

STATE OF NEW YORK
ADIRONDACK PARK AGENCY

In the Matter of the Application of

**INTERVENORS' COMBINED
INTERROGATORIES AND
DEMANDS FOR DISCOVERY
AND INSPECTION**

**UNCONVENTIONAL CONCEPTS, INC.
and MICHAEL HOPMEIER**

for a Permit pursuant to Section 809 of the
Adirondack Park Agency Act and
9 NYCRR Parts 573 and 574

APA Project No. 2021-0276

Intervenors Sierra Club Atlantic Chapter, Adirondack Council, Inc., and Protect the Adirondacks, by and through their attorneys, Todd D. Ommen, Philip H. Gitlen, Anna V. Seitelman, Paul Van Cott and Christopher Amato, and Intervenor Adirondack Wild: Friends of the Forest Preserve, through David Gibson (collectively referred to herein as “Intervenors”), submit the following to Unconventional Concepts, Inc. and Michael Hopmeier as and for their first combined demands for discovery and inspection pursuant to 9 NYCRR Part 580 and the Administrative Law Judge’s March 13, 2026 Second Revised Scheduling Order (the “Scheduling Order”).

Definitions

“Applicants” means Unconventional Concepts, Inc. and Michael Hopmeier, either of them or anyone acting on behalf of them in connection with the Application..

“Application” means the permit application submitted to the Adirondack Park Agency for APA Project No. 2021-0276, including the original submission dated November 19, 2021, and all amendments, revisions, supplements, and responses to Notices of Incomplete Permit Application submitted thereafter.

“Communication” means the transmittal, transfer, offer, or exchange of information (in the form of facts, ideas, inquiries or otherwise) by any means, whether formal or informal, at any place or under any circumstances, including paper documents, electronic documents, email, facsimiles, or video or audio recordings.

“Document” has the same meaning and is equal in scope to the usage of the phrase “documents or electronically stored information” in Federal Rule of Civil Procedure 34(a)(1)(A), and includes any communications, writings, drawings, graphs, charts, photographs, sound recordings, images, and any other data compilations stored in any medium from which information can be obtained. A draft or nonidentical copy is a separate document within the meaning of this term. Without limiting the aforementioned definitions, the term “Documents” includes both hard copy documents and electronically stored information (“ESI”).

“Project” means APA Project No. 2021-0276.

“Project Site” means the properties located at 87 Hale Hill Lane, Lewis, New York and 195 Hale Hill Lane, Lewis, New York.

Demands

1. For the period January 1, 2021 to the date of response to this discovery request:

(a) identify and produce all contracts, subcontracts, agreements, proposals, bids, or other arrangements that Applicants have entered into, sought, or pursued with any entity, including but not limited to the United States military, concerning the Application or the Project Site. For each such matter, state the parties, date, status, and subject matter.

(b) identify and produce all documents concerning or relating to the termination, cancellation, or suspension of any contract or agreement between the Applicants and the United States military or any subdivision, department or entity thereof.

2. State in detail the factual and evidentiary basis for Applicants’ claim that the proposed howitzer testing range will assist with military readiness, including identification of all documents, studies, analyses, communications with any military or governmental entity, and persons supporting such claim.

3. In a response to a February 20, 2022 notice of incomplete application from the APA (NIPA), the Applicants refer to a proposal submitted by the Applicants to the U.S. Army for testing howitzers. Identify and produce all documents concerning or relating to that proposal.

4. In the same response to the February 20, 2022 NIPA, the Applicants refer to a subcontract issued by the U.S. Army to Applicants to conduct the work specified in UCI’s proposal. Identify and produce all documents concerning or relating to that subcontract.

5. In the same response to the February 20, 2022 NIPA, the Applicants refer to a “decision by the Army Program Manager through the acquisition process.” Identify and produce all documents concerning or relating to that decision.

6. Between December 2021 and February 2022, APA issued a NIPA requesting that the Applicants “please explain why this testing cannot be performed on site at the Watervliet Arsenal, or one of the Army’s existing testing facilities or other existing facility with infrastructure already in place.” In reply, the Applicants stated that “*other sites beyond the one proposed in this application were considered.*” Identify each of the “other sites” referenced and

identify and produce all documents concerning or related to the Applicants' or other parties' consideration or evaluation of other sites beyond the one proposed in the application.

7. In a February 10, 2022, response to an APA staff NIPA, the Applicants stated that “*it would be impractical to move the testing to a location farther from our existing facility, as doing so would not allow ready access to the secure storage and specialized instrumentation located at our facility.*” Identify and produce all documents concerning or relating to “secure storage” and “specialized instrumentation” at the Project Site.

8. In the same February 2022 response to the APA staff NIPA, the Applicants stated that the proposed facility in Lewis would “*provide significant commercial and economic benefits.*” Identify and produce all documents concerning or relating to this claim or containing descriptions, data, numbers, and analysis of such benefits.

9. In the same February 2022 response, the Applicants stated that by moving to an alternative testing location “*there would be no way to attract to the local community the type of highly qualified and trained personnel that have the potential to positively impact the community and its population.*” Identify and produce all documents or analyses supporting this claim or containing numbers, qualifications, job descriptions, and/or training standards of personnel needed at the proposed testing location.

10. Pursuant to 9 NYCRR § 581-4.10, produce duplicates or color copies (rather than black-and-white photocopies) of all photographs, video recordings, digital photographs, drone footage, simulations, renderings, maps, and other visual depictions of the Project Site, and any related equipment, operations, storage areas, target areas, or testing areas, that were taken, developed, assembled or prepared from January 1, 2021 to the date of the response to this discovery demand.

