

IN THE MATTER OF

BLACK BEAR HYDRO PARTNERS LLC)
Ellsworth, Mariaville, Waltham, Fletchers)
Landing, Hancock County)
ELLSWORTH HYDROELECTRIC)
PROJECT) DENIAL OF
#L-13256-33-I-N DENIAL) WATER QUALITY CERTIFICATION

AFFIDAVIT OF KELLY A. MALONEY


Kelly Maloney, on oath, hereby deposes and says:

1. The information contained in this Affidavit is based upon my personal knowledge.
2. I am a Compliance Manager for the Northeast region in the Lewiston office of Brookfield Renewable, the parent company of Black Bear Hydro Partners, LLC.
3. On March 18, 2020, I downloaded the Maine ArcGIS water classification maps (GIS Maps), specifically, those regarding Leonard Lake's water classification. These maps are found on the Maine Department of Environmental Protection website at: <https://www.maine.gov/dep/gis/datamaps/index.html>.
4. The GIS maps capture changes in statutory water classifications.
5. The GIS Maps for Leonard Lake for 1987, 1989, 1990, 1993, 1999, 2003, 2009 and 2020 are contained in Attachment A.
6. All of the maps in Attachment A indicate that Leonard Lake is Class GPA.

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KAM

Dated at Burnham, Maine this 16 day of April, 2020.




Kelly A. Maloney

STATE OF MAINE
Cumberland, ss.

April 16, 2020

Personally appeared before me the above-named Kelly A. Maloney, and made oath that the statements made by her in the above Affidavit are true and accurate and made on her personal knowledge, unless stated upon information and belief, in which case she believes them to be true.

Before me,

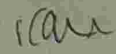


Notary Public / Attorney at Law



NANCY N. CONDON
Notary Public, Maine

Typed or Printed Name: **Nancy N. Condon**
My Commission Expires: **December 3, 2024**
My Commission Expires: _____



Maine Statutory Water Classification | 50 Years of Water Quality Classi...

maine.maps.arcgis.com/apps/MapSeries/index.html?appid=663ca3355921d444b9565d1cd029f004e

50 Years of Water Quality Classification in Maine

Maine Department of Environmental Protection

1993

1990

1989

1987

Effective 5/1/1987

1979

1970

OVERVIEW MAP

Leonard Lake

Name Leonard Lake
Start 1986
End 2012
Class GPA

LEGEND

1987

AA

A

B

C

GPA

Baselayers

Lakes

HUC8_Units

Province of New Brunswick, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, ...

10:09 AM 3/18/2020

Maine Statorary Water Classification | 50 Years of Water Quality Classif

maine.maps.arcgis.com/apps/MapSeries/index.html?appid=e68ca355921d444b9b66d1cb029f004e

50 Years of Water Quality Classification in Maine

Maine Department of Environmental Protection

LEGEND

1989

- AA
- A
- B
- C
- GPA

Base layers

- Lakes
- HUC8_Units

Leonard Lake

Name: Leonard Lake

Start: 1986

End: 2012

Class: GPA

1993

1990

1989

Effective 7/14/1990

1987

1979

1970

OVERVIEW MAP

Province of New Brunswick, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, ...

10:07 AM 3/18/2020

Type here to search

Maine Statutory Water Classification | 50 Years of Water Quality Classification

maine.maps.arcgis.com/apps/MapSeries/index.html?appid=e68ca355921d444b91666d1d0029f004e

