

Form **990****Return of Organization Exempt From Income Tax**

OMB No 1545-0047

**2012****Open to Public Inspection**Department of the Treasury  
Internal Revenue Service**Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except black lung benefit trust or private foundation)**

▶ The organization may have to use a copy of this return to satisfy state reporting requirements

**A For the 2012 calendar year, or tax year beginning****07/01, 2012, and ending****06/30, 2013****B** Check if applicable

- ☐ Address change  
☐ Name change  
☐ Initial return  
☐ Terminated  
☐ Amended return  
☐ Application pending

**C** Name of organization

RIVERKEEPER, INC.

## Doing Business As

Number and street (or P O box if mail is not delivered to street address)

Room/suite

20 SECOR ROAD

City, town or post office, state, and ZIP code

OSSINING, NY 10562

**F** Name and address of principal officer

PAUL GALLAY

SAME AS C ABOVE

**D** Employer identification number

13-3204621

**E** Telephone number

(914) 478-4501

**G** Gross receipts \$ 3,692,914.**H(a)** Is this a group return for affiliates? ☐ Yes ☒ No**H(b)** Are all affiliates included? ☐ Yes ☐ No

If "No," attach a list (see instructions)

**H(c)** Group exemption number ▶**I** Tax-exempt status ☒ 501(c)(3) ☐ 501(c)( ) (insert no) ☐ 4947(a)(1) or ☐ 527**J** Website: ▶ WWW.RIVERKEEPER.ORG**K** Form of organization ☒ Corporation ☐ Trust ☐ Association ☐ Other ▶**L** Year of formation 1997 **M** State of legal domicile NY**Part I Summary**

Activities & Governance	<b>1</b>	Briefly describe the organization's mission or most significant activities RIVERKEEPER'S MISSION IS TO PROTECT THE ECOLOGICAL INTEGRITY OF THE HUDSON RIVER, AND ITS TRIBUTARIES, AND TO SAFEGUARD THE DRINKING WATER SUPPLY OF NEW YORK CITY AND THE LOWER HUDSON VALLEY.		
	<b>2</b>	Check this box <input type="checkbox"/> if the organization discontinued its operations or disposed of more than 25% of its net assets		
	<b>3</b>	Number of voting members of the governing body (Part VI, line 1a)	3	23.
	<b>4</b>	Number of independent voting members of the governing body (Part VI, line 1b)	4	22.
	<b>5</b>	Total number of individuals employed in calendar year 2012 (Part V, line 2a)	5	31.
	<b>6</b>	Total number of volunteers (estimate if necessary)	6	100.
Revenue	<b>7a</b>	Total unrelated business revenue from Part VIII, column (C), line 12	7a	0
	<b>7b</b>	Net unrelated business taxable income from Form 990-T, line 34	7b	0
	<b>8</b>	Contributions and grants (Part VIII, line 1h)	Prior Year	Current Year
	<b>9</b>	Program service revenue (Part VIII, line 2g)	3,083,161.	3,505,308.
	<b>10</b>	Investment income (Part VIII, column (A), lines 3, 4, and 7d)	557,916.	57,376.
	<b>11</b>	Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e)	1,870.	1,053.
	<b>12</b>	Total revenue - add lines 8 through 11 (must equal Part VIII, column (A), line 12)	17,920.	-12,587.
	<b>13</b>	Grants and similar amounts paid (Part IX, column (A), lines 1-3)	3,660,867.	3,551,150.
	<b>14</b>	Benefits paid to or for members (Part IX, column (A), line 4)	0	0
	<b>15</b>	Salaries, other compensation, employee benefits (Part IX, column (A), lines 5-10)	0	0
Expenses	<b>16a</b>	Professional fundraising fees (Part IX, column (A), line 11e)	2,044,247.	2,268,482.
	<b>b</b>	Total fundraising expenses (Part IX, column (D), line 25) ▶ 361,446.	60,000.	60,000.
	<b>17</b>	Other expenses (Part IX, column (A), lines 11a-11d, 11f-24e)	1,654,706.	1,262,957.
	<b>18</b>	Total expenses. Add lines 13-17 (must equal Part IX, column (A), line 25)	3,758,953.	3,591,439.
	<b>19</b>	Revenue less expenses Subtract line 18 from line 12	-98,086.	-40,289.
Net Assets or Fund Balances	<b>20</b>	Total assets (Part X, line 16)	Beginning of Current Year	End of Year
	<b>21</b>	Total liabilities (Part X, line 26)	1,903,722.	1,375,749.
	<b>22</b>	Net assets or fund balances Subtract line 21 from line 20	625,638.	137,954.

**Part II Signature Block**

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

<b>Sign Here</b>	<b>Signature of officer</b> <i>Paul Gallay</i>	<b>Date</b> 2-28-14
	<b>Type or print name and title</b> Paul Gallay President	
<b>Paid Preparer Use Only</b>	<b>Print/Type preparer's name</b> JAMES J. REILLY	<b>Preparer's signature</b> <i>[Signature]</i>
	<b>Firm's name</b> ▶ CONDON O'MEARA MCGINTY & DONNELLY L	<b>Date</b> FEB 26 2014
	<b>Firm's address</b> ▶ ONE BATTERY PARK PLAZA, NEW YORK, NY 10001-1805	<b>Check <input type="checkbox"/> if self-employed</b> <b>PTIN</b> P00183769
	<b>Firm's EIN</b> ▶ 13-3628255	<b>Phone no</b> ▶ 212-661-7777

May the IRS discuss this return with the preparer shown above? (see instructions) ☒ Yes ☐ No

For Paperwork Reduction Act Notice, see the separate instructions.

Form **990** (2012)JSA  
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**Part III Statement of Program Service Accomplishments**Check if Schedule O contains a response to any question in this Part III ☒ X

- 1 Briefly describe the organization's mission  
SEE SCHEDULE O

- 2 Did the organization undertake any significant program services during the year which were not listed on the prior Form 990 or 990-EZ? ☐ Yes ☒ No

If "Yes," describe these new services on Schedule O

- 3 Did the organization cease conducting, or make significant changes in how it conducts, any program services? ☐ Yes ☒ No

If "Yes," describe these changes on Schedule O

- 4 Describe the organization's program service accomplishments for each of its three largest program services, as measured by expenses. Section 501(c)(3) and 501(c)(4) organizations are required to report the amount of grants and allocations to others, the total expenses, and revenue, if any, for each program service reported

4a (Code \_\_\_\_\_) (Expenses \$ 1,395,858. including grants of \$ \_\_\_\_\_) (Revenue \$ 48,246. )  
HUDSON RIVER PROGRAM: - SEE SCHEDULE O

4b (Code \_\_\_\_\_) (Expenses \$ 944,190. including grants of \$ \_\_\_\_\_) (Revenue \$ \_\_\_\_\_)  
BOAT/WATER QUALITY PROGRAM: - SEE SCHEDULE O

4c (Code \_\_\_\_\_) (Expenses \$ 598,943. including grants of \$ \_\_\_\_\_) (Revenue \$ 7,000. )  
WATERSHED PROGRAM: - SEE SCHEDULE O

4d Other program services (Describe in Schedule O )

(Expenses \$ 187,310. including grants of \$ \_\_\_\_\_) (Revenue \$ 2,130. )

4e Total program service expenses ► 3,126,301.

**Part IV Checklist of Required Schedules**

	Yes	No
1 Is the organization described in section 501(c)(3) or 4947(a)(1) (other than a private foundation)? If "Yes," complete Schedule A . . . . .	1	X
2 Is the organization required to complete Schedule B, Schedule of Contributors (see instructions)? . . . . .	2	X
3 Did the organization engage in direct or indirect political campaign activities on behalf of or in opposition to candidates for public office? If "Yes," complete Schedule C, Part I . . . . .	3	X
4 <b>Section 501(c)(3) organizations.</b> Did the organization engage in lobbying activities, or have a section 501(h) election in effect during the tax year? If "Yes," complete Schedule C, Part II . . . . .	4	X
5 Is the organization a section 501(c)(4), 501(c)(5), or 501(c)(6) organization that receives membership dues, assessments, or similar amounts as defined in Revenue Procedure 98-19? If "Yes," complete Schedule C, Part III . . . . .	5	X
6 Did the organization maintain any donor advised funds or any similar funds or accounts for which donors have the right to provide advice on the distribution or investment of amounts in such funds or accounts? If "Yes," complete Schedule D, Part I . . . . .	6	X
7 Did the organization receive or hold a conservation easement, including easements to preserve open space, the environment, historic land areas, or historic structures? If "Yes," complete Schedule D, Part II . . . . .	7	X
8 Did the organization maintain collections of works of art, historical treasures, or other similar assets? If "Yes," complete Schedule D, Part III . . . . .	8	X
9 Did the organization report an amount in Part X, line 21, for escrow or custodial account liability, serve as a custodian for amounts not listed in Part X; or provide credit counseling, debt management, credit repair, or debt negotiation services? If "Yes," complete Schedule D, Part IV . . . . .	9	X
10 Did the organization, directly or through a related organization, hold assets in temporarily restricted endowments, permanent endowments, or quasi-endowments? If "Yes," complete Schedule D, Part V . . . . .	10	X
11 If the organization's answer to any of the following questions is "Yes," then complete Schedule D, Parts VI, VII, VIII, IX, or X as applicable.		
a Did the organization report an amount for land, buildings, and equipment in Part X, line 10? If "Yes," complete Schedule D, Part VI . . . . .	11a	X
b Did the organization report an amount for investments-other securities in Part X, line 12 that is 5% or more of its total assets reported in Part X, line 16? If "Yes," complete Schedule D, Part VII . . . . .	11b	X
c Did the organization report an amount for investments-program related in Part X, line 13 that is 5% or more of its total assets reported in Part X, line 16? If "Yes," complete Schedule D, Part VIII . . . . .	11c	X
d Did the organization report an amount for other assets in Part X, line 15 that is 5% or more of its total assets reported in Part X, line 16? If "Yes," complete Schedule D, Part IX . . . . .	11d	X
e Did the organization report an amount for other liabilities in Part X, line 25? If "Yes," complete Schedule D, Part X . . . . .	11e	X
f Did the organization's separate or consolidated financial statements for the tax year include a footnote that addresses the organization's liability for uncertain tax positions under FIN 48 (ASC 740)? If "Yes," complete Schedule D, Part X . . . . .	11f	X
12 a Did the organization obtain separate, independent audited financial statements for the tax year? If "Yes," complete Schedule D, Parts XI and XII . . . . .	12a	X
b Was the organization included in consolidated, independent audited financial statements for the tax year? If "Yes," and if the organization answered "No" to line 12a, then completing Schedule D, Parts XI and XII is optional . . . . .	12b	X
13 Is the organization a school described in section 170(b)(1)(A)(ii)? If "Yes," complete Schedule E . . . . .	13	X
14 a Did the organization maintain an office, employees, or agents outside of the United States? . . . . .	14a	X
b Did the organization have aggregate revenues or expenses of more than \$10,000 from grantmaking, fundraising, business, investment, and program service activities outside the United States, or aggregate foreign investments valued at \$100,000 or more? If "Yes," complete Schedule F, Parts I and IV . . . . .	14b	X
15 Did the organization report on Part IX, column (A), line 3, more than \$5,000 of grants or assistance to any organization or entity located outside the United States? If "Yes," complete Schedule F, Parts II and IV . . . . .	15	X
16 Did the organization report on Part IX, column (A), line 3, more than \$5,000 of aggregate grants or assistance to individuals located outside the United States? If "Yes," complete Schedule F, Parts III and IV . . . . .	16	X
17 Did the organization report a total of more than \$15,000 of expenses for professional fundraising services on Part IX, column (A), lines 6 and 11e? If "Yes," complete Schedule G, Part I (see instructions) . . . . .	17	X
18 Did the organization report more than \$15,000 total of fundraising event gross income and contributions on Part VIII, lines 1c and 8a? If "Yes," complete Schedule G, Part II . . . . .	18	X
19 Did the organization report more than \$15,000 of gross income from gaming activities on Part VIII, line 9a? If "Yes," complete Schedule G, Part III . . . . .	19	X
20 a Did the organization operate one or more hospital facilities? If "Yes," complete Schedule H . . . . .	20a	X
b If "Yes" to line 20a, did the organization attach a copy of its audited financial statements to this return? . . . . .	20b	

**Part IV Checklist of Required Schedules (continued)**

	Yes	No
<b>21</b> Did the organization report more than \$5,000 of grants and other assistance to any government or organization in the United States on Part IX, column (A), line 1? <i>If "Yes," complete Schedule I, Parts I and II.</i> . . . . .		X
<b>22</b> Did the organization report more than \$5,000 of grants and other assistance to individuals in the United States on Part IX, column (A), line 2? <i>If "Yes," complete Schedule I, Parts I and III.</i> . . . . .		X
<b>23</b> Did the organization answer "Yes" to Part VII, Section A, line 3, 4, or 5 about compensation of the organization's current and former officers, directors, trustees, key employees, and highest compensated employees? <i>If "Yes," complete Schedule J.</i> . . . . .	X	
<b>24 a</b> Did the organization have a tax-exempt bond issue with an outstanding principal amount of more than \$100,000 as of the last day of the year, that was issued after December 31, 2002? <i>If "Yes," answer lines 24b through 24d and complete Schedule K. If "No," go to line 25.</i> . . . . .		X
<b>b</b> Did the organization invest any proceeds of tax-exempt bonds beyond a temporary period exception? . . . . .		
<b>c</b> Did the organization maintain an escrow account other than a refunding escrow at any time during the year to defease any tax-exempt bonds? . . . . .		
<b>d</b> Did the organization act as an "on behalf of" issuer for bonds outstanding at any time during the year? . . . . .		
<b>25 a</b> <b>Section 501(c)(3) and 501(c)(4) organizations.</b> Did the organization engage in an excess benefit transaction with a disqualified person during the year? <i>If "Yes," complete Schedule L, Part I.</i> . . . . .		X
<b>b</b> Is the organization aware that it engaged in an excess benefit transaction with a disqualified person in a prior year, and that the transaction has not been reported on any of the organization's prior Forms 990 or 990-EZ? <i>If "Yes," complete Schedule L, Part I.</i> . . . . .		X
<b>26</b> Was a loan to or by a current or former officer, director, trustee, key employee, highly compensated employee, or disqualified person outstanding as of the end of the organization's tax year? <i>If "Yes," complete Schedule L, Part II.</i> . . . . .		X
<b>27</b> Did the organization provide a grant or other assistance to an officer, director, trustee, key employee, substantial contributor or employee thereof, a grant selection committee member, or to a 35% controlled entity or family member of any of these persons? <i>If "Yes," complete Schedule L, Part III.</i> . . . . .		X
<b>28</b> Was the organization a party to a business transaction with one of the following parties (see Schedule L, Part IV instructions for applicable filing thresholds, conditions, and exceptions) . . . . .		
<b>a</b> A current or former officer, director, trustee, or key employee? <i>If "Yes," complete Schedule L, Part IV.</i> . . . . .		X
<b>b</b> A family member of a current or former officer, director, trustee, or key employee? <i>If "Yes," complete Schedule L, Part IV.</i> . . . . .		X
<b>c</b> An entity of which a current or former officer, director, trustee, or key employee (or a family member thereof) was an officer, director, trustee, or direct or indirect owner? <i>If "Yes," complete Schedule L, Part IV.</i> . . . . .		X
<b>29</b> Did the organization receive more than \$25,000 in non-cash contributions? <i>If "Yes," complete Schedule M.</i> . . . . .		X
<b>30</b> Did the organization receive contributions of art, historical treasures, or other similar assets, or qualified conservation contributions? <i>If "Yes," complete Schedule M.</i> . . . . .		X
<b>31</b> Did the organization liquidate, terminate, or dissolve and cease operations? <i>If "Yes," complete Schedule N, Part I.</i> . . . . .		X
<b>32</b> Did the organization sell, exchange, dispose of, or transfer more than 25% of its net assets? <i>If "Yes," complete Schedule N, Part II.</i> . . . . .		X
<b>33</b> Did the organization own 100% of an entity disregarded as separate from the organization under Regulations sections 301.7701-2 and 301.7701-3? <i>If "Yes," complete Schedule R, Part I.</i> . . . . .		X
<b>34</b> Was the organization related to any tax-exempt or taxable entity? <i>If "Yes," complete Schedule R, Part II, III, or IV, and Part V, line 1.</i> . . . . .		X
<b>35 a</b> Did the organization have a controlled entity within the meaning of section 512(b)(13)? . . . . .		X
<b>b</b> If "Yes" to line 35a, did the organization receive any payment from or engage in any transaction with a controlled entity within the meaning of section 512(b)(13)? <i>If "Yes," complete Schedule R, Part V, line 2.</i> . . . . .		
<b>36</b> <b>Section 501(c)(3) organizations.</b> Did the organization make any transfers to an exempt non-charitable related organization? <i>If "Yes," complete Schedule R, Part V, line 2.</i> . . . . .		X
<b>37</b> Did the organization conduct more than 5% of its activities through an entity that is not a related organization and that is treated as a partnership for federal income tax purposes? <i>If "Yes," complete Schedule R, Part VI.</i> . . . . .		X
<b>38</b> Did the organization complete Schedule O and provide explanations in Schedule O for Part VI, lines 11b and 19? <b>Note.</b> All Form 990 filers are required to complete Schedule O . . . . .	X	

**Part V** Statements Regarding Other IRS Filings and Tax ComplianceCheck if Schedule O contains a response to any question in this Part V. ☐

	1a	1b	1c	2a	2b	3a	3b	4a	5a	5b	5c	6a	6b	7a	7b	7c	7d	7e	7f	7g	7h	8	9a	9b	10a	10b	11a	11b	12a	12b	13a	13b	13c	14a	14b
1a Enter the number reported in Box 3 of Form 1096. Enter -0- if not applicable.	14																																		
b Enter the number of Forms W-2G included in line 1a. Enter -0- if not applicable.		0																																	
c Did the organization comply with backup withholding rules for reportable payments to vendors and reportable gaming (gambling) winnings to prize winners?			X																																
2a Enter the number of employees reported on Form W-3, Transmittal of Wage and Tax Statements, filed for the calendar year ending with or within the year covered by this return.		31																																	
b If at least one is reported on line 2a, did the organization file all required federal employment tax returns? <b>Note.</b> If the sum of lines 1a and 2a is greater than 250, you may be required to e-file (see instructions).			X																																
3a Did the organization have unrelated business gross income of \$1,000 or more during the year?																																			
b If "Yes," has it filed a Form 990-T for this year? If "No," provide an explanation in Schedule O.																																			
4a At any time during the calendar year, did the organization have an interest in, or a signature or other authority over, a financial account in a foreign country (such as a bank account, securities account, or other financial account)?																																			
b If "Yes," enter the name of the foreign country: _____ See instructions for filing requirements for Form TD F 90-22.1, Report of Foreign Bank and Financial Accounts																																			
5a Was the organization a party to a prohibited tax shelter transaction at any time during the tax year?																																			
b Did any taxable party notify the organization that it was or is a party to a prohibited tax shelter transaction?																																			
c If "Yes" to line 5a or 5b, did the organization file Form 8886-T?																																			
6a Does the organization have annual gross receipts that are normally greater than \$100,000, and did the organization solicit any contributions that were not tax deductible as charitable contributions?																																			
b If "Yes," did the organization include with every solicitation an express statement that such contributions or gifts were not tax deductible?																																			
7 Organizations that may receive deductible contributions under section 170(c).																																			
a Did the organization receive a payment in excess of \$75 made partly as a contribution and partly for goods and services provided to the payor?																																			
b If "Yes," did the organization notify the donor of the value of the goods or services provided?																																			
c Did the organization sell, exchange, or otherwise dispose of tangible personal property for which it was required to file Form 8282?																																			
d If "Yes," indicate the number of Forms 8282 filed during the year.																																			
e Did the organization receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?																																			
f Did the organization, during the year, pay premiums, directly or indirectly, on a personal benefit contract?																																			
g If the organization received a contribution of qualified intellectual property, did the organization file Form 8899 as required?																																			
h If the organization received a contribution of cars, boats, airplanes, or other vehicles, did the organization file a Form 1098-C?																																			
8 Sponsoring organizations maintaining donor advised funds and section 509(a)(3) supporting organizations. Did the supporting organization, or a donor advised fund maintained by a sponsoring organization, have excess business holdings at any time during the year?																																			
9 Sponsoring organizations maintaining donor advised funds.																																			
a Did the organization make any taxable distributions under section 4966?																																			
b Did the organization make a distribution to a donor, donor advisor, or related person?																																			
10 Section 501(c)(7) organizations. Enter																																			
a Initiation fees and capital contributions included on Part VIII, line 12.																																			
b Gross receipts, included on Form 990, Part VIII, line 12, for public use of club facilities.																																			
11 Section 501(c)(12) organizations. Enter																																			
a Gross income from members or shareholders.																																			
b Gross income from other sources (Do not net amounts due or paid to other sources against amounts due or received from them).																																			
12a Section 4947(a)(1) non-exempt charitable trusts. Is the organization filing Form 990 in lieu of Form 1041?																																			
b If "Yes," enter the amount of tax-exempt interest received or accrued during the year.																																			
13 Section 501(c)(29) qualified nonprofit health insurance issuers.																																			
a Is the organization licensed to issue qualified health plans in more than one state? <b>Note.</b> See the instructions for additional information the organization must report on Schedule O.																																			
b Enter the amount of reserves the organization is required to maintain by the states in which the organization is licensed to issue qualified health plans.																																			
c Enter the amount of reserves on hand.																																			
14a Did the organization receive any payments for indoor tanning services during the tax year?																																			
b If "Yes," has it filed a Form 720 to report these payments? If "No," provide an explanation in Schedule O.																																			

