

**From:** [Bachman, Melanie](#)  
**To:** [Emily Gianquinto](#); [kovach](#)  
**Cc:** [Deborah Moshier-Dunn](#); [saldecarli@hotmail.com](mailto:saldecarli@hotmail.com); [Hoffman, Lee D.](#); [apiersall@waterfordct.org](mailto:apiersall@waterfordct.org); [jean-paul.lamarche@cleanfocus.us](mailto:jean-paul.lamarche@cleanfocus.us); [Gurren, Amanda G.](#); [CSC-DL Siting Council](#); [Robert Avena](#)  
**Subject:** RE: Connecticut TU response regarding Save the River-Save the Hills  
**Date:** Friday, June 19, 2020 3:43:33 PM

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This can be taken up at the commencement of STRSTH's appearance when it verifies its exhibits by the appropriate sworn witness.

Thank you.

Melanie A. Bachman, Esq.  
Executive Director/Staff Attorney  
Connecticut Siting Council  
10 Franklin Square  
New Britain, CT 06051  
860-827-2951



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**From:** Emily Gianquinto <emily@eaglawllc.com>  
**Sent:** Friday, June 19, 2020 3:37 PM  
**To:** kovach <johnkovachiii@optonline.net>  
**Cc:** Bachman, Melanie <Melanie.Bachman@ct.gov>; Deborah Moshier-Dunn <debm0727@sbcglobal.net>; saldecarli@hotmail.com; Hoffman, Lee D. <lhoffman@pullcom.com>; apiersall@waterfordct.org; jean-paul.lamarche@cleanfocus.us; Gurren, Amanda G. <AGurren@pullcom.com>; CSC-DL Siting Council <Siting.Council@ct.gov>  
**Subject:** Re: Connecticut TU response regarding Save the River-Save the Hills

For the record, the interrogatory response did not "make[] an affirmative statement that TU is opposed to the project." The interrogatory response said the following: "Trout Unlimited's letter to the Council states that the organization stands by STR-STH's position, which means it opposes siting this project in such proximity to the coldwater fish resources that are Oil Mill Brook and Stony Brook."



**Emily A. Gianquinto, Esq.**  
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----- Forwarded message -----

From: kovach <[johnkovachiii@optonline.net](mailto:johnkovachiii@optonline.net)>  
Date: Fri, Jun 19, 2020 at 3:24 PM  
Subject: RE: Connecticut TU response regarding Save the River-Save the Hills  
To: Bachman, Melanie <[Melanie.Bachman@ct.gov](mailto:Melanie.Bachman@ct.gov)>, <[debm0727@sbcglobal.net](mailto:debm0727@sbcglobal.net)>, <[saldecarli@hotmail.com](mailto:saldecarli@hotmail.com)>  
Cc: Emily Gianquinto <[emily@eaglawllc.com](mailto:emily@eaglawllc.com)>, Hoffman, Lee D. <[lhoffman@pullcom.com](mailto:lhoffman@pullcom.com)>, <[apiersall@waterfordct.org](mailto:apiersall@waterfordct.org)>, <[jean-paul.lamarche@cleanfocus.us](mailto:jean-paul.lamarche@cleanfocus.us)>, Gurren, Amanda G. <[AGurren@pullcom.com](mailto:AGurren@pullcom.com)>, CSC-DL Siting Council <[Siting.Council@ct.gov](mailto:Siting.Council@ct.gov)>

I would disagree with the statement TU opposes the project.

TU is not opposed to a buffer in excess of 100 feet.

John Kovach

On June 19, 2020 at 8:07 AM "Bachman, Melanie" <[Melanie.Bachman@ct.gov](mailto:Melanie.Bachman@ct.gov)> wrote:

Good morning, Mr. Kovach.

Thank you for your submission.

We did not submit any interrogatories to TU. The intent of Interrogatory #4 of the Siting Council's interrogatories to STRSTH was for **its witness** to comment on the "buffer zones to a coldwater fish resource" recommended by TU in its comments submitted to DEEP in February regarding the proposed reissuance of the DEEP General Permit.

STRSTH's response to Siting Council Interrogatory #4 references the attached letter from TU clarifying its February comments to DEEP. The Siting Council's adjudicatory process requires any document presented as an exhibit or responsive to an interrogatory by a party to a proceeding to be verified by the author of the document and the author of the document is thereafter required to be subject to cross examination by the Siting Council and the parties to the proceeding. Perhaps you were unaware of this requirement.

Your name is not on STRSTH's witness list. Certainly, it could be added. Further, the response provided by STRSTH to Interrogatory #4 makes an affirmative statement that TU is opposed to the project. Certainly, if TU were a party to the proceeding or a witness for STRSTH, it could verify its statement and the parties would have an opportunity to cross examine TU on its statements.

Please be advised that should TU opt to be a witness for STRSTH in this proceeding, no other member of TU may speak during the public comment session or submit written statements into the record. If TU opts not to be a witness for STRSTH in this proceeding, your letter will be entered into the public comment file for this matter and the portions of the response attributed to TU and its position on the project will likely be stricken from the evidentiary record since none of the parties or the Council would have the opportunity to cross examine TU on its statements, which is a violation of due process.

Thank you for your interest and concern in this important matter. Have a great day.

Melanie

Melanie A. Bachman, Esq.

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communication.

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**From:** kovach <[johnkovachiii@optonline.net](mailto:johnkovachiii@optonline.net)>

**Sent:** Thursday, June 18, 2020 2:51 PM

**To:** Bachman, Melanie <[Melanie.Bachman@ct.gov](mailto:Melanie.Bachman@ct.gov)>; [debm0727@sbcglobal.net](mailto:debm0727@sbcglobal.net); [saldecarli@hotmail.com](mailto:saldecarli@hotmail.com)

**Subject:** Connecticut TU response regarding Save the River-Save the Hills

Ms. Bachman,

Please find attached a response to a Connecticut Siting Council interrogative to Save the River-Save the Hills from the Connecticut Council of Trout Unlimited.

Please feel free to contact me should you have any questions.

John Kovach

Chairman

Connecticut Council

Trout Unlimited