

tributaries, and habitats. This area includes 13,539 square miles, draining parts of New Jersey, New York, Pennsylvania and Delaware, and it is within this region that a portion of the Project's construction activity will take place.

The Upper Delaware River is a federally designated "Scenic and Recreational River" administered by the National Park Service. The National Wild and Scenic Rivers System also includes parts of the Lower Delaware and the Delaware Water Gap. The Basin and River are home to a number of federal and state listed endangered or threatened species including the dwarf wedgemussel, Indiana bat, bog turtle, shortnose sturgeon, loggerhead and Kemm's ridley sea turtles, and Northeastern bulrush. Over 200 species of migratory birds have been identified within the drainage area of the Upper Delaware River within the Basin, including 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 Delaware River and Delaware Bay are also home to dozens of species of commercially and recreationally important fish and shellfish species.

In its efforts to protect and restore the watershed, DRN organizes and implements stream-bank 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 headquartered in Bristol, Pennsylvania, with more than 10,000 members with interests in the health and welfare of the Delaware River and its watershed. DRN is uniquely qualified to comment on and provide relevant information concerning associated impacts to human health and the environment as a result of this

Project. DRN brings this action on its own behalf and on behalf of its members, board, and staff.

DRN is concerned not only about the impact of the immediately proposed construction activity, but also that Texas Eastern may be improperly segmenting its expansion projects in order to avoid its responsibilities under NEPA, and to avoid having to do more rigorous environmental studies. Over the last several years Texas Eastern has developed a pattern of potentially improper segmentation of pipeline upgrade projects to meet a perceived need of higher pipeline capacity for natural gas. It is DRN's concern that this project may be one of several interdependent Texas Eastern projects. It is in the public's interest that DRN takes part in this proceeding as a full participant.

III. CONCLUSION

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

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Respectfully submitted,

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