**Part VI Governance, Management, and Disclosure** For each "Yes" response to lines 2 through 7b below, and for a "No" response to line 8a, 8b, or 10b below, describe the circumstances, processes, or changes in Schedule O. See instructions.Check if Schedule O contains a response to any question in this Part VI. ☒ X**Section A. Governing Body and Management**

	Yes	No
<b>1a</b> Enter the number of voting members of the governing body at the end of the tax year. . . . . <b>1a</b> 23		
If there are material differences in voting rights among members of the governing body, or if the governing body delegated broad authority to an executive committee or similar committee, explain in Schedule O		
<b>b</b> Enter the number of voting members included in line 1a, above, who are independent . . . . . <b>1b</b> 22		
<b>2</b> Did any officer, director, trustee, or key employee have a family relationship or a business relationship with any other officer, director, trustee, or key employee? . . . . .	<b>2</b> X	
<b>3</b> Did the organization delegate control over management duties customarily performed by or under the direct supervision of officers, directors, or trustees, or key employees to a management company or other person? . . .	<b>3</b>	X
<b>4</b> Did the organization make any significant changes to its governing documents since the prior Form 990 was filed? . . . . .	<b>4</b>	X
<b>5</b> Did the organization become aware during the year of a significant diversion of the organization's assets? . . . . .	<b>5</b>	X
<b>6</b> Did the organization have members or stockholders? . . . . .	<b>6</b>	X
<b>7a</b> Did the organization have members, stockholders, or other persons who had the power to elect or appoint one or more members of the governing body? . . . . .	<b>7a</b> X	
<b>b</b> Are any governance decisions of the organization reserved to (or subject to approval by) members, stockholders, or persons other than the governing body? . . . . .	<b>7b</b>	X
<b>8</b> Did the organization contemporaneously document the meetings held or written actions undertaken during the year by the following		
<b>a</b> The governing body? . . . . .	<b>8a</b> X	
<b>b</b> Each committee with authority to act on behalf of the governing body? . . . . .	<b>8b</b> X	
<b>9</b> Is there any officer, director, trustee, or key employee listed in Part VII, Section A, who cannot be reached at the organization's mailing address? If "Yes," provide the names and addresses in Schedule O . . . . .	<b>9</b>	X

**Section B. Policies** (This Section B requests information about policies not required by the Internal Revenue Code)

	Yes	No
<b>10a</b> Did the organization have local chapters, branches, or affiliates? . . . . .	<b>10a</b>	X
<b>b</b> If "Yes," did the organization have written policies and procedures governing the activities of such chapters, affiliates, and branches to ensure their operations are consistent with the organization's exempt purposes? . . .	<b>10b</b>	
<b>11a</b> Has the organization provided a complete copy of this Form 990 to all members of its governing body before filing the form? . .	<b>11a</b> X	
<b>b</b> Describe in Schedule O the process, if any, used by the organization to review this Form 990		
<b>12a</b> Did the organization have a written conflict of interest policy? If "No," go to line 13 . . . . .	<b>12a</b> X	
<b>b</b> Were officers, directors, or trustees, and key employees required to disclose annually interests that could give rise to conflicts? . . . . .	<b>12b</b> X	
<b>c</b> Did the organization regularly and consistently monitor and enforce compliance with the policy? If "Yes," describe in Schedule O how this was done . . . . .	<b>12c</b> X	
<b>13</b> Did the organization have a written whistleblower policy? . . . . .	<b>13</b> X	
<b>14</b> Did the organization have a written document retention and destruction policy? . . . . .	<b>14</b> X	
<b>15</b> Did the process for determining compensation of the following persons include a review and approval by independent persons, comparability data, and contemporaneous substantiation of the deliberation and decision?		
<b>a</b> The organization's CEO, Executive Director, or top management official . . . . .	<b>15a</b> X	
<b>b</b> Other officers or key employees of the organization . . . . .	<b>15b</b> X	
If "Yes" to line 15a or 15b, describe the process in Schedule O (see instructions)		
<b>16a</b> Did the organization invest in, contribute assets to, or participate in a joint venture or similar arrangement with a taxable entity during the year? . . . . .	<b>16a</b>	X
<b>b</b> If "Yes," did the organization follow a written policy or procedure requiring the organization to evaluate its participation in joint venture arrangements under applicable federal tax law, and take steps to safeguard the organization's exempt status with respect to such arrangements? . . . . .	<b>16b</b>	

**Section C. Disclosure**

**17** List the states with which a copy of this Form 990 is required to be filed ► CONNECTICUT, NEW JERSEY & NEW YORK

**18** Section 6104 requires an organization to make its Forms 1023 (or 1024 if applicable), 990, and 990-T (Section 501(c)(3)s only) available for public inspection. Indicate how you made these available. Check all that apply.  
☒ Own website ☐ Another's website ☒ Upon request ☐ Other (explain in Schedule O)

**19** Describe in Schedule O whether (and if so, how), the organization made its governing documents, conflict of interest policy, and financial statements available to the public during the tax year.

**20** State the name, physical address, and telephone number of the person who possesses the books and records of the organization ► STELLA LIROSI, 20 SECOR ROAD, OSSINING, NY 10562 (914) 478-4501

**Part VII Compensation of Officers, Directors, Trustees, Key Employees, Highest Compensated Employees, and Independent Contractors**Check if Schedule O contains a response to any question in this Part VII ☐**Section A. Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees****1a** Complete this table for all persons required to be listed. Report compensation for the calendar year ending with or within the organization's tax year.

- List all of the organization's **current** officers, directors, trustees (whether individuals or organizations), regardless of amount of compensation. Enter -0- in columns (D), (E), and (F) if no compensation was paid.
- List all of the organization's **current** key employees, if any. See instructions for definition of "key employee."
- List the organization's five **current** highest compensated employees (other than an officer, director, trustee, or key employee) who received reportable compensation (Box 5 of Form W-2 and/or Box 7 of Form 1099-MISC) of more than \$100,000 from the organization and any related organizations.
- List all of the organization's **former** officers, key employees, and highest compensated employees who received more than \$100,000 of reportable compensation from the organization and any related organizations.
- List all of the organization's **former directors or trustees** that received, in the capacity as a former director or trustee of the organization, more than \$10,000 of reportable compensation from the organization and any related organizations.

List persons in the following order: individual trustees or directors; institutional trustees; officers; key employees; highest compensated employees; and former such persons.

☐ Check this box if neither the organization nor any related organization compensated any current officer, director, or trustee

(A) Name and Title	(B) Average hours per week (list any hours for related organizations below dotted line)	(C) Position (do not check more than one box, unless person is both an officer and a director/trustee)						(D) Reportable compensation from the organization (W-2/1099-MISC)	(E) Reportable compensation from related organizations (W-2/1099-MISC)	(F) Estimated amount of other compensation from the organization and related organizations
		Individual trustee or director	Institutional trustee	Officer	Key employee	Highest compensated employee	Former			
(1) DR. HOWARD A. RUBIN CHAIR	3.00	X		X				0	0	0
(2) ROBERT F. KENNEDY JR. V. CHAIR/CHIEF PROSECUTING ATTY	3.00	X		X				74,016.	0	424.
(3) JOE BOREN TREASURER	3.00	X		X				0	0	0
(4) PEGGY CULLEN SECRETARY	3.00	X		X				0	0	0
(5) GEORGE HORNIG DIRECTOR	3.00	X						0	0	0
(6) ANNE HEARST MCINERNEY DIRECTOR	3.00	X						0	0	0
(7) JOHN MOORE DIRECTOR	3.00	X						0	0	0
(8) JOHN ADAMS DIRECTOR	3.00	X						0	0	0
(9) DALE KUTNICK DIRECTOR	3.00	X						0	0	0
(10) CAMILO PATRIGNANI DIRECTOR	3.00	X						0	0	0
(11) JUSTIN DERFNER DIRECTOR	3.00	X						0	0	0
(12) ANN COLLEY DIRECTOR	3.00	X						0	0	0
(13) HAMILTON FISH DIRECTOR	3.00	X						0	0	0
(14) DAVID KOWITZ DIRECTOR	3.00	X						0	0	0

**Part VII Section A. Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees** (continued)

(A) Name and title	(B) Average hours per week (list any hours for related organizations below dotted line)	(C) Position (do not check more than one box, unless person is both an officer and a director/trustee)						(D) Reportable compensation from the organization (W-2/1099-MISC)	(E) Reportable compensation from related organizations (W-2/1099-MISC)	(F) Estimated amount of other compensation from the organization and related organizations
		Individual trustee or director	Institutional trustee	Officer	Key employee	Highest compensated employee	Former			
15) JOHN MCENROE DIRECTOR	3.00	X						0	0	0
16) AMANDA HEARST DIRECTOR	3.00	X						0	0	0
17) MICHAEL RICHTER DIRECTOR	3.00	X						0	0	0
18) DENNIS RIVERA DIRECTOR	3.00	X						0	0	0
19) DAVID REILLY DIRECTOR	3.00	X						0	0	0
20) PAUL ZOFNASS DIRECTOR	3.00	X						0	0	0
21) HELENA DURST DIRECTOR	3.00	X						0	0	0
22) NICK SANGERMANO DIRECTOR	3.00	X						0	0	0
23) FRED TANNE DIRECTOR	3.00	X						0	0	0
24) PAUL GALLAY PRESIDENT AND DIRECTOR	40.00			X				171,938.	0	29,504.
25) JOHN LIPSCOMB BOAT CAPTAIN	40.00					X		101,719.	0	14,319.
<b>1b Sub-total</b>								74,016.	0	424.
<b>c Total from continuation sheets to Part VII, Section A</b>								273,657.	0	43,823.
<b>d Total (add lines 1b and 1c)</b>								347,673.	0	44,247.

**2** Total number of individuals (including but not limited to those listed above) who received more than \$100,000 of reportable compensation from the organization **2**

**3** Did the organization list any **former** officer, director, or trustee, key employee, or highest compensated employee on line 1a? If "Yes," complete Schedule J for such individual

	Yes	No
<b>3</b>		X
<b>4</b>	X	
<b>5</b>		X

**4** For any individual listed on line 1a, is the sum of reportable compensation and other compensation from the organization and related organizations greater than \$150,000? If "Yes," complete Schedule J for such individual

**5** Did any person listed on line 1a receive or accrue compensation from any unrelated organization or individual for services rendered to the organization? If "Yes," complete Schedule J for such person

**Section B. Independent Contractors**

**1** Complete this table for your five highest compensated independent contractors that received more than \$100,000 of compensation from the organization Report compensation for the calendar year ending with or within the organization's tax year

(A) Name and business address	(B) Description of services	(C) Compensation
NONE		

**2** Total number of independent contractors (including but not limited to those listed above) who received more than \$100,000 in compensation from the organization **0**



**Part VIII Statement of Revenue**Check if Schedule O contains a response to any question in this Part VIII ☐

				(A) Total revenue	(B) Related or exempt function revenue	(C) Unrelated business revenue	(D) Revenue excluded from tax under sections 512, 513, or 514
<b>Contributions, Gifts, Grants and Other Similar Amounts</b>	<b>1a</b>	Federated campaigns . . . . .	<b>1a</b>				
	<b>b</b>	Membership dues . . . . .	<b>1b</b>				
	<b>c</b>	Fundraising events . . . . .	<b>1c</b>	959,120.			
	<b>d</b>	Related organizations . . . . .	<b>1d</b>				
	<b>e</b>	Government grants (contributions) . . . . .	<b>1e</b>				
	<b>f</b>	All other contributions, gifts, grants, and similar amounts not included above . . . . .	<b>1f</b>	2,546,188.			
	<b>g</b>	Noncash contributions included in lines 1a-1f \$ . . . . .					
	<b>h</b>	<b>Total.</b> Add lines 1a-1f . . . . .		3,505,308.			
<b>Program Service Revenue</b>	<b>2a</b>	COST REIMBURSEMENT . . . . .	<b>Business Code</b>	900099	57,376.	57,376.	
	<b>b</b>						
	<b>c</b>						
	<b>d</b>						
	<b>e</b>						
	<b>f</b>	All other program service revenue . . . . .					
	<b>g</b>	<b>Total.</b> Add lines 2a-2f . . . . .		57,376.			
<b>Other Revenue</b>	<b>3</b>	Investment income (including dividends, interest, and other similar amounts) . . . . .		1,053.			1,053.
	<b>4</b>	Income from investment of tax-exempt bond proceeds . . . . .		0			
	<b>5</b>	Royalties . . . . .		0			
			(i) Real (ii) Personal				
	<b>6a</b>	Gross rents . . . . .					
	<b>b</b>	Less: rental expenses . . . . .					
	<b>c</b>	Rental income or (loss) . . . . .					
	<b>d</b>	Net rental income or (loss) . . . . .		0			
			(i) Securities (ii) Other				
	<b>7a</b>	Gross amount from sales of assets other than inventory . . . . .					
	<b>b</b>	Less: cost or other basis and sales expenses . . . . .					
	<b>c</b>	Gain or (loss) . . . . .					
	<b>d</b>	Net gain or (loss) . . . . .		0			
	<b>8a</b>	Gross income from fundraising events (not including \$ 959,120. of contributions reported on line 1c) See Part IV, line 18 . . . . .	<b>a</b>	126,011.			
	<b>b</b>	Less: direct expenses . . . . .	<b>b</b>	141,764.			
	<b>c</b>	Net income or (loss) from fundraising events . . . . .		-15,753.			-15,753.
	<b>9a</b>	Gross income from gaming activities See Part IV, line 19 . . . . .	<b>a</b>				
	<b>b</b>	Less: direct expenses . . . . .	<b>b</b>				
	<b>c</b>	Net income or (loss) from gaming activities . . . . .		0			
	<b>10a</b>	Gross sales of inventory, less returns and allowances . . . . .	<b>a</b>				
<b>b</b>	Less: cost of goods sold . . . . .	<b>b</b>					
<b>c</b>	Net income or (loss) from sales of inventory . . . . .		0				
<b>Miscellaneous Revenue</b>			<b>Business Code</b>				
<b>11a</b>	OTHER REVENUE . . . . .		900099	3,166.	3,166.		
<b>b</b>							
<b>c</b>							
<b>d</b>	All other revenue . . . . .						
<b>e</b>	<b>Total.</b> Add lines 11a-11d . . . . .		3,166.				
<b>12</b>	<b>Total revenue.</b> See instructions . . . . .		3,551,150.	60,542.		-14,700.	

**Part IX Statement of Functional Expenses**

Section 501(c)(3) and 501(c)(4) organizations must complete all columns. All other organizations must complete column (A).

Check if Schedule O contains a response to any question in this Part IX ☒ X**Do not include amounts reported on lines 6b, 7b, 8b, 9b, and 10b of Part VIII.**

	(A) Total expenses	(B) Program service expenses	(C) Management and general expenses	(D) Fundraising expenses
1 Grants and other assistance to governments and organizations in the United States. See Part IV, line 21.	0			
2 Grants and other assistance to individuals in the United States. See Part IV, line 22.	0			
3 Grants and other assistance to governments, organizations, and individuals outside the United States. See Part IV, lines 15 and 16.	0			
4 Benefits paid to or for members.	0			
5 Compensation of current officers, directors, trustees, and key employees.	276,868.	247,332.	4,490.	25,046.
6 Compensation not included above, to disqualified persons (as defined under section 4958(f)(1)) and persons described in section 4958(c)(3)(B).	0			
7 Other salaries and wages.	1,661,096.	1,499,603.	23,512.	137,981.
8 Pension plan accruals and contributions (include section 401(k) and 403(b) employer contributions).	0			
9 Other employee benefits.	169,616.	146,045.	4,742.	18,829.
10 Payroll taxes.	160,902.	138,542.	4,499.	17,861.
11 Fees for services (non-employees):	0			
a Management.	129,610.	129,610.		
b Legal.	19,410.		19,410.	
c Accounting.	4,798.	4,798.		
d Lobbying.	60,000.			60,000.
e Professional fundraising services. See Part IV, line 17.	0			
f Investment management fees.	0			
g Other (If line 11g amount exceeds 10% of line 25, column (A) amount, list line 11g expenses on Schedule O).	611,468.	579,824.	12,386.	19,258.
12 Advertising and promotion.	0			
13 Office expenses.	114,372.	104,205.	2,069.	8,098.
14 Information technology.	0			
15 Royalties.	0			
16 Occupancy.	111,420.	81,024.	20,378.	10,018.
17 Travel.	33,304.	29,374.	635.	3,295.
18 Payments of travel or entertainment expenses for any federal, state, or local public officials.	0			
19 Conferences, conventions, and meetings.	1,163.	938.	40.	185.
20 Interest.	0			
21 Payments to affiliates.	0			
22 Depreciation, depletion, and amortization.	20,611.	13,397.	5,153.	2,061.
23 Insurance.	15,088.	12,874.	1,299.	915.
24 Other expenses. Itemize expenses not covered above (List miscellaneous expenses in line 24e. If line 24e amount exceeds 10% of line 25, column (A) amount, list line 24e expenses on Schedule O).				
a DIRECT MAIL EXPENSE	87,228.	43,614.		43,614.
b EQUIP. RENTAL & MAINTENANCE	67,975.	60,631.	2,185.	5,159.
c MISCELLANEOUS	13,617.	7,445.	2,377.	3,795.
d DUES & SUBSCRIPTIONS	12,666.	10,927.	138.	1,601.
e All other expenses	20,227.	16,118.	379.	3,730.
25 Total functional expenses. Add lines 1 through 24e.	3,591,439.	3,126,301.	103,692.	361,446.
26 Joint costs. Complete this line only if the organization reported in column (B) joint costs from a combined educational campaign and fundraising solicitation. Check here <input checked="" type="checkbox"/> X if following SOP 98-2 (ASC 958-720).	0			

**Part X Balance Sheet**

Check if Schedule O contains a response to any question in this Part X

		(A) Beginning of year		(B) End of year
<b>Assets</b>	<b>1</b> Cash - non-interest-bearing	140,118.	<b>1</b>	176,562.
	<b>2</b> Savings and temporary cash investments	846,391.	<b>2</b>	330,675.
	<b>3</b> Pledges and grants receivable, net	787,062.	<b>3</b>	749,810.
	<b>4</b> Accounts receivable, net	0	<b>4</b>	0
	<b>5</b> Loans and other receivables from current and former officers, directors, trustees, key employees, and highest compensated employees Complete Part II of Schedule L	0	<b>5</b>	0
	<b>6</b> Loans and other receivables from other disqualified persons (as defined under section 4958(f)(1)), persons described in section 4958(c)(3)(B), and contributing employers and sponsoring organizations of section 501(c)(9) voluntary employees' beneficiary organizations (see instructions) Complete Part II of Schedule L	0	<b>6</b>	0
	<b>7</b> Notes and loans receivable, net	0	<b>7</b>	0
	<b>8</b> Inventories for sale or use	0	<b>8</b>	0
	<b>9</b> Prepaid expenses and deferred charges	10,151.	<b>9</b>	3,059.
	<b>10a</b> Land, buildings, and equipment cost or other basis Complete Part VI of Schedule D	438,114.		
	<b>b</b> Less accumulated depreciation	333,071.		
		109,400.	<b>10c</b>	105,043.
	<b>11</b> Investments - publicly traded securities	0	<b>11</b>	0
	<b>12</b> Investments - other securities See Part IV, line 11	0	<b>12</b>	0
	<b>13</b> Investments - program-related See Part IV, line 11	0	<b>13</b>	0
	<b>14</b> Intangible assets	0	<b>14</b>	0
<b>15</b> Other assets See Part IV, line 11	10,600.	<b>15</b>	10,600.	
<b>16</b> <b>Total assets.</b> Add lines 1 through 15 (must equal line 34)	1,903,722.	<b>16</b>	1,375,749.	
<b>Liabilities</b>	<b>17</b> Accounts payable and accrued expenses	625,638.	<b>17</b>	137,954.
	<b>18</b> Grants payable	0	<b>18</b>	0
	<b>19</b> Deferred revenue	0	<b>19</b>	0
	<b>20</b> Tax-exempt bond liabilities	0	<b>20</b>	0
	<b>21</b> Escrow or custodial account liability Complete Part IV of Schedule D	0	<b>21</b>	0
	<b>22</b> Loans and other payables to current and former officers, directors, trustees, key employees, highest compensated employees, and disqualified persons Complete Part II of Schedule L	0	<b>22</b>	0
	<b>23</b> Secured mortgages and notes payable to unrelated third parties	0	<b>23</b>	0
	<b>24</b> Unsecured notes and loans payable to unrelated third parties	0	<b>24</b>	0
	<b>25</b> Other liabilities (including federal income tax, payables to related third parties, and other liabilities not included on lines 17-24) Complete Part X of Schedule D	0	<b>25</b>	0
	<b>26</b> <b>Total liabilities.</b> Add lines 17 through 25	625,638.	<b>26</b>	137,954.
<b>Net Assets or Fund Balances</b>	<b>Organizations that follow SFAS 117 (ASC 958), check here</b> <input checked="" type="checkbox"/> <b>and complete lines 27 through 29, and lines 33 and 34.</b>			
	<b>27</b> Unrestricted net assets	1,228,084.	<b>27</b>	1,087,795.
	<b>28</b> Temporarily restricted net assets	50,000.	<b>28</b>	150,000.
	<b>29</b> Permanently restricted net assets	0	<b>29</b>	0
	<b>Organizations that do not follow SFAS 117 (ASC 958), check here</b> <input type="checkbox"/> <b>and complete lines 30 through 34.</b>			
	<b>30</b> Capital stock or trust principal, or current funds		<b>30</b>	
	<b>31</b> Paid-in or capital surplus, or land, building, or equipment fund		<b>31</b>	
	<b>32</b> Retained earnings, endowment, accumulated income, or other funds		<b>32</b>	
	<b>33</b> <b>Total net assets or fund balances</b>	1,278,084.	<b>33</b>	1,237,795.
	<b>34</b> <b>Total liabilities and net assets/fund balances</b>	1,903,722.	<b>34</b>	1,375,749.

