Chapter 2: Probable Impacts of the Revised Project

A. INTRODUCTION

This chapter provides an analysis of potential environmental impacts that may result from project revisions made in response to comments received since the publication of the DGEIS/DEIS. It also presents additional analyses on the Proposed Project in certain instances where requested by the Lead Agency or by other commenters on the Proposed Project. The topics below are the same as those addressed and analyzed in the DGEIS/DEIS. Selected alternatives and mitigation for the Proposed Action, Proposed Project, and Phase 1 are analyzed in the topic area where the potential for environmental impact exists. For the reasons stated below, these revisions do not have the potential to generate any significant adverse environmental impacts in those subject areas.

B. LAND USE, COMMUNITY CHARACTER, ZONING, AND PUBLIC POLICY

PROPOSED ZONING ACTION AND PROPOSED COMPREHENSIVE DEVELOPMENT PLAN (FGEIS)

Revisions to the proposed zoning amendment in response to comments received and since the analyses of impacts conducted for the DGEIS/DEIS will not result in changes to the impact assessment presented in the earlier environmental review document. Additionally, the revisions to the CDP within the Project Site in response to comments received will not substantially alter the land use pattern of the Project Site or study area from the conditions that were analyzed in the DGEIS/DEIS. As such, significant impacts to land use, community character, zoning or public policy will not result from the Revised Proposed Action within the Project Site.

While retail uses are permitted within the PRD, the Proposed Project does not currently propose any "big-box" retail. For any retail uses to be included on the Project Site in the future, a site plan application would need to be submitted. The site plan application would be reviewed by the Planning Board, which would assess the application for consistency with adjacent land uses, consistency with the overall master development plan, as well as for potential traffic and other environmental impacts.

In addition, subsequent to the publication of the DGEIS/DEIS, a detailed engineering study was conducted on the selected alternative Resort Entry Road, as described in Chapter 1. The engineering study evaluated how the Road will connect with the off ramp from NYS Route 17 at Exit 106. The study showed the majority of the Revised Entry Road being located on undeveloped and vacant land that has been acquired by the Applicant. Because Joyland Road will not be widened, the existing structures and uses that would have been disturbed by the widening will remain in place.

Second, the connection to the off-ramp from NYS Route 17 – requiring a reconfiguration of Exit 106 – will be constructed regardless of whether the entrance to the Proposed Project is via a widened Joyland Road or the Resort Entry Road. In either case, two houses to the east of Joyland Road and the north of Cimarron Road will need to be removed to allow for the reconfiguration of Exit 106.[1]

Therefore, while the impacts to existing land uses have shifted slightly, they have not substantively changed from what was analyzed in the DGEIS/DEIS. Consequently, neither the proposed Resort Entry Road nor its connection from the NYS Route 17 off-ramp will generate any significant adverse land use, community character, zoning, or public policy impacts.

With regard to the acquisition of the property needed for the reconfiguration of the Exit 106 off ramp and the Resort Entry Road, these properties are currently zoned HC-2 and RR-1. No changes to the zoning of these properties are anticipated. At the request of the Town and its consultants, a subdivision to merge these parcels will be needed, as shown on **Figures 1-6a** and **1-6b**. Future development of these merged parcels is not proposed and therefore not considered in this environmental review. Should development be proposed on these parcels in the future, the project would be subject to SEQRA.

It should be noted that the construction of the selected alternative Resort Entry Road will be the primary entrance to the entire EPT Concord Resort, and will be constructed concurrent with Phase 1.

SITE SPECIFIC DEVELOPMENT OF PHASE 1 (FEIS)

Selected alternatives and mitigation for the Phase 1 development plan including the relocation of entry roads, repositioning and resizing of the harness horse race track, and the other modifications and responses to comments described in Chapter 1 are minor and will not result in the need to modify the impact assessment presented in the DGEIS/DEIS with regards to land use, community character, zoning, and public policy.

C. COMMUNITY SERVICES

PROPOSED ZONING ACTION AND PROPOSED COMPREHENSIVE DEVELOPMENT PLAN (FGEIS)

The selected alternatives and mitigation for the PRD and CDP will not substantially alter the conditions that were analyzed in the DGEIS/DEIS. Potential impacts to police and fire protection services, schools, emergency medical services (EMS), health services, solid waste management and recreation will remain the same as those identified in the previous environmental review document. As the Proposed Project develops, the Applicant will look for opportunities to coordinate emergency medical and health care services with the existing local providers, such as, but not limited to, Catskill Regional Medical Center, Orange Regional Medical Center, and the Crystal Run Healthcare Practice.

