

Exhibit VIII.C.3.c (Necessary Permits):

Submit as Exhibit VIII.C.3.c. a list of any State and/or local permits or special use permits that the Applicant must obtain for the Project Site, and for such permits describe: (i) the procedure by which the Applicant shall obtain the permits; (ii) what conditions, if any, are likely to be placed on the permits; and (iii) the estimated dates by which the Applicant will obtain the permits.

The Project will require a number of permits and approvals from municipal, county, State and Federal agencies. At the municipal level, site plan approval will be required from the Town of Newburgh. Specific sewer and water permits as well as building inspections will be required from the Town. At the County level, the site plan submitted to the Town of Newburgh will also be reviewed and commented on by the County Planning Board. At the State level, the Project will require approvals from the New York State Department of Environmental Conservation (NYSDEC) and the New York State Department of Transportation (NYSDOT). At the regional and Federal levels, permits will be required from the United States Army Corps of Engineers (USACE) for proposed impacts to regulated wetlands, and review approvals will be required from the Port Authority of New York and New Jersey, as the Stewart International Airport operator, and the Federal Aviation Administration (FAA) for the proposed building height of the hotel.

A summary list of the municipal, county, state, regional and federal permits and approvals and their anticipated review schedule is provided in Table 1 - Exhibit VIII.C.3.c. The following section provides additional detail regarding each necessary permit and approval including (i) procedures for obtaining the permits and approvals, (ii) likely conditions to be placed on approvals and (iii) anticipated review period are provided below.

Municipal

Site Plan / Subdivision Approval; Town of Newburgh Planning Board

(i) the procedure by which the Applicant shall obtain the permits;

The applicant will prepare and submit a subdivision plan and site plan application to the Town of Newburgh Planning Board. The application will be reviewed by the Board and the Board's professionals. The Town reviews the application based on the general policies of Chapter 163 of Newburgh's Town Code, which includes but is not limited to ensuring that the land can be used safely for building purposes without danger to health or peril from fire, flood or other menace; the development provides proper drainage, water supply, sewerage and other needed improvements; the development maintains harmony with the development pattern of the neighboring properties; ensuring proposed driveways are of such width, grade and location in order to accommodate the prospective traffic; accommodations for persons with disabilities; facilitate fire protection; and, provide access for fire-fighting equipment to buildings. The public will have an opportunity to review and provide comments on the application as part of the review process.

(ii) what conditions, if any, are likely to be placed on the permits; and

Conditions will likely be placed on the site plan application approval to ensure compliance with the development standards of Chapter 185 of the Newburgh's Town Code and ensure construction and operation of the Project as presented in the application. Conditions will likely address items such as providing appropriate roadway improvements along Route 17K providing adequate off-street parking and loading spaces, providing a safe and accessible interior circulation system, implementing and maintaining the approved stormwater management plan, and providing appropriate landscaping and screening to screen parking and service areas.

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(iii) the estimated dates by which the Applicant will obtain the permits.

The estimated time frame for receiving site plan approval from the Town of Newburgh is two to three months from submission of the application to the Town.

Sewer and Water Connections; Town of Newburgh Engineer and City of Newburgh Water Department Engineer

(i) the procedure by which the Applicant shall obtain the permits;

The applicant will submit a site plan including a utilities plan to the Town of Newburgh's Engineer and the City of Newburgh's Water Department Engineer for obtaining appropriate potable water and sewer service for the Project.

(ii) what conditions, if any, are likely to be placed on the permits; and

Conditions related to connection fees and service fees will likely be listed on the issued permits.

(iii) the estimated dates by which the Applicant will obtain the permits.

The estimated time frame for receiving these permits is two months from submission of the application.

Building Permits: Clearing and Grading Permit, Petroleum Tank Removal Permit, Foundation Permit, Certificate of Occupancy; Town of Newburgh Building Inspector

(i) the procedure by which the Applicant shall obtain the permits;

The applicant will submit applications to the Town's Building Inspector for various construction activities including clearing and grading, petroleum storage tank removal, foundation permits and certificate of occupancy.

