



ATLANTIC CHAPTER

Sierra Club Petition for Party Status
at the Adirondack Park Agency
Public Hearing, Project No. 2021-0276

December 19, 2025

Via: Email

Honorable David N. Greenwood
Administrative Law Judge
New York State Department of Environmental Conservation
Office of Hearing and Mediation Services
625 Broadway, First Floor, Albany, NY 1233-1550

Re: Notice of Public Hearing, Project No. 2021-0276

Dear Judge Greenwood,

I write on behalf of the Sierra Club Atlantic Chapter to request intervention in the public hearing on the application of Unconventional Concepts, Inc. and Michael Hopmeier ("Sponsors"), and Pulsifer Logging LLC and Diversified Upstate enterprises, LLC ("Landowners") for a permit related to a weapons range for testing howitzer cannon barrels in the Town of Lewis. As set forth below, Sierra Club Atlantic Chapter meets each of the factors set forth in 9 NYCRR 580.7(a) for intervention as a party.

1. Nature and Purpose of the Organization:

The Sierra Club Atlantic Chapter is a volunteer-led environmental organization of 37,000 members statewide, dedicated to protecting New York's air, water and remaining wild places. The Atlantic Chapter is part of the national Sierra Club, a not-for-profit corporation organized under the laws of the State of California. Founded in 1892 by naturalist and explorer John Muir with the mission to "explore, enjoy and protect" the wild places of the earth, it is the nation's oldest and largest environmental organization with 600,000 members nationwide. The articles of incorporation are available here: <https://www.sierraclub.org/articles-incorporation>

2. Demonstrate capacity to participate in administrative proceedings and to supply Information and expertise:

Sierra Club Atlantic Chapter members, and members from all over the country, paddle, fish, hunt, hike and birdwatch in the Adirondack Park, seeking to experience the natural world, as Sierra Club founder John Muir wrote, "where Nature may heal and cheer and give strength to body and soul alike." Sierra Club members treasure the Adirondack Park as a refuge for wildlife, as development continues to encroach on wild habitats, as a buffer against the effects of climate change, and as a location for vibrant small communities. Additionally, members of the Sierra Club Adirondack Committee have supported the purpose of the Adirondack Park Agency since its inception in 1971, and, throughout this time have participated in land classification input, public hearings, and public comment opportunities.

Relevant to the issues identified in the Notice of Public Hearing, members and experts speaking on behalf of Sierra Club Atlantic Chapter would provide information regarding the environmental and recreational uses of the area surrounding the proposed permitted facility, as well as the nature, purpose and history of the park more broadly.

The Atlantic Chapter has sufficient members and resources to provide useful and helpful information on these issues and will be represented by the Pace Environmental Litigation Clinic should it obtain party status. Thus, it has the capacity to participate effectively and efficiently.

3. State whether the petitioner has participated in any previous legal or administrative proceedings similar to those conducted by the agency:

Yes. Sierra Club has participated in public commentary and hearings pertaining to the creation of a super-max prison in the Village of Tupper Lake, the Adirondack Club and Resort, the land classification of lands surrounding Little Tupper Lake; the classification of lands in the Boreas Pond Tract.

4. State the petitioner's relationship to the matters involved, the nature of the evidence or argument he intends to present, and any other matter the petitioner believes relevant to granting the petition;

As it is located within the public Adirondack Park, and within the State-managed Taylor Pond Management Complex, the proposed howitzer testing range will have an impact on all Sierra Club members who visit those lands seeking to experience wild lands and wildlife in the natural protected setting of the Adirondack setting. Inasmuch as the Adirondack Park "shall be forever kept as wild forest lands" and as "Forest and wild life conservation are hereby declared to be policies of the State." (NYS Constitution Article XIV, Section 1, and Section 3) all New York citizens have a responsibility to ensure that these policies are adhered to. The Sierra Club will present written testimony pertaining to Issue #2, pertaining to the whether the proposed howitzer testing range is a compatible use with the Rural Use land classification, and Issue #3.v., whether the howitzer testing range will create undue ecological impacts.

5. Demonstrate that the petitioner has a material social, economic or environmental interest which is likely to be affected by the agency decision concerning the project.

The Sierra Club has both social and environmental interests which are likely to be affected by the agency decision concerning the project. Sierra Club members who hike, hunt, or birdwatch in the will be deterred from doing so by the disruption of solitude caused by the howitzer blasts, and the disruption of

opportunities to observe wildlife caused by the howitzer blast, and by the potential decline in wild bird populations and breeding disruption caused by the howitzer blasts.

Sincerely,

A handwritten signature in black ink that reads "Roger Downs". The signature is fluid and cursive, with "Roger" on the left and "Downs" on the right, separated by a small gap.

Roger Downs, Conservation Director
Sierra Club Atlantic Chapter

Sierra Club Articles of Incorporation: <https://www.sierraclub.org/articles-incorporation>

Cc:

Grace Sullivan
Senior Attorney
Adirondack Park Agency
P.O. Box 99
1133 NYS Route 86
Raybrook, NY 12977
grace.sullivan@apa.ny.gov

Matthew M. Norfolk
Norfolk Beier PLLC
The Outpost
55 Barn Road, Suite 201
Lake Placid, NY. 12946
mfolkbeier.com