The tax and fee revenues generated by the construction and operation of the EPT Concord Resort will be available to offset increased costs to police, fire, EMS and school services associated with increases in resident and visitor populations. Additional information regarding

[1] These two properties were acquired by the Applicant in 2012.

the projected amounts of those taxes and fees can be found in the "Economic Conditions" section below.

It is not anticipated that the selected alternative Resort Entry Road, referred to in the DGEIS/DEIS as Option A, will negatively impact the ability of community service providers to serve the Project Site, nor will this alternative impact the Town of Thompson. In fact, the Resort Entry Road will be beneficial to community service providers, because as a new and dedicated road, there will be fewer conflicts with existing development along Joyland Road.

As part of the site plan approval process with the Town of Thompson Planning Board, all proposed points of access and egress to, and circulation within, the Proposed Project will be reviewed with the Monticello Fire Department and other community service providers to confirm that they are sufficient to accommodate emergency vehicles. As such, any required mitigation will be built into the final site plan design submitted to the Town of Thompson.

SITE SPECIFIC DEVELOPMENT OF PHASE 1 (FEIS)

The selected alternatives and mitigation for the Phase 1 development plan will not substantially alter the conditions that were analyzed in the DGEIS/DEIS. It is still anticipated that the taxes and fees generated by the operation of Phase 1 will offset the additional demand generated for emergency services. Additional information regarding the projected amounts of these taxes and fees can be found in the "Economic Conditions" section below. Currently, Monticello Casino & Raceway averages approximately 70 calls per year for emergency services – the majority of those are for medical services. As stated in the DGEIS/DEIS, studies indicate there is not an increase in crime near casinos.[1]

D. GEOLOGY, SOILS AND TOPOGRAPHY

COMPREHENSIVE DEVELOPMENT PLAN (FGEIS)

The area between the western edge of the pond and the Project Site boundary where the Resort Entry Road will be built is generally level with limited slopes. (**Figure 2-1**) The elevation high point is 1,400 feet above sea level near the western Project Site boundary and gently declines to the east, towards the pond, to a low point of 1,376 feet above sea level. The slopes are generally 0-5 percent. Approximately one-tenth of an acre of slopes greater than 20% may be disturbed by the Resort Entry Roadway in areas of man-made grading immediately adjacent to NYS Route 17. The associated modifications to Exit 106, which will key into the selected alternative Resort Entry Road will require the disturbance of a slightly larger area than presented in the DGEIS/DEIS.

The soils under the Resort Entry Road and Exit 106 modifications are generally similar in nature to those found in the Project Site. Soil mapping units that will be disturbed by the southern portion of the Resort Entry Road (that area outside of the Phase 1 area previously considered) include: AoC (3.2 acres), MrA (0.1 acres), MrB (1.2 acres), Ne (2.14 acres), Ra (2.1 acres), ScB (4.1 acres), SeB (4.8 acres), Ud (0.1 acres),WeB (6.2 acres), WeC (7.3 acres), WIC (1.2 acres),

[1] "Casino Gambling and White-Collar Crime: An Examination of the Empirical Evidence" at http://www.americangaming.org/files/aga/uploads/docs/whitepapers/white_collar_crime.pdf and "Casinos and Crime: An Analysis of the Evidence" at http://www.americangaming.org/files/aga/uploads/docs/whitepapers/white_collar_crime.pdf

WuB (8.3 acres), WuC (2.0 acres). Ra is the only soil occurring within the roadway alignment that is designated as Prime Farmland by the Natural Resources Conservation Service. This soil is not currently in use as farm land and, based on historic aerial imagery, has not been used as farmland in the past few decades.

Erosion is a "slight hazard" to a "hazard" for most of these soil types, but impacts from construction activities will be avoidable through implementation of standard erosion and sediment control practices. Modifications to the CDP will conform to the requirements of NYSDEC State Pollution Discharge Elimination System (SPDES) General Permit for Stormwater Discharges Associated with Construction Activity. A Stormwater Pollution Prevention Plan (SWPPP), containing both temporary erosion control measures during construction and post-construction stormwater management practices to avoid flooding and water quality impacts in the long term will be developed. As such, sediment will be contained within the areas of land disturbance and will not enter surface waters in or adjacent to the Project Site.