**Part XI Reconciliation of Net Assets**Check if Schedule O contains a response to any question in this Part XI ☐

1	Total revenue (must equal Part VIII, column (A), line 12)	1	3,551,150.
2	Total expenses (must equal Part IX, column (A), line 25)	2	3,591,439.
3	Revenue less expenses Subtract line 2 from line 1	3	-40,289.
4	Net assets or fund balances at beginning of year (must equal Part X, line 33, column (A))	4	1,278,084.
5	Net unrealized gains (losses) on investments	5	0
6	Donated services and use of facilities	6	0
7	Investment expenses	7	0
8	Prior period adjustments	8	0
9	Other changes in net assets or fund balances (explain in Schedule O)	9	0
10	Net assets or fund balances at end of year Combine lines 3 through 9 (must equal Part X, line 33, column (B))	10	1,237,795.

**Part XII Financial Statements and Reporting**Check if Schedule O contains a response to any question in this Part XII ☐

- 1 Accounting method used to prepare the Form 990 ☐ Cash ☒ Accrual ☐ Other \_\_\_\_\_  
If the organization changed its method of accounting from a prior year or checked "Other," explain in Schedule O
- 2a Were the organization's financial statements compiled or reviewed by an independent accountant? . . . . .  
If "Yes," check a box below to indicate whether the financial statements for the year were compiled or reviewed on a separate basis, consolidated basis, or both  
☐ Separate basis ☐ Consolidated basis ☐ Both consolidated and separate basis
- b Were the organization's financial statements audited by an independent accountant? . . . . .  
If "Yes," check a box below to indicate whether the financial statements for the year were audited on a separate basis, consolidated basis, or both:  
☒ Separate basis ☐ Consolidated basis ☐ Both consolidated and separate basis
- c If "Yes" to line 2a or 2b, does the organization have a committee that assumes responsibility for oversight of the audit, review, or compilation of its financial statements and selection of an independent accountant?  
If the organization changed either its oversight process or selection process during the tax year, explain in Schedule O
- 3a As a result of a federal award, was the organization required to undergo an audit or audits as set forth in the Single Audit Act and OMB Circular A-133? . . . . .
- b If "Yes," did the organization undergo the required audit or audits? If the organization did not undergo the required audit or audits, explain why in Schedule O and describe any steps taken to undergo such audits

	Yes	No
2a		X
2b	X	
2c	X	
3a		X
3b		

Form **990** (2012)

**SCHEDULE A**  
**(Form 990 or 990-EZ)**

Department of the Treasury  
Internal Revenue Service

**Public Charity Status and Public Support**

Complete if the organization is a section 501(c)(3) organization or a section 4947(a)(1) nonexempt charitable trust.

▶ Attach to Form 990 or Form 990-EZ. ▶ See separate instructions.

OMB No 1545-0047

**2012**

**Open to Public Inspection**

Name of the organization

RIVERKEEPER, INC.

Employer identification number

13-3204621

**Part I Reason for Public Charity Status** (All organizations must complete this part.) See instructions

The organization is not a private foundation because it is. (For lines 1 through 11, check only one box.)

- 1 ☐ A church, convention of churches, or association of churches described in **section 170(b)(1)(A)(i)**.
- 2 ☐ A school described in **section 170(b)(1)(A)(ii)**. (Attach Schedule E.)
- 3 ☐ A hospital or a cooperative hospital service organization described in **section 170(b)(1)(A)(iii)**.
- 4 ☐ A medical research organization operated in conjunction with a hospital described in **section 170(b)(1)(A)(iii)**. Enter the hospital's name, city, and state \_\_\_\_\_
- 5 ☐ An organization operated for the benefit of a college or university owned or operated by a governmental unit described in **section 170(b)(1)(A)(iv)**. (Complete Part II.)
- 6 ☐ A federal, state, or local government or governmental unit described in **section 170(b)(1)(A)(v)**.
- 7 ☒ An organization that normally receives a substantial part of its support from a governmental unit or from the general public described in **section 170(b)(1)(A)(vi)**. (Complete Part II.)
- 8 ☐ A community trust described in **section 170(b)(1)(A)(vi)**. (Complete Part II.)
- 9 ☐ An organization that normally receives (1) more than 33 1/3 % of its support from contributions, membership fees, and gross receipts from activities related to its exempt functions - subject to certain exceptions, and (2) no more than 33 1/3 % of its support from gross investment income and unrelated business taxable income (less section 511 tax) from businesses acquired by the organization after June 30, 1975. See **section 509(a)(2)**. (Complete Part III.)
- 10 ☐ An organization organized and operated exclusively to test for public safety. See **section 509(a)(4)**.
- 11 ☐ An organization organized and operated exclusively for the benefit of, to perform the functions of, or to carry out the purposes of one or more publicly supported organizations described in **section 509(a)(1)** or **section 509(a)(2)**. See **section 509(a)(3)**. Check the box that describes the type of supporting organization and complete lines 11e through 11h.
- a ☐ Type I    b ☐ Type II    c ☐ Type III-Functionally integrated    d ☐ Type III-Non-functionally integrated
- e ☐ By checking this box, I certify that the organization is not controlled directly or indirectly by one or more disqualified persons other than foundation managers and other than one or more publicly supported organizations described in **section 509(a)(1)** or **section 509(a)(2)**.
- f If the organization received a written determination from the IRS that it is a Type I, Type II, or Type III supporting organization, check this box ☐
- g Since August 17, 2006, has the organization accepted any gift or contribution from any of the following persons?
- (i) A person who directly or indirectly controls, either alone or together with persons described in (ii) and (iii) below, the governing body of the supported organization? ☐
- (ii) A family member of a person described in (i) above? ☐
- (iii) A 35% controlled entity of a person described in (i) or (ii) above? ☐
- h Provide the following information about the supported organization(s)

	Yes	No
11g(i)		
11g(ii)		
11g(iii)		

(i) Name of supported organization	(ii) EIN	(iii) Type of organization (described on lines 1-9 above or IRC section (see instructions))	(iv) Is the organization in col (i) listed in your governing document?		(v) Did you notify the organization in col (i) of your support?		(vi) Is the organization in col (i) organized in the U.S.?		(vii) Amount of monetary support
			Yes	No	Yes	No	Yes	No	
(A)									
(B)									
(C)									
(D)									
(E)									
Total									

For Paperwork Reduction Act Notice, see the Instructions for Form 990 or 990-EZ.

Schedule A (Form 990 or 990-EZ) 2012

**Part II Support Schedule for Organizations Described in Sections 170(b)(1)(A)(iv) and 170(b)(1)(A)(vi)**  
 (Complete only if you checked the box on line 5, 7, or 8 of Part I or if the organization failed to qualify under Part III. If the organization fails to qualify under the tests listed below, please complete Part III.)

**Section A. Public Support**

Calendar year (or fiscal year beginning in) ►	(a) 2008	(b) 2009	(c) 2010	(d) 2011	(e) 2012	(f) Total
1 Gifts, grants, contributions, and membership fees received (Do not include any "unusual grants") . . . . .	2,745,431.	2,589,176.	2,729,583.	3,083,161.	3,505,308.	14,652,659.
2 Tax revenues levied for the organization's benefit and either paid to or expended on its behalf . . . . .						0
3 The value of services or facilities furnished by a governmental unit to the organization without charge . . . . .						0
4 <b>Total.</b> Add lines 1 through 3. . . . .	2,745,431.	2,589,176.	2,729,583.	3,083,161.	3,505,308.	14,652,659.
5 The portion of total contributions by each person (other than a governmental unit or publicly supported organization) included on line 1 that exceeds 2% of the amount shown on line 11, column (f). . . . .						1,589,408.
6 <b>Public support.</b> Subtract line 5 from line 4. . . . .						13,063,251.

**Section B. Total Support**

Calendar year (or fiscal year beginning in) ►	(a) 2008	(b) 2009	(c) 2010	(d) 2011	(e) 2012	(f) Total
7 Amounts from line 4 . . . . .	2,745,431.	2,589,176.	2,729,583.	3,083,161.	3,505,308.	14,652,659.
8 Gross income from interest, dividends, payments received on securities loans, rents, royalties and income from similar sources . . . . .	12,433.	7,177.	5,088.	1,870.	1,053.	27,621.
9 Net income from unrelated business activities, whether or not the business is regularly carried on . . . . .						0
10 Other income. Do not include gain or loss from the sale of capital assets (Explain in Part IV) . <b>ATCH. 1</b> . . . . .	28,735.	16,270.	4,978.	1,506.	3,166.	54,655.
11 <b>Total support.</b> Add lines 7 through 10 . . . . .						14,734,935.
12 Gross receipts from related activities, etc. (see instructions) . . . . .					12	2,237,181.
13 <b>First five years.</b> If the Form 990 is for the organization's first, second, third, fourth, or fifth tax year as a section 501(c)(3) organization, check this box and <b>stop here</b> . . . . .						<input type="checkbox"/>

**Section C. Computation of Public Support Percentage**

14 Public support percentage for 2012 (line 6, column (f) divided by line 11, column (f)) . . . . .	14	88.66%
15 Public support percentage from 2011 Schedule A, Part II, line 14 . . . . .	15	88.11%
16a <b>33 1/3% support test - 2012.</b> If the organization did not check the box on line 13, and line 14 is 33 1/3% or more, check this box and <b>stop here.</b> The organization qualifies as a publicly supported organization . . . . .	<input checked="" type="checkbox"/>	
b <b>33 1/3% support test - 2011.</b> If the organization did not check a box on line 13 or 16a, and line 15 is 33 1/3% or more, check this box and <b>stop here.</b> The organization qualifies as a publicly supported organization . . . . .	<input type="checkbox"/>	
17a <b>10%-facts-and-circumstances test - 2012.</b> If the organization did not check a box on line 13, 16a, or 16b, and line 14 is 10% or more, and if the organization meets the "facts-and-circumstances" test, check this box and <b>stop here.</b> Explain in Part IV how the organization meets the "facts-and-circumstances" test. The organization qualifies as a publicly supported organization . . . . .	<input type="checkbox"/>	
b <b>10%-facts-and-circumstances test - 2011.</b> If the organization did not check a box on line 13, 16a, 16b, or 17a, and line 15 is 10% or more, and if the organization meets the "facts-and-circumstances" test, check this box and <b>stop here.</b> Explain in Part IV how the organization meets the "facts-and-circumstances" test. The organization qualifies as a publicly supported organization . . . . .	<input type="checkbox"/>	
18 <b>Private foundation.</b> If the organization did not check a box on line 13, 16a, 16b, 17a, or 17b, check this box and see instructions . . . . .	<input type="checkbox"/>	

**Part III Support Schedule for Organizations Described in Section 509(a)(2)**

(Complete only if you checked the box on line 9 of Part I or if the organization failed to qualify under Part II  
If the organization fails to qualify under the tests listed below, please complete Part II.)

**Section A. Public Support**

Calendar year (or fiscal year beginning in) ►	(a) 2008	(b) 2009	(c) 2010	(d) 2011	(e) 2012	(f) Total
<b>1</b> Gifts, grants, contributions, and membership fees received (Do not include any "unusual grants.")						
<b>2</b> Gross receipts from admissions, merchandise sold or services performed, or facilities furnished in any activity that is related to the organization's tax-exempt purpose . . . . .						
<b>3</b> Gross receipts from activities that are not an unrelated trade or business under section 513 . . . . .						
<b>4</b> Tax revenues levied for the organization's benefit and either paid to or expended on its behalf . . . . .						
<b>5</b> The value of services or facilities furnished by a governmental unit to the organization without charge . . . . .						
<b>6 Total.</b> Add lines 1 through 5 . . . . .						
<b>7a</b> Amounts included on lines 1, 2, and 3 received from disqualified persons . . . . .						
<b>b</b> Amounts included on lines 2 and 3 received from other than disqualified persons that exceed the greater of \$5,000 or 1% of the amount on line 13 for the year . . . . .						
<b>c</b> Add lines 7a and 7b. . . . .						
<b>8 Public support</b> (Subtract line 7c from line 6.) . . . . .						

**Section B. Total Support**

Calendar year (or fiscal year beginning in) ►	(a) 2008	(b) 2009	(c) 2010	(d) 2011	(e) 2012	(f) Total
<b>9</b> Amounts from line 6. . . . .						
<b>10a</b> Gross income from interest, dividends, payments received on securities loans, rents, royalties and income from similar sources . . . . .						
<b>b</b> Unrelated business taxable income (less section 511 taxes) from businesses acquired after June 30, 1975 . . . . .						
<b>c</b> Add lines 10a and 10b . . . . .						
<b>11</b> Net income from unrelated business activities not included in line 10b, whether or not the business is regularly carried on . . . . .						
<b>12</b> Other income. Do not include gain or loss from the sale of capital assets (Explain in Part IV) . . . . .						
<b>13 Total support.</b> (Add lines 9, 10c, 11, and 12) . . . . .						
<b>14 First five years.</b> If the Form 990 is for the organization's first, second, third, fourth, or fifth tax year as a section 501(c)(3) organization, check this box and <b>stop here</b> . . . . . <input type="checkbox"/>						

**Section C. Computation of Public Support Percentage**

<b>15</b> Public support percentage for 2012 (line 8, column (f) divided by line 13, column (f)) . . . . .	<b>15</b>	%
<b>16</b> Public support percentage from 2011 Schedule A, Part III, line 15 . . . . .	<b>16</b>	%

**Section D. Computation of Investment Income Percentage**

<b>17</b> Investment income percentage for 2012 (line 10c, column (f) divided by line 13, column (f)) . . . . .	<b>17</b>	%
<b>18</b> Investment income percentage from 2011 Schedule A, Part III, line 17 . . . . .	<b>18</b>	%
<b>19a 33 1/3% support tests - 2012.</b> If the organization did not check the box on line 14, and line 15 is more than 33 1/3%, and line 17 is not more than 33 1/3%, check this box and <b>stop here</b> . The organization qualifies as a publicly supported organization ► <input type="checkbox"/>		
<b>b 33 1/3% support tests - 2011.</b> If the organization did not check a box on line 14 or line 19a, and line 16 is more than 33 1/3%, and line 18 is not more than 33 1/3%, check this box and <b>stop here</b> . The organization qualifies as a publicly supported organization ► <input type="checkbox"/>		
<b>20 Private foundation.</b> If the organization did not check a box on line 14, 19a, or 19b, check this box and see instructions ► <input type="checkbox"/>		

**Part IV** **Supplemental Information.** Complete this part to provide the explanations required by Part II, line 10, Part II, line 17a or 17b; and Part III, line 12. Also complete this part for any additional information (See instructions)ATTACHMENT 1

## SCHEDULE A, PART II - OTHER INCOME

DESCRIPTION	2008	2009	2010	2011	2012	TOTAL
MISCELLANEOUS	28,735.	16,270.	4,978.	1,506.	3,166.	54,655.
TOTALS	<u>28,735.</u>	<u>16,270.</u>	<u>4,978.</u>	<u>1,506.</u>	<u>3,166.</u>	<u>54,655.</u>



**SCHEDULE C**  
**(Form 990 or 990-EZ)**

Department of the Treasury  
Internal Revenue Service

**Political Campaign and Lobbying Activities**

**For Organizations Exempt From Income Tax Under section 501(c) and section 527**  
▶ **Complete if the organization is described below.** ▶ **Attach to Form 990 or Form 990-EZ.**  
▶ **See separate instructions.**

OMB No 1545-0047

**2012**

**Open to Public Inspection**

**If the organization answered "Yes," to Form 990, Part IV, line 3, or Form 990-EZ, Part V, line 46 (Political Campaign Activities), then**

- Section 501(c)(3) organizations: Complete Parts I-A and B. Do not complete Part I-C.
- Section 501(c) (other than section 501(c)(3)) organizations: Complete Parts I-A and C below. Do not complete Part I-B.
- Section 527 organizations: Complete Part I-A only.

**If the organization answered "Yes," to Form 990, Part IV, line 4, or Form 990-EZ, Part VI, line 47 (Lobbying Activities), then**

- Section 501(c)(3) organizations that have filed Form 5768 (election under section 501(h)): Complete Part II-A. Do not complete Part II-B.
- Section 501(c)(3) organizations that have NOT filed Form 5768 (election under section 501(h)): Complete Part II-B. Do not complete Part II-A.

**If the organization answered "Yes," to Form 990, Part IV, line 5 (Proxy Tax) or Form 990-EZ, Part V, line 35c (Proxy Tax), then**

- Section 501(c)(4), (5), or (6) organizations: Complete Part III.

Name of organization <b>RIVERKEEPER, INC.</b>	Employer identification number <b>13-3204621</b>
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**Part I-A Complete if the organization is exempt under section 501(c) or is a section 527 organization.**

- 1 Provide a description of the organization's direct and indirect political campaign activities in Part IV.
- 2 Political expenditures . . . . . ▶ \$
- 3 Volunteer hours . . . . .

**Part I-B Complete if the organization is exempt under section 501(c)(3).**

- 1 Enter the amount of any excise tax incurred by the organization under section 4955. . . . . ▶ \$
- 2 Enter the amount of any excise tax incurred by organization managers under section 4955 . . . . . ▶ \$
- 3 If the organization incurred a section 4955 tax, did it file Form 4720 for this year? . . . . . ☐ Yes ☐ No
- 4a Was a correction made? . . . . . ☐ Yes ☐ No
- b If "Yes," describe in Part IV

**Part I-C Complete if the organization is exempt under section 501(c), except section 501(c)(3).**

- 1 Enter the amount directly expended by the filing organization for section 527 exempt function activities . . . . . ▶ \$
- 2 Enter the amount of the filing organization's funds contributed to other organizations for section 527 exempt function activities . . . . . ▶ \$
- 3 Total exempt function expenditures. Add lines 1 and 2. Enter here and on Form 1120-POL, line 17b . . . . . ▶ \$
- 4 Did the filing organization file **Form 1120-POL** for this year? . . . . . ☐ Yes ☐ No
- 5 Enter the names, addresses and employer identification number (EIN) of all section 527 political organizations to which the filing organization made payments. For each organization listed, enter the amount paid from the filing organization's funds. Also enter the amount of political contributions received that were promptly and directly delivered to a separate political organization, such as a separate segregated fund or a political action committee (PAC). If additional space is needed, provide information in Part IV.

