

STATE OF NEW YORK  
ADIRONDACK PARK AGENCY

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In the Matter of the Application of

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

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**RESPONSES OF INTERVENOR  
PROTECT THE ADIRONDACKS  
TO APPLICANTS'  
INTERROGATORIES**

**Project No. 2021-0276**

Intervenor Protect the Adirondacks! Inc. (“PROTECT”) hereby responds to the Applicants’ Interrogatories dated April 8, 2026 by stating as follows:

**GENERAL OBJECTIONS**

PROTECT objects to the section of the Interrogatories entitled “Definitions” to the extent that the definitions impose or seek to impose obligations beyond those imposed by Article 31 of the Civil Practice Law and Rules (“CPLR”), the Adirondack Park Agency (“APA”) regulations, the APA Final Project Order dated November 14, 2025, and rulings and orders of the Hearing Officer in this proceeding.

PROTECT objects to each and every definition in the section of the Interrogatories entitled “Definitions” as being overbroad, vague, ambiguous, unduly burdensome and not calculated to lead to the discovery of admissible evidence.

PROTECT objects to use of the terms “all” and “any” throughout the Interrogatories as being overbroad, ambiguous, vague, unduly burdensome and not calculated to lead to the discovery of admissible evidence.

PROTECT objects to each and every Interrogatory insofar as they seek production of documents as being duplicative of the Applicants' Demand for Production of Documents and Things and as being beyond the permissible scope of interrogatories.

PROTECT objects to each and every Interrogatory insofar as they seek production of documents protected from disclosure by attorney-client privilege or constitute attorney work product or material prepared in anticipation of litigation.

### **SPECIFIC OBJECTIONS**

PROTECT objects to the Interrogatories' definition "A" of "document" insofar as it seeks drafts and non-identical copies as being overbroad, unduly burdensome and not calculated to lead to the discovery of admissible evidence.

PROTECT objects to the Interrogatories' definition "B" of "communication" insofar as it seeks "text messages, telephone calls, voicemail, [and] in-person conversations" as being either impossible to produce, overbroad, unduly burdensome and not calculated to lead to the discovery of admissible evidence, or both.

PROTECT objects to the Interrogatories' definition "G" of "parties" insofar as it seeks to include individuals and/or entities that have not been granted party status in this proceeding.

PROTECT objects to the Interrogatories' definition "M" of "state the basis," "detail all facts," "state all facts," "explain in detail," "state in detail," and "or words of like meaning" as being overbroad, vague, ambiguous, unduly burdensome, beyond the scope of permissible discovery and not calculated to lead to the discovery of admissible evidence.

PROTECT objects to the Interrogatories' definition "O" insofar as it seeks production of original documents instead of copies and seeks non-identical copies and drafts as being overbroad,

unduly burdensome, beyond the scope of permissible discovery and not calculated to lead to the discovery of admissible evidence.

PROTECT objects to the Interrogatories' definition "P" insofar as it seeks production of non-identical copies and drafts as being overbroad, unduly burdensome, beyond the scope of permissible discovery and not calculated to lead to the discovery of admissible evidence.

PROTECT objects to the Interrogatories' definition "Q" insofar as it seeks to impose an obligation to provide a list of withheld documents, a complete description of each such document, as well as the date; author(s); signer(s); recipient(s) of copies; the name and title of every person known to have seen, or been told of the contents of said document; and the ground or grounds upon which it is being withheld as imposing or seeking to impose obligations beyond those imposed by CPLR Article 31, the APA, the APA Final Project Order dated November 14, 2025, and rulings and orders of the Hearing Officer in this proceeding. PROTECT further objects to this definition as being overbroad, unduly burdensome, beyond the scope of permissible discovery and not calculated to lead to the discovery of admissible evidence.

PROTECT objects to the Interrogatories' definition "S" insofar as it seeks to impose obligations to produce documents in a manner and form beyond what is required by CPLR Article 31 and the APA regulations.

PROTECT objects to the Interrogatories' definition "T" insofar as it seeks information concerning documents no longer in PROTECT's possession, custody or control as being overbroad, unduly burdensome, beyond the scope of permissible discovery and not calculated to lead to the discovery of admissible evidence.

PROTECT objects to the Interrogatories' definition "U" insofar as it seeks information concerning documents that were "destroyed" as being overbroad, unduly burdensome, beyond the scope of permissible discovery and not calculated to lead to the discovery of admissible evidence.