SITE SPECIFIC DEVELOPMENT OF PHASE 1 (FEIS)

Based upon the selected Phase 1 site plan and a revised grading plan for Phase 1, it is now expected that Phase 1 will require approximately 263,670 cubic yards of cut and approximately 372,277 cubic yards of fill. This compares to approximately 226,333 cubic yards of cut and approximately 442,449 cubic yards of fill estimated in the DEIS. The Applicant will obtain the appropriate fill necessary from commercially available sources. No specific location for the source of this fill has been identified at this time. However, as stated above, the amount of fill necessary for Phase 1 is commercially available.

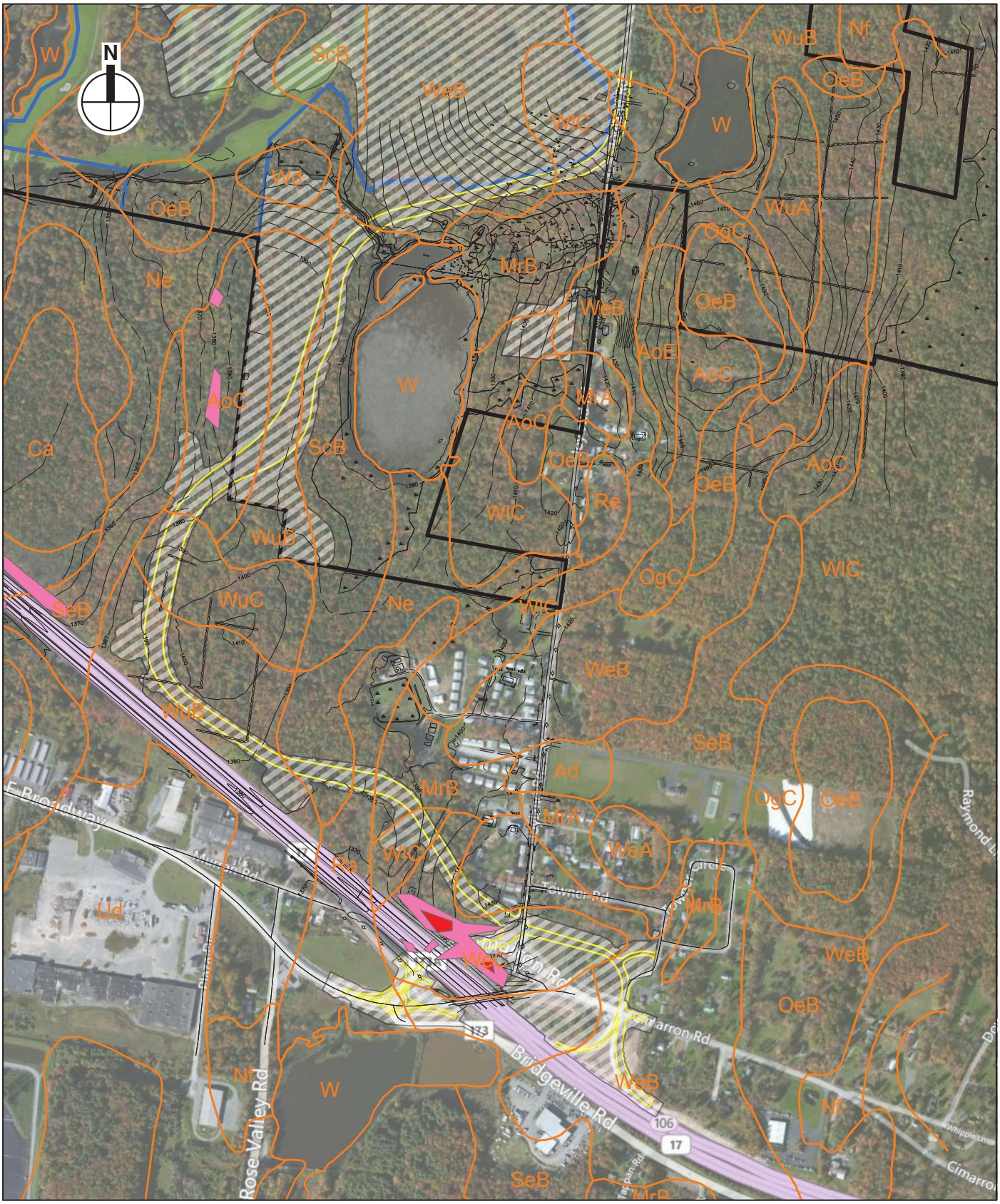
In response to comments received and a continuing effort to reduce the overall impacts of the Project, the total area required to be disturbed for construction of the Casino Resort has been reduced slightly from that presented in the DGEIS/DEIS through more detailed engineering design. Therefore, disturbance to soils will be similar to, though slightly less than, what was presented in the DGEIS/DEIS. Disturbance to steep slopes and bedrock will not be substantially different from the conditions analyzed in the DGEIS/DEIS.

