

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL REGULATORY COMMISSION**

Merchant Hydro Developers, LLC) FERC Docket No: DI18-3-000
Vandling Drift Reclamation)
Pump Storage Project)

MOTION TO INTERVENE

Pursuant to Rules 210 and 214 of the Federal Energy Regulatory Commission's ("Commission") Rules of Practice and Procedure, 18 C.F.R. § 385.210 and 385.214 (2007), the Delaware Riverkeeper Network ("DRN") files this Motion to Intervene in this proceeding.

On March 5, 2018, Merchant Hydro Developers, LLC filed its Declaration of Intention under Section 23(b)(1) of the Federal Power Act, 16 U.S.C. 817(b) (2012) for the proposed Vandling Drift Reclamation Pump Storage Project, FERC Docket No: DI18-3-000 to be located near the City of Vandling, in Wayne County, Pennsylvania. The Notice of Declaration of Intention and Soliciting Comments, Protests and Motions to Intervene was posted on March 29, 2018 with a request for Motions to Intervene within 30 days.

I. Communications and Service

All communications, pleadings, and orders with respect to this proceeding should be sent to the following individual:

Maya K. van Rossum, the Delaware Riverkeeper
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II. Interest of Proposed Intervenors

In support of its Motion to Intervene, DRN states that it is a non-profit organization established in 1988 to protect and restore the Delaware River and its associated watershed, tributaries, and habitats. This area includes 13,589 square miles and includes parts of Pennsylvania, New York, New Jersey, and Delaware; it is within this area that the Project would take place.

The Upper Delaware River is a federally designated “Scenic and Recreational River” overseen by the National Park Service. The National Wild and Scenic Rivers System also includes large portions of the Lower Delaware and the Delaware Water Gap. The Lower, Middle, and Upper Delaware River have high water quality and are subject to the Delaware River Basin Commission’s Special Protection Waters designation. The Basin and River are home to a number of federal and state-listed threatened and endangered species including, but not limited to: dwarf wedgemussel, Indiana Bat, Timber Rattlesnakes, Bog Turtle, Northeastern Bulrush, and Atlantic and shortnose sturgeon.

Over 200 species of migratory birds have been identified within the Basin of the Upper Delaware River, and the Basin is home to the largest wintering population of Bald Eagles within the Northeastern United States. Migratory birds breed in or migrate through the high-quality riparian corridors of the Basin. The River is also home to dozens of commercially, ecologically, and recreationally important fish and shellfish species; for example, the American Shad migrates up through the nontidal portions of the Delaware River in order to spawn, and the Delaware River population of American Shad are at depressed numbers.

In its efforts to protect and restore the watershed, DRN organizes and implements stream, wetland, and habitat restorations; a volunteer monitoring program; educational programs; environmental advocacy initiatives; recreational activities; and environmental law enforcement efforts throughout the entire Delaware River Basin. DRN is a membership organization with approximately 20,000 members who are interested in the health and welfare of the Delaware River and watershed. DRN is uniquely qualified to comment on and provide pertinent information concerning the Project's associated impacts on ecological health and the environment. DRN seeks to intervene and act on its own behalf and on the behalf of its members, board members, and staff.

DRN is very interested in the potential impacts of this project and seeks to be actively involved in the public process as the project proceeds forward. We are particularly interested in the environmental, recreational, aesthetic, and commercial interests of DRN's members.

It is in the public's interest that DRN takes part in this proceeding as a full participant.

III. Conclusion

For the foregoing reasons, the Delaware Riverkeeper Network respectfully requests that the Commission grant its Motion to Intervene as a party with full rights to participate in all further proceedings.

Dated: April 12, 2018

Respectfully submitted,

/s Maya K. van Rossum
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