(a) Name	(b) Address	(c) EIN	(d) Amount paid from filing organization's funds. If none, enter -0-	(e) Amount of political contributions received and promptly and directly delivered to a separate political organization. If none, enter -0-
(1)				
(2)				
(3)				
(4)				
(5)				
(6)				

For Paperwork Reduction Act Notice, see the Instructions for Form 990 or 990-EZ.

Schedule C (Form 990 or 990-EZ) 2012

**Part II-A** Complete if the organization is exempt under section 501(c)(3) and filed Form 5768 (election under section 501(h)).

- A** Check ☐ if the filing organization belongs to an affiliated group (and list in Part IV each affiliated group member's name, address, EIN, expenses, and share of excess lobbying expenditures).
- B** Check ☐ if the filing organization checked box A and "limited control" provisions apply.

Limits on Lobbying Expenditures (The term "expenditures" means amounts paid or incurred.)		(a) Filing organization's totals	(b) Affiliated group totals												
<b>1 a</b>	Total lobbying expenditures to influence public opinion (grass roots lobbying) . . . . .	595.													
<b>b</b>	Total lobbying expenditures to influence a legislative body (direct lobbying) . . . . .	4,203.													
<b>c</b>	Total lobbying expenditures (add lines 1a and 1b) . . . . .	4,798.													
<b>d</b>	Other exempt purpose expenditures . . . . .	3,121,503.													
<b>e</b>	Total exempt purpose expenditures (add lines 1c and 1d) . . . . .	3,126,301.													
<b>f</b>	Lobbying nontaxable amount Enter the amount from the following table in both columns	306,315.													
<table border="1"> <thead> <tr> <th>If the amount on line 1e, column (a) or (b) is:</th> <th>The lobbying nontaxable amount is:</th> </tr> </thead> <tbody> <tr> <td>Not over \$500,000</td> <td>20% of the amount on line 1e</td> </tr> <tr> <td>Over \$500,000 but not over \$1,000,000</td> <td>\$100,000 plus 15% of the excess over \$500,000</td> </tr> <tr> <td>Over \$1,000,000 but not over \$1,500,000</td> <td>\$175,000 plus 10% of the excess over \$1,000,000</td> </tr> <tr> <td>Over \$1,500,000 but not over \$17,000,000</td> <td>\$225,000 plus 5% of the excess over \$1,500,000</td> </tr> <tr> <td>Over \$17,000,000</td> <td>\$1,000,000</td> </tr> </tbody> </table>		If the amount on line 1e, column (a) or (b) is:	The lobbying nontaxable amount is:	Not over \$500,000	20% of the amount on line 1e	Over \$500,000 but not over \$1,000,000	\$100,000 plus 15% of the excess over \$500,000	Over \$1,000,000 but not over \$1,500,000	\$175,000 plus 10% of the excess over \$1,000,000	Over \$1,500,000 but not over \$17,000,000	\$225,000 plus 5% of the excess over \$1,500,000	Over \$17,000,000	\$1,000,000		
If the amount on line 1e, column (a) or (b) is:	The lobbying nontaxable amount is:														
Not over \$500,000	20% of the amount on line 1e														
Over \$500,000 but not over \$1,000,000	\$100,000 plus 15% of the excess over \$500,000														
Over \$1,000,000 but not over \$1,500,000	\$175,000 plus 10% of the excess over \$1,000,000														
Over \$1,500,000 but not over \$17,000,000	\$225,000 plus 5% of the excess over \$1,500,000														
Over \$17,000,000	\$1,000,000														
<b>g</b>	Grassroots nontaxable amount (enter 25% of line 1f) . . . . .	76,579.													
<b>h</b>	Subtract line 1g from line 1a. If zero or less, enter -0- . . . . .	0	0												
<b>i</b>	Subtract line 1f from line 1c. If zero or less, enter -0- . . . . .	0	0												
<b>j</b>	If there is an amount other than zero on either line 1h or line 1i, did the organization file Form 4720 reporting section 4911 tax for this year? . . . . . <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No														

**4-Year Averaging Period Under Section 501(h)**

(Some organizations that made a section 501(h) election do not have to complete all of the five columns below. See the instructions for lines 2a through 2f on page 4.)

Lobbying Expenditures During 4-Year Averaging Period					
Calendar year (or fiscal year beginning in)	(a) 2009	(b) 2010	(c) 2011	(d) 2012	(e) Total
<b>2 a</b> Lobbying nontaxable amount	294,655.	338,596.	313,550.	306,315.	1,253,116.
<b>b</b> Lobbying ceiling amount (150% of line 2a, column (e))					1,879,674.
<b>c</b> Total lobbying expenditures	2,069.	4,400.	2,295.	4,798.	13,562.
<b>d</b> Grassroots nontaxable amount	73,664.	84,649.	78,388.	76,579.	313,280.
<b>e</b> Grassroots ceiling amount (150% of line 2d, column (e))					469,920.
<b>f</b> Grassroots lobbying expenditures	106.	1,048.	371.	595.	2,120.

Schedule C (Form 990 or 990-EZ) 2012

**Part II-B** Complete if the organization is exempt under section 501(c)(3) and has NOT filed Form 5768 (election under section 501(h)).

For each "Yes," response to lines 1a through 1i below, provide in Part IV a detailed description of the lobbying activity

		(a)		(b)
		Yes	No	Amount
1	During the year, did the filing organization attempt to influence foreign, national, state or local legislation, including any attempt to influence public opinion on a legislative matter or referendum, through the use of			
a	Volunteers?			
b	Paid staff or management (include compensation in expenses reported on lines 1c through 1i)?			
c	Media advertisements?			
d	Mailings to members, legislators, or the public?			
e	Publications, or published or broadcast statements?			
f	Grants to other organizations for lobbying purposes?			
g	Direct contact with legislators, their staffs, government officials, or a legislative body?			
h	Rallies, demonstrations, seminars, conventions, speeches, lectures, or any similar means?			
i	Other activities?			
j	Total. Add lines 1c through 1i.			
2a	Did the activities in line 1 cause the organization to be not described in section 501(c)(3)?			
b	If "Yes," enter the amount of any tax incurred under section 4912			
c	If "Yes," enter the amount of any tax incurred by organization managers under section 4912			
d	If the filing organization incurred a section 4912 tax, did it file Form 4720 for this year?			

**Part III-A** Complete if the organization is exempt under section 501(c)(4), section 501(c)(5), or section 501(c)(6).

		Yes	No
1	Were substantially all (90% or more) dues received nondeductible by members?		
2	Did the organization make only in-house lobbying expenditures of \$2,000 or less?		
3	Did the organization agree to carry over lobbying and political expenditures from the prior year?		

**Part III-B** Complete if the organization is exempt under section 501(c)(4), section 501(c)(5), or section 501(c)(6) and if either (a) BOTH Part III-A, lines 1 and 2, are answered "No," OR (b) Part III-A, line 3, is answered "Yes."

1	Dues, assessments and similar amounts from members	1	
2	Section 162(e) nondeductible lobbying and political expenditures (do not include amounts of political expenses for which the section 527(f) tax was paid).		
a	Current year	2a	
b	Carryover from last year	2b	
c	Total	2c	
3	Aggregate amount reported in section 6033(e)(1)(A) notices of nondeductible section 162(e) dues	3	
4	If notices were sent and the amount on line 2c exceeds the amount on line 3, what portion of the excess does the organization agree to carryover to the reasonable estimate of nondeductible lobbying and political expenditure next year?	4	
5	Taxable amount of lobbying and political expenditures (see instructions)	5	

**Part IV** Supplemental Information

Complete this part to provide the descriptions required for Part I-A, line 1, Part I-B, line 4, Part I-C, line 5, Part II-A (affiliated group list); Part II-A, line 2, and Part II-B, line 1. Also, complete this part for any additional information.

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**Part IV** Supplemental Information *(continued)*

SCHEDULE D  
(Form 990)

Department of the Treasury  
Internal Revenue Service

Name of the organization

RIVERKEEPER, INC.

Supplemental Financial Statements

▶ Complete if the organization answered "Yes," to Form 990,  
Part IV, line 6, 7, 8, 9, 10, 11a, 11b, 11c, 11d, 11e, 11f, 12a, or 12b.

▶ Attach to Form 990. ▶ See separate instructions.

OMB No 1545-0047

2012

Open to Public  
Inspection

Employer identification number

13-3204621

**Part I Organizations Maintaining Donor Advised Funds or Other Similar Funds or Accounts.** Complete if the organization answered "Yes" to Form 990, Part IV, line 6.

	(a) Donor advised funds	(b) Funds and other accounts
1 Total number at end of year . . . . .		
2 Aggregate contributions to (during year) . . . . .		
3 Aggregate grants from (during year) . . . . .		
4 Aggregate value at end of year . . . . .		
5 Did the organization inform all donors and donor advisors in writing that the assets held in donor advised funds are the organization's property, subject to the organization's exclusive legal control? . . . . .		<input type="checkbox"/> Yes <input type="checkbox"/> No
6 Did the organization inform all grantees, donors, and donor advisors in writing that grant funds can be used only for charitable purposes and not for the benefit of the donor or donor advisor, or for any other purpose conferring impermissible private benefit? . . . . .		<input type="checkbox"/> Yes <input type="checkbox"/> No

**Part II Conservation Easements.** Complete if the organization answered "Yes" to Form 990, Part IV, line 7.

1 Purpose(s) of conservation easements held by the organization (check all that apply)

<input type="checkbox"/> Preservation of land for public use (e g , recreation or education)	<input type="checkbox"/> Preservation of an historically important land area
<input type="checkbox"/> Protection of natural habitat	<input type="checkbox"/> Preservation of a certified historic structure
<input type="checkbox"/> Preservation of open space	

2 Complete lines 2a through 2d if the organization held a qualified conservation contribution in the form of a conservation easement on the last day of the tax year

	Held at the End of the Tax Year
a Total number of conservation easements . . . . .	2a
b Total acreage restricted by conservation easements . . . . .	2b
c Number of conservation easements on a certified historic structure included in (a) . . . . .	2c
d Number of conservation easements included in (c) acquired after 8/17/06, and not on a historic structure listed in the National Register . . . . .	2d

3 Number of conservation easements modified, transferred, released, extinguished, or terminated by the organization during the tax year ▶ \_\_\_\_\_

4 Number of states where property subject to conservation easement is located ▶ \_\_\_\_\_

5 Does the organization have a written policy regarding the periodic monitoring, inspection, handling of violations, and enforcement of the conservation easements it holds? . . . . . ☐ Yes ☐ No

6 Staff and volunteer hours devoted to monitoring, inspecting, and enforcing conservation easements during the year ▶ \_\_\_\_\_

7 Amount of expenses incurred in monitoring, inspecting, and enforcing conservation easements during the year ▶ \$ \_\_\_\_\_

8 Does each conservation easement reported on line 2(d) above satisfy the requirements of section 170(h)(4)(B) (i) and section 170(h)(4)(B)(ii)? . . . . . ☐ Yes ☐ No

9 In Part XIII, describe how the organization reports conservation easements in its revenue and expense statement, and balance sheet, and include, if applicable, the text of the footnote to the organization's financial statements that describes the organization's accounting for conservation easements

**Part III Organizations Maintaining Collections of Art, Historical Treasures, or Other Similar Assets.** Complete if the organization answered "Yes" to Form 990, Part IV, line 8

1a If the organization elected, as permitted under SFAS 116 (ASC 958), not to report in its revenue statement and balance sheet works of art, historical treasures, or other similar assets held for public exhibition, education, or research in furtherance of public service, provide, in Part XIII, the text of the footnote to its financial statements that describes these items.

b If the organization elected, as permitted under SFAS 116 (ASC 958), to report in its revenue statement and balance sheet works of art, historical treasures, or other similar assets held for public exhibition, education, or research in furtherance of public service, provide the following amounts relating to these items.

(i) Revenues included in Form 990, Part VIII, line 1 . . . . . ▶ \$ \_\_\_\_\_

(ii) Assets included in Form 990, Part X . . . . . ▶ \$ \_\_\_\_\_

2 If the organization received or held works of art, historical treasures, or other similar assets for financial gain, provide the following amounts required to be reported under SFAS 116 (ASC 958) relating to these items.

a Revenues included in Form 990, Part VIII, line 1 . . . . . ▶ \$ \_\_\_\_\_

b Assets included in Form 990, Part X . . . . . ▶ \$ \_\_\_\_\_

For Paperwork Reduction Act Notice, see the Instructions for Form 990.

Schedule D (Form 990) 2012

**Part III Organizations Maintaining Collections of Art, Historical Treasures, or Other Similar Assets** (continued)

**3** Using the organization's acquisition, accession, and other records, check any of the following that are a significant use of its collection items (check all that apply)

- a** ☐ Public exhibition  
**b** ☐ Scholarly research  
**c** ☐ Preservation for future generations

- d** ☐ Loan or exchange programs  
**e** ☐ Other \_\_\_\_\_

**4** Provide a description of the organization's collections and explain how they further the organization's exempt purpose in Part XIII

**5** During the year, did the organization solicit or receive donations of art, historical treasures, or other similar assets to be sold to raise funds rather than to be maintained as part of the organization's collection? . . . . . ☐ Yes ☐ No

**Part IV Escrow and Custodial Arrangements.** Complete if the organization answered "Yes" to Form 990, Part IV, line 9, or reported an amount on Form 990, Part X, line 21.

**1a** Is the organization an agent, trustee, custodian or other intermediary for contributions or other assets not included on Form 990, Part X? . . . . . ☐ Yes ☐ No

**b** If "Yes," explain the arrangement in Part XIII and complete the following table

	Amount
<b>c</b> Beginning balance . . . . .	<b>1c</b> _____
<b>d</b> Additions during the year . . . . .	<b>1d</b> _____
<b>e</b> Distributions during the year . . . . .	<b>1e</b> _____
<b>f</b> Ending balance . . . . .	<b>1f</b> _____

**2a** Did the organization include an amount on Form 990, Part X, line 21? . . . . . ☐ Yes ☐ No

**b** If "Yes," explain the arrangement in Part XIII. Check here if the explanation has been provided in Part XIII. . . . . ☐ Yes ☐ No

**Part V Endowment Funds.** Complete if the organization answered "Yes" to Form 990, Part IV, line 10.

	(a) Current year	(b) Prior year	(c) Two years back	(d) Three years back	(e) Four years back
<b>1a</b> Beginning of year balance . . . . .	50,000.	140,000.	262,828.	372,038.	433,946.
<b>b</b> Contributions . . . . .	150,000.	50,000.	50,000.	101,539.	102,038.
<b>c</b> Net investment earnings, gains, and losses . . . . .					
<b>d</b> Grants or scholarships . . . . .					
<b>e</b> Other expenditures for facilities and programs . . . . .	50,000.	140,000.	172,828.	210,749.	163,946.
<b>f</b> Administrative expenses . . . . .					
<b>g</b> End of year balance . . . . .	150,000.	50,000.	140,000.	262,828.	372,038.

**2** Provide the estimated percentage of the current year end balance (line 1g, column (a)) held as

**a** Board designated or quasi-endowment ▶ \_\_\_\_\_ %

**b** Permanent endowment ▶ \_\_\_\_\_ %

**c** Temporarily restricted endowment ▶ 100.0000 %

The percentages in lines 2a, 2b, and 2c should equal 100%

**3a** Are there endowment funds not in the possession of the organization that are held and administered for the organization by:

(i) unrelated organizations . . . . . **3a(i)** ☐ Yes ☒ No

(ii) related organizations . . . . . **3a(ii)** ☐ Yes ☒ No

**b** If "Yes" to 3a(ii), are the related organizations listed as required on Schedule R? . . . . . **3b** ☐ Yes ☐ No

**4** Describe in Part XIII the intended uses of the organization's endowment funds

**Part VI Land, Buildings, and Equipment.** See Form 990, Part X, line 10.

Description of property	(a) Cost or other basis (investment)	(b) Cost or other basis (other)	(c) Accumulated depreciation	(d) Book value
<b>1a</b> Land . . . . .		7,500.		7,500.
<b>b</b> Buildings . . . . .				
<b>c</b> Leasehold improvements . . . . .		49,765.	13,828.	35,937.
<b>d</b> Equipment . . . . .		135,546.	117,278.	18,268.
<b>e</b> Other . . . . .		245,303.	201,965.	43,338.
<b>Total.</b> Add lines 1a through 1e (Column (d) must equal Form 990, Part X, column (B), line 10(c).) . . . . .				105,043.

**Part VII Investments - Other Securities.** See Form 990, Part X, line 12.

(a) Description of security or category (including name of security)	(b) Book value	(c) Method of valuation: Cost or end-of-year market value
(1) Financial derivatives . . . . .		
(2) Closely-held equity interests . . . . .		
(3) Other _____		
(A) _____		
(B) _____		
(C) _____		
(D) _____		
(E) _____		
(F) _____		
(G) _____		
(H) _____		
(I) _____		
Total. (Column (b) must equal Form 990, Part X, col (B) line 12) ►		

**Part VIII Investments - Program Related.** See Form 990, Part X, line 13.

(a) Description of investment type	(b) Book value	(c) Method of valuation: Cost or end-of-year market value
(1)		
(2)		
(3)		
(4)		
(5)		
(6)		
(7)		
(8)		
(9)		
(10)		
Total. (Column (b) must equal Form 990, Part X, col (B) line 13) ►		

**Part IX Other Assets.** See Form 990, Part X, line 15.

(a) Description	(b) Book value
(1)	
(2)	
(3)	
(4)	
(5)	
(6)	
(7)	
(8)	
(9)	
(10)	
Total. (Column (b) must equal Form 990, Part X, col (B) line 15) . . . . . ►	

**Part X Other Liabilities.** See Form 990, Part X, line 25.

1. (a) Description of liability	(b) Book value
(1) Federal income taxes	
(2)	
(3)	
(4)	
(5)	
(6)	
(7)	
(8)	
(9)	
(10)	
(11)	
Total. (Column (b) must equal Form 990, Part X, col (B) line 25) ►	

2. FIN 48 (ASC 740) Footnote In Part XIII, provide the text of the footnote to the organization's financial statements that reports the organization's liability for uncertain tax positions under FIN 48 (ASC 740) Check here if the text of the footnote has been provided in Part XIII. . . . . ☒

**Part XI Reconciliation of Revenue per Audited Financial Statements With Revenue per Return**

<b>1</b>	Total revenue, gains, and other support per audited financial statements	<b>1</b>	4,255,565.
<b>2</b>	Amounts included on line 1 but not on Form 990, Part VIII, line 12:		
<b>a</b>	Net unrealized gains on investments	<b>2a</b>	
<b>b</b>	Donated services and use of facilities	<b>2b</b>	704,415.
<b>c</b>	Recoveries of prior year grants	<b>2c</b>	
<b>d</b>	Other (Describe in Part XIII.)	<b>2d</b>	
<b>e</b>	Add lines <b>2a</b> through <b>2d</b>	<b>2e</b>	704,415.
<b>3</b>	Subtract line <b>2e</b> from line <b>1</b>	<b>3</b>	3,551,150.
<b>4</b>	Amounts included on Form 990, Part VIII, line 12, but not on line 1:		
<b>a</b>	Investment expenses not included on Form 990, Part VIII, line 7b	<b>4a</b>	
<b>b</b>	Other (Describe in Part XIII.)	<b>4b</b>	
<b>c</b>	Add lines <b>4a</b> and <b>4b</b>	<b>4c</b>	
<b>5</b>	Total revenue. Add lines <b>3</b> and <b>4c</b> . (This must equal Form 990, Part I, line 12.)	<b>5</b>	3,551,150.

**Part XII Reconciliation of Expenses per Audited Financial Statements With Expenses per Return**

<b>1</b>	Total expenses and losses per audited financial statements	<b>1</b>	4,295,854.
<b>2</b>	Amounts included on line 1 but not on Form 990, Part IX, line 25:		
<b>a</b>	Donated services and use of facilities	<b>2a</b>	704,415.
<b>b</b>	Prior year adjustments	<b>2b</b>	
<b>c</b>	Other losses	<b>2c</b>	
<b>d</b>	Other (Describe in Part XIII.)	<b>2d</b>	
<b>e</b>	Add lines <b>2a</b> through <b>2d</b>	<b>2e</b>	704,415.
<b>3</b>	Subtract line <b>2e</b> from line <b>1</b>	<b>3</b>	3,591,439.
<b>4</b>	Amounts included on Form 990, Part IX, line 25, but not on line 1:		
<b>a</b>	Investment expenses not included on Form 990, Part VIII, line 7b	<b>4a</b>	
<b>b</b>	Other (Describe in Part XIII.)	<b>4b</b>	
<b>c</b>	Add lines <b>4a</b> and <b>4b</b>	<b>4c</b>	
<b>5</b>	Total expenses. Add lines <b>3</b> and <b>4c</b> . (This must equal Form 990, Part I, line 18.)	<b>5</b>	3,591,439.