As stated in the DGEIS, "No bedrock excavation or blasting is expected to occur within the Phase 1 development area due to the depth of bedrock in the disturbance area and the moderate depths of excavation required for building Phase 1 facilities. During the geotechnical investigation, relatively sound sandstone bedrock was encountered 20 to 46 feet below surface grade which is expected to be below the levels required to construct the proposed facilities within the Phase 1 development area. Large boulders were encountered in some areas during the geotechnical survey and may need to be excavated. No rock outcrops are known to occur within the Phase 1 development area."

Investigation of the proposed Resort Entry Road route indicates that, as with the Phase 1 Site, there are large boulders in certain areas. It is expected that these would also be excavated.

In the DGEIS/DEIS it was also noted that "If it is determined that blasting is necessary for bedrock removal on-site, it would be carried out in conformance with all local, State, and Federal laws and regulations. To ensure compliance with the appropriate laws and regulations, a site-specific blasting plan would be developed and provided to the Town. This plan would include schedules for blasting and rock ripping (day, hour, and duration), safety protocols associated with both blasting activities and the handling and transport of blasting materials and

12.6.12



EPT Concord Resort Boundary
Phase 1 Boundary
Approximate Entry Road
20-30% Slope
30-40% Slope
Soil Boundary
10' Contour
Limit of Disturbance

0 500 1000 FEET
SCALE

Resort Entry Road
Soils and Topography
Figure 2-1

measures to reduce noise-related impacts. Compliance with the blasting plan will minimize potential impacts associated with blasting." All blasting and related activities would be conducted by and under the direct control and supervision of a licensed and fully insured blasting contractor. If blasting is necessary, the Applicant and/or blasting contractor will conduct pre-blast inspections to determine the existing conditions of structures and infrastructure through a combination of background vibration monitoring and pre-blast site surveys. During blasting, ground vibrations and air blast pressures would be monitored and recorded at various intervals from the blast site and at nearby structures. The Applicant and/or blasting contractor will also work with the Town to immediately respond to complaints arising from blasting activity and will conduct post-blast inspections of structures or infrastructure that may have been affected by blasting.

E. NATURAL RESOURCES

COMPREHENSIVE DEVELOPMENT PLAN (FGEIS)

The selected Proposed Project will not change the probable impacts to vegetation, wildlife, or threatened and endangered species that were analyzed in the DGEIS/DEIS. Overall, the selected alternatives and mitigation for the Proposed Project will not have significant adverse impacts to natural resources.

VEGETATION

The selected alternative Resort Entry Road eliminates the habitat disturbance required for the widening of Joyland Road, which formerly consisted of approximately 13.25 acres of habitat disturbance to maple-beech forest, hemlock and red maple forested wetlands, and previously developed/disturbed land. The Proposed Project places the Resort Entry Road south of the Resort Core resulting in the disturbance to approximately 42.6 acres of habitat, principally hemlock and maple-beech forest cover types, but also smaller amounts of hemlock forested wetland and previously developed/disturbed lands. This includes approximately 18 acres of improvements in and around Exit 106, which would have been proposed if Joyland Road and not the Resort Entry Road access alternative were utilized as the main entrance to Casino Resort. **Figure 2-2** shows the footprint of the Proposed Project and existing habitat cover types.

