EXHIBIT B

DECLARATION OF LORRAINE DANA

I, Lorraine Dana, state as follows:

1. My name is Lorraine Dana. My full name is Dorothy Lorraine Dana, but I have never used my first name. My married name is Lorraine Nelson.

2. I am a member of the Penobscot Nation and have resided on Indian Island in the Penobscot River since I was 12 years old. My date of birth is xxxxxxxxxx, 1937.

3. The mainland town closest to Indian Island is Old Town, Maine.

4. Prior to residing on Indian Island, I resided on Mattanawcook Island in the Penobscot River with my father, Chester Dana, his wife, Liza Winchester Heigh, and my brother, Chester Dana, Jr. My father held Mattanawcook Island by assignment from the Penobscot Nation. After he passed away in 1975, I inherited my father's assignment to Mattanawcook Island and other islands near it, including Chokecherry Island. Until his death, my father resided on Mattanawcook Island for most of the year.

5. The mainland town closest to Mattanawcook Island is Lincoln, Maine.

6. My father was born and raised on Mattanawcook Island until he came of age and joined the United States Marine Corps. When he was a child, there was a village of Penobscot families on the island, but most of the residents eventually moved to either Indian Island or to Old Lemon Island further down the Penobscot River. My father was the last Penobscot tribal member to live year round on Mattanawcook Island. His main diet, and the diet of the other Penobscot families who lived there, consisted of fish and muskrat from the Penobscot River and other animals that they hunted or trapped.

7. My brother and I were adopted by Liza Heigh in 1942. We lived a short time in Enfield, Maine, but then moved to Mattanawcook Island. My father never wavered from his tradition of hunting, fishing, and trapping in the Penobscot River because he depended on this tradition to put food on the table. My brother and I fished in the River and across to the main land where there was a special cove where pickerel were plentiful. We ate what we caught. My father fished just about every day to feed our family and also provided muskrat and wildlife for us. We went to school in Lincoln, crossing the river every day.

8. When my father took fish and other water-dwelling animals from the Penobscot River, he never sought or carried a permit or license from the State of Maine. My brother and I likewise never sought or carried a permit or license from the State of Maine when taking fish from the River. It never occurred to us that one would be necessary because we considered the River to be our home.

9. My brother and I never encountered state wardens or other state officials while fishing on the River and I never heard of my father ever encountering a state warden or other official while fishing, hunting, or trapping on the River.

10. When I was 12 years of age, I moved back to Indian Island where I resided with my mother, Beatrice Phillips; my half-brothers, Neil, Reuben ("Butch"), Clifford, and Guy Phillips; and my half-sisters, Donna and Cheryl Phillips. Because of hardship raising a family on her own, my mother relied heavily upon the Penobscot River for food. My brothers fished and hunted for food. Clifford was an avid fisherman. He caught perch, pickerel, and bass to feed our family. My mother also bought muskrat to feed our family from tribal members who trapped muskrat in the Penobscot River.

11. I raised my own children on Indian Island as a single parent and continued to rely upon the River for food because I had little means. I had two sons, Barry and Robert, two daughters, Lori and Kelly. In the 1970s, Barry, being the older son of the two, spent much of his spare time hunting and fishing to help provide food for our family. Barry also provided fiddleheads that he picked on the banks alongside of the Penobscot River and flagroot, which we used for medicine. Flagroot grows on the River bottom up and down the Penobscot River.

12. While my father was alive, I regularly took my sons and my daughters to visit him at Mattanawcook Island during the spring and summer. While there, we relied upon the fish and muskrat that he caught from the River as our primary food source.

13. I recall the events surrounding the settlement of the Penobscot Nation's land claims against the State of Maine, including the proposal for the settlement presented to Penobscot tribal members in March of 1980. I voted against the settlement. I thought it was rushed and complicated. I also feared that the State of Maine would end up controlling our ability to fish, hunt, and trap for our food from the Penobscot River.

14. I recall testifying before the United States Senate Committee on the land claims in July, 1980. At that time, I was identified as "Lorraine Nelson." I have reviewed the following passage of that testimony at page 419 of Volume 1 of *Proposed Settlement of Maine Indian Land Claims, Hearings Before the Select Committee on Indian Affairs United States Senate*:

    > My son hunts and fishes my islands to help provide for our family, and if we are to abide by State laws, as this bill intends us to, my family will endure hardship because of the control of the taking of deer and fish. You know as well as I, inflation has taken its toll, and at the present time I am unemployed and have a family of five to support. Two of these children are going to college. I have brought them up by myself.

15. In giving this testimony and stating that "my son hunts and fishes my islands," I was referring to the fact that my son, Barry, hunted deer at Mattanawcook, Chokecherry, other islands assigned to me, and that he fished the River from his canoe all around those islands and between them, including near the mainland shores, in order to provide food for my family. Although I referred to "my islands," I was referring to the fact that he also fished all around Indian Island and other islands near Indian Island, including Orson and Marsh islands, and the waters between those islands, as well as the waters between those islands and the mainland shores, in order to provide food for my family.

16. I have never distinguished between the islands in the Penobscot River, where I and other members of the Penobscot Nation reside, and the River. The River is as much a part of our daily lives as the islands where we maintain our homes. So when I testified to the Senate Committee on the settlement of the land claims that "my son . . . fishes my islands," I was referring to his fishing in the River as described above.

17. My father, my brother, and I would commonly say we would "fish" an island when referring to fishing in the River in waters in the vicinity of an island. This simply meant that we were fishing in the waters of the Penobscot River in areas where we knew there were fish, and this was anywhere in the River, including in coves of the mainland shores.

18. I am familiar with the islands in the so-called "main stem" of the Penobscot River, from Indian Island, north up to Medway. There are no waters (such as ponds or streams) to support fish on those islands. Fish exist only in the Penobscot River, not on the islands.

19. I have personal knowledge of the foregoing facts.

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

Dated: 03/25/15

/s/ Lorraine Dana
Lorraine Dana