PROTECT objects to the Interrogatories' definition "V" insofar as it seeks documents not in PROTECT's "immediate control" as being overbroad, vague, unduly burdensome, beyond the scope of permissible discovery and not calculated to lead to the discovery of admissible evidence.

### **RESPONSES TO INTERROGATORIES**

1. State all factual bases for Your opposition to the Project.

Response: In addition to the foregoing objections, PROTECT objects to this interrogatory insofar as it seeks to impose obligations different from or in addition to those set forth in the Second Revised Scheduling Order. PROTECT further objects to this interrogatory insofar as it seeks to shift the burden of proof from the Applicants to the Intervenors in contravention of the APA Act and the APA regulations. PROTECT further objects to this interrogatory as being overbroad, vague, ambiguous, unduly burdensome, beyond the scope of permissible discovery and not calculated to lead to the discovery of admissible evidence.

Without waiver of the foregoing objections, PROTECT refers the Applicants to:

Without waiver of the foregoing objections, PROTECT refers the Applicants to the following:

- (i) The Application, the Notices of Incomplete Application and the Applicants' responses thereto, and all other application documents available at <https://acrobat.adobe.com/id/urn:aaid:sc:US:158fcf1c-d55f-470b-8e64-378f74256656>;

- (ii) PROTECT’s comment letters dated May 13, 2024, October 30, 2025, and November 7, 2025, annexed to and made part of PROTECT’s response to the Applicants’ Demand for Production of Documents and Things;
- (iii) PROTECT’s Petition to Intervene in this proceeding dated December 17, 2025, annexed to and made part of PROTECT’s response to the Applicants’ Demand for Production of Documents and Things;
- (iv) An article on PROTECT’s website entitled, “Adirondack Park Agency releases draft order to send controversial weapons firing range to adjudicatory hearing,” available at <https://www.protectadks.org/adirondack-park-agency-releases-draft-order-to-send-controversial-weapons-firing-range-to-an-adjudicatory-hearing/>;
- (v) The affidavit of Colonel Paul Vincent Ciminelli, USA (Ret.), submitted as a public comment concerning the Project, a copy of which is annexed to and made part of PROTECT’s response to the Applicants’ Demand for Production of Documents and Things;
- (vi) The December 2013 Department of Defense Noise Working Group Technical Bulletin entitled, An Overview of Blast Noise: Characteristics, Assessment and Mitigation, submitted as part of the public comments concerning the Project, a copy of which is annexed to and made part of PROTECT’s response to the Applicants’ Demand for Production of Documents and Things; and
- (vii) All other public comments submitted in opposition to the Project, available at: <https://apa.ny.gov/meeting/2025/11/files/reg-pro/P2021-0276/2-P2021-0276-PublicComment.pdf>;

[https://apa.ny.gov/files/permits/permit-hearing/PublicComments11.1\\_11.14.pdf](https://apa.ny.gov/files/permits/permit-hearing/PublicComments11.1_11.14.pdf);

and

[https://apa.ny.gov/files/permits/permit-hearing/PublicComments11.1\\_11.14.pdf](https://apa.ny.gov/files/permits/permit-hearing/PublicComments11.1_11.14.pdf).

PROTECT further states that additional factual bases for opposition to the Project, if any, will be provided as part of the pre-filed testimony of its witnesses in this proceeding and/or the pre-filed testimony of witnesses for the other Intervenors.

2. Identify all statutes, regulations or legal standards You contend the Project violates.

Response: In addition to the foregoing objections, PROTECT objects to this interrogatory insofar as it seeks to impose obligations different from or in addition to those set forth in the Second Revised Scheduling Order. PROTECT further objects to this interrogatory insofar as it seeks to shift the burden of proof from the Applicants to the Intervenors in contravention of the APA Act and the APA regulations.

Without waiver of the foregoing objections, PROTECT refers the Applicant to (i) PROTECT's comment letters dated May 13, 2024, October 30, 2025, and November 7, 2025, annexed to and made part of PROTECT's response to the Applicants' Demand for Production of Documents and Things; and (ii) PROTECT's Petition to Intervene in this proceeding dated December 17, 2025, annexed to and made part of PROTECT's response to the Applicants' Demand for Production of Documents and Things. PROTECT further states that it contends that the Project violates and is inconsistent with the Adirondack Park Agency Act, Executive Law, Article 27, and 9 NYCRR § 574.5.

3. Describe in detail each alleged environmental impact the Project will cause, including its basis and supporting evidence.

