atz* | Page 5, Top: *C.Towne*; Bottom: *T.Carluccio* | Page 6, Top: *E.Rodgers*; Bottom: *E.Rodgers* | Page 7, Top: *E.Rodgers*, Bottom: *E.Messina*, *New Jersey Tree Foundation* | Back Cover, *F.Zerbe*



A YEAR IN REVIEW AND THE FUTURE IN SIGHT

A letter from the Delaware Riverkeeper

I am pleased to be able to share with our supporters highlights from our work in 2023. On the pages that follow, you will find brief reports that lift up important outcomes from every month of the past year.

Putting together a report like this is not easy. Delaware Riverkeeper Network staff work long hours on complex and evolving issues where we may need to invest years of time before a result is achieved. We attend meetings, undertake research, file Right-To-Know requests, and help communities organize. We write comments and seek out individual and organization supporters to co-sign those comments to add weight to our positions. We review advocacy strategies frequently and consider legal action when all advocacy paths have been tried. If and when an outcome is finally achieved, it may be selected for our annual report where all of that work needs to be summarized in less than 100 words.

The staff of the Delaware Riverkeeper Network do so much in any one year, we cannot cover it all in these few pages. There is so much more to know about our work. I hope you will take some time to check out the in-depth coverage of our issues at delawareriverkeeper.org, especially because we launched a brand-new website in 2024 that was three years in the making. One of the reasons why programming for our new website took as long as it did is because of the extensive information we make available on environmental issues of concern in the Delaware River Watershed – it took time to figure how best to accommodate all of that good information.

Our organization is often looking at a wide array of environmental issues that merit strong attention, but our resources are limited and we cannot take on all issues that arise. However, we recognize that the Delaware Riverkeeper Network is the only advocacy organization working throughout the entire Delaware River Watershed, and sometimes issues emerge of such significance that we cannot sit on the sidelines. Even without dedicated funding, we have, and will continue to, take on issues where the health of the Delaware River Watershed is at risk.

As I look at 2024 and beyond, I worry that those moments – when the funding isn't there, yet the threat is too serious – may become more common. Increasingly, we are seeing grant makers changing their funding priorities. Unrestricted support is becoming harder and harder to secure. Some funders do not support legal action. Environmental monitoring is now also on the list of work that is difficult to fund. This is why we are so very honored that our members continue to find our mission worthy of support. There is some work that we could not undertake without donations from our members.

Just 3% of all giving in this country goes to environmental, conservation, and animal related causes, *combined*. Worse, overall giving dropped in 2023. Despite the challenges ahead, we are not daunted by the financial uncertainty. We cannot afford to be, because we are pursuing important work right now with the potential to bring about significant, positive changes for the Delaware River and the communities, both human and wild, that rely upon it. Instead, we are seeking to expand our advocacy team so that we can further develop the tools, training, and support we can provide our grassroots partners. We are working today to train future environmental lawyers to defend the Delaware, and rivers everywhere, in court tomorrow. We are also working to endow the role of Delaware Riverkeeper so there will always be an advocate speaking for the Delaware River. If you are in the position to consider a leadership gift to ensure this work continues, I would greatly appreciate the opportunity to talk with you about the need and recognition opportunities.

As a supporter of the Delaware Riverkeeper Network, you know that the River needs an independent environmental advocacy organization working throughout the 13,539 square miles of the Watershed. I cannot thank our members enough for their investment in the future of our Watershed. Please enjoy reading the highlights from our work in 2023 on the pages that follow to learn about the accomplishments that member dollars helped make possible.

Remember the River,

Maya K. van Rossum
the Delaware Riverkeeper

Highlights from 2023

January

In January, Pennsylvania adopted water quality standards referred to as maximum contamination levels (MCLs) for two toxic “forever chemicals,” PFOS and PFOA. This is the first ever statewide drinking standard published to the Pennsylvania Bulletin. These standards put restrictions in place to limit the amount of per- and polyfluoroalkyl substances (PFAS) allowed in Pennsylvania drinking water. Serious health issues, including cancer, have been linked to these two contaminants.