(ii) what conditions, if any, are likely to be placed on the permits; and

Conditions will be placed on the project to ensure compliance with the Town of Newburgh's Town Code. Clearing and grading conditions will be in accordance with Chapter 83 of Newburgh's Town Code, which include but are not limited to minimize the potential of erosion and sediment, the preservation of natural features to the extent possible, the limitation of the extent of soil disturbance and additional conditions regarding fill material and drainage systems. Additional conditions will be placed on the removal of the petroleum tank including the potential remediation of contaminated soils surrounding the existing underground petroleum tank.

(iii) the estimated dates by which the Applicant will obtain the permits.

The estimated time frame for receiving an approval for each permit is one to two weeks after submission of the permit application as it is generally tied to site plan review/approval.

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County

General Municipal Law Referral / Site Plan Review; Orange County Department of Planning

(i) the procedure by which the Applicant shall obtain the permits;

A site plan application will be submitted to the Orange County Department of Planning as part of the Town of Newburgh's application submittal and review process. Comments will be provided from the County and the Town to incorporate into the Town's application review process. The County review will focus on a number of issues including but not limited to the compatibility of land uses, traffic generation, impact on existing and propose County and State uses, protection of community character, drainage and watershed, community facilities, and the relationship to municipal and County development policies.

(ii) what conditions, if any, are likely to be placed on the permits; and

Conditions will likely be placed on the Town's site plan approval to reflect comments made by the County to ensure compliance with the New York State General Municipal Law (§239: Required Planning, Zoning, and Subdivision Referrals).

(iii) the estimated dates by which the Applicant will obtain the permits.

The estimated time frame for receiving comments from the County is one month from submittal of the site plan application.

Permits for Food Service Establishments; Orange County Department of Health

(i) the procedure by which the Applicant shall obtain the permits;

An application will be submitted to the Orange County Department of Health for the operation of food service establishments serving food to the public. The County Department of Health enforces regulations for food service establishments maintained by the NYS Department of Health.

(ii) what conditions, if any, are likely to be placed on the permits; and

Conditions will likely be placed on the proposed food service establishments located at the proposed casino and hotel to ensure compliance with the New York State Sanitary Code (10 NYCRR Part 14 Subpart 14.1). Prior to constructing or commencing operation of a food service establishment, the permit-issuing official may require all food service establishments under their control to submit sketches or plans showing the floor layout, equipment, plumbing, ventilation, refuse storage facilities, sewage disposal facilities and similar information. Ongoing inspections by the County Department of Health will confirm continual compliance.

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(iii) the estimated dates by which the Applicant will obtain the permits.

Prior to receipt of certificate of occupancy (within 24 months of award of the casino license).

State

State Environmental Quality Review (SEQR); New York State Department of Environmental Conservation

(i) the procedure by which the Applicant shall obtain the permits;

The applicant will follow the SEQR review requirements in coordination with the designated lead agency, which is anticipated to be the Town of Newburgh. During this process the applicant will complete and submit a Part 1 – Full Environmental Assessment Form (EAF) to the lead agency, who will then complete the entire EAF and submit the EAF with a “Positive Declaration” to the NYSDEC and other interested parties. The applicant will prepare and submit a Draft Environmental Impact Statement (DEIS) for lead agency acceptance. The accepted DEIS will be made available for review and comment by the lead agency to government agencies and the public. Review of potential cultural resources impacts will be performed by the New York State Office of Parks, Recreation and Historic Preservation (OPRHP). Review of regional roadways will be performed by County and State transportation agencies. A public hearing will be held during the public review period to obtain comments. After completion of the public comment period, the lead agency will prepare the Final EIS that includes addressing questions raised during the public comment period and in coordination with other commenting agencies making a finding with respect to the Project’s potential impact on the environment.

(ii) what conditions, if any, are likely to be placed on the permits; and

The SEQR process will identify and place as conditions on the approval various mitigative steps to address potential environmental impacts such as traffic improvements to address potential traffic impacts and wetland mitigation to address compensation for wetland impacts from the Project.

(iii) the estimated dates by which the Applicant will obtain the permits.

The estimated time frame for obtaining SEQR approval is 5 to 6 months.

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State Pollution Discharge Elimination System (SPDES); New York State Department of Environmental Conservation

(i) the procedure by which the Applicant shall obtain the permits;

The applicant will submit stormwater plans and design report along with a Stormwater Pollution Prevention Plan (SWPPP) to the Town of Newburgh for review. Upon review and approval, the applicant will request an MS4 Acceptance form from the Town and transmit it to the NYSDEC with a Notice of Intent (NOI) for approval. The NYSDEC is the agency that issues the NYS General Permit for Stormwater Discharges from Construction Activity (GPO-10-001).

(ii) what conditions, if any, are likely to be placed on the permits; and

This approval will require implementation and maintenance of appropriate soil erosion and sediment control measures until final stabilization is achieved on the Project Site. Conditions will ensure the Stormwater Pollution Prevention Plan is implemented as approved under NYS General Permit for Stormwater Discharges from Construction Activity (GP 0-10-001).

(iii) the estimated dates by which the Applicant will obtain the permits.

The estimated time frame for obtaining SPDES approval is 5 days after submission to the NYSDEC. Town of Newburgh approval time frame is generally linked to the site plan approval process and approved simultaneously.

Protection of Waters Permit and 401 Water Quality Certification; New York State Department of Environmental Conservation

(i) the procedure by which the Applicant shall obtain the permits;

The applicant will prepare and submit an application package to the NYSDEC for a Protection of Waters permit for the proposed crossing of a waterway for an access road to the Project Site and a 401 Water Quality Certification for proposed impacts to federally regulated wetlands.

(ii) what conditions, if any, are likely to be placed on the permits; and

The NYSDEC permit will likely place conditions to ensure compliance with the Protection of Waters Program (6 NYCRR Part 608) including restrictions on changes to the waterway's hydrology and watercourse integrity, adequacy of project design and construction techniques, and operational and maintenance requirements. The 401 Water Quality Certification approval will require standard soil erosion and sediment control measures for activities in and around regulated wetlands.

(iii) the estimated dates by which the Applicant will obtain the permits.

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The estimated time frame for receiving a permit from the NYSDEC is three months.

Petroleum Bulk Storage Closing; New York State Department of Environmental Conservation

(i) the procedure by which the Applicant shall obtain the permits;

The applicant will prepare and submit an application package to the NYSDEC for a petroleum bulk storage removal permit for the anticipated decommissioning and removal of an existing gas station and underground petroleum storage tank.

(ii) what conditions, if any, are likely to be placed on the permits; and

The NYSDEC permit will likely place conditions to ensure compliance with the Petroleum Bulk Storage Regulations (6 NYCRR Part 612.2(d)) including the remediation of any contaminated soils surrounding the underground petroleum storage tank.

(iii) the estimated dates by which the Applicant will obtain the permits.

The estimated time frame for receiving a permit from the NYSDEC is two to three weeks.

Highway Work Permit; New York State Department of Transportation

(i) the procedure by which the Applicant shall obtain the permits;

The applicant will submit a Highway Work Permit application to the NYS Department of Transportation for improvements along Route 17K and Route 300.

(ii) what conditions, if any, are likely to be placed on the permits; and

Conditions will be placed on the project to ensure compliance with NYS Highway Law (Article 3, Section 52) including, but not limited to the regulations that shall take into consideration the prospective character of the development, the traffic which will be generated by the facility within the reasonably foreseeable future, the design and frequency of access to the facility, the effect of the facility upon drainage as related to existing drainage systems, the extent to which such facility may impair the safety and traffic carrying capacity of the existing state highway and any proposed improvement thereto within the reasonably foreseeable future, and any standards governing access, non-access or limited access which have been established by the department of transportation.

(iii) the estimated dates by which the Applicant will obtain the permits.

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The estimated time frame for receiving an approval and/or permit is approximately 12 months.

New York State Thruway Authority

(i) the procedure by which the Applicant shall obtain the permits;

The applicant will submit an application to the NYS Thruway Authority.

(ii) what conditions, if any, are likely to be placed on the permits; and

Conditions may include design requirements such as minimum clearance over the Thruway, type of barriers, alignment, etc. The applicant will work closely with NYSDOT and the Thruway Authority to address and accommodate for those requirements.

(iii) the estimated dates by which the Applicant will obtain the permits.

All improvements will be constructed concurrent with the Casino project and are planned to be completed within 24 months of the award of the license. Refer to the project schedule for a more detailed breakdown of individual task completion dates.

Federal

Department of Army Permit, Nationwide Permits; United States Army Corp of Engineers

(i) the procedure by which the Applicant shall obtain the permits;

The applicant will prepare and submit a Nationwide Permit application to the U.S. Army Corps of Engineers (USACE) for proposed impacts to certain federally regulated wetlands on the Project Site. As part of the permit application review process, the USACE will request comments from the USEPA, NMFS, USFWS and NYSDEC on the application. Review of potential cultural resources impacts will be performed by the New York State Office of Parks, Recreation and Historic Preservation (OPRHP), which acts as the State's Historic Preservation Office for Section 106 compliance.

(ii) what conditions, if any, are likely to be placed on the permits; and

Conditions will be placed on the project to ensure compliance with any anticipated impacts to wetlands and any propose wetland mitigation areas.

(iii) the estimated dates by which the Applicant will obtain the permits.

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The estimated time frame for receiving an approval and/or permit is approximately three months.

Notice of Proposed Construction / Hazard to Air Navigation Determination; Federal Aviation Administration

(i) the procedure by which the Applicant shall obtain the permits;

The applicant will submit site plans for review to the FAA and the Port Authority of New York and New Jersey, which serves as the Stewart International Airport operator.

(ii) what conditions, if any, are likely to be placed on the permits; and

The applicant anticipates receiving a negative determination to air navigation from the FAA. The FAA approval will likely require the applicant to notify the FAA of the start and end of construction of the building, allow for temporary construction cranes up to the permitted height, and require lighting of the building in accordance with FAA regulations.

(iii) the estimated dates by which the Applicant will obtain the permits.

The estimated time frame for receiving an approval from the FAA is one to two months from submission of the application.

Attachments/Figures

Exhibit VIII.C.3.c. - Table 1

List of Permits and Approvals

Table 1 - Exhibit VIII.C.3.c.

LIST OF PERMITS AND APPROVALS
 Hudson Valley Casino and Resort
 Newburgh, New York

6/30/2014

REGULATORY AGENCY	REGULATION - JURISDICTION	PERMITS AND APPROVALS	REVIEW SCHEDULE
Municipal			
Town of Newburgh Planning Board	Code of the Town of Newburgh, Chapters 1 through 185	Site Plan/Subdivision Approval	2 to 3 months
Town of Newburgh Engineer and Water Department / City of Newburgh Engineer	Code of the Town of Newburgh, Chapters 1 through 185	Sewer and Water Connections	2 months
Town of Newburgh Building Inspector	Code of the Town of Newburgh, Chapters 66 and 83	Building Permits - Clearing and Grading Permit - Petroleum Storage Tank Removal - Foundation - Certificate of Occupancy	1 to 2 weeks
County			
Orange County Department of Planning	General Municipal Law 239-1	General Municipal Law Referral / Site Plan Review	2 months
State			
New York State Department of Environmental Conservation	6 NYCRR Part 617	State Environmental Quality Review (SEQR)	4 to 6 months
New York State Department of Environmental Conservation	6 NYCRR Parts 750-757	SPDES General Permit for Stormwater Discharges from Construction Activity (GP-O-10-001)	5 days
New York State Department of Environmental Conservation	6 NYCRR Part 608	Protection of Waters Permit	3 months
New York State Department of Environmental Conservation	6 NYCRR Part 608	401 Water Quality Certificate	3 months

REGULATORY AGENCY	REGULATION - JURISDICTION	PERMITS AND APPROVALS	REVIEW SCHEDULE
Municipal			
New York State Department of Environmental Conservation	6 NYCRR Part 612.2(d)	Petroleum Bulk Storage removal	2 weeks
New York State Department of Transportation	NYS Highway Law Article 3 Section 52	Highway Work Permit	12 months
New York State Thruway Authority	NYSDOT and NY Thruway Policies and Procedures	NYSDOT permit and NYSTA approval	Within 24 months of license award
New York State Historic Preservation Office	Consultation	Consultation for Federal Section 106 and State Section 14.09 compliance	3 months
Federal			
United States Army Corp of Engineers	33 CFR 320-332	Department of Army Permit, Nationwide Permits	3 months
Federal Aviation Administration	14 CFR 77	Notice of Proposed Construction / Hazard to Air Navigation Determination	2 months