WILDLIFE

The selected alternative Resort Entry Road will be constructed from NYS Route 17 to the Phase 1 Site in lieu of widening Joyland Road. As discussed above, the proposed alignment of the roadway and the modifications to Exit 106 will remove approximately 25 acres of primarily hemlock and maple-beech forest habitat. . The road will bisect the tract of upland hemlock forest to the west of the freshwater pond and north of NYS Route 17 such that the area will be less viable for interior woodland species known or expected to currently occur in the area, such as blackburnian warbler, black-throated green warbler, Canada warbler, blue-headed vireo, Acadian flycatcher, wood frog, red squirrel, and North American porcupine. Wildlife community composition may shift more towards species that are associated with fragmented forests and edges; forest interior wildlife species may decline, whereas disturbance-tolerant generalists will likely increase in abundance. Noise and nighttime lighting generated during operation of the Resort Entry Road may contribute to this turnover of the wildlife community, and wildlife inhabiting the area will be at increased risk of vehicle collision mortality. However,

given the small size of the area to be affected and the quantity of comparable habitat within the surrounding landscape, no significant impacts to populations of forest interior or other wildlife species will be expected to occur. Realignment of Cimmaron Road will require clearing a small area north of NYS Route 17 that presently contains vacant homes with residential yards, a woodlot, a small emergent wetland, and an old field. Construction of the roundabout south of NYS Route 17 will require construction within a small area of manicured lawn that is bordered by existing roads. Common species of wildlife, such as American robin and gray squirrel, may be displaced by road construction in these areas, but will be likely to relocate nearby given their generalistic habitat associations. No significant adverse impacts to wildlife at the individual or population level would be expected to occur from road construction or operation in these areas.

With the Proposed Project, the effects on wildlife associated with the widening of Joyland Road that are analyzed in DGEIS/DEIS will not occur. Specifically, the freshwater pond south of the Phase 1 Site will not become further isolated from the forested wetland, upland forest, and pond that are present to the east, and reptiles, amphibians, and other wildlife attempting to cross Joyland Road will not be at increased risk of vehicle collision mortality.

Potential effects to wildlife from all other aspects of the selected alternatives and mitigation for the Proposed Project, such as the minor adjustments to the Phase 1 site plan, will not qualitatively differ from the conclusions drawn in the DGEIS/DEIS. Overall, the selected alternatives and mitigation for the Proposed Project, the actions analyzed in the DGEIS/DEIS, and construction and operation of Phase 1 will not be expected to significantly impact the size or viability of local wildlife populations.

THREATENED, ENDANGERED, AND SPECIAL CONCERN SPECIES

Wildlife

With the selected alternative Resort Entry Road for the Proposed Project, the forested area south of the Phase 1 Site will be bisected by the Resort Entry Road, which may reduce its suitability as breeding habitat for the three state-listed (Special Concern) birds of prey considered to have the potential to nest in the area. Sharp-shinned, Cooper's, and red-shouldered hawks prefer interior forest for breeding and will be less likely to nest in this tract following construction of the roadway than at present. However, degradation of this area as potential breeding habitat for these species would not be expected to have significant adverse impacts at the individual or population levels, given its small size relative to the amount of suitable habitat that will remain available elsewhere within the greater Project Site and surrounding landscape. Fragmentation caused by the roadway will not affect the suitability of the forest as winter or stopover habitat for sharp-shinned, Cooper's, and red-shouldered hawks because each species is more generalistic during winter and migration, and commonly uses small fragments within developed landscapes during these non-breeding seasons.

As shown on **Figure 2-2**, construction of the selected alternative Resort Entry Road will remove upland forested habitat that may be used as non-breeding habitat by two state-listed (Special Concern) amphibians that are considered to have the potential to occur in the area — Jefferson salamander and blue-spotted salamander. Operation of the Resort Entry Road roadway may increase the risk of vehicle collision mortality for any Jefferson or blue-spotted salamanders potentially migrating through the area. However, neither of these species was found in the study area during the multiple field surveys that were conducted for the DGEIS/DEIS, and their occurrence is uncertain. Under a conservative assumption that these species are present, the Resort Entry Road is unlikely have significant adverse impacts to their populations.

12.6.12

SOURCE: Adapted from 2006 DGEIS, Data from William Kenny Associates, LLC and AKRF, Inc. Field Survey.