**Part XIII Supplemental Information**

Complete this part to provide the descriptions required for Part II, lines 3, 5, and 9; Part III, lines 1a and 4; Part IV, lines 1b and 2b; Part V, line 4; Part X, line 2; Part XI, lines 2d and 4b; and Part XII, lines 2d and 4b. Also complete this part to provide any additional information.

SEE PAGE 5



**Part XIII** Supplemental Information (continued)

## ENDOWMENT FUND

## PART V - LINE 4

TEMPORARILY RESTRICTED NET ASSETS REPRESENT CONTRIBUTIONS AND PLEDGES THAT ARE RESTRICTED BY THE DONOR FOR A SPECIFIC PURPOSE OR RELATE TO FUTURE PERIODS. RIVERKEEPER REPORTS CONTRIBUTIONS AS TEMPORARILY RESTRICTED SUPPORT IF THEY ARE RECEIVED WITH DONOR STIPULATIONS THAT LIMIT THE USE OF THE DONATED ASSETS. WHEN A DONOR STIPULATION EXPIRES, THAT IS, WHEN A STIPULATED TIME RESTRICTION ENDS OR THE PURPOSE FOR THE RESTRICTION IS ACCOMPLISHED, TEMPORARILY RESTRICTED NET ASSETS ARE RECLASSIFIED TO UNRESTRICTED NET ASSETS AND REPORTED IN THE STATEMENT OF ACTIVITIES AS NET ASSETS RELEASED FROM RESTRICTIONS. AT JUNE 30, 2013, THE NET ASSETS RELEASED FROM RESTRICTION, TOTALING \$50,000, WERE USED TO FUND RIVERKEEPER PROGRAMS.

## OTHER LIABILITIES

## PART X - LINE 2

AS OF JUNE 30, 2013, NO AMOUNTS HAVE BEEN RECOGNIZED FOR UNCERTAIN INCOME TAX POSITIONS. IN ADDITION, RIVERKEEPER 'S TAX RETURNS FOR 2010 FISCAL YEAR AND FORWARD ARE SUBJECT TO THE USUAL REVIEW BY THE APPROPRIATE AUTHORITIES.

**SCHEDULE G**  
**(Form 990 or 990-EZ)**

Department of the Treasury  
Internal Revenue Service

Name of the organization

RIVERKEEPER, INC.

**Supplemental Information Regarding  
Fundraising or Gaming Activities**

Complete if the organization answered "Yes" to Form 990, Part IV, lines 17, 18, or 19, or if the organization entered more than \$15,000 on Form 990-EZ, line 6a.

▶ Attach to Form 990 or Form 990-EZ. ▶ See separate instructions.

OMB No 1545-0047

**2012**

**Open to Public  
Inspection**

Employer identification number

13-3204621

**Part I**

**Fundraising Activities.** Complete if the organization answered "Yes" to Form 990, Part IV, line 17.  
Form 990-EZ filers are not required to complete this part

**1** Indicate whether the organization raised funds through any of the following activities. Check all that apply.

- |   |  |
|---|--|
| <b>a</b> <input checked="" type="checkbox"/> Mail solicitations               | <b>e</b> <input checked="" type="checkbox"/> Solicitation of non-government grants |
| <b>b</b> <input checked="" type="checkbox"/> Internet and email solicitations | <b>f</b> <input type="checkbox"/> Solicitation of government grants                |
| <b>c</b> <input type="checkbox"/> Phone solicitations                         | <b>g</b> <input checked="" type="checkbox"/> Special fundraising events            |
| <b>d</b> <input checked="" type="checkbox"/> In-person solicitations          |  |

**2a** Did the organization have a written or oral agreement with any individual (including officers, directors, trustees or key employees listed in Form 990, Part VII) or entity in connection with professional fundraising services? ☒ **Yes** ☐ **No**

**b** If "Yes," list the ten highest paid individuals or entities (fundraisers) pursuant to agreements under which the fundraiser is to be compensated at least \$5,000 by the organization.

(i) Name and address of individual or entity (fundraiser)	(ii) Activity	(iii) Did fundraiser have custody or control of contributions?		(iv) Gross receipts from activity	(v) Amount paid to (or retained by) fundraiser listed in col (i)	(vi) Amount paid to (or retained by) organization
		Yes	No			
<b>1</b> EVENT ASSOCIATES, INC.	ANNUAL DINNER	X		1,050,320.	60,000.	990,320.
<b>2</b>						
<b>3</b>						
<b>4</b>						
<b>5</b>						
<b>6</b>						
<b>7</b>						
<b>8</b>						
<b>9</b>						
<b>10</b>						
<b>Total</b> .....				1,050,320.	60,000.	990,320.

**3** List all states in which the organization is registered or licensed to solicit contributions or has been notified it is exempt from registration or licensing.

CT, NJ, NY,

**Part II Fundraising Events.** Complete if the organization answered "Yes" to Form 990, Part IV, line 18, or reported more than \$15,000 of fundraising event contributions and gross income on Form 990-EZ, lines 1 and 6b. List events with gross receipts greater than \$5,000.

		(a) Event #1 ANNUAL DINNER (event type)	(b) Event #2 RIVER SWEEP (event type)	(c) Other events 1. (total number)	(d) Total events (add col. (a) through col. (c))
Revenue	1 Gross receipts . . . . .	1,050,320.	33,218.	1,593.	1,085,131.
	2 Less: Contributions . . . . .	959,120.			959,120.
	3 Gross income (line 1 minus line 2). . . . .	91,200.	33,218.	1,593.	126,011.
Direct Expenses	4 Cash prizes . . . . .				
	5 Noncash prizes . . . . .				
	6 Rent/facility costs . . . . .	6,297.			6,297.
	7 Food and beverages . . . . .				
	8 Entertainment . . . . .				
	9 Other direct expenses . . . . .	129,388.	5,451.	628.	135,467.
	10 Direct expense summary. Add lines 4 through 9 in column (d) . . . . .				( 141,764.)
	11 Net income summary. Combine line 3, column (d), and line 10 . . . . .				-15,753.

**Part III Gaming.** Complete if the organization answered "Yes" to Form 990, Part IV, line 19, or reported more than \$15,000 on Form 990-EZ, line 6a.

		(a) Bingo	(b) Pull tabs/instant bingo/progressive bingo	(c) Other gaming	(d) Total gaming (add col. (a) through col. (c))
Revenue	1 Gross revenue . . . . .				
Direct Expenses	2 Cash prizes . . . . .				
	3 Noncash prizes . . . . .				
	4 Rent/facility costs . . . . .				
	5 Other direct expenses . . . . .				
	6 Volunteer labor . . . . .	Yes _____ % No	Yes _____ % No	Yes _____ % No	
	7 Direct expense summary. Add lines 2 through 5 in column (d) . . . . .				( )
	8 Net gaming income summary. Combine line 1, column d, and line 7 . . . . .				

9 Enter the state(s) in which the organization operates gaming activities \_\_\_\_\_

a Is the organization licensed to operate gaming activities in each of these states? ☐ Yes ☐ No

b If "No," explain: \_\_\_\_\_

10 a Were any of the organization's gaming licenses revoked, suspended or terminated during the tax year? ☐ Yes ☐ No

b If "Yes," explain: \_\_\_\_\_

- 11** Does the organization operate gaming activities with nonmembers? ☐ Yes ☐ No
- 12** Is the organization a grantor, beneficiary or trustee of a trust or a member of a partnership or other entity formed to administer charitable gaming? ☐ Yes ☐ No
- 13** Indicate the percentage of gaming activity operated in
- |                                      |            |   |
|--------------------------------------|------------|---|
| <b>a</b> The organization's facility | <b>13a</b> | % |
| <b>b</b> An outside facility         | <b>13b</b> | % |
- 14** Enter the name and address of the person who prepares the organization's gaming/special events books and records

Name ► \_\_\_\_\_

Address ► \_\_\_\_\_

- 15 a** Does the organization have a contract with a third party from whom the organization receives gaming revenue? ☐ Yes ☐ No
- b** If "Yes," enter the amount of gaming revenue received by the organization ► \$ \_\_\_\_\_ and the amount of gaming revenue retained by the third party ► \$ \_\_\_\_\_
- c** If "Yes," enter name and address of the third party

Name ► \_\_\_\_\_

Address ► \_\_\_\_\_

**16** Gaming manager information:

Name ► \_\_\_\_\_

Gaming manager compensation ► \$ \_\_\_\_\_

Description of services provided ► \_\_\_\_\_

☐ Director/officer ☐ Employee ☐ Independent contractor

**17** Mandatory distributions:

- a** Is the organization required under state law to make charitable distributions from the gaming proceeds to retain the state gaming license? ☐ Yes ☐ No
- b** Enter the amount of distributions required under state law to be distributed to other exempt organizations or spent in the organization's own exempt activities during the tax year ► \$ \_\_\_\_\_

**Part IV** **Supplemental Information.** Complete this part to provide the explanation required by Part I, line 2b, columns (iii) and (v), and Part III, lines 9, 9b, 10b, 15b, 15c, 16, and 17b, as applicable. Also complete this part to provide any additional information (see instructions).

**SCHEDULE J  
(Form 990)**

Department of the Treasury  
Internal Revenue Service

**Compensation Information**

For certain Officers, Directors, Trustees, Key Employees, and Highest  
Compensated Employees

► Complete if the organization answered "Yes" to Form 990,  
Part IV, line 23.

► Attach to Form 990. ► See separate instructions.

OMB No 1545-0047

**2012**

**Open to Public  
Inspection**

Name of the organization

RIVERKEEPER, INC.

Employer identification number

13-3204621

**Part I Questions Regarding Compensation**

**1a** Check the appropriate box(es) if the organization provided any of the following to or for a person listed in Form 990, Part VII, Section A, line 1a. Complete Part III to provide any relevant information regarding these items.

☐ First-class or charter travel

☐ Travel for companions

☐ Tax indemnification and gross-up payments

☐ Discretionary spending account

☐ Housing allowance or residence for personal use

☐ Payments for business use of personal residence

☐ Health or social club dues or initiation fees

☐ Personal services (e.g., maid, chauffeur, chef)

**b** If any of the boxes on line 1a are checked, did the organization follow a written policy regarding payment or reimbursement or provision of all of the expenses described above? If "No," complete Part III to explain

**2** Did the organization require substantiation prior to reimbursing or allowing expenses incurred by all officers, directors, trustees, and the CEO/Executive Director, regarding the items checked in line 1a?

**3** Indicate which, if any, of the following the filing organization used to establish the compensation of the organization's CEO/Executive Director. Check all that apply. Do not check any boxes for methods used by a related organization to establish compensation of the CEO/Executive Director, but explain in Part III.

☐ Compensation committee

☐ Independent compensation consultant

☐ Form 990 of other organizations

☐ Written employment contract

☒ Compensation survey or study

☒ Approval by the board or compensation committee

**4** During the year, did any person listed in Form 990, Part VII, Section A, line 1a, with respect to the filing organization or a related organization:

**a** Receive a severance payment or change-of-control payment?

**b** Participate in, or receive payment from, a supplemental nonqualified retirement plan?

**c** Participate in, or receive payment from, an equity-based compensation arrangement?

If "Yes" to any of lines 4a-c, list the persons and provide the applicable amounts for each item in Part III

**Only section 501(c)(3) and 501(c)(4) organizations must complete lines 5-9.**

**5** For persons listed in Form 990, Part VII, Section A, line 1a, did the organization pay or accrue any compensation contingent on the revenues of:

**a** The organization?

**b** Any related organization?

If "Yes" to line 5a or 5b, describe in Part III

**6** For persons listed in Form 990, Part VII, Section A, line 1a, did the organization pay or accrue any compensation contingent on the net earnings of:

**a** The organization?

**b** Any related organization?

If "Yes" to line 6a or 6b, describe in Part III

**7** For persons listed in Form 990, Part VII, Section A, line 1a, did the organization provide any non-fixed payments not described in lines 5 and 6? If "Yes," describe in Part III

**8** Were any amounts reported in Form 990, Part VII, paid or accrued pursuant to a contract that was subject to the initial contract exception described in Regulations section 53.4958-4(a)(3)? If "Yes," describe in Part III

**9** If "Yes" to line 8, did the organization also follow the rebuttable presumption procedure described in Regulations section 53.4958-6(c)?

Yes No

1b

2

4a

4b

4c

5a

5b

6a

6b

7

8

9

X

X

X

X

X

X

X

X

X

For Paperwork Reduction Act Notice, see the Instructions for Form 990.

Schedule J (Form 990) 2012

**Part II Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees.** Use duplicate copies if additional space is needed.

For each individual whose compensation must be reported in Schedule J, report compensation from the organization on row (i) and from related organizations, described in the instructions, on row (ii). Do not list any individuals that are not listed on Form 990, Part VII.

**Note.** The sum of columns (B)(i)-(iii) for each listed individual must equal the total amount of Form 990, Part VII, Section A, line 1a, applicable column (D) and (E) amounts for that individual.

(A) Name and Title	(B) Breakdown of W-2 and/or 1099-MISC compensation			(C) Retirement and other deferred compensation	(D) Nontaxable benefits	(E) Total of columns (B)(i)-(D)	(F) Compensation reported as deferred in prior Form 990
	(i) Base compensation	(ii) Bonus & incentive compensation	(iii) Other reportable compensation				
PAUL GALLAY	(i)	171,938.	0	0	29,504.	201,442.	
1 PRESIDENT AND DIRECTOR	(ii)	0	0				
2	(i)						
	(ii)						
3	(i)						
	(ii)						
4	(i)						
	(ii)						
5	(i)						
	(ii)						
6	(i)						
	(ii)						
7	(i)						
	(ii)						
8	(i)						
	(ii)						
9	(i)						
	(ii)						
10	(i)						
	(ii)						
11	(i)						
	(ii)						
12	(i)						
	(ii)						
13	(i)						
	(ii)						
14	(i)						
	(ii)						
15	(i)						
	(ii)						
16	(i)						
	(ii)						

**Part III** Supplemental Information

Complete this part to provide the information, explanation, or descriptions required for Part I, lines 1a, 1b, 3, 4a, 4b, 4c, 5a, 5b, 6a, 6b, 7, and 8, and for Part II. Also complete this part for any additional information.

**SCHEDULE O**  
**(Form 990 or 990-EZ)**

Department of the Treasury  
Internal Revenue Service

Name of the organization

RIVERKEEPER, INC.

**Supplemental Information to Form 990 or 990-EZ**

Complete to provide information for responses to specific questions on  
Form 990 or 990-EZ or to provide any additional information.  
▶ Attach to Form 990 or 990-EZ.

OMB No 1545-0047

**2012**

**Open to Public  
Inspection**

Employer identification number

13-3204621

STATEMENT OF PROGRAM SERVICE ACCOMPLISHMENTS

PART III - LINE 1

RIVERKEEPER'S MISSION IS TO PROTECT THE ECOLOGICAL INTEGRITY OF THE HUDSON RIVER, AND ITS TRIBUTARIES, AND TO SAFEGUARD THE DRINKING WATER SUPPLY OF NEW YORK CITY AND THE LOWER HUDSON VALLEY. THROUGH BOAT PATROLS, STRATEGIC PARTNERSHIPS, THOUSANDS OF ACTIVIST MEMBERS AND A RESPECTED LEGAL STAFF, RIVERKEEPER IS RESTORING THE HUDSON RIVER AND KEEPING CONTAMINANTS OUT OF THE DRINKING WATER SUPPLY OF 9 MILLION NEW YORKERS. RIVERKEEPER HAS HELPED TO ESTABLISH GLOBALLY RECOGNIZED STANDARDS FOR WATERWAY AND WATERSHED PROTECTION, AND SERVE AS THE MODEL AND MENTOR FOR THE GROWING WATERKEEPER MOVEMENT THAT INCLUDES MORE THAN 215 KEEPER PROGRAMS ACROSS THE COUNTRY AND AROUND THE GLOBE. RIVERKEEPER, FOR MORE THAN 40 YEARS IS NEW YORK'S LEADING CLEAN WATER ADVOCATE.

STATEMENT OF PROGRAM SERVICE ACCOMPLISHMENTS

PART III - LINE 4A

HUDSON RIVER PROGRAM - STORMWATER AND GREEN INFRASTRUCTURE:  
RIVERKEEPER PURSUES THE GOAL OF REDUCING STORMWATER AND COMBINED SEWER OVERFLOW (CSO) RELATED SEWAGE POLLUTION INTO THE HUDSON RIVER AS PART OF OUR SWIMMABLE RIVER CAMPAIGN, FIRST THROUGH THE RELEASE OF THE SUSTAINABLE RAINDROPS REPORT IN 2007, AND SINCE THEN THROUGH OUR PARTICIPATION AS A FOUNDING MEMBER OF THE SWIM (STORMWATER INFRASTRUCTURE MATTERS) COALITION, WHICH ADVOCATES FOR THE INCREASED USE OF "LOW IMPACT DEVELOPMENT" (LID) AND "GREEN INFRASTRUCTURE" SOLUTIONS TO STORMWATER AND



Name of the organization

RIVERKEEPER, INC.

Employer identification number

13-3204621

COMBINED SEWER OVERFLOW PROBLEMS IN NEW YORK CITY.

RIVERKEEPER CONTINUES TO PUSH NEW YORK CITY'S DEPARTMENT OF ENVIRONMENTAL PROTECTION TO INTEGRATE THE USE OF GREEN INFRASTRUCTURE (GI) INTO ITS LONG -TERM PLANNING FOR REDUCING CSO POLLUTION INTO THE HUDSON AND EAST RIVERS AND NEW YORK HARBOR. IN SEPTEMBER 2010, THE DEP RELEASED ITS GREEN INFRASTRUCTURE PLAN, WHICH DESCRIBES THE CITY'S VISION FOR INCORPORATING GI INTO ITS PLANS. RIVERKEEPER LENT ITS SUPPORT TO THE NEW GREEN INFRASTRUCTURE PLAN, WHICH WILL REPLACE THE EXISTING APPROACH FOR SEWER OVERFLOW CONTROL, WHICH RELIES SOLELY ON TRADITIONAL INVESTMENTS LIKE HOLDING TANKS AND TUNNELS, WITH A MIX OF GREEN INFRASTRUCTURE AND COST-EFFECTIVE TRADITIONAL INFRASTRUCTURE THAT WILL REDUCE SEWER OVERFLOWS INTO WATERWAYS BY 40 PERCENT BY 2030 BY CAPTURING MORE STORMWATER.

THE PLAN WILL REDUCE THE CITY'S LONG-TERM SEWER MANAGEMENT COSTS BY \$2.4 BILLION OVER THE NEXT 20 YEARS, BY HELPING TO HOLD DOWN FUTURE WATER BILLS. WE MADE SURE DECISION-MAKING WILL REMAIN PUBLIC-AND CITIZENS WILL HAVE THE RIGHT TO ENFORCE THIS LANDMARK CLEAN WATER AGREEMENT, BY INSISTING ON A FORMAL TERM IN STATE PERMITS GUARANTEEING PUBLIC OVERSIGHT.

INDIAN POINT CAMPAIGN:

IN JULY 2012, RIVERKEEPER AND OTHERS WON A LANDMARK CASE SUSPENDING LICENSING FOR U.S. NUCLEAR REACTORS UNTIL THE NUCLEAR REGULATORY

Name of the organization

RIVERKEEPER, INC.

Employer identification number

13-3204621

COMMISSION (NRC) CONFRONTS THE RISK OF STORING RADIOACTIVE WASTE AT THESE REACTORS-INCLUDING INDIAN POINT. IN RESPONSE TO THE RULING, THE NRC PREPARED A DRAFT ENVIRONMENTAL IMPACT STUDY IN SEPTEMBER 2013 TO ASSESS THE FUTURE IMPACTS OF NUCLEAR WASTE STORAGE AT REACTOR SITES, INCLUDING INDIAN POINT. RIVERKEEPER FILED DETAILED COMMENTS, CHALLENGING THE ADEQUACY OF THE STUDY IN DECEMBER 2013.