50 Years of Water Quality Classification in Maine

Maine Department of Environmental Protection

1993

1990

Effective 1990

1989

1987

1979

1970

OVERVIEW MAP

Leonard Lake

Name	Leonard Lake
Start	1986
End	2012
Class	GPA

LEGEND

- 1990
- D
- AA
- A
- B
- C
- GPA

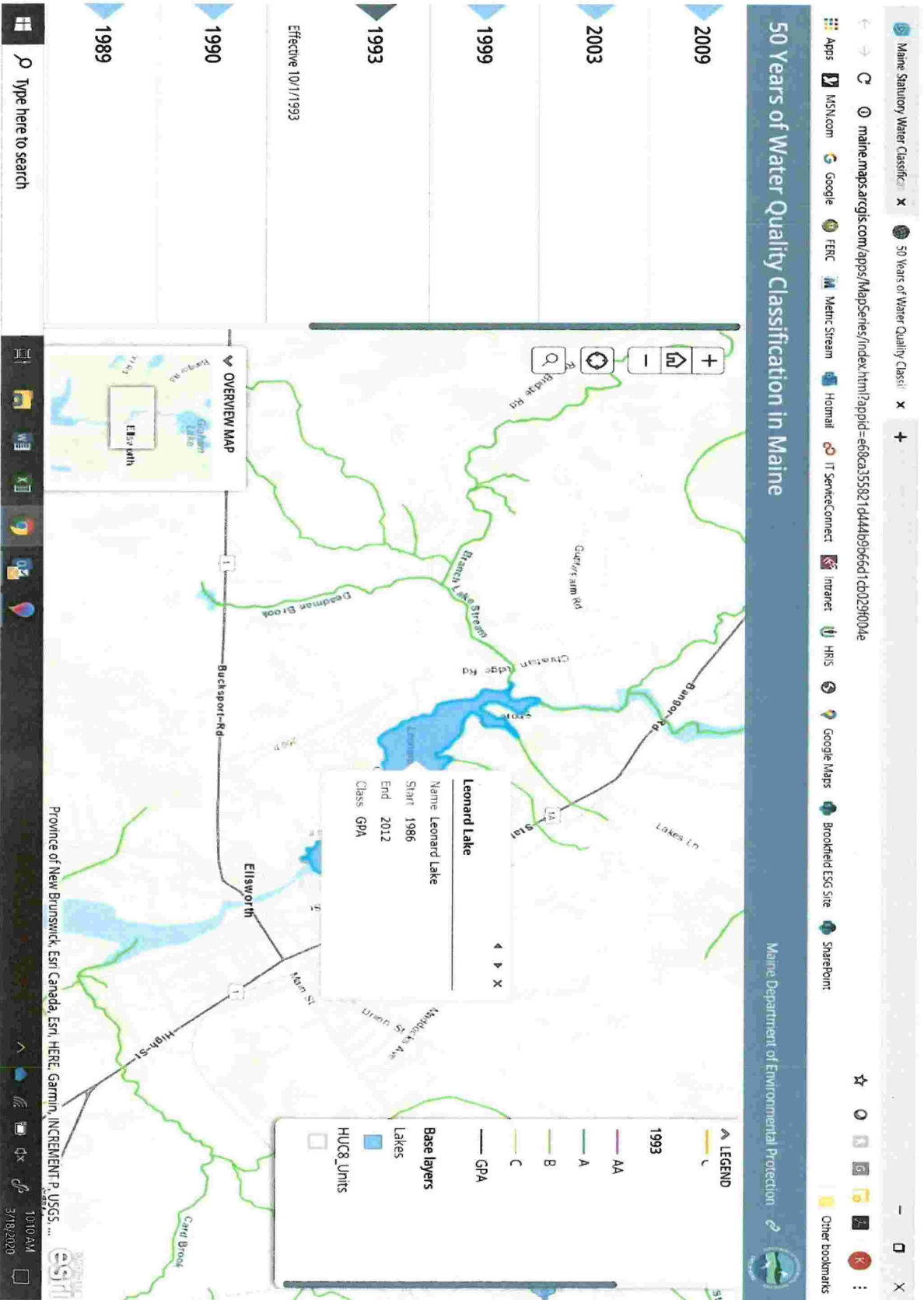
Base layers

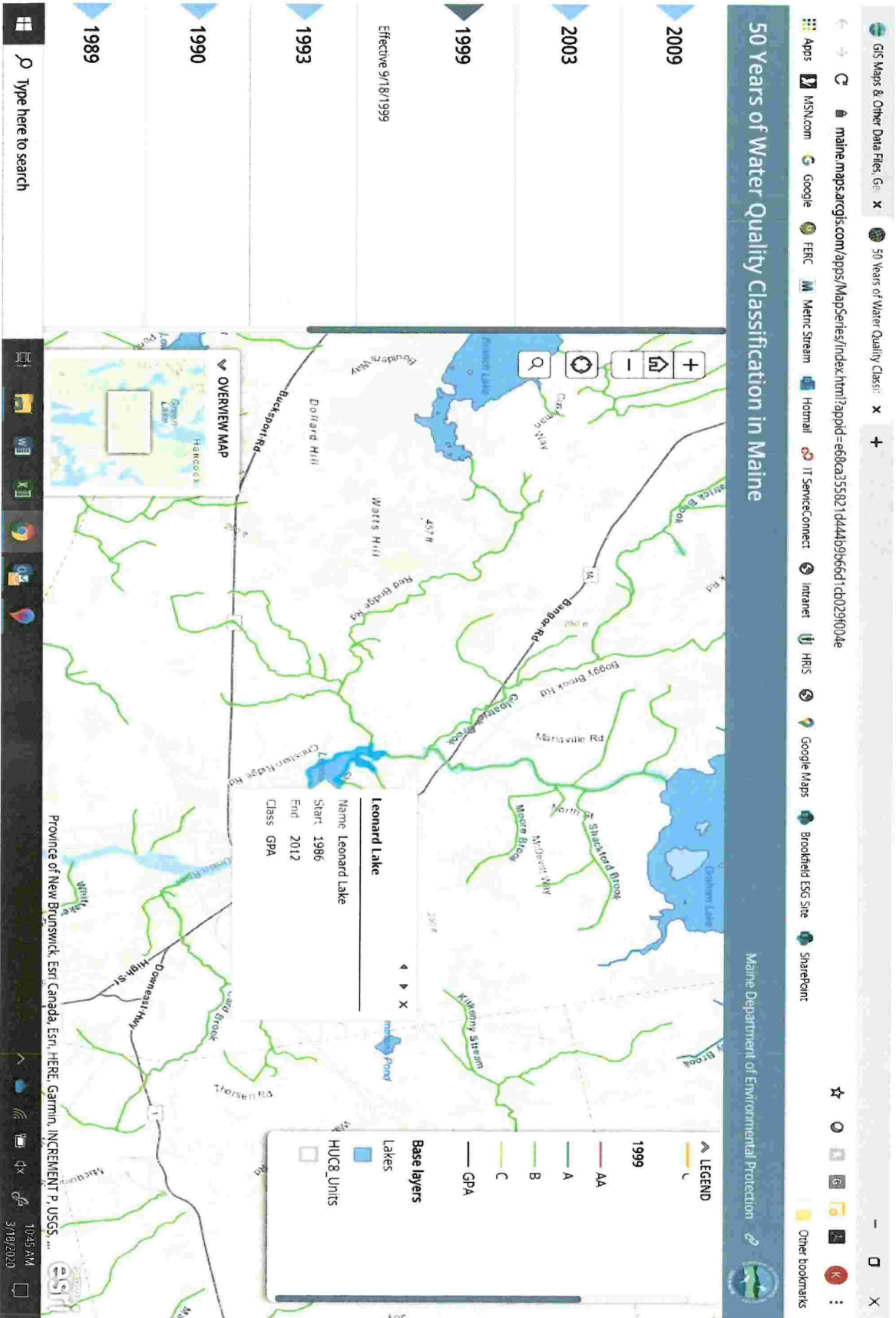
- Lakes
- HUC8_Units

Province of New Brunswick, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, ...

10:09 AM 3/18/2020

Type here to search





The screenshot displays a web application interface for water quality classification. At the top, a browser window shows the URL: maine.maps.arcgis.com/apps/MapSeries/index.html?appid=e68ca355821d441b9b66d1db029f004e. The page title is "50 Years of Water Quality Classification in Maine" and the organization is "Maine Department of Environmental Protection".

The interface features a vertical timeline on the left side with years: 1989, 1990, 1993, 1999, 2003, 2009, and 2009. A note indicates "Effective 9/13/2003".

The main map area shows Leonard Lake and surrounding water bodies. A pop-up window for "Leonard Lake" provides the following details:

- Name: Leonard Lake
- Start: 1996
- End: 2012