Response: In addition to the foregoing objections, PROTECT objects to this interrogatory insofar as it seeks to impose obligations beyond those imposed by CPLR Article 31, the APA regulations, the APA Final Project Order dated November 14, 2025, the Second Revised Scheduling Order, and other rulings and orders of the Hearing Officer in this proceeding. PROTECT further objects to this interrogatory insofar as it seeks to shift the burden of proof from the Applicants to the Intervenors in contravention of the APA Act and the APA regulations. PROTECT further objects to this interrogatory as being overbroad, vague, ambiguous, unduly burdensome, irrelevant, beyond the scope of permissible discovery and not calculated to lead to the discovery of admissible evidence.

Without waiver of the foregoing objections, PROTECT refers the Applicant to:

- (i) PROTECT's comment letters dated May 13, 2024, October 30, 2025, and November 7, 2025, annexed to and made part of PROTECT's response to the Applicants' Demand for Production of Documents and Things;
- (ii) PROTECT's Petition to Intervene in this proceeding dated December 17, 2025, annexed to and made part of PROTECT's response to the Applicants' Demand for Production of Documents and Things; and
- (iii) All public comments submitted in opposition to the Project, available at:  
<https://apa.ny.gov/meeting/2025/11/files/reg-pro/P2021-0276/2-P2021-0276-PublicComment.pdf>;  
[https://apa.ny.gov/files/permits/permit-hearing/PublicComments11.1\\_11.14.pdf](https://apa.ny.gov/files/permits/permit-hearing/PublicComments11.1_11.14.pdf);  
and  
[https://apa.ny.gov/files/permits/permit-hearing/PublicComments11.1\\_11.14.pdf](https://apa.ny.gov/files/permits/permit-hearing/PublicComments11.1_11.14.pdf).

PROTECT further states that additional environmental impacts caused by the Project, if any, and supporting bases and evidence therefor will be provided as part of the pre-filed testimony of its witnesses in this proceeding and/or the pre-filed testimony of witnesses for the other Intervenors.

4. Identify all studies, reports, or data upon which You rely.

Response: In addition to the foregoing objections, PROTECT objects to this interrogatory insofar as it seeks to impose obligations different from or in addition to those set forth in the Second Revised Scheduling Order. PROTECT further objects to this interrogatory insofar as it seeks to shift the burden of proof from the Applicants to the Intervenors in contravention of the APA Act and the APA regulations. PROTECT further objects to this interrogatory as being overbroad, vague, ambiguous, unduly burdensome, irrelevant, beyond the scope of permissible discovery and not calculated to lead to the discovery of admissible evidence.

Without waiver of the foregoing objections, PROTECT refers the Applicants to:

- (i) the Application, the Notices of Incomplete Application and the Applicants' responses thereto, and to all other application documents available at <https://acrobat.adobe.com/id/urn:aaid:sc:US:158fcf1c-d55f-470b-8e64-378f74256656>.
- (ii) All public comments submitted in opposition to the Project, available at: <https://apa.ny.gov/meeting/2025/11/files/reg-pro/P2021-0276/2-P2021-0276-PublicComment.pdf>;  
[https://apa.ny.gov/files/permits/permit-hearing/PublicComments11.1\\_11.14.pdf](https://apa.ny.gov/files/permits/permit-hearing/PublicComments11.1_11.14.pdf);  
and  
[https://apa.ny.gov/files/permits/permit-hearing/PublicComments11.1\\_11.14.pdf](https://apa.ny.gov/files/permits/permit-hearing/PublicComments11.1_11.14.pdf).

PROTECT further states that additional studies, reports or data, if any, relied upon by PROTECT will be provided as part of the pre-filed testimony of its witnesses in this proceeding and/or the pre-filed testimony of witnesses for the other Intervenors.

5. Describe any alternative designs, locations, or mitigation measures You propose.

Response: In addition to the foregoing objections, PROTECT objects to this interrogatory insofar as it seeks to impose obligations beyond those imposed by CPLR Article 31, the APA regulations, the APA Final Project Order dated November 14, 2025, the Second Revised Scheduling Order, and other rulings and orders of the Hearing Officer in this proceeding. PROTECT further objects to this interrogatory insofar as it seeks to shift the burden of proof from the Applicants to the Intervenors in contravention of the APA Act and the APA regulations.

Without waiver of the foregoing objections, PROTECT states that it is not proposing any alternative designs, locations or mitigation measures.

6. Identify all Communications with government agencies concerning the Project.

Response: In addition to the foregoing objections, PROTECT objects to this interrogatory insofar as it seeks to impose obligations different from or in addition to those set forth in the Second Revised Scheduling Order. PROTECT further objects to this interrogatory as being overbroad, vague, ambiguous, unduly burdensome, beyond the scope of permissible discovery and not calculated to lead to the discovery of admissible evidence. PROTECT further objects to this interrogatory insofar as it seeks Communications to which PROTECT was not a party.