AS PART OF RIVERKEEPER'S LONG TERM CAMPAIGN TO CLOSE THE INDIAN POINT NUCLEAR POWER PLANT, RIVERKEEPER PARTNERED WITH THE NATURAL RESOURCES DEFENSE COUNCIL TO COMMISSION AND RELEASE TWO REPORTS ON THE ENERGY ALTERNATIVES AVAILABLE TO REPLACE INDIAN POINT'S POWER, IF THE NUCLEAR FACILITY IS SHUT DOWN AT THE END OF ITS CURRENT LICENSES IN 2015. THE REPORTS WERE RELEASED ON OCTOBER 17, 2011 AND OCTOBER 13, 2012.

THE 2012 REPORT, INDIAN POINT REPLACEMENT ANALYSIS - A CLEAN ENERGY ROADMAP, WAS PREPARED BY SYNAPSE ENERGY ECONOMICS, INC. AND ASSESSES CLEAN ENERGY RESOURCES IN THE STATE, AS WELL AS THE POLICIES NECESSARY TO IMPLEMENT THEM. THIS REPORT PROVIDES A "HOW-TO" POLICY GUIDE FOR CLOSING INDIAN POINT, SHOWING THAT CLOSURE CAN BE ACCOMPLISHED WITH EFFICIENCY AND RENEWABLE ENERGY OPTIONS.

AMONG ITS KEY FINDINGS, THE ANALYSIS CONCLUDES THAT:

"NEW YORK WILL MAINTAIN A SURPLUS OF ENERGY CAPACITY THROUGH 2020, EVEN IF INDIAN POINT IS RETIRED".

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"A NEW TRANSMISSION LINE UNDER CONSTRUCTION NOW AND SCHEDULED TO COME ONLINE NEXT YEAR-THE 660 MW HUDSON TRANSMISSION PROJECT-WILL SOON REPLACE MORE THAN 25 PERCENT OF INDIAN POINT'S 2,060 MW".

"WITH THE RIGHT POLICIES IN PLACE, NEW YORK COULD RELY ON ENERGY EFFICIENCY, WIND AND SOLAR POWER RESOURCES ALONE TO REPLACE INDIAN POINT'S POWER. THE CORE OF THIS REPORT PROVIDES A DETAILED POLICY ROADMAP THAT DESCRIBES HOW THE STATE CAN SECURE THIS CLEAN REPLACEMENT POWER".

"THE PORTFOLIO OF CLEAN ENERGY OUTLINED IN THIS REPORT IS EXPECTED TO HAVE A VERY SMALL IMPACT ON CONSUMER COSTS, ADDING AN ESTIMATED 1 PERCENT TO ENERGY BILLS IN 2022 - THAT'S ONE DOLLAR A MONTH FOR THE AVERAGE RESIDENTIAL CUSTOMER".

IN NOVEMBER 2012, THE NEW YORK PUBLIC SERVICE COMMISSION (PSC) DIRECTED CON EDISON AND THE NEW YORK POWER AUTHORITY TO PREPARE A CONTINGENCY PLAN FOR REPLACING INDIAN POINT'S POWER BY THE SUMMER OF 2016, THE SOONEST THE REACTORS MIGHT CEASE OPERATION. THE PSC APPROVED THE FINAL PLAN IN EARLY 2013.

#### HUDSON FISHERIES CAMPAIGN:

#### CLEAN WATER ACT POWER PLANT WATER INTAKE REGULATIONS

CURRENTLY, COOLING WATER INTAKES AT HUNDREDS OF FACILITIES ACROSS THE COUNTRY TAKE IN HUGE VOLUMES OF WATER FROM VITAL ECOSYSTEMS LIKE THE HUDSON RIVER, RESULTING IN THE DESTRUCTION OF HUGE NUMBERS OF FISH AND

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OTHER AQUATIC SPECIES AT ALL LIFE STAGES FROM BEING "IMPINGED" AGAINST INTAKE SCREENS OR "ENTRAINED" THROUGH THE FACILITY COOLING SYSTEM. DECADES OF SUCH IMPACTS HAVE CONTRIBUTED TO DECLINING FISH POPULATIONS AND DESTABILIZED MARINE AND FRESHWATER ECOSYSTEMS. RIVERKEEPER'S 2008 REPORT THE STATUS OF FISH POPULATIONS AND THE ECOLOGY OF THE HUDSON CONCLUDED THAT TEN OF THIRTEEN KEY HUDSON RIVER FISH SPECIES ARE IN DECLINE, DUE IN PART TO THE IMPACTS FROM ONCE-THROUGH COOLING SYSTEMS AT INDIAN POINT AND OTHER HUDSON RIVER POWER PLANTS. ON NOVEMBER 22, 2010, RIVERKEEPER AND OTHER ENVIRONMENTAL ORGANIZATIONS SIGNED A SETTLEMENT AGREEMENT WITH THE ENVIRONMENTAL PROTECTION AGENCY (EPA) THAT RESOLVES TWO LAWSUITS BROUGHT AGAINST THE EPA IN 1993 AND 2006 ADDRESSING THE AGENCY'S FAILURE TO ISSUE REGULATIONS IMPLEMENTING SECTION 316(B) OF THE CLEAN WATER ACT. THIS SECTION OF THE ACT REQUIRES POWER PLANT OPERATORS AND OTHER LARGE INDUSTRIAL WATER USERS TO EMPLOY THE "BEST TECHNOLOGY AVAILABLE" FOR MINIMIZING THE ADVERSE ENVIRONMENTAL IMPACT OF THEIR OPERATIONS ON AQUATIC ECOSYSTEMS.

IN THE SETTLEMENT, THE EPA AGREED TO DRAFT NEW REGULATIONS FOR EXISTING FACILITIES BY MARCH 14, 2011, AND TO TAKE FINAL ACTION REGARDING THE NEW REGULATIONS BY JULY 27, 2012. THE DRAFT REGULATIONS WERE ISSUED IN MARCH 2011, AND RIVERKEEPER, JOINED BY THE SIERRA CLUB, NATURAL RESOURCES DEFENSE COUNCIL, WATERKEEPER ALLIANCE, AND OTHER GROUPS, FILED EXTENSIVE COMMENTS ON AUGUST 18, 2011, SEEKING STRONGER PROTECTIONS. AFTER THE DRAFT REGULATIONS WERE RELEASED, RIVERKEEPER ESTABLISHED AN INDEPENDENT WEBSITE TO PROMOTE AND DISSEMINATE THE COALITION'S WORK ON THE

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REGULATIONS TO THE PUBLIC, MET WITH EPA AND CONTINUED TO PRESS FOR BETTER PROTECTIONS. FOLLOWING SEVERAL DELAYS AND THE FEDERAL GOVERNMENT SHUTDOWN IN FALL OF 2013, EPA IS SCHEDULED TO ISSUE THE FINAL RULE IN JANUARY 2014.

TAPPAN ZEE BRIDGE:

RIVERKEEPER ACTIVELY ENGAGED IN THE STATE OF NEW YORK'S PROCESS FOR PERMITTING AND BUILDING A NEW TAPPAN ZEE BRIDGE IN 2012-13, BEGINNING WITH FILING COMMENTS ON THE DRAFT FEDERAL EIS FOR BRIDGE CONSTRUCTION, AS WELL AS THE DRAFT NEW YORK STATE COMBINED PERMIT (CLEAN WATER ACT, ENDANGERED SPECIES ACT) NEEDED FOR THE STATE THRUWAY AUTHORITY TO CONSTRUCT A NEW BRIDGE. THROUGH NEGOTIATIONS WITH THE STATE, RIVERKEEPER SUCCEEDED IN PUSHING FOR A STRONG PERMIT THAT WOULD PROTECT RIVER HABITAT AND ENDANGERED SPECIES DURING THE CONSTRUCTION, PARTICULARLY FROM IMPACTS CAUSED BY DREDGING AND PILE DRIVING. THE STATE ALSO AGREED TO FUND \$11.5 MILLION IN MITIGATION PROJECTS THAT WOULD RESTORE AND PROTECT SENSITIVE RIVER HABITAT, INCLUDING OYSTER REEFS AND TIDAL MARSHES. RIVERKEEPER IS ACTIVELY MONITORING THE CONSTRUCTION TO ENSURE THAT THE STATE COMPLIES WITH THE PERMIT CONDITIONS AND PROTECTS THE ENVIRONMENT WHILE BUILDING THE NEW BRIDGE.

RIVERKEEPER ALSO EMBARKED ON AN AGGRESSIVE PERMIT ENFORCEMENT CAMPAIGN IN NEW YORK CITY, TARGETING WATERFRONT INDUSTRIAL SITES THAT ARE NOT COVERED BY A NEW YORK STATE "MULTI-SECTOR GENERAL PERMIT" (MSGP). SITES SUCH AS SCRAP METAL RECYCLERS AND CONCRETE COMPANIES MUST COMPLY WITH THE TERMS

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OF THE MSGP PERMIT, IN ORDER TO AVOID DISCHARGING POLLUTED STORM WATER INTO NEARBY WATERWAYS WHEN IT RAINS. AFTER INVESTIGATING A NUMBER OF SITES ON THE GOWANUS CANAL AND NEWTOWN CREEK, RIVERKEEPER FILED NOTICE OF INTENT TO SUE LETTERS AGAINST HALF A DOZEN SITES, ALLEGING LACK OF PERMIT COVERAGE AND UNDERMITTED DISCHARGES. SEVERAL SITE OWNERS ARE IN THE PROCESS OF SETTLING WITH RIVERKEEPER AND UPGRADING THEIR SITES TO REDUCE OR ELIMINATE STORM WATER DISCHARGES, ILLUSTRATING THE BENEFITS OF THIS CAMPAIGN FOR WATER QUALITY IN NEW YORK HARBOR AND THE EAST RIVER.

## STATEMENT OF PROGRAM SERVICE ACCOMPLISHMENTS

## PART III - LINE 4B

## PATROL BOAT PROGRAM 2012-2013:

RIVERKEEPER MAINTAINS A CONSTANT PRESENCE ON THE HUDSON RIVER, PATROLLING THE LENGTH AND BREADTH OF THE ESTUARY FROM SOUTH OF NEW YORK HARBOR TO WATERFORD, NORTH OF THE FEDERAL DAM AT TROY. THE PATROL BOAT "R. IAN FLETCHER," HAS BEEN MODIFIED TO ENABLE IT TO BEST SERVE ITS MISSION AS A POLLUTION WATCHDOG VESSEL, A PLATFORM FOR SCIENTIFIC RESEARCH AND AN AMBASSADOR FOR THE RIVER.

JOHN LIPSCOMB HAS BEEN CAPTAIN OF THE R. IAN FLETCHER SINCE 2000. FROM MARCH THROUGH DECEMBER EACH YEAR, HE TRAVELS APPROXIMATELY 5,000 NAUTICAL MILES ON THE HUDSON WHILE CONDUCTING REGULAR POLLUTION AND WATER SAMPLING PATROLS, PROVIDING SUPPORT FOR SCIENTIFIC STUDIES THAT ADVANCE UNDERSTANDING OF THE HUDSON ECOSYSTEM, RUNNING RIVERKEEPER'S WATER QUALITY MONITORING PROGRAM AND BRINGING STATE AND REGIONAL

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DECISION-MAKERS, ENVIRONMENTAL ENFORCEMENT AGENCIES, ACADEMICS, THE MEDIA, AND COMMUNITY STAKEHOLDERS OUT ON THE RIVER. ON THESE TRIPS, CAPTAIN LIPSCOMB SHARES HIS DEEP KNOWLEDGE OF THE RIVER -- ITS WILDLIFE, CRITICAL HABITAT ZONES, POLLUTION SOURCES AND WATER QUALITY MANAGEMENT ISSUES -- WITH HIS PASSENGERS.

THE BOAT PROGRAM IS CRITICAL TO RIVERKEEPER'S WORK AND UNIQUE IN THE ROLE IT SERVES ON THE HUDSON RIVER, AS A PLATFORM FOR ACADEMICS, POLICY MAKERS, AND ENVIRONMENTAL ENFORCEMENT AGENCIES IN THE REGION TO GAIN A NEW PERSPECTIVE BY BEING OUT ON THE HUDSON RIVER, INSTEAD OF VIEWING IT FROM LAND.

IN 2013, THE BOAT CREW INVESTIGATED AND COLLECTED EVIDENCE ON CASES RANGING FROM PERMIT NON-COMPLIANCE DURING THE ONGOING TAPPAN ZEE BRIDGE CONSTRUCTION PROJECT (SAID TO BE THE LARGEST CURRENT CONSTRUCTION PROJECT IN NORTH AMERICA), TO ILLEGAL SHORELINE DUMPING AND ILLEGAL DISCHARGES. THE CREW ALSO ACTIVELY MONITORED POLLUTION SOURCES INCLUDING COMBINED SEWER OVERFLOWS AND ILLEGAL INDUSTRIAL RUNOFF ON NEWTOWN CREEK, WHICH RIVERKEEPER WAS INSTRUMENTAL IN DESIGNATING A SUPERFUND SITE IN RECENT YEARS. PARALLEL MONITORING WAS REGULARLY CONDUCTED ON THE GOWANUS CANAL, ALSO IN BROOKLYN, THE LATTER BEING THE SITE OF A PLANNED \$506 MILLION SUPERFUND CLEANUP RIVERKEEPER HELPED INITIATE IN CONJUNCTION WITH ENVIRONMENTAL ENFORCEMENT AGENCIES AND LOCAL COMMUNITY ACTIVISTS.

THE PATROL BOAT ALSO SERVES AS A MOBILE LABORATORY FOR RIVERKEEPER'S OWN

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WATER QUALITY MONITORING PROGRAM AND FOR RESEARCH CONDUCTED BY OTHER SCIENTIFIC PARTNERS. RESEARCH PARTNERS ABOARD THE FLETCHER ARE CURRENTLY STUDYING EVERYTHING FROM ENDANGERED STURGEON TO METHANE PRODUCTION, PHARMACEUTICALS, ANTIBIOTIC RESISTANT BACTERIAL AND NUTRIENT LOADING RELATED TO SEWAGE DISCHARGES IN THE ESTUARY.

IN ADDITION TO THE PATROL BOAT'S REGULAR UPDATES ON RIVER CONDITIONS AND WATER QUALITY, IT ALSO PLAYS A CRITICAL ROLE DURING EMERGENCIES THAT THREATEN PUBLIC ACCESS AND SAFETY THROUGHOUT THE HUDSON RIVER ESTUARY. IN NOVEMBER 2012, THE FLETCHER WAS THE FIRST AND ONLY SOURCE OF UP-TO-DATE INFORMATION ON WATER CONDITIONS FOLLOWING HURRICANE SANDY. IMMEDIATELY FOLLOWING THE STORM, RIVERKEEPER CONDUCTED REGULAR WATER QUALITY SAMPLING AND THEN PROVIDED THE DATA TO THE PUBLIC, PRESS, AND CITY OFFICIALS.

AS A WATCHDOG ON THE HUDSON, THE BOAT PROGRAM IS ALSO PREPARED TO OBSERVE EMERGING ECOLOGICAL THREATS TO THE ESTUARY. IN NOVEMBER, BOAT PROGRAM STAFF ATTENDED MEETINGS AMONG THE U.S. COAST GUARD, EPA, DEC AND LOCAL RESPONDERS TO DISCUSS VARIOUS CONTINGENCIES IN THE EVENT OF AN EMERGENCY ON THE RIVER, INCLUDING A CATASTROPHIC CRUDE OIL SPILL.

WITH A DRAMATIC RECENT INCREASE IN TRAIN AND BARGE TRAFFIC OF DOMESTIC CRUDE OIL BEING CARRIED DOWN THE RIVER OR BY RAIL ALONG THE WESTERN SHORE, RIVERKEEPER ATTENDED AN OIL SPILL RESPONSE DRILL INVOLVING THE SAME AGENCIES IN 2013, AND IS ACTIVELY WORKING COOPERATIVELY WITH OFFICIALS TO DETERMINE THE AREA'S RESPONSE CAPABILITIES, AND ENSURE THAT



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WE HAVE THE EQUIPMENT, MANPOWER AND KNOWHOW TO PROTECT THE RIVER AND RIVERFRONT COMMUNITIES FROM A WORST-CASE CRUDE OIL SPILL OR DERAILEMENT.

WATER QUALITY PROGRAM 2012-2013:

RIVERKEEPER AND OUR PARTNERS AT LAMONT-DOHERTY EARTH OBSERVATORY OF COLUMBIA UNIVERSITY, AND QUEENS COLLEGE AT CUNY CONTINUED THE WORK BEGUN IN 2006 TO CONDUCT A COMPREHENSIVE STUDY AND MONITORING PROGRAM OF WATER QUALITY USING THE RIVERKEEPER PATROL BOAT IN ORDER TO ADDRESS THE FUNDAMENTAL QUESTION: "HOW IS WATER QUALITY IN THE HUDSON RIVER ESTUARY?"

ASSESSING CURRENT WATER QUALITY, EMERGING TRENDS AND THE SOURCES OF IMPAIRMENT OF WATER QUALITY ARE ALL CRITICAL TO COMING UP WITH SOLUTIONS THAT WILL LEAD TO AN IMPROVED HUDSON RIVER ENVIRONMENT, SIGNIFIED BY A RIVER THAT IS CLEAN ENOUGH TO MEET THE "FISHABLE AND SWIMMABLE" GOAL OF THE CLEAN WATER ACT. THE GOAL OF THIS ONGOING PROJECT IS TO CHARACTERIZE THE CONDITIONS OF THE HUDSON RIVER ESTUARY THROUGH THE MONITORING OF TEMPERATURE, SALINITY, OXYGEN, CHLOROPHYLL, TURBIDITY AND ENTEROCOCCUS BACTERIA COUNTS.

THIS SEASON MARKED THE SEVENTH YEAR OF THIS PROGRAM, WHICH BEGAN WITH A PILOT STUDY IN 2006-2007 THAT YIELDED DATA FROM SAMPLING AT 27 SITES ALONG THE HUDSON RIVER. THE CURRENT PROGRAM NOW SAMPLES FOR ENTEROCOCCUS (AN INDICATOR OF FECAL CONTAMINATION) AT 74 SITES ALONG THE RIVER'S MAIN STEM FROM NY HARBOR TO WATERFORD (ABOVE THE FEDERAL LOCK AT TROY). IN ADDITION, STARTING IN 2012 WE ADDED SAMPLING ON 160 MILES OF HUDSON RIVER

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TRIBUTARIES WITH THE HELP OF ABOUT 70 SAMPLING VOLUNTEERS/PARTNERS.

OUR DATABASE, REPRESENTING SEVEN YEARS OF MONTHLY SAMPLING, IS BEGINNING TO INDICATE CLEAR PATTERNS AND SUGGEST PRACTICAL SCIENCE-BASED GUIDELINES. FOR EXAMPLE, CONSISTENT DATA SHOW THAT, IN GENERAL, WATER QUALITY IN THE MAIN STEM OF THE HUDSON HAS IMPROVED REMARKABLY FROM THE MID 1900'S AND IS OFTEN WITHIN EPA'S STANDARDS FOR SAFE PRIMARY RECREATION USE, SUCH AS SWIMMING. HOWEVER, CERTAIN PARTS OF THE HUDSON ESTUARY CONTINUE TO SUFFER FROM PERSISTENTLY HIGH LEVELS OF BACTERIAL CONTAMINATION, MAINLY DUE TO SEPTIC SYSTEM FAILURES AND DISCHARGES AND OVERFLOWS OF UNTREATED SEWAGE FROM MUNICIPAL SEWER SYSTEMS. IN ADDITION, SOME OF THE TRIBUTARIES OF THE HUDSON EXHIBIT CONSISTENTLY HIGH LEVELS OF FECAL CONTAMINATION FOR A VARIETY OF REASONS. RIVERKEEPER AND ITS SCIENCE PARTNERS ARE FOCUSING ADDITIONAL RESOURCES AND OUTREACH EFFORTS TO ATTEMPT TO UNDERSTAND THIS TREND AND TO ASSIST OUR COMMUNITY PARTNERS IN IDENTIFYING SOURCES.

