

**UNITED STATES DISTRICT COURT  
District of Maine**

<b>FRIENDS OF THE BOUNDARY, MOUNTAINS,</b>	)	
	)	
<b>Plaintiff</b>	)	
	)	
<b>v.</b>	)	
	)	
<b>U.S. ARMY CORPS OF ENGINEERS, ET ALS.,</b>	)	<b>No. 1:12-cv-00357-GZS</b>
	)	
<b>Defendants</b>	)	
	)	
<b>And</b>	)	
	)	
<b>TRANSCANADA MAINE WIND DEVELOPMENT INC.</b>	)	
	)	
<b>Intervenor-Defendant.</b>	)	

**ORDER AFFIRMING THE  
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

The United States Magistrate Judge filed with the Court on April 23, 2014, his Recommended Decision (ECF No. 46). Plaintiff filed its Objection to the Recommended Decision on Cross-Motions for Summary Judgment (ECF No. 47) on May 12, 2014. Defendant-Intervenor filed its Response to Plaintiff's Objection to the Recommended Decision (ECF No. 48) on May 19, 2014. Defendants filed their Opposition to Plaintiff's Objection to the Recommended Decision (ECF No. 49) on May 29, 2014.

I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and I concur with the recommendations of the United

States Magistrate Judge for the reasons set forth in his Recommended Decision, and determine that no further proceeding is necessary.

1. It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **AFFIRMED**.
2. It is **ORDERED** that Defendant's Cross-Motion for Summary Judgment (ECF Nos. 32/33) is hereby **GRANTED**.
3. It is **ORDERED** that Intervenor-Defendant's Cross-Motion for Summary Judgment (ECF No. 36) is hereby **GRANTED**.
4. It is **ORDERED** that Plaintiff's Motion for Summary Judgment (ECF No. 31) is **DENIED**.

/s/George Z. Singal \_\_\_\_\_  
U.S. District Judge

Dated this 2<sup>nd</sup> day of June, 2014.

**Plaintiff**

**FRIENDS OF THE BOUNDARY  
MOUNTAINS**

represented by **LYNNE A. WILLIAMS**  
LAW OFFICE OF LYNNE A.  
WILLIAMS  
13 ALBERT MEADOW  
BAR HARBOR, ME 04609  
207-266-6327  
Email: lwilliamslaw@earthlink.net  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**US ARMY CORPS OF  
ENGINEERS**

represented by **LAUREL A. BEDIG**  
U.S. DEPARTMENT OF JUSTICE  
ENVIRONMENTAL DEFENSE  
SECTION  
P.O. BOX 23986  
WASHINGTON, DC 20026-3986  
202-305-0331  
Email: laurel.bedig@usdoj.gov  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**ROBERT P. WILLIAMS**  
U.S. DEPARTMENT OF JUSTICE  
ENRD/ENVIRONMENTAL  
ENFORCEMENT SECTION  
PO BOX 7611  
WASHINGTON, DC 20044-7611  
(202) 305-0206  
Email: robert.p.williams@usdoj.gov  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**JOHN G. OSBORN**  
U.S. ATTORNEY'S OFFICE  
DISTRICT OF MAINE  
100 MIDDLE STREET PLAZA  
PORTLAND, ME 04101  
207-780-3257  
Email: john.osborn2@usdoj.gov  
*ATTORNEY TO BE NOTICED*

**Defendant**

**LT GEN THOMAS P BOSTICK**  
*Commander and Chief of Engineers,*  
*US Army Corps of Engineers*

represented by **LAUREL A. BEDIG**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**ROBERT P. WILLIAMS**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**JOHN G. OSBORN**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**JAY CLEMENT**

*Senior Project Manager, US Army  
Corps of Engineers, New England  
District*

represented by **LAUREL A. BEDIG**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**ROBERT P. WILLIAMS**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**JOHN G. OSBORN**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

V.

**Intervenor Defendant**

**TRANSCANADA MAINE WIND  
DEVELOPMENT INC**

represented by **SCOTT D. ANDERSON**  
VERRILL DANA LLP  
ONE PORTLAND SQUARE  
P.O. BOX 586  
PORTLAND, ME 04112  
(207) 774-4000  
Email: sanderson@verrilldana.com  
*TERMINATED: 12/02/2013  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**GORDON R. SMITH**  
VERRILL DANA LLP  
ONE PORTLAND SQUARE  
P.O. BOX 586  
PORTLAND, ME 04112  
207-253-4926  
Email: gsmith@verrilldana.com  
*ATTORNEY TO BE NOTICED*

**JULIET T. BROWNE**  
VERRILL DANA LLP  
ONE PORTLAND SQUARE  
P.O. BOX 586  
PORTLAND, ME 04112  
207-774-4000  
Email: jbrownne@verrilldana.com

*ATTORNEY TO BE NOTICED*