Without waiver of the foregoing objections, PROTECT refers the Applicant to:

- (i) PROTECT's comment letters dated May 13, 2024, October 30, 2025, and November 7, 2025, annexed to and made part of PROTECT's response to the Applicants' Demand for Production of Documents and Things; and

- (ii) PROTECT's Petition to Intervene in this proceeding dated December 17, 2025, annexed to and made part of PROTECT's response to the Applicants' Demand for Production of Documents and Things.

7. State whether You contend the Project poses risks to public health or safety, and describe the basis for such contention.

Response: In addition to the foregoing objections, PROTECT objects to this interrogatory insofar as it seeks to impose obligations different from or in addition to those set forth in the Second Revised Scheduling Order. PROTECT further objects to this interrogatory insofar as it seeks to shift the burden of proof from the Applicants to the Intervenors in contravention of the APA Act and the APA regulations.

Without waiver of the foregoing objections, PROTECT does contend that the Project poses risks to public health or safety and refers the Applicants to the following for the basis of that contention:

- (i) the Application, the Notices of Incomplete Application and the Applicants' responses thereto, and to all other application documents available at <https://acrobat.adobe.com/id/urn:aaid:sc:US:158fcf1c-d55f-470b-8e64-378f74256656>.
- (ii) PROTECT's comment letters dated May 13, 2024, October 30, 2025, and November 7, 2025, annexed to PROTECT's response to and made part of the Applicants' Demand for Production of Documents and Things;
- (iii) PROTECT's Petition to Intervene in this proceeding dated December 17, 2025, annexed to and made part of PROTECT's response to the Applicants' Demand for Production of Documents and Things; and

- (iv) All public comments submitted in opposition to the Project, available at:  
<https://apa.ny.gov/meeting/2025/11/files/reg-pro/P2021-0276/2-P2021-0276-PublicComment.pdf>;  
[https://apa.ny.gov/files/permits/permit-hearing/PublicComments11.1\\_11.14.pdf](https://apa.ny.gov/files/permits/permit-hearing/PublicComments11.1_11.14.pdf);  
and  
[https://apa.ny.gov/files/permits/permit-hearing/PublicComments11.1\\_11.14.pdf](https://apa.ny.gov/files/permits/permit-hearing/PublicComments11.1_11.14.pdf).

PROTECT further states that additional bases for this contention, if any, will be provided as part of the pre-filed testimony of its witnesses in this proceeding and/or the pre-filed testimony of witnesses for the other Intervenors.

8. Identify all experts consulted, whether or not they will testify.

Response: In addition to the foregoing objections, PROTECT objects to this interrogatory as seeking to impose obligations beyond those imposed by CPLR Article 31, the APA regulations, the APA Final Project Order dated November 14, 2025, and the Second Revised Scheduling Order. PROTECT further objects to this demand as being beyond the scope of permissible discovery and not calculated to lead to the discovery of admissible evidence.

Without waiver of the foregoing objections, PROTECT refers the Applicants to the Intervenors' Combined Witness List dated April 8, 2026.

9. Describe any prior proceedings in which You have opposed similar projects.

Response: In addition to the foregoing objections, PROTECT objects to this interrogatory as seeking to impose obligations beyond those imposed by CPLR Article 31, the APA regulations, the APA Final Project Order dated November 14, 2025, and the Second Revised Scheduling Order. PROTECT further objects to this interrogatory as being overbroad, vague, ambiguous, unduly

burdensome, beyond the scope of permissible discovery and not calculated to lead to the discovery of admissible evidence.

Without waiver of the foregoing objections, PROTECT states that it has not been a party to any prior proceeding involving a proposal to establish an artillery testing range in the Adirondack Park.

10. State whether the hearing officer in this Hearing is a current or former member of Your organization, whether the hearing officer is currently paying or formerly paid dues or made donations to Your organization, and the years of the hearing officer's active membership in Your organization.

Response: In addition to the foregoing objections, PROTECT objects to this interrogatory as seeking to impose obligations beyond those imposed by CPLR Article 31, the APA regulations, and the APA Final Project Order dated November 14, 2025. PROTECT further objects to this interrogatory as being beyond the scope of permissible discovery and not calculated to lead to the discovery of admissible evidence.

Dated: April 29, 2026  
Albany, New York



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