The process that led to the adoption of these landmark water quality standards was begun when the Delaware Riverkeeper Network filed petitions with the state in 2017 (for PFOS) and 2019 (for PFOA). However, this success also required a legal challenge to ensure the regulatory action advanced.

On MLK Day, staff of the Delaware Riverkeeper Network partnered with four local organizations to pick up trash and remove invasive English ivy from Edison Woods in Haddon Township, NJ. A total of 40 volunteers participated in this day of service.

We also produced multiple videos to bring awareness to the plight of a Cooper River tributary in this area. In addition to litter, this unnamed stream receives stormwater runoff from the surrounding area which is mostly covered with impervious surfaces. Service projects like this help protect the health of this stream.



February

In February, the Pennsylvania Supreme Court overturned a lower court ruling that had made seeking reimbursement of legal costs nearly impossible for nonprofit organizations and members of the public involved in environmental lawsuits. Such lawsuits can cost hundreds of thousands of dollars.

The Delaware Riverkeeper Network was one of three organizations denied reimbursement for a lawsuit against the Pennsylvania Department of Environmental Protection and Sunoco Pipeline. This decision also highlighted the importance of Pennsylvania’s Environmental Rights Amendment (or Green Amendment) which was twice cited in defense of residents’ rights to a clean environment.

In late March, as much as 12,000 gallons of acrylic latex polymer were released from the Trinseo Altuglas chemical facility, located in Bristol, PA, into Otter Creek, a direct tributary of the Delaware River (*Note: The Delaware Riverkeeper Network offices are also located in Bristol*). According to official reports, drinking water supplies drawn from the Delaware River were not contaminated, but one report encouraged folks to drink bottled water if they were concerned. The Delaware Riverkeeper Maya van Rossum sent a letter to state and federal agencies urging them to be more forthcoming with the public regarding the chemical release.

Delaware Riverkeeper Network staff also examined the natural ecosystems in the vicinity of the chemical release, conducting multiple site visits, and found there was reason to be concerned. Our staff found that the mouth of Otter Creek, where the spill occurred, harbors diverse and sensitive species of plants and animals, and that such a spill risks widespread impacts on the ecosystem.



March



Throughout the month of April, Delaware Riverkeeper Network worked with volunteers and the Schuylkill Headwaters Association to collect native brook trout from the Class-A wild trout section of the Schuylkill River headwaters and successfully transported them to formerly fishless sections of Big Creek. We helped lead the water quality restoration for Big Creek above the barrier waterfalls, bringing diverse insect life back to the stream and ensuring both adequate water quality and food resources for the returning trout. A total of 42 mature brook trout were returned to the formerly fishless habitat to reestablish and expand their population in Big Creek.

April

In April, the Delaware Riverkeeper Network and partners opposing an LNG export terminal proposed for Gibbstown, NJ, achieved a significant success with the publication in the Federal Register of the decision by the Pipeline and Hazardous Materials Safety Administration (PHMSA) to deny a request to renew a Special Permit for the transport of LNG by rail from a proposed liquefaction plant in Bradford County, PA, to Gibbstown. The developers of the export terminal could reapply for a permit. The developers also say they will transport LNG to Gibbstown by truck. However, the denial of the permit renewal will affect the future viability of the export terminal.

Update: In September 2023, PHMSA suspended a Trump Administration rule allowing LNG-by-rail. The agency has until June 2025 to establish a new rule.

May



The Delaware Riverkeeper Network tagged 375 horseshoe crabs with the assistance of 17 volunteers. With the help of our volunteers, we were also able to help more than 10,000 stranded horseshoe crabs return to the Delaware Bay. The horseshoe crabs had become trapped in a marsh after a coastal flooding event. We have been involved with the annual horseshoe crab census for over two decades. The census effort typically takes place during the months of May and June.