11. Identify and produce all or documents or communications concerning or relating to any sound, noise, ballistic, vibration or other testing conducted on or in the vicinity of the Project Site by the Applicants or by persons or entities acting on behalf of the Applicants.

12. Produce all documents or communications relating to any sound, noise, ballistic, vibration or other similar testing conducted in connection with the proposed Project, whether conducted on or off the Project Site.

13. Identify and produce all documents or communications concerning or relating to any complaints concerning operations at the Project Site, submitted to or received by Applicants or otherwise in the possession, custody, or control of Applicants from January 1, 2021 to the present.

14. Identify and produce all maps, surveys, plans, diagrams, or similar documents depicting the location, layout, boundaries, dimensions, or configuration of the proposed artillery firing range on the Project Site.

15. Identify and produce all maps, surveys, plans, diagrams, or similar documents depicting any property owned, leased, controlled, or proposed to be used by Applicants in connection with the proposed howitzer testing range.

16. Identify and produce all documents or communications between the Applicants, or persons or entities acting on behalf of the Applicants, and any elected officials, state or federal governmental officials, or public agencies relating to the Application or the Project.
17. Identify and produce all documents or communications between Applicants and any elected officials, state or federal government officials, and government subcontractors, pertaining to the health and safety impacts of the operation of the howitzer firing range at the proposed location and the health and safety impacts of the storage and transportation of all related equipment and supplies.
18. Produce all deeds for any property owned, leased, or controlled by Applicants in connection with the proposed howitzer testing range, and produce all leases, access agreements, licenses, or other agreements relating to any property involved in the Application.
19. Produce the certificates of incorporation, articles of organization, operating agreements, by-laws and any similar organizational documents for Unconventional Concepts, Inc., and for any other entity that is an Applicant or that is a party to any contract, agreement, or arrangement relating to the Project Site.
20. Identify and produce all documents or communications concerning or relating to any sponsorship, vendor, contractor, subcontractor, service, or supply agreements to which Applicants are a party and which relate to the Application or the Project.
21. Identify and produce all rules, guidelines, policies, protocols, or regulations relating to construction, setup, firing, testing, safety, storage, transport, or access for the Project.
22. Produce any calendar, schedule, log, list, or similar documents or communications detailing activities on the Project Site, including but not limited to construction, setup, firing, testing, storage, transportation, and related operations for the Project.
23. Produce all website content, electronic postings, social media postings, comments, advertisements, press statements, or other public-facing materials created by or on behalf of Applicants relating to the Project, including any materials concerning sound, noise, testing, environmental impacts, military use, or the positions of Intervenors or other public opponents of the Project.
24. Identify and produce all documents or communications concerning or relating to the risk, probability, or possibility of projectiles misfiring or otherwise traveling off the Project Site during operation of the Project.
25. Describe and provide the dates of any land disturbance undertaken on the Project Site between January 1, 2021 and the date of any response to this discovery request. Identify and produce any documents or communications related thereto or referencing any such disturbance.
26. Identify and produce any documents or communications to or from any federal, state or local agency pertaining to any alleged or potential violations at the Project Site of any federal, state or local laws, regulations or other requirements.

27. Identify and produce any documents or communications pertaining to any type of artillery or military equipment that may be used or tested as part of the Project.

28. Identify and produce all studies, analyses, reports or other documents or communications concerning the environmental impacts of the proposed Project operations, including those concerning (i) emissions, discharges, or residues, (ii) soil contamination, (iii) water quality impacts, and (iv) pollutants and hazardous materials; and identify all the individuals and firms involved in such studies, analyses, or reports. For each such person, state the person's name, title, affiliation, and role.

29. Identify and produce all health and safety risk assessments or analysis or other documents or communications associated with the proposed Project operations, including the storage and transport of materials; and identify all the individuals and firms involved in such studies, analyses, or reports. For each such person, state the person's name, title, affiliation, and role.

30. Identify and produce all noise modeling of the proposed Project operations, including the methodology, assumptions, input data, validation assessments and mitigation analysis that were used to assess sound, noise, ballistic, vibration or other similar impacts, or other documents or communications pertaining thereto, on nearby residences, recreational users and nearby Wilderness and Wild Forest areas; and identify all the individuals and firms involved in such studies, analyses, or reports. For each such person, state the person's name, title, affiliation, and role.

31. Identify and produce all studies, analyses, or reports, or other documents or communications concerning the impacts on wildlife and ecology from the proposed Project operations, including those concerning endangered, threatened or rare species, species of special concern, migratory species and forest or habitat fragmentation; and identify all the individuals and firms involved in such studies, analyses, or reports. For each such person, state the person's name, title, affiliation, and role.

32. Identify and produce all studies, analyses or reports, or other documents or communications, pertaining to the Applicants' claimed benefits of the Project.

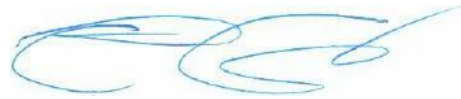
33. Identify and produce all studies, analyses or reports, or other documents or communications relating or pertaining to any potential impact of the Project on the economic value of adjoining or nearby properties.

Production in response to these demands shall be made by serving responsive materials upon Intervenor's counsel within the time set forth in the Scheduling Order.

These demands are continuing in nature, and Applicants shall supplement their responses as additional responsive information becomes available during the pendency of this proceeding.

In the event of any failure or refusal to comply with these demands, Intervenor reserves the right to seek appropriate relief from the Administrative Law Judge, including an order compelling disclosure and such other further or different relief as may be proper.

Respectfully submitted,



Paul Van Cott
On behalf of the Intervenors

Dated: April 8, 2026

TO: Applicants
Service List