

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

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FRIENDS OF MERRYMEETING BAY,))
DOUGLAS H. WATTS, and))
KATHLEEN McGEE,))
))
<i>Plaintiffs,</i>)	Civil No. 1:11-cv-167-JAW
))
v.))
))
NORMAN H. OLSEN, in his official capacity as))
Commissioner of the Maine Department of Marine))
Resources))
21 State House Station))
Augusta, ME 04333-0021))
))
CHANDLER E. WOODCOCK, in his official))
capacity as Commissioner of the Maine))
Department of Inland Fisheries and Wildlife))
41 State House Station))
Augusta, ME 04333-0041))
))
<i>Defendants.</i>))
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**DECLARATION OF KATHLEEN MCGEE IN SUPPORT OF
PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT**

Kathleen McGee declares:

1. I live in Bowdoinham. I am an artist and political consultant. I am an FOMB member.
2. I find that nature has spiritual and transcendental qualities, and it is personally important to me to spend time in nature to experience these. Also, I find that spending time in nature provides me with artistic inspiration. For these reasons, and also as a form of recreation, I regularly kayak, canoe, hike, fish, and observe nature on the waters and coast of the Gulf of Maine, including on the lower portion of the St. Croix River and Merrymeeting Bay and its

watershed. I have written music, poetry and prose, and sung and played guitar on the waters and coast of the Gulf Maine and the St. Croix River.

3. I realize that the St. Croix River, the Gulf of Maine and the other “natural” areas in Maine I spend time in are not untouched by man’s influence. But I still would like these areas as natural as possible, and certainly managed in a way that respects and complies with laws designed to protect their natural biodiversity. Kayaking and canoeing on, and fishing in, waters I know to be suffering from depressed fish stocks, and hiking and observing nature along the coast where I know birds and animals that feed on fish have less access to their food source, diminishes the experience of being in nature for me.

4. The law blocking alewives and blueback herring from migrating past Grand Falls dam is a particularly dramatic assault on the natural biodiversity of the St. Croix River and the Gulf of Maine. Arguably the most productive spawning and rearing habitat for alewives in Maine has been obliterated. It is disturbing to me that these important species, which are prey for a variety of other species and perform a variety of ecological functions as well, have been wiped out from 98% of the St. Croix, and my enjoyment of the St. Croix River and the Gulf of Maine is diminished as a result.

5. Also, as a practical matter, the less alewives and blueback herring, the less predator fish there are to catch. Alewives and blueback herring are much needed food for the Gulf of Maine fisheries. The law blocking their access to most of the St. Croix River basin ultimately means less fish to catch in the waters I fish.

6. I am personally committed to protecting fresh water, estuarine, and marine ecosystems and the species that depend on them. For many years I have worked to secure safe passage of

many species of fish that migrate up Maine heavily dammed rivers to spawn - including on the St. Croix River.

7. I am aware that healthy rivers and a healthy Gulf of Maine are interconnected and interdependent, so the health of one large watershed, like the St. Croix, is linked to another large watershed, like Merrymeeting Bay. As coordinator of FOMB's Healthy Rivers, Healthy Gulf campaign, I work with community groups to raise awareness of this vital issue.

8. Depleting alewives from the St. Croix River basin disturbs the balance amongst Maine's waters. A fact sheet on the U.S. Fish and Wildlife Service website said it well:

Alewives have been central to the web of life in Maine for millennia. If we give alewives a chance by helping restore them to their ancestral spawning grounds, alewives will once again play an important role in bringing our rivers, lakes, estuaries and oceans back to life.

http://www.fws.gov/northeast/gulfofmaine/downloads/fact_sheets/alewife%20fact%20sheet.pdf.

Restoring alewives to the St. Croix River basin is a necessary step to resuscitating our state's waters. The healthier the St. Croix River basin and other Maine waters I use, the more enjoyment I will get from them.

Declared under the penalties of perjury this 29th day of June, 2011.

/s/ Kathleen McGee