In June, the U.S. District Court for the Middle District of Pennsylvania rejected arguments made by Transcontinental Gas Pipe Line (Transco) regarding an administrative appeal to the Pennsylvania Environmental Hearing Board (EHB) filed by the Delaware Riverkeeper Network and PennFuture. In March 2023, DRN and PennFuture administratively appealed state permits issued by the Pennsylvania Department of Environmental Protection (PADEP) for Transco's Regional Energy Access Expansion (REAE) natural gas pipeline project. Transco filed a lawsuit in federal court challenging the EHB's jurisdiction, arguing that the federal Natural Gas Act requires any challenge to be filed in the U.S. Court of Appeals for the Third Circuit. Surprisingly, PADEP agreed with Transco's position.

Ultimately, the District Court rejected Transco's and PADEP's arguments and upheld the authority of the EHB. In doing so, it reaffirmed Pennsylvania's primary legal responsibility regarding state permitting for natural gas pipeline infrastructure.

Update: The Third Circuit affirmed the District Court's denial of Transco's motion for preliminary injunction in October 2023, and the District Court dismissed Transco's complaint in December 2023. Both Transco and PADEP appealed that decision to the Third Circuit. Briefing is complete and the parties are awaiting notice of oral argument. A hearing in the EHB Appeal is scheduled for September 2024

June

In late June, the Delaware Riverkeeper Network and partners held the "Last Baby Shower" for the Delaware River's Atlantic sturgeon. This symbolic event was held at Independence Hall in Philadelphia, PA. During this event, Delaware Riverkeeper Maya van Rossum (dressed as "Mama Sturgeon"), Delaware Riverkeeper Network staff, and volunteers talked to people passing by about the need to demand stronger policies to prevent our unique population of Atlantic sturgeon from going extinct.

Signatures were collected on postcards that "thanked" government agencies, like the U.S. Environmental Protection Agency, for their generous gift of extinction resulting from their inaction on sturgeon protection.



With growing recognition of emerging toxins and other dangerous pollutants in sewage effluent, the Delaware Riverkeeper Network supported community members in the Little Bushkill and Bushkill Creek watersheds who were concerned about sewage sludge being spread on a preserved farm, contaminating ground water, and stormwater runoff. Our efforts included sending regulators photos taken during a recent storm event showing the runoff, submitting Right-To-Know requests, and commenting on the Delaware River Basin Commission's (DRBC's) docket for the sewage treatment plant operated by the Nazareth Borough Municipal Authority. We pointed out errors in the docket and application, which DRBC corrected to accurately reflect the facility's operations, which opened the door to further examination of water quality impacts from this plant.

July

Local media called on the Delaware Riverkeeper Network when a July train derailment in the Wissahickon watershed released plastic pellets into the environment. Nearby residents were temporarily evacuated. Our staff investigated the location to see if a stream was nearby (no stream was). We researched the type of plastic pellets spilled and the dangers they pose. We also went into the field to view the spill, but the site was not publicly accessible. We reported back to news media on all that we had learned.

In July and August, we organized three learn-to-fish programs in collaboration with Urban Promise Trenton. In addition, we organized three trips that introduced over 60 new paddlers to the Delaware and Schuylkill Rivers and expanded access to river recreation.



The Delaware Riverkeeper Network worked with community groups to hold a rally before the August hearing held by a government taskforce on LNG. This was the last of three hearings held to determine the location of potential LNG export facility along the Delaware in Pennsylvania. That the City of Chester was the target location became clear early on. Communities throughout the region united to stand with Chester against such a facility. As a result of advocacy on the part of the community, legislators, and our organization, two Chester community members testified before the taskforce. A press conference was organized by the Delaware Riverkeeper Network after the hearing.

Update: In November, the taskforce submitted its final report. While leading with recommendations to weaken regulations and speed LNG facility applications through permitting, the appended Minority Report, to which the Delaware Riverkeeper Network contributed, found no suitable location for an LNG facility in Philadelphia or southeastern Pennsylvania. The Minority Report states, "There is no guaranteed long-term viability for a LNG facility in Pennsylvania."

August



September

The Delaware Riverkeeper Network continued efforts to prevent construction of residential development on the contaminated Bishop Tube site in East Whiteland Township (Chester Co., PA). Our community organizing spurred the Pennsylvania Department of Environmental Protection (PADEP) to hold a public meeting with a Q&A session on the planned Bishop Tube remediation. We helped draft over 70 questions that members of the community could take into the meeting to ensure that community concerns were heard and addressed. At the meeting, the Delaware Riverkeeper Network and local residents urged PADEP and elected officials to reject the proposed development and preserve the site as open space. We also recorded and aired the two hour meeting, which provided access to those who could not attend.



