

From: [Ommen, Todd D.](#)
To: [Greenwood, David N \(DEC\)](#); PVanCott@woh.com; [Sullivan, Grace \(APA\)](#); mnorfolk@norfolkbeier.com; [David Gibson](#); conservationdirector@protectadks.org; [Hubbard, Jennifer M \(APA\)](#); skelly@norfolkbeier.com; Executivedirector@protectadks.org; [Ramirez, David](#); pgitlen@WOH.com; [Seitelman, Anna V.](#)
Subject: Re: APA Project 2021-0276 - Motion
Date: Monday, March 2, 2026 3:42:47 PM
Attachments: [Outlook-cvcbmkqu](#)

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

On behalf of Sierra Club, we support the motion of Adirondack Council. We do not intend to submit further briefing or letters, so please accept this as a joinder in the motion as argued in Mr. Van Cott's letter.

Todd D. Ommen
Managing Attorney - Pace Environmental Litigation Clinic
Professor of Law - Elisabeth Haub School of Law
Executive Director – John Jay Legal Services, Inc.
78 North Broadway, White Plains, NY 10603
tommen@law.pace.edu
914-422-4343 (O) - 914-422-4437 (F)



From: Greenwood, David N (DEC) <david.greenwood@dec.ny.gov>
Sent: Wednesday, February 25, 2026 3:31 PM
To: PVanCott@woh.com <PVanCott@woh.com>; [Sullivan, Grace \(APA\)](#) <Grace.Sullivan@apa.ny.gov>; mnorfolk@norfolkbeier.com <mnorfolk@norfolkbeier.com>; [David Gibson](#) <dgibson@adirondackwild.org>; conservationdirector@protectadks.org <conservationdirector@protectadks.org>; [Ommen, Todd D.](#) <tommen@law.pace.edu>; [Hubbard, Jennifer M \(APA\)](#) <Jennifer.Hubbard@apa.ny.gov>; skelly@norfolkbeier.com <skelly@norfolkbeier.com>; Executivedirector@protectadks.org <executivedirector@protectadks.org>; [Ramirez, David](#) <dramirez2@law.pace.edu>; pgitlen@WOH.com <pgitlen@WOH.com>; [Seitelman, Anna V.](#) <ASEitelman@woh.com>
Subject: Re: APA Project 2021-0276 - Motion

Dear Paul Van Cott:

I am in receipt of your letter on behalf of Adirondack Council to me dated February 24, 2026.

The letter is in the form of a motion request for an Order revising the existing hearing issues as stated in APA Project Order No. 2021-0276 issued November 14, 2025. Per State regulation at 9 NYCRR 580.11(c) this hearing officer shall give all parties an opportunity to respond to motions "[a]pplications to the hearing officer for rulings, orders or determinations" .

Dear Parties:

Please submit any responses to the Motion by Adirondack Council dated February 24, 2026 by **Wednesday March 4, 2026, at 5:00 p.m.** As usual electronic submission is acceptable and please copy all parties with any submissions or responses you may have.

Sincerely and thank you,

DAVID N. GREENWOOD

Administrative Law Judge

**New York State Department of Environmental Conservation
Office of Hearings and Mediation Services**

625 Broadway, First Floor, Albany, NY 12233-1550

w: (518) 402-9004 | david.greenwood@dec.ny.gov

dec.ny.gov

From: VanCott, Paul <PVanCott@woh.com>

Sent: Tuesday, February 24, 2026 9:27 AM

To: Greenwood, David N (DEC) <david.greenwood@dec.ny.gov>; Sullivan, Grace (APA) <Grace.Sullivan@apa.ny.gov>; mnorfolk@norfolkbeier.com <mnorfolk@norfolkbeier.com>; David Gibson <dgibson@adirondackwild.org>; conservationdirector@protectadks.org <conservationdirector@protectadks.org>; tommen@law.pace.edu <tommen@law.pace.edu>; Hubbard, Jennifer M (APA) <Jennifer.Hubbard@apa.ny.gov>; skelly@norfolkbeier.com <skelly@norfolkbeier.com>; Executivedirector@protectadks.org <executivedirector@protectadks.org>; dramirez2@law.pace.edu <dramirez2@law.pace.edu>; pgitlen@WOH.com <pgitlen@WOH.com>; Seitelman, Anna V. <ASeitelman@woh.com>

Subject: APA Project 2021-0276 - Motion

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Judge Greenwood –

On behalf of the Adirondack Council, please see the attached.

Thank you.

Paul

Paul Van Cott | Whiteman Osterman & Hanna LLP

Of Counsel

One Commerce Plaza | Albany | New York | 12260

| o | 518.487.7733 | f | 518.487.7777

| e | pvancott@woh.com | w | www.woh.com

-- CONFIDENTIALITY / VIRUS DISCLAIMER --

Unless otherwise indicated or obvious from the nature of this transmittal, the information contained in this email message is attorney-client privileged and confidential, intended for the sole use of the intended recipient(s). Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, notwithstanding that you may be the addressee, please contact the sender by reply email and destroy all copies of the original message.

Although this email and any attachments are believed to be free of any virus or other defects that might affect any computer system in which it is received and opened, it is the responsibility of the recipient to ensure that it is virus free and no responsibility is accepted by Whiteman Osterman & Hanna LLP for any loss or damage arising in any way from its use.

This e-mail message (including any attached files) may contain information that is proprietary, privileged, confidential and/or exempt from disclosure under applicable law. If you are not the intended recipient, any viewing, dissemination, distribution or copying of this e-mail message or any attached files without express permission is unauthorized. If you have received this message in error, please reply to advise the sender and immediately delete this message without making or retaining any copies.