

Empire State Development

August 3, 2011

Via Regular Mail and E-Mail

Hon. Mark Grisanti
New York State Senate, 60th District
65 Court Street
Buffalo, NY 14202

Hon. John D. Ceretto
New York State Assembly, 138th District
1700 Pine Avenue
Niagara Falls, NY 14301

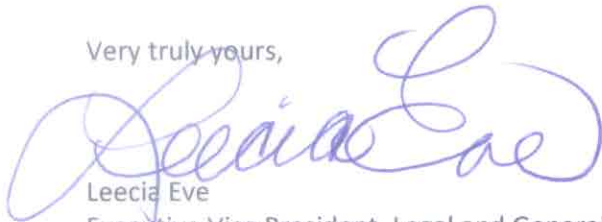
Dear Senator Grisanti and Assemblyman Ceretto:

I am writing in response to your letter of July 20, 2011 seeking clarification as to whether or not the Directors of USA Niagara Development Corporation ("USAN") have the legal authority to increase the size of the USAN footprint within Niagara Falls, New York.

After reviewing the various incorporation materials forming USAN, it appears that the territorial boundaries were imposed administratively by USAN almost a decade ago to concentrate its resources in the downtown area of Niagara Falls. As such, the geographic boundaries focusing USAN efforts may be expanded by an action of the USAN Board of Directors.

Due to your inquiries and those of Senator Maziarz, as well as the recent public interest in expanding the boundaries of USAN to include the Niagara Falls Aquarium, staff is prepared to make a presentation to the Directors to ask them to expand the current USAN district to include the area north of Main Street in downtown Niagara Falls, an area which would include the Aquarium property.

Very truly yours,



Leecia Eve
Executive Vice President, Legal and General Counsel

CC: USA Niagara Directors
Christopher Schoepflin, USA Niagara Development Corporation