



DEPARTMENT OF THE ARMY

BUFFALO DISTRICT, CORPS OF ENGINEERS
1776 NIAGARA STREET
BUFFALO, NEW YORK 14207-3199

REPLY TO:

Executive Office

14 JAN 2009

SUBJECT: Meeting request regarding LOOW-RAB and facilitation request

Honorable Neil Riordan
Mayor
Village of Youngstown
P. O. Box 168
Youngstown, NY 14174-0168

Dear Mayor Riordan:

Thank you for inviting me to participate in a round table discussion with a forum of elected officials regarding the current community group, known as the Lake Ontario Ordnance Works (LOOW) Restoration Advisory Board (RAB), and their request for a facilitator. I appreciate the effort it takes to organize such an event and the importance of your concerns. Unfortunately due to a prior engagement, I am not available to participate on January 17.

I take your concerns very seriously and am committed to honoring your request to meet with me. I am supportive of meeting with this forum of elected leaders and have asked my staff to work with you to identify a suitable date in the March – April 2009 timeframe. In lieu of my attendance on January 17, I ask you to share some key messages with the group.

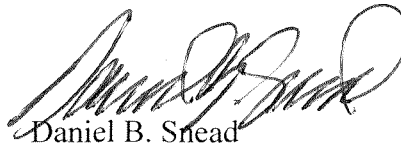
First, I must make clear that in response to the prior requests made by the New York State Attorney General (NYS-AG) for the Corps to recognize the community group as an official Department of Defense (DoD) RAB, the Corps has determined this is legally unsupportable. The issue was investigated and deliberated in depth by our attorneys at the Buffalo District, at our Washington headquarters, and at our national Center of Expertise for Environmental and Munitions programs. This determination is not a discretionary decision subject to reversal through a meeting or facilitation with a third party. I have enclosed a copy of our response to the NYS-AG which provides the rationale for the Corps decision on this topic.

Second, I want to assure you that I firmly support developing an outreach program which responds to the diverse range of local concerns and is sustainable by the Corps. We are committed to providing the community with timely and meaningful opportunities to provide us with input as we execute our responsibilities to address the sites. We recognize the community group as a committed cadre of volunteers with genuine concerns and valuable site knowledge. We welcome them, other groups, individuals and government officials to participate in upcoming community workshops that we plan to sponsor for our projects. The DoD RAB decision is not a showstopper for moving forward with an effective outreach program.

Finally, I have enclosed in this letter a summary of the proposed outreach activities we are planning for the 2009-2010 timeframe. These are based upon the input we received through our community outreach assessment conducted in 2008. I look forward to meeting with you and suggest we not limit our future meeting solely to the issue of DoD RABs, but discuss the path forward in identifying and developing a productive and effective outreach relationship with the local communities.

If you need additional information please contact Mr. Bill Kowalewski, our program manager for the former LOOW Site and the NFSS at (716) 879-4418 or Ms. Arleen Kreusch, our outreach specialist at (716) 879-4438.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel B. Snead". The signature is fluid and cursive, with a large loop at the end.

Daniel B. Snead
Lieutenant Colonel, Corps of Engineers
District Commander

Enclosures

Summary

Corps Sponsored Outreach Activities 2009-2010 Lake Ontario Ordnance Works (LOOW) and Niagara Falls Storage Site (NFSS)

This summary provides a concise description of the outreach products and services the Corps can sustain throughout 2009-2010 given available staff, resources, and project workload and schedule demands. These activities were designed around the diverse needs of the community audience the Corps has engaged since the initiation of our projects in the late 1990s. We support these activities in balance with our mission and the public's expectation to see results from our environmental remediation programs.

- **Community Workshops:** Based on input received the Corps will sponsor periodic community workshops designed to meet the needs of audience groups in the community. The Corps will schedule these workshops and publish a proposed agenda which may be adjusted to meet public input received in advance of the meeting. We ask that requests be submitted in writing one month prior to the workshop so that the Corps project teams have time to prepare meaningful answers. These meetings are intended to be informal roundtable type discussions of Corps project issues. The agenda is anticipated to include time for presentation of Corps updates and information, receipt of public input, and discussion of community issues. We anticipate hosting quarterly meetings in 2009 tentatively scheduled for March, June, September and December.
- **Public Information Sessions:** The Corps will sponsor public information sessions when needed to present new project information. These are typically held soon after the release of major project deliverables to provide an overview of key project findings, facilitate questions and answers, and receive public input.
- **Comment periods** of 90 days will be provided to allow the public to submit written input on Corps reports and decision documents.
- **Responsiveness Summaries** will be issued to document the Corps response to public comments received during public comment periods.
- **News from the Corps emails** will be sent to interested individuals to announce new project information. We will include all interested members of the public on the email service. We will publish *News from the Corps* emails on our public website for those who do not receive them.
- **Beyond the Headlines** postings to our public website will be used to correct errors or omissions in media reports on Corps projects.
- **Public Website** will be used as a publicly accessible repository for project information. We are working to increase the amount of documents and information available on our

public website. The site address is <http://www.lrb.usace.army.mil/derpfuds/loow-nfss/index.htm>.

- **Access to Government Records:** We receive many requests for federal project records through the Freedom of Information Act (FOIA). We are required by law to provide these records in accordance with the act. Requests for Corps documents should be sent in writing to the Office of Counsel, Buffalo District, 1776 Niagara Street, Buffalo, NY 14207.
- **Administrative Record Files** – This is the collection of documents upon which Corps decisions at the LOOW and NFSS are based. We make them available to the public for transparency in our decision-making process. We currently maintain the Administrative Record Files in the Town of Lewiston Public Library. Our staff is working to greatly expand these files to include historic documents from the Department of Defense and US Department of Energy. We are also working to improve accessibility to the public by converting hardcopy records to digital format.
- **Fact sheets** will be published throughout the lifecycle of each project to communicate key project issues, updates, and findings.
- **Advertisements** will be placed in the Buffalo News, Niagara Gazette/Union Sun Journal, to announce upcoming community workshops or other key activities.
- **Mailings** will be used to invite those on our mailing list to upcoming meetings and events.
- **Email addresses and a toll-free telephone number** are provided to make it easy for the public to reach us.
 - NFSS - fusrap@usace.army.mil
 - LOOW - derpfuds@usace.army.mil
 - 1-800-833-6390