ON THE LEGISLATIVE FRONT - AS OF MAY 1ST 2013 THE SEWAGE POLLUTION RIGHT TO KNOW (SPRTK) LAW, WHICH RIVERKEEPER WAS INSTRUMENTAL IN GETTING PASSED LAST YEAR, WENT INTO EFFECT ACROSS NEW YORK STATE. THIS LAW REQUIRES PUBLIC NOTIFICATION WHEN RAW AND UNPERMITTED PARTIALLY-TREATED SEWAGE IS DISCHARGED INTO OUR WATERWAYS. THE LAW'S NOTIFICATION REQUIREMENT INCLUDES ACCIDENTAL DISCHARGES AS WELL AS COMBINED SEWAGE OVERFLOWS (CSOS) WHICH ACCOUNT FOR BILLION GALLONS OF SEWAGE AND STORMWATER FLOWING INTO NEW YORK WATERWAYS EACH YEAR, APPROXIMATELY 30 BILLION GALLONS OF

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WHICH COMES FROM 14 COMMUNITIES ON THE HUDSON RIVER. THE SEWAGE POLLUTION RIGHT TO KNOW LAW IS A DIRECT RESULT OF ADVOCACY AND LEADERSHIP BY RIVERKEEPER AND ITS PUBLIC PARTNERS. RIVERKEEPER WORKED WITH STATE REPRESENTATIVES FOR YEARS TO DRAFT AND PASS THE LAW.

CURRENTLY, RIVERKEEPER IS WORKING TO ENSURE THE LAW IS PROPERLY ENFORCED, INCLUDING CALLING ON THE DEC TO, AMONG OTHER THINGS, REQUIRE NOTIFICATION OF SUCH DISCHARGES VIA THE MEDIA, AND NOT JUST VIA A DEC WEBSITE.

IN ADDITION TO ONE DAY ELIMINATING UNTREATED SEWAGE OVERFLOWS, THE GOAL OF THE WATER QUALITY PROGRAM IS TO PROVIDE A USEFUL RESOURCE THAT WILL EMPOWER INDIVIDUALS TO MAKE INFORMED DECISIONS ABOUT RECREATING ON THE RIVER, AND TO INSPIRE DISCUSSION AND ACTION TOWARD BETTER PATHOGEN MONITORING AND INCREASED ENVIRONMENTAL AND PUBLIC HEALTH PROTECTION.

OUR NEW WATER QUALITY WEBSITE SHOWS WHICH OF THE 74 SITES WE TEST MONTHLY MEET EPA SAFE SWIMMING GUIDELINES, AND MUCH MORE. FURTHER UPGRADES TO THE WATER QUALITY WEBSITE ARE NOW UNDERWAY TO DISPLAY THE ADDITIONAL DATA WE NOW COLLECT ALONG TRIBUTARIES WITH OUR CITIZEN SCIENTIST PARTNERS.

RIVERKEEPER ALSO USED ITS DATA TO COMPILE A NEW REPORT, "HOW'S THE WATER? 2012," TO PROVIDE THE PUBLIC WITH A COMPREHENSIVE UNDERSTANDING OF WATER QUALITY THROUGHOUT THE ESTUARY. NOW, ARMED WITH SEVEN YEARS OF DATA, THE THIRD SUCH COMPREHENSIVE REPORT PRESENTS OUR FINDINGS IN A CONCISE, EASY TO READ FORMAT. RESPONSE TO THE REPORT CONTINUES TO BE TREMENDOUSLY

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POSITIVE.

THE DATA HAS POSITIVELY INCREASED AWARENESS AMONG THE PUBLIC AND LOCAL OFFICIALS THAT HAS RESULTED IN CALLS FOR IMPROVED WATER/SEWER INFRASTRUCTURE THROUGHOUT THE REGION, INCLUDING A \$10 MILLION PUMP STATION UPGRADE IN TARRYTOWN -- WHERE AGING INFRASTRUCTURE HAD BEEN RESPONSIBLE FOR MORE THAN 20 MILLION GALLONS OF SEWAGE RELEASES IN THE PAST THREE YEARS -- AND PLANS TO IMPLEMENT NEW TECHNOLOGY TO LIMIT CSO DISCHARGES IN KINGSTON.

STATEMENT OF PROGRAM SERVICE ACCOMPLISHMENTS

PART III - LINE 4B

WATERSHED PROGRAM:

BACKGROUND:

RIVERKEEPER'S WATERSHED PROGRAM FOCUSES ON PROTECTING THE CROTON, CATSKILL AND DELAWARE WATERSHEDS THAT SUPPLY 9 MILLION NEW YORKERS WITH 1.2 BILLION GALLONS OF UNFILTERED DRINKING WATER EACH DAY. WE ACHIEVE OUR GOALS OF WATERSHED PROTECTION THROUGH ENFORCING ENVIRONMENTAL LAWS, INVESTIGATING POLLUTION COMPLAINTS, AND REVIEWING PROPOSED DEVELOPMENT PROJECTS.

OVER THE PAST FISCAL YEAR, WATERSHED PROGRAM STAFF HAVE BEEN PRINCIPALLY INVOLVED WITH THREE KEY CAMPAIGNS: 1) PROTECTING NEW YORK'S DRINKING WATER FROM THE POTENTIAL IMPACTS OF NATURAL GAS DRILLING; 2) TRACKING THE NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION'S (DEP) COMPLIANCE

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WITH THE REQUIREMENTS OF THE U.S. ENVIRONMENTAL PROTECTION AGENCY'S FILTRATION AVOIDANCE DETERMINATION (FAD) AND ADVOCATING FOR DOWNSTREAM COMMUNITIES WHO CONTINUE TO BE ADVERSELY AFFECTED BY DEP'S OPERATION OF THE CATSKILL WATERSHED SYSTEM; AND 3) CHALLENGING THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION'S (DEC) DEREGULATION OF MEDIUM DAIRY CONCENTRATED ANIMAL FEEDING OPERATIONS (CAFOS).

CAMPAIGN TO PROTECT NY'S DRINKING WATER FROM IRRESPONSIBLE HYDROFRACKING:

RIVERKEEPER'S HYDROFRACKING CAMPAIGN, WHICH THE WATERSHED PROGRAM COMMENCED IN 2008, HAS CONTINUED. OUR GOAL IS TO ENSURE THAT PERMITTING OF HYDROFRACKING IN NEW YORK DOES NOT MOVE FORWARD IN THE ABSENCE OF PROOF THAT IT CAN BE DONE WITHOUT SIGNIFICANT HARM TO HUMAN HEALTH AND THE ENVIRONMENT AND THAT IT WOULD PROVIDE MEANINGFUL ECONOMIC BENEFITS TO STATE AND LOCAL COMMUNITIES.

WATERSHED PROGRAM STAFF CONTINUED TO PLAY A CENTRAL ROLE IN THE ENVIRONMENTAL REVIEW AND REGULATORY PROCESS THROUGH LITIGATION TO PREVENT DRILLING IN THE DELAWARE RIVER BASIN, PREPARATION OF COMPREHENSIVE COMMENTS OPPOSING DEC'S PROPOSED REGULATIONS ADDRESSING HYDROFRACKING IN NEW YORK (THAT THE STATE SUBSEQUENTLY ALLOWED TO EXPIRE), ADVOCACY WITH REGULATORY AGENCIES, TESTIMONY BEFORE LEGISLATIVE BODIES, AND AN EVER-INCREASING USE OF EARNED AND SOCIAL MEDIA. WE HAVE ALSO INCREASED OUR ADVOCACY TO STRENGTHEN LEGISLATION THAT ADDRESSES HYDROFRACKING AND ITS REGULATION. NEW YORK HAS CONTINUED ITS DE FACTO MORATORIUM ON DRILLING

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WHILE IT REVIEWS FRACKING'S IMPACT ON PUBLIC HEALTH, A KEY RIVERKEEPER CONCERN.

RIVERKEEPER'S REVIEW OF DEP'S COMPLIANCE WITH THE REQUIREMENTS OF THE FAD AND EFFORTS TO PROTECT LOWER ESOPUS CREEK COMMUNITIES FROM DEP RESERVOIR OPERATIONS:

WATERSHED PROGRAM STAFF CONTINUED TO BE ENGAGED AND TAKE A LEADERSHIP ROLE IN THE FIGHT TO PROTECT THE LOWER ESOPUS CREEK AND ITS COMMUNITIES FROM ADVERSE IMPACTS CAUSED BY DEP'S OPERATION OF THE CATSKILL RESERVOIR SYSTEM. WE HAVE BEEN AN ADVOCATE ON THEIR BEHALF, URGING DEC AND DEP TO ACKNOWLEDGE AND ADDRESS RESERVOIR RELEASE ISSUES AND THE IMPACT OF LONG DURATION, HIGHLY TURBID RELEASES ON THE CREEK AND ITS COMMUNITIES. WE HAVE BEEN A STRONG VOICE FOR STAKEHOLDER INTERESTS.

ON THE ASHOKAN RELEASE WORKING GROUP SET UP BY DEP IN AN ATTEMPT TO ADDRESS COMMUNITY CONCERNS AND WE HAVE ESTABLISHED AN ON-GOING DIALOGUE WITH DEC AND DEP STAFF. WE CONTINUED TO PRESS DEC/DEP TO INITIATE A PROCESS TO REGULATE THESE DISCHARGES THAT WOULD INCLUDE AN ENVIRONMENTAL REVIEW OF POTENTIAL IMPACTS AND CONSIDERATION OF ALTERNATIVES TO USING THE RELEASES TO REDUCE TURBIDITY IN THE RESERVOIR SYSTEM.

RIVERKEEPER ALSO MOUNTED A CAMPAIGN TO LIST THE LOWER ESOPUS CREEK AS IMPAIRED ON NEW YORK STATE'S 2012 CLEAN WATER ACT § 303(D) LIST OF IMPAIRED WATERBODIES. RIVERKEEPER INITIALLY SOUGHT SUCH A LISTING IN A SEPTEMBER 2011 PETITION TO DEC BASED ON SAMPLING DATA THAT DEMONSTRATED

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HOW THE MUDDY WATER RELEASES FROM THE ASHOKAN RESERVOIR HAVE IMPAIRED WATER QUALITY IN THE LOWER ESOPUS. ALTHOUGH DEC REJECTED RIVERKEEPER'S CONTENTIONS, EPA, IN ITS REVIEW OF DEC'S DECISION, AGREED WITH RIVERKEEPER AND REJECTED NEW YORK'S OMISSION OF THE LOWER ESOPUS CREEK FROM NEW YORK'S LIST IN JANUARY 2013.

CAMPAIGN TO CHALLENGE DEC'S DEREGULATION OF MEDIUM DAIRY CAFOS:

IN AUGUST 2012, GOVERNOR ANDREW CUOMO ANNOUNCED THAT NEW YORK STATE WOULD WEAKEN STATE ENVIRONMENTAL PROTECTIONS PUT IN PLACE TO PROTECT PUBLIC HEALTH, SAFETY AND THE ENVIRONMENT BY EXEMPTING SOME MEDIUM SIZE INDUSTRIAL DAIRY OPERATIONS FROM ITS CAFO PERMIT PROGRAM. RIVERKEEPER AND A COALTITION OF PARTNER GROUPS FILED FORMAL COMMENTS IN RESPONSE TO GOVERNOR CUOMO'S PROPOSED RULE-MAKING IN JANUARY 2013, STATING THAT DEC HAD NOT ADEQUATELY REVIEWED THE HUMAN HEALTH, ENVIRONMENTAL, AND ECONOMIC IMPACTS SUCH AN ACTION WOULD HAVE ON STATE AND LOCAL COMMUNITIES. DEC FINALIZED THE RULEMAKING IN MAY 2012 WITHOUT RECTIFYING THE MYRIAD LEGAL AND ENVIRONMENTAL PROBLEMS RIVERKEEPER IDENTIFIED.

6- PUBLIC INTEREST LAW FIRMS EXEMPT UNDER 501(C) (3) OR 501(C) (4) ONLY- MUST INCLUDE A LIST OF ALL CASES IN LITIGATION OR THAT HAVE BEEN LITIGATED DURING THE YEAR. FOR EACH CASE: DESCRIBED MATTER IN DISPUTE, EXPLAIN HOW LITIGATION BENEFITS THE PUBLIC, AND STATE THE FEES SOUGHT AND RECOVERED.

WATERSHED PROGRAM INFORMATION - CURRENT LITIGATION:

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CATSKILL MOUNTAINS CHAPTER OF TROUT UNLIMITED, INC., THEODORE GORDON  
FLYFISHERS, INC., CATSKILL-DELAWARE NATURAL WATER ALLIANCE, INC.,  
FEDERATED SPORTSMEN'S CLUBS OF ULSTER COUNTY, INC. AND RIVERKEEPER, INC.

V. CITY OF NEW YORK:

ATTORNEY: PACE ENVIRONMENTAL LITIGATION CLINIC

AS A RESULT OF RIVERKEEPER'S FEDERAL CLEAN WATER ACT (CWA) CITIZEN SUIT  
AGAINST THE CITY OF NEW YORK IN THE CASE OF CATSKILL MOUNTAINS CHAPTER OF  
TROUT UNLIMITED ET AL. V. CITY OF NEW YORK, NEW YORK CITY MUST NOW  
MAINTAIN A STATE CLEAN WATER ACT PERMIT FOR ITS DISCHARGE OF TURBIDITY  
AND HEAT FROM THE SHANDAKEN TUNNEL INTO ESOPUS CREEK, A RENOWNED TROUT  
FISHING STREAM IN NEW YORK'S CATSKILL MOUNTAINS. DURING THE STATE  
ADMINISTRATIVE PERMIT HEARING CONCERNING THE TERMS OF SAID STATE  
POLLUTANT DISCHARGE ELIMINATION SYSTEM (SPDES) PERMIT, RIVERKEEPER ARGUED  
THAT THE DRAFT PERMIT THAT HAD BEEN PROPOSED BY THE NEW YORK STATE  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION (DEC) WAS ILLEGAL BECAUSE IT  
INCLUDED NUMEROUS "EXEMPTIONS" THAT ALLOWED FOR VIOLATIONS OF THE  
PERMIT'S EFFLUENT LIMITATIONS AND STATE WATER QUALITY STANDARDS. THE  
STATE REJECTED RIVERKEEPER'S CLAIMS AND ISSUED THE DRAFT PERMIT WITH THE  
ILLEGAL EXEMPTIONS. RIVERKEEPER THEN SUED DEC SEEKING AN ORDER TO VACATE  
THE PERMIT AND ENJOIN DEC TO CURE THE ILLEGALITY. IN AUGUST 2008, THE NEW  
YORK SUPREME COURT, ULSTER COUNTY, GRANTED RIVERKEEPER'S PETITION.

AGAINST DEC, FINDING THAT THE SHANDAKEN TUNNEL PERMIT EXEMPTIONS WERE  
INDEED ILLEGAL. DESPITE THIS FINDING, THE COURT ALLOWED THE ILLEGAL



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PERMIT TO REMAIN IN PLACE FOR A "REASONABLE TIME" TO ALLOW THE CITY TO CONTINUE OPERATING THE TUNNEL WHILE IT APPLIES FOR VARIANCES REQUIRED BY STATE LAW.

THE CITY APPEALED THE SUPREME COURT'S DECISION AND, IN 2009, THE APPELLATE DIVISION, THIRD DEPARTMENT, AFFIRMED THE RULING. NEW YORK CITY THEN SOUGHT LEAVE TO APPEAL THIS DECISION TO THE NEW YORK COURT OF APPEALS, BUT ITS MOTION FOR LEAVE TO APPEAL WAS DENIED.

IN OCTOBER 2010, THE CITY FILED A VARIANCE APPLICATION WITH DEC, BUT DEC HAS NOT YET MADE A DETERMINATION WHETHER TO GRANT THE VARIANCES SOUGHT BY THE CITY. RECENTLY, THE CITY HAS DRAMATICALLY INCREASED ITS DISCHARGES OF TURBID WATER THROUGH THE SHANDAKEN TUNNEL IN CONNECTION WITH ONGOING CONSTRUCTION PROJECTS IN THE SCHOHARIE RESERVOIR, AND DEC HAS RECENTLY GRANTED REQUESTS BY THE CITY TO INVOKE THE SPDES PERMIT'S EXEMPTIONS THAT WERE DECLARED ILLEGAL BY THE NEW YORK STATE COURTS. RIVERKEEPER INTENDS TO TAKE ACTION IN 2014 TO ENFORCE THE COURTS' ORDERS DECLARING THE EXEMPTIONS TO BE ILLEGAL AND TO COMPEL DEC TO TAKE FORMAL ACTION ON THE CITY'S VARIANCE APPLICATION. THE PACE ENVIRONMENTAL LITIGATION CLINIC REPRESENTS RIVERKEEPER AND CO-PLAINTIFFS IN THESE PROCEEDINGS. THE CITY OF NEW YORK WAS FINED \$5.5 MILLION DOLLARS FOR VIOLATING THE CLEAN WATER ACT IN THE ORIGINAL FEDERAL CITIZEN SUIT THAT LEAD TO THESE STATE COURT PROCEEDINGS. THE PACE ENVIRONMENTAL LITIGATION CLINIC RECOVERED LEGAL FEES IN THAT MATTER IN 2007.

Name of the organization

RIVERKEEPER, INC.

Employer identification number

13-3204621

CATSKILL MOUNTAINS CHAPTER OF TROUT UNLIMITED, INC., THEODORE GORDON  
FLYFISHERS, INC., FEDERATED SPORTSMEN'S CLUBS OF ULSTER COUNTY, INC.,  
CATSKILL-DELAWARE NATURAL WATER ALLIANCE, INC., RIVERKEEPER, INC.,  
WATERKEEPER ALLIANCE, INC., TROUT UNLIMITED, INC., NATIONAL WILDLIFE  
FEDERATION, ENVIRONMENTAL AMERICA, ENVIRONMENT NEW HAMPSHIRE, ENVIRONMENT  
RHODE ISLAND AND ENVIRONMENT FLORIDA V. UNITED STATES ENVIRONMENTAL

PROTECTION AGENCY:

ATTORNEY: PACE ENVIRONMENTAL LITIGATION CLINIC

IN JUNE 2008, THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (EPA)  
ISSUED ITS WATER TRANSFERS RULE IN RESPONSE TO RIVERKEEPER'S SUCCESSFUL  
LITIGATION AGAINST THE CITY OF NEW YORK IN CATSKILL MOUNTAINS (REFERENCED  
ABOVE), AND SIMILAR CASES THAT HAD BEEN BROUGHT IN SOUTH FLORIDA  
CONCERNING POLLUTED WATER TRANSFERS IN THE EVERGLADES. THE WATER TRANSFERS  
RULE, WHICH RUNS CONTRARY TO NUMEROUS JUDICIAL HOLDINGS (INCLUDING THE  
SECOND CIRCUIT'S 2001 AND 2006 DECISIONS IN CATSKILL MOUNTAINS), STATES  
THAT TRANSFERS OF INTO ANOTHER DISTINCT (EVEN PRISTINE) WATER BODY DO NOT  
REQUIRE CLEAN WATER ACT PERMITS. IN RESPONSE, RIVERKEEPER, ALONG WITH THE  
ORIGINAL CO-PLAINTIFFS IN THE CATSKILL MOUNTAINS CASE AND OTHER  
ENVIRONMENTAL NGOS, SUED EPA, CLAIMING THAT THE NEW RULE IS CONTRARY TO  
THE PLAIN REQUIREMENTS OF THE CWA AND THAT IT REPRESENTS AN ABUSE OF  
DISCRETION BY THE AGENCY.

RIVERKEEPER IS AGAIN BEING REPRESENTED BY THE PACE ENVIRONMENTAL  
LITIGATION CLINIC WHICH, BECAUSE OF UNCERTAINTY OVER WHICH COURT HAD

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ORIGINAL JURISDICTION, FILED SUIT BOTH IN UNITED STATES DISTRICT COURT OF THE SOUTHERN DISTRICT OF NEW YORK AND IN THE UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT. NINE STATES, INCLUDING NEW YORK, AND THE CANADIAN PROVINCE OF MANITOBA, ALSO FILED SUITS IN THE SAME COURTS AGAINST EPA. THE SOUTHERN DISTRICT OF NEW YORK CASES WERE CONSOLIDATED BY DISTRICT JUDGE KENNETH KARAS, WHO THEN ISSUED A STAY OF THOSE CASES PENDING A JURISDICTIONAL DETERMINATION BY THE UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT. THE PETITIONS FILED IN THE SECOND CIRCUIT WERE CONSOLIDATED BY THE UNITED STATES JUDICIAL PANEL ON MULTIDISTRICT LITIGATION WITH OTHER PETITIONS FILED IN OTHER CIRCUITS AROUND THE COUNTRY AND TRANSFERRED TO THE ELEVENTH CIRCUIT FOR ADJUDICATION.