- Class: GPA

The legend in the bottom right corner defines the classification layers:

- 2003: D (Green line)
- 2003: AA (Red line)
- 2003: A (Blue line)
- 2003: B (Yellow line)
- 2003: C (Green line)
- GPA (Black line)
- Base layers: Lakes (Blue area)
- HUC8_Units (White area)

The map also includes an "OVERVIEW MAP" in the top left corner and a search bar at the bottom left with the text "Type here to search". The bottom status bar shows the time as 10:01 AM on 3/18/2020.

Maine Statutory Water Classification

50 Years of Water Quality Classification in Maine

maine.maps.arcgis.com/apps/MapSeries/index.html?appid=e68ca355821d444b9b66d1cd029f004e

MSN.com Google FEFC Metric Stream Home IT ServiceConnect Intranet HRS Google Maps Brookfield ESG Site SharePoint

Maine Department of Environmental Protection

LEGEND

Changes 2003-2009

- AA
- A
- B
- C
- GPA

2009

- AA
- A
- B
- C
- GPA

Base layers

1:10000

Leonard Lake

Name: Leonard Lake

Start: 1986

End: 2012

Class: GPA

1989

1990

1993

1999

2003

2009

Effective 9/12/2009

OVERVIEW MAP

EEsiv

Province of New Brunswick, Esri, HERE, Garmin, INCREMENT P, USGS, ...

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1:00:04 PM 3/18/2020