The Delaware Riverkeeper Network and community members won a critical victory when the Town of Highland Planning Board voted in September in favor of an environmental study to review the potential impacts of the “Camp FIMFO.” This development, proposed for the Town of Highland, (Sullivan County, NY), would overhaul a former rustic campground, transforming most of the existing low impact tent camp sites to RV sites, cabins or glamping structures with water, sewage and/or electric hook-ups. The proposal also includes a mountain roller coaster, water slides, a swimming pool, mini golf, more parking, more septic systems, as well as the replacement of existing buildings. This transformation, which is the largest development project ever to come to the region, could dramatically harm the surrounding environment and communities.

In October, Delaware Riverkeeper Maya van Rossum testified before the Pennsylvania House Environmental Resources and Energy Committee about the benefits of riparian buffers. Maya’s testimony was invited in connection with HB 1275, a bill that would require private property owners to maintain riparian buffers of 100- to 300-feet on all sides of a surface water, depending on its designation. Riparian buffers provide significant economic benefits as well as benefits to public health, water quality, and biodiversity. HB 1275 seeks to remedy the current lack of statewide mandates to ensure buffers are restored and maintained at a level sufficient to protect human and environmental health.



October

November

In November, the Delaware Riverkeeper Network and partners secured an important win when it was announced that plans to develop a 2.6 million square foot warehouse complex were being withdrawn. At the November 1 meeting of the White Township (Warren County, NJ) Planning Board Meeting, the developer announced that the proposal was being abandoned. The land, nearly 600 acres, would be preserved as farmland instead. The Delaware Riverkeeper Network and the local community have been opposing this warehouse complex for four years.

A second warehouse victory came in December when developers withdrew their application to build a 435,000 square foot warehouse in the ecologically sensitive headwaters of the Sawkill Creek, an Exceptional Value waterway. The Delaware Riverkeeper Network and partners had been opposing this warehouse for three years.



The Delaware Riverkeeper Network worked with partner organizations, and volunteers to hold a tree planting in East Trenton, NJ. Forty trees were planted to kick off a larger initiative to promote tree equity for Trenton neighborhoods and increase shade for residents. Increasing tree canopies throughout urban areas will help with lowering the urban heat island effect that negatively impacts cities.



The Delaware Riverkeeper Network presented a webinar focused on hydrogen production, its use, and implications for the environment and climate. The featured speaker was renowned biogeochemist and ecosystem scientist Professor Robert Howarth. In October, President Biden announced the possibility of federal funding for hydrogen hubs across the nation. The “Mid-Atlantic Clean Hydrogen Hub” or MACH2 project targets our region including Delaware, southeastern Pennsylvania, and south and central New Jersey. MACH2 is one of seven hydrogen hubs proposed nationally. The Delaware Riverkeeper Network is educating the public about hydrogen’s environmental impacts and is working with a network of groups to stop MACH2.

December

In December, the U.S. Environmental Protection Agency (EPA) announced new water quality standards for dissolved oxygen for the tidal Delaware. The regulatory proposal sets higher oxygen standards for the River and Estuary, from Philadelphia to Wilmington, to better protect aquatic life including the oxygen sensitive Atlantic sturgeon and Shortnose sturgeon. These new standards are the direct result of the Delaware Riverkeeper Network’s advocacy and leadership on this issue.

With these proposed standards, the EPA took an important step forward, but we do not believe the numbers are high enough. Our position is based on the assessment of our staff scientists and sturgeon experts with whom we have consulted. The EPA’s proposed standards include dissolved oxygen requirements as high as 6.0 mg/L. However, we have consistently argued that the EPA and other state, federal, and interstate agencies must follow the science that Atlantic sturgeon need dissolved oxygen consistently above 6.65 mg/L for their early stages of growth from June through September. Without these oxygen levels, sturgeon in their first month of life cannot survive.



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