IN OCTOBER 2012, THE ELEVENTH CIRCUIT RULED THAT IT LACKED ORIGINAL JURISDICTION OVER THE PETITIONS FOR REVIEW, AND RIVERKEEPER PROMPTLY SOUGHT A CONFERENCE WITH JUDGE KARAS AT WHICH IT REQUESTED THAT HE LIFT THE STAY AND ALLOW PLAINTIFFS TO FILE MOTIONS FOR SUMMARY JUDGMENT. JUDGE KARAS GRANTED RIVERKEEPER'S REQUEST AND MOTIONS FOR SUMMARY JUDGMENT AND CROSS-MOTIONS BY EPA WERE SUBSEQUENTLY FILED AND FULLY BRIEFED DURING THE SPRING AND SUMMER OF 2013. ARGUMENT ON THE MOTIONS HAS BEEN SCHEDULED FOR DECEMBER 19, 2013. WE EXPECT DECISIONS FROM JUDGE KARAS ON THE SUMMARY JUDGMENT MOTIONS DURING THE FIRST HALF OF 2014. NO FEES HAVE BEEN RECOVERED IN THIS MATTER TO DATE.

NATURAL RESOURCES DEFENSE COUNCIL, RIVERKEEPER, INC., WATERKEEPER

Name of the organization

RIVERKEEPER, INC.

Employer identification number

13-3204621

ALLIANCE, INC., SOUNDKEEPER, INC., SAVE THE SOUND, PECONIC BAYKEEPER, INC., HUDSON-RARITAN BAYKEEPER, INC., HACKENSACK RIVERKEEPER, INC. V, NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

ATTORNEYS: LAWRENCE LEVINE (NRDC), REED SUPER (PRIVATE ATTORNEY)

ON JUNE 28, 2010, RIVERKEEPER AND OTHER NON-PROFIT ORGANIZATIONS FILED AN ARTICLE 78 PETITION CHALLENGING DEC'S APRIL 2010 ISSUANCE OF THE SPDES GENERAL PERMIT FOR MUNICIPAL SEPARATE STORM SEWER SYSTEMS ("MS4S").

THE GENERAL PERMIT AUTHORIZES DISCHARGES OF STORMWATER FROM "SMALL MS4S," THOSE MUNICIPAL STORM WATER SYSTEMS SERVING COMMUNITIES WITH POPULATIONS BETWEEN 10,000 TO 100,000 PEOPLE. STORMWATER RUNOFF (I.E., RUNOFF OVER LAND OR IMPERVIOUS SURFACES INTO WATER BODIES) IS A LEADING CAUSE OF WATER QUALITY IMPAIRMENT IN RIVERS, STREAMS, LAKES, AND COASTAL WATERS THROUGHOUT NEW YORK, AND THE STATE SPENDS TENS OF MILLIONS OF DOLLARS EVERY FISCAL YEAR TO REDUCE THIS POLLUTION. DEC IS RESPONSIBLE FOR REDUCING STORMWATER RUNOFF THROUGH THE GENERAL PERMIT FOR MS4S, WHICH MUST INCLUDE "CONTROLS TO REDUCE THE DISCHARGE OF POLLUTANTS TO THE MAXIMUM EXTENT PRACTICABLE."

CWA, 33 U.S.C. § 1342(P)(3)(B).

PETITIONERS CHALLENGED THE GENERAL PERMIT ON THE GROUNDS THAT IT ALLOWED MUNICIPAL OPERATORS OF MS4S DISCHARGES TO "SELF REGULATE" WITHOUT ANY

Name of the organization  
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OVERSIGHT BY DEC OR PUBLIC NOTICE AND COMMENT. THE GENERAL PERMIT ALLOWED MUNICIPALITIES TO OBTAIN IMMEDIATE AUTHORIZATION TO DISCHARGE BASED ON A CERTIFICATION THAT THEY WOULD, AT SOME TIME IN THE FUTURE, PREPARE AND SUBMIT A STORMWATER MANAGEMENT PLAN (SWMP) TO DEC FOR REVIEW, WITH NO REQUIRED PUBLIC HEARING. PETITIONERS ALSO ALLEGED THAT THE PERMIT ALLOWS MS4S TO AVOID UTILIZING ALL AVAILABLE MEASURES TO CONTROL STORMWATER POLLUTION TO THE MAXIMUM EXTENT PRACTICABLE, AS REQUIRED BY LAW, AND ALLOWS MUNICIPALITIES, INCLUDING MANY IN THE HUDSON VALLEY, TO CONTINUE DISCHARGING POLLUTION AT LEVELS THAT VIOLATE STATE WATER QUALITY STANDARDS. THE SUPREME COURT, WESTCHESTER COUNTY AGREED WITH PETITIONERS' CONTENTIONS THAT THE GENERAL PERMIT FAILED TO IMPLEMENT THE MAXIMUM PRACTICABLE POLLUTANT REDUCTIONS DUE TO THE LACK OF OVERSIGHT OF SWMPS AND THAT DEC'S FAILURE TO PROVIDE PUBLIC NOTICE AND REVIEW OF NOTICES OF INTENT TO BE COVERED BY THE MS4 GENERAL PERMIT VIOLATED THE CWA AND STATE ENVIRONMENTAL CONSERVATION LAW REQUIREMENTS FOR PUBLIC PARTICIPATION IN THE ESTABLISHMENT OF EFFLUENT LIMITATIONS.

CONSEQUENTLY, THE COURT THREW OUT DEC'S GENERAL PERMIT FOR MS4S. THE COURT REJECTED TWO OTHER CONTENTIONS BY PETITIONERS: THAT THE GENERAL PERMIT FAILS TO REQUIRE THE MS4 OPERATORS TO MONITOR DISCHARGES, AND THAT THE MS4'S REQUIREMENT OF "NO NET INCREASE" IN POLLUTANTS FOR IMPAIRED WATERBODIES FAILS TO SATISFY THE CWA'S "REDUCTION" REQUIREMENT. DEC HAS APPEALED THE DECISION, AND PETITIONERS CROSS-APPEALED. NO FEES HAVE BEEN RECOVERED IN THIS MATTER TO DATE.

Name of the organization

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DELAWARE RIVERKEEPER NETWORK, DELAWARE RIVERKEEPER, HUDSON RIVERKEEPER,  
NATIONAL PARKS CONSERVATION ASSOCIATION V. ARMY CORPS OF ENGINEERS AND  
THE DELAWARE RIVER BASIN COMMISSION

ATTORNEYS: KATHERINE HUDSON AND MACKENZIE SCHOONMAKER (RIVERKEEPER); JANE  
DAVENPORT (DELAWARE RIVERKEEPER NETWORK); AND SUSAN KRAHM (NATIONAL PARKS  
CONSERVATION ASSOCIATION)

ON AUGUST 4, 2011, RIVERKEEPER, TOGETHER WITH DELAWARE RIVERKEEPER  
NETWORK AND NATIONAL PARKS CONSERVATION ASSOCIATION (THE "RIVERKEEPER  
PLAINTIFFS"), FILED A COMPLAINT AGAINST THE ARMY CORPS OF ENGINEERS (ARMY  
CORPS) AND THE DELAWARE RIVER BASIN COMMISSION (DRBC) IN THE UNITED  
STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK (E.D.N.Y.) FOR  
DEFENDANTS' FAILURE TO COMPLY WITH FEDERAL LAW BY PROPOSING SHALE GAS  
DRILLING REGULATIONS WITHOUT FIRST CONDUCTING A FULL ENVIRONMENTAL REVIEW  
AS REQUIRED UNDER THE NATIONAL ENVIRONMENTAL POLICY ACT, 42 U.S.C. § 4321  
ET SEQ. (NEPA). THE RIVERKEEPER PLAINTIFFS' ACTION WAS SUBSEQUENTLY  
CONSOLIDATED WITH A SIMILAR ACTION FILED BY NEW YORK STATE ON MAY 31,  
2011. THE DELAWARE RIVER BASIN PROVIDES HALF OF THE UNFILTERED DRINKING  
WATER SUPPLY THAT NINE MILLION NEW YORKERS DEPEND ON EVERY DAY. ALLOWING  
DRILLING TO PROCEED IN THE BASIN WITHOUT A COMPLETE ENVIRONMENTAL IMPACT  
ASSESSMENT AS THE BASIS FOR THE MOST EFFECTIVE REGULATIONS POSSIBLE WOULD  
PUT THIS CRITICAL RESOURCE AT RISK.

ON SEPTEMBER 24, 2012, THE E.D.N.Y. COURT RULED THAT THE LAWSUIT WAS

Name of the organization

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UNRIPE FOR JUDICIAL REVIEW, LEAVING OPEN THE QUESTION OF WHETHER DRBC MAY PROMULGATE SUCH REGULATIONS WITHOUT FIRST CONDUCTING A NEPA REVIEW. SINCE THE COURT'S DISMISSAL IS WITHOUT PREJUDICE, RIVERKEEPER AND FELLOW PLAINTIFFS WILL BE ABLE TO CHALLENGE DRBC'S REGULATIONS IF AND WHEN IT VOTES TO PUT THOSE REGULATIONS IN PLACE. NO FEES HAVE BEEN

GOVERNANCE, MANAGEMENT, AND DISCLOSURE

PART VI, SECTION A. - QUESTION 2

AMANDA HEARST IS THE DAUGHTER OF ANNE HEARST MCINERNEY.

GOVERNANCE, MANAGEMENT, AND DISCLOSURE

PART VI, SECTION A. - QUESTION 7A

AT EACH MEMBERSHIP ANNUAL MEETING THEREAFTER, A NUMBER OF DIRECTORS EQUAL TO THAT OF THOSE WHO TERMS HAVE EXPIRED WILL BE ELECTED BY A PLURALITY OF THE MEMBERS FOR A TERM OF THREE YEARS AND THE EARLIEST OF THE ELECTION OR APPOINTMENT AND QUALIFICATION OF SUCH DIRECTOR'S SUCCESSOR OR UNTIL SUCH DIRECTOR'S DEATH, RESIGNATION, OR REMOVAL. AT THE EXPIRATION OF ANY TERM OF THREE YEARS, ANY DIRECTOR MAY BE ELECTED. CANDIDATES FOR ELECTION AS DIRECTORS WILL BE NOMINATED BY THE NOMINATING COMMITTEE. MEMBERS OF THE CORPORATION WHO DESIRE TO NOMINATE A MEMBER TO THE BOARD OF DIRECTORS, IN ADDITION TO THOSE CANDIDATES PROPOSED BY THE NOMINATING COMMITTEE, MAY DO SO ON A PETITION SIGNED BY NOT LESS THAN ONE HUNDRED MEMBERS AND DELIVERED TO THE SECRETARY OF THE CORPORATION NOT LESS THAN SIX MONTHS PRIOR TO THE ANNUAL MEETING OF THE MEMBERS. NO MORE THAN ONE PETITION FOR ELECTION SHALL BE ACCEPTED AND THEREFORE, IF MORE THAN ONE PETITION IS

Name of the organization

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SUBMITTED, THE SUBMISSION WITH THE GREATEST NUMBER OF SIGNATURES WILL APPLY; IN THE CASE OF A MORE THAN ONE PETITION WITH EQUAL NUMBER OF SIGNATURES, THE PETITION FIRST SUBMITTED WILL BE ACCEPTED.

## GOVERNANCE, MANAGEMENT, AND DISCLOSURE

## PART VI, SECTION B. - QUESTION 11B

THE PRESIDENT, BOARD TREASURER AND CHAIRMAN OF THE BOARD WILL MEET TO REVIEW AND APPROVE A DRAFT OF THE FORM 990 PRIOR TO FILING.

## GOVERNANCE, MANAGEMENT, AND DISCLOSURE

## PART VI, SECTION B. - QUESTION 12C

ON A YEARLY BASIS, THE BOARD OF DIRECTORS MEET TO COMPLETE A "CONFLICT OF INTEREST" ACKNOWLEDGEMENT WHICH DOCUMENTS AND SIGNIFIES THAT NO CURRENT CONFLICT OF INTEREST EXISTS BETWEEN THE BOARD MEMBERS AND OUTSIDE ORGANIZATIONS. AT EACH SUBSEQUENT MEETING, BEFORE ANY DECISIONS ARE MADE, IT IS CLARIFIED THAT THERE IS NO CONFLICT OF INTEREST FOR ANYONE IN THE ROOM. IF THERE IS A CONFLICT, THAT PERSON WILL BE EXCLUDED FROM THE DECISION.

## GOVERNANCE, MANAGEMENT, AND DISCLOSURE

## PART VI, SECTION B. - QUESTIONS 15A AND 15B

TO DETERMINE COMPENSATION OF TOP MANAGEMENT, INCLUDING THE EXECUTIVE DIRECTOR, AS WELL AS OTHER KEY EMPLOYEES, THE ORGANIZATION USES SALARY PARITY AND SALARY BANDS OF OTHER COMPARABLE ORGANIZATIONS. THEN THE EXECUTIVE COMMITTEE MEETS AND MAKES THE DECISION.



Name of the organization

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## GOVERNANCE, MANAGEMENT, AND DISCLOSURE

## PART VI, SECTION C. - QUESTION 19

THE ORGANIZATION MAKES ITS GOVERNING DOCUMENTS, CONFLICT OF INTEREST  
POLICY, AND FINANCIAL STATEMENTS AVAILABLE TO THE PUBLIC UPON REQUEST.

## STATEMENT OF FUNCTIONAL EXPENSES

## PART IX - LINE 11G

CONSULTING: 327,500;

OUTSIDE SERVICES: 204,346;

INFORMATION TECHNOLOGY: 67,471;

TEMPORARY LABOR: 10,957;

RECRUITMENT FEES: 1,194.

# Application for Extension of Time To File an Exempt Organization Return

OMB No 1545-1709

► File a separate application for each return.

- If you are filing for an **Automatic 3-Month Extension**, complete only **Part I** and check this box ☒ **X**
- If you are filing for an **Additional (Not Automatic) 3-Month Extension**, complete only **Part II** (on page 2 of this form)

**Do not complete Part II unless** you have already been granted an automatic 3-month extension on a previously filed Form 8868

**Electronic filing (e-file).** You can electronically file Form 8868 if you need a 3-month automatic extension of time to file (6 months for a corporation required to file Form 990-T), or an additional (not automatic) 3-month extension of time. You can electronically file Form 8868 to request an extension of time to file any of the forms listed in Part I or Part II with the exception of Form 8870, Information Return for Transfers Associated With Certain Personal Benefit Contracts, which must be sent to the IRS in paper format (see instructions). For more details on the electronic filing of this form, visit [www.irs.gov/efile](http://www.irs.gov/efile) and click on *e-file for Charities & Nonprofits*

## Part I Automatic 3-Month Extension of Time. Only submit original (no copies needed).

A corporation required to file Form 990-T and requesting an automatic 6-month extension - check this box and complete

Part I only ☐

All other corporations (including 1120-C filers), partnerships, REMICs, and trusts must use Form 7004 to request an extension of time to file income tax returns

Enter filer's identifying number, see instructions

### Type or print

File by the  
due date for  
filing your  
return. See  
instructions

Name of exempt organization or other filer, see instructions

Employer identification number (EIN) or

RIVERKEEPER, INC.

13-3204621

Number, street, and room or suite no. If a P.O. box, see instructions

Social security number (SSN)

20 SECOR ROAD

City, town or post office, state, and ZIP code. For a foreign address, see instructions

OSSINING, NY 10562

Enter the Return code for the return that this application is for (file a separate application for each return) ☐ 0 ☒ 1

Application Is For	Return Code	Application Is For	Return Code
Form 990 or Form 990-EZ	01	Form 990-T (corporation)	07
Form 990-BL	02	Form 1041-A	08
Form 4720- (individual)	03	Form 4720	09
Form 990-PF	04	Form 5227	10
Form 990-T (sec 401(a) or 408(a) trust)	05	Form 6069	11
Form 990-T (trust other than above)	06	Form 8870	12

- The books are in the care of ► STELLA LIROSI,

Telephone No ► 914 478-4501

FAX No ► 914 478-4527

- If the organization does not have an office or place of business in the United States, check this box ☐
- If this is for a Group Return, enter the organization's four digit Group Exemption Number (GEN) . If this is for the whole group, check this box ☐ . If it is for part of the group, check this box ☐ and attach a list with the names and EINs of all members the extension is for

- 1 I request an automatic 3-month (6 months for a corporation required to file Form 990-T) extension of time until 02/17, 2014, to file the exempt organization return for the organization named above. The extension is for the organization's return for.
- ☐ calendar year 20 or
- ☒ tax year beginning 07/01, 2012, and ending 06/30, 2013.

- 2 If the tax year entered in line 1 is for less than 12 months, check reason ☐ Initial return ☐ Final return ☐ Change in accounting period

3a If this application is for Form 990-BL, 990-PF, 990-T, 4720, or 6069, enter the tentative tax, less any nonrefundable credits. See instructions.	3a \$
b If this application is for Form 990-PF, 990-T, 4720, or 6069, enter any refundable credits and estimated tax payments made. Include any prior year overpayment allowed as a credit.	3b \$
c Balance due. Subtract line 3b from line 3a. Include your payment with this form, if required, by using EFTPS (Electronic Federal Tax Payment System). See instructions.	3c \$

**Caution.** If you are going to make an electronic fund withdrawal with this Form 8868, see Form 8453-EO and Form 8879-EO for payment instructions

For Privacy Act and Paperwork Reduction Act Notice, see Instructions.

Form 8868 (Rev 1-2013)

JSA

CONDON O'MEARA MCGINTY & DONNELLY LLP  
1 BATTERY PARK PLAZA, 7TH Floor  
NEW YORK, NY 10004-1405

• If you are filing for an **Additional (Not Automatic) 3-Month Extension**, complete only **Part II** and check this box. . . . . ☒ **X**

**Note.** Only complete Part II if you have already been granted an automatic 3-month extension on a previously filed Form 8868.

• If you are filing for an **Automatic 3-Month Extension**, complete only **Part I** (on page 1).

**Part II Additional (Not Automatic) 3-Month Extension of Time.** Only file the original (no copies needed).

<b>Type or print</b>  File by the due date for filing your return. See instructions.	Name of exempt organization or other filer, see instructions	Enter filer's identifying number, see instructions Employer identification number (EIN) or
	RIVERKEEPER, INC.	13-3204621
	Number, street, and room or suite no. If a P O box, see instructions	Social security number (SSN)
	20 SECOR ROAD	
	City, town or post office, state, and ZIP code. For a foreign address, see instructions	
	OSSINING, NY 10562	

Enter the Return code for the return that this application is for (file a separate application for each return) . . . . . ☐ 0 ☒ 1

Application Is For	Return Code	Application Is For	Return Code
Form 990 or Form 990-EZ	01		
Form 990-BL	02	Form 1041-A	08
Form 4720 (individual)	03	Form 4720	09
Form 990-PF	04	Form 5227	10
Form 990-T (sec. 401(a) or 408(a) trust)	05	Form 6069	11
Form 990-T (trust other than above)	06	Form 8870	12

**STOP! Do not complete Part II if you were not already granted an automatic 3-month extension on a previously filed Form 8868.**

- The books are in the care of ☒ STELLA LIROSI,  
Telephone No. ☒ 914 478-4501 FAX No. ☒ 914 478-4527
- If the organization does not have an office or place of business in the United States, check this box ☐
- If this is for a Group Return, enter the organization's four digit Group Exemption Number (GEN) ☐ . If this is for the whole group, check this box ☐ . If it is for part of the group, check this box ☐ and attach a list with the names and EINs of all members the extension is for.

- 4 I request an additional 3-month extension of time until 05/15, 20 14.
- 5 For calendar year       , or other tax year beginning 07/01, 20 12, and ending 06/30, 20 13.
- 6 If the tax year entered in line 5 is for less than 12 months, check reason: ☐ Initial return ☐ Final return  
☐ Change in accounting period
- 7 State in detail why you need the extension ALL THE INFORMATION NECESSARY TO COMPLETE THE RETURN IS NOT AND WILL NOT BE AVAILABLE BY THE DUE DATE. THEREFORE WE RESPECTIVELY REQUEST ADDITIONAL TIME TO COMPLETE THE RETURN.

<b>8a</b> If this application is for Form 990-BL, 990-PF, 990-T, 4720, or 6069, enter the tentative tax, less any nonrefundable credits. See instructions.	<b>8a</b> \$
<b>b</b> If this application is for Form 990-PF, 990-T, 4720, or 6069, enter any refundable credits and estimated tax payments made. Include any prior year overpayment allowed as a credit and any amount paid previously with Form 8868.	<b>8b</b> \$
<b>c</b> <b>Balance Due.</b> Subtract line 8b from line 8a. Include your payment with this form, if required, by using EFTPS (Electronic Federal Tax Payment System). See instructions.	<b>8c</b> \$

**Signature and Verification must be completed for Part II only.**

Under penalties of perjury, I declare that I have examined this form, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete, and that I am authorized to prepare this form.

Signature  Title  Date

Form **8868** (Rev 1-2013)