



DEPARTMENT OF THE ARMY

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

REPLY TO
ATTENTION OF

CELRB-DC

MEMORANDUM FOR Commander, U.S. Army Engineer District, New York and Supervisor of New York Harbor, CENAN, Jacob K. Javits Federal Building, 26 Federal Plaza, Room 2109, New York, New York 10278-0090.

SUBJECT: Revised Findings and Determination of Eligibility for the former Lake Ontario Ordnance Works, Formerly Used Defense Site Property No. C02NY0025

1. Forwarded for your approval and signature is the Revised Findings and Determination of Eligibility (FDE) for the former Lake Ontario Ordnance Works (LOOW), Formerly Used Defense Site (FUDS) Property No. C02NY0025 (Attachment-1).
2. The revised FDE amends the original FDE signed 15 June 1986. The original FDE and several subsequent Inventory Project Report (INPR) documents did not adequately capture all eligible properties at the LOOW site. The revised FDE documents the property eligibility for the entire former LOOW into the DERP-FUDS program.
3. The revised FDE evaluated the acreage of the entire former LOOW site (7,567.46 acres). The total acreage consists of 7,453.28 acres fee and 114.18 acres easement. A summary of the DERP-FUDS property eligibility findings and determinations is provided below:

| | Total | Fee | Easement |
|--------------------------------|----------|----------|----------|
| • Total Acreage | 7,567.46 | 7,453.28 | 114.18 |
| • DERP-FUDS Eligible Acreage | 6,503.48 | 6,468.90 | 34.58 |
| • DERP-FUDS Ineligible Acreage | 1,063.98 | 962.64 | 101.34 |

The ineligible acreage is defined as follows:

| | Total | Fee | Easement |
|---|--------|---------|----------|
| • US Army Property (Licensed To New York Army National Guard) | 879.10 | 864.032 | 15.08 |
| • US Air Force Property (Youngstown Test Annex) | 105.28 | 98.62 | 6.66 |
| • US Army Easement (Four-Mile Creek, 1942) | 79.60 | 0.00 | 79.60 |

3. The revised FDE was prepared under contract by the Baltimore District and has been reviewed and approved by their Design Team Leader (Attachment-2). The FDE has been reviewed and approved by the Buffalo District's Office of Counsel and Real Estate Specialist. Per ER 200-3-1, the revised FDE has been reviewed by the New York State Department of Environmental Conservation. A copy of their comment and the USACE response is provided at Attachment-3.

Encl (2)

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4. Recommend you approve, sign, and forward the revised FDE to the Commander, North Atlantic Division for approval and signature. We request a copy of the signed FDE for filing in the permanent record file and in the administrative record.
5. If you have any questions or comments, please contact the Project Manager for the LOOW site, Mr. Bill Kowalewski, PE at 716-879-4418 or william.e.kowalewski@usace.army.mil.


TIMOTHY B. TOUCHETTE
LTC, EN
Commanding

Enclosures

1. Revised FDE
2. NAB Transmittal Letter
3. NYSDEC Comment and USACE Response