

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

FRIENDS OF MERRYMEETING BAY AND)	
ENVIRONMENT MAINE,)	
)	
Plaintiffs)	
)	Civil Action No.
v.)	2:11-cv-00036
)	
MILLER HYDRO GROUP,)	
)	
Defendant)	

DECLARATION OF MARK ISAACSON

I, MARK ISAACSON, being over 18 years of age and competent in all respects to testify, having personal knowledge of the facts set forth below, hereby state the following:

1. I am President of Miller Hydro Group, the Defendant in this case.
2. Attached hereto as Exhibit A is a true and accurate copy of a November 21, 2011 email exchange between me, acting on Miller Hydro’s behalf, and Jeff Murphy of the National Oceanic and Atmospheric Administration’s National Marine Fisheries Services (“NMFS”). This email outlines (i) the proposed updated schedule (the “Updated Schedule”) that Miller Hydro submitted to NMFS for completion of the consultation process pursuant to Section 7 of the Endangered Species Act and (ii) NMFS’s response thereto.
3. Miller Hydro also submitted the Updated Schedule to the Federal Energy Regulatory Commission (“FERC”). Attached hereto as Exhibit B is a true and accurate copy of FERC’s response.
4. Consistent with the Updated Schedule, on December 22, 2011, Miller Hydro submitted to NMFS its draft Biological Assessment and Species Protection Plan.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 11, 2012

 /s/ Mark Isaacson
Mark Isaacson