Project Site Boundary
Northern Hardwood Forest
Hemlock Forest
Mowed Lawn/Mowed Lawn with Trees
Hemlock Forested Wetland
Maple-Beech Forest
Wet Meadow
Red Maple Swamp
Successional Shrub
Urban/Vacant Land
Quarry/Successional Scrub/Shrub
Successional Old Field
Lacustine Fringe
Limit of Disturbance

0 1000 2000 FEET
SCALE

Impact to Habitats
Figure 2-2

With the selected alternatives and mitigation for the Proposed Project, the effects on state-listed species associated with the widening of Joyland Road that are analyzed in DGEIS/DEIS will not occur. Habitat suitability for sharp-shinned, Cooper's, and red-shouldered hawks east of Joyland Road will not change from the existing condition, and connectivity between habitats east of Joyland Road and south of the Phase 1 Site will not be diminished for any Jefferson or blue-spotted salamanders potentially occurring in the area.

Potential effects to state-listed species from all other revisions to the proposed project, such as the minor adjustments to the Phase 1 site plan, will not qualitatively differ from the conclusions drawn in the DGEIS/DEIS. Overall, the selected alternatives and mitigation for the Proposed Project, the actions analyzed in the DGEIS/DEIS, and the construction and operation of Phase 1 will not be expected to significantly impact the size or viability of any populations of threatened, endangered, or special concern species potentially present.

Vegetation

Communication with Federal and State agencies initiated as part of environmental assessment for the Concord Resort Project revealed no known occurrences of federally-listed or state-listed plant species within 0.5 miles of the Project Site. Although not known from the Project Site or vicinity, one plant species, the federally Threatened northern blue monkshood (*Aconitum noveboracense*), is listed by the U.S. Fish and Wildlife Service for Sullivan County as a whole. To determine if this species occurs within the Phase 1 Site and Resort Entry Road area, a site inspection targeting this single species in areas of potential habitat was conducted by AKRF, Inc. on August 17, 2012. No individuals of *A. noveboracense* were identified and areas of potential habitat were determined to be marginal for this species. Therefore, this species was not found and is not expected to occupy the Phase 1 Site or Resort Entry Road areas. A letter report documenting the investigation for *A. noveboracense* is contained in Appendix C.

SITE SPECIFIC DEVELOPMENT OF PHASE 1 (FEIS)

The selected alternatives and mitigation for Phase 1 will not substantially alter the conditions that were analyzed in the DEIS as they relate to natural resources including vegetation, wildlife and Threatened and Endangered Species.

VEGETATION

As presented in the DEIS, development of Phase 1, including infrastructure, will result in approximately 132 acres of vegetative community disturbance. Under the plan assessed herein, disturbance to vegetative communities will total roughly 127 acres. The reduction in area disturbed is a result mainly of reduced disturbance on the Phase 1 parcel.

WILDLIFE

With the disturbance to habitats essentially the same, when comparing the DEIS plan with the plan assessed herein, impacts are expected to be commensurate with those documented in the DEIS. As such, significant impacts to wildlife are not expected.

THREATENED, ENDANGERED, AND SPECIAL CONCERN SPECIES

The selected alternatives and mitigation for the Phase 1 development plan will not substantially alter the conditions that were analyzed in the DGEIS/DEIS. Significant impacts to protected flora and fauna are therefore not expected.

F. SURFACE WATER RESOURCES AND WETLANDS

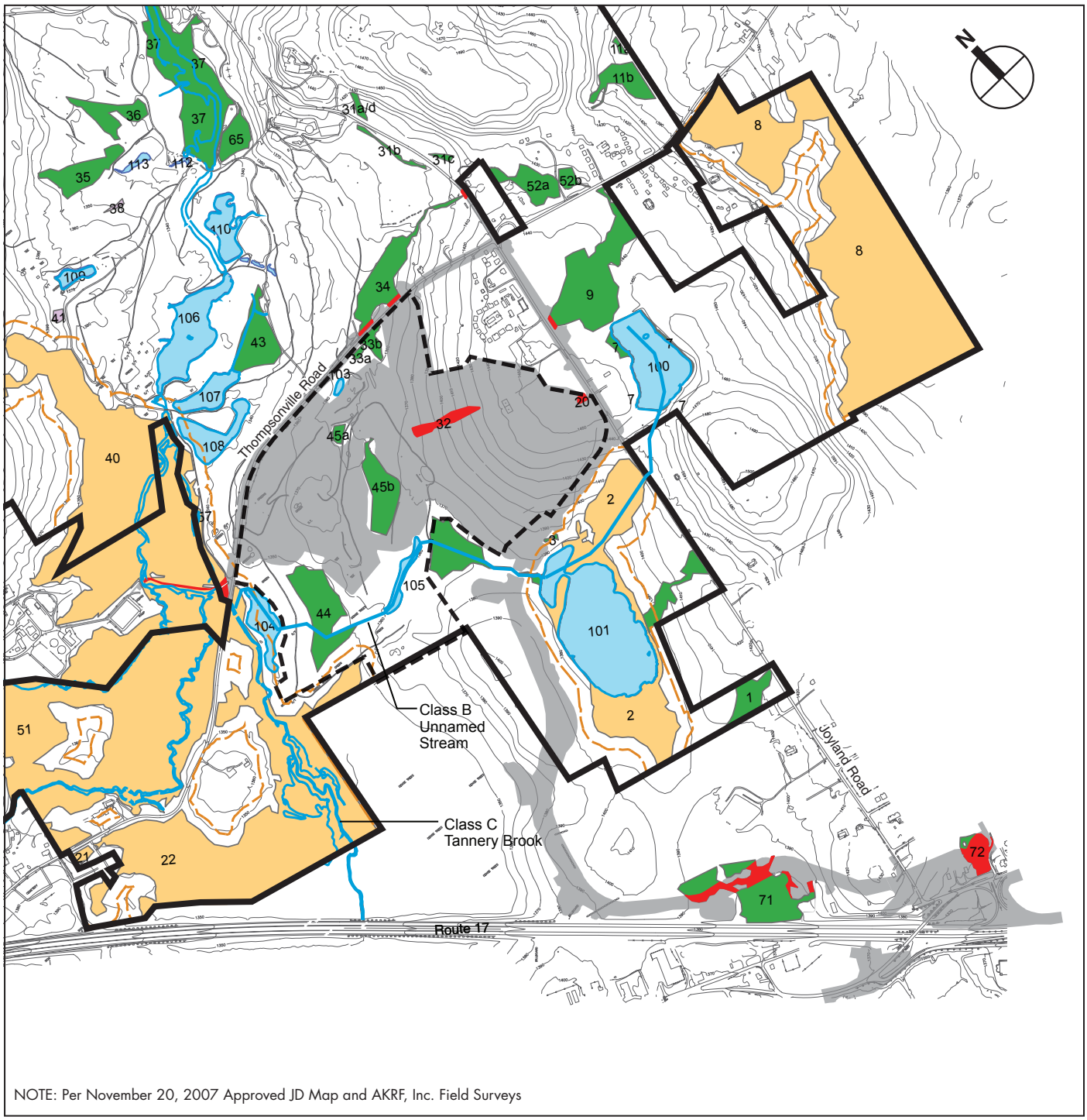
COMPREHENSIVE DEVELOPMENT PLAN (FGEIS)

Overall wetland impacts required for the Proposed Project have been reduced as compared to the CDP that was analyzed in the DGEIS/DEIS. This is due to the selection of the Resort Entry Roadway as the preferred gateway to the EPT Concord Resort. Detailed engineering and natural resource studies concluded that impacts to wetlands, natural resource habitats, as well as residences and seasonal bungalow colonies located along Joyland Road will be significantly reduced by relocating this road further to the west. This is due to the prevalence of wetlands flanking the western edge of Joyland Road. By placing the Resort Entry Road further to the west of the existing Joyland Road, a single wetland area and single stream crossing will be required. With the selection of this Alternative, wetland impacts were reduced by 0.38 acres as compared to the Joyland Road option. While wetland impacts cannot be avoided by the Proposed Project, they have been minimized to the maximum extent practicable and further minimized by the Revised Proposed Project.

As shown in **Figure 2-3** and **Table 2-1**, overall wetland impacts for the Project as a whole have been reduced to 7.669 acres.

In addition to the 0.38 reduction in wetland impacts realized by the Resort Entry Road, further reductions in wetland impacts were achieved as a result of the detailed engineering underway as part of the specific Phase 1 site development plan. For example, by developing more detailed grading plans, stormwater infrastructure could be strategically located outside of wetland areas, thus reducing the overall footprint of Phase 1. Consequently, the Applicant was able to substantially reduce overall wetland impacts compared to the conservative estimate presented in the DGEIS. As such, the selected alternatives for the Proposed Project will require disturbance to 7.669 acres in order to implement the entire CDP, as compared to the projected 8.362 acres of wetland disturbance presented in the DGEIS.

In addition to permanent wetland impacts presented above, 0.35 acres of temporary impacts to onsite wetlands will be required principally for installation of the force main to connect the Proposed Project with the existing Town Sewage Treatment Plant, and also for temporary clearing of vegetation to facilitate road and building construction. This acreage is the same for the DGEIS and the Proposed Project presented in the FGEIS. All areas of temporary wetland impact will be replanted by wetland adapted plants post-construction. As discussed below, a comprehensive wetland mitigation plan is being prepared for the purpose of obtaining USACE and NYSDEC permits for wetland disturbance.



Phase 1, Phase 1 Infrastructure and Resort Entry Road Wetland Disturbance

Figure 2-3

Table 2-1
Proposed Wetland Disturbance by Project Component

Wetland ID	DGEIS Disturbance (Acres)	FGEIS Disturbance (Acres)	Project Component	Jurisdiction
103	0.140	0.000	Casino Resort - Phase 1	USACE
32	0.640	0.640	Casino Resort - Phase 1	USACE
33a	0.120	0.000	Casino Resort - Phase 1	USACE
33b	0.550	0.064	Casino Resort - Phase 1	USACE
45a	0.270*	0.270*	Casino Resort - Phase 1	USACE
45b	2.840*	2.840*	Casino Resort - Phase 1	USACE
1	0.200	0.000	Infrastructure/Access - Phase 1	USACE
2	1.110	0.000	Infrastructure/Access - Phase 1	NYSDEC and USACE
3	0.001	0.001	Infrastructure/Access Phase 1	USACE
20	0.040	0.040	Infrastructure/Access - Phase 1	Non-Jurisdictional
22	0.011	0.011	Infrastructure/Access - Phase 1	NYSDEC and USACE
34	0.280	0.324	Infrastructure/Access - Phase 1	USACE
57	0.053	0.053	Infrastructure/Access - Phase 1	NYSDEC and USACE
71	0.000	1.029	Infrastructure/Access - Phase 1	NYSDEC and USACE
72**	0.000	1.15	Infrastructure/Access - Phase 1	USACE
108	0.200	0.200	Golf Course	USACE
110	0.059	0.059	Golf Course	USACE
113	0.277	0.277	Golf Course	USACE
35	0.860	0.000	Golf Course	USACE
36	0.290*	0.290*	Golf Course	USACE
40	0.028	0.028	Infrastructure/Access - Future Development	NYSDEC and USACE
7	0.003	0.003	Infrastructure/Access - Lake Club Timeshare	USACE
9	0.280	0.280	Infrastructure/Access - Lake Club Timeshare	USACE
25	0.001	0.001	Infrastructure/Access - Residential Village	NYSDEC and USACE
27	0.100	0.100	Infrastructure/Access - Residential Village	USACE
31c	0.003	0.003	Infrastructure/Access - Residential Village	USACE
37	0.006	0.006	Infrastructure/Access - Residential Village	USACE
Total	8.362***	7.669		

Notes: *Indicates hand-clearing of overstory trees of wetlands 45A, 45B, and 36 in order to facilitate harness track viewing and golf playover area (36). All understory vegetation 4' or lower will be retained and soil will remain undisturbed.

**Disturbance to Wetland 72 is a result of changes to Interchange 106 that will be implemented under either the Resort Entry Road or Joyland Road access options. This disturbance was not included in the DGEIS/DEIS impact calculations.

*** The total area disturbed under the plan presented in the DEIS with the Interchange 106 impacts that will be implemented with the Joyland Road access alternative is 9.512 acres.

MITIGATION

To mitigate for the wetland disturbance required to implement the Proposed Project, a comprehensive wetland mitigation plan is being prepared. This plan, which will be informed by input from the Town during SEQRA and Site Plan review, will be submitted to the Town and regulatory authorities upon its completion. Three areas of the Project Site currently occupied by golf course fairway were identified as potential mitigation areas due to their topographic position, proximity to existing wetlands, and available hydrology. These potential mitigation areas were studied in detail to determine their viability as locations for wetland creation. Sub-surface geology and groundwater conditions have been studied via test pits and piezometers. In total, the wetland mitigation plan will propose to create approximately 13 acres of new wetland in formerly upland areas currently occupied by golf course fairway. Mitigation for impacts resulting from the development of the Proposed Project is presented in **Table 2-2**.

Table 2-2
Project Wetland Impacts and Mitigation

Wetland Type	Wetland Impacts (Acres)	Potential Mitigation Ratio*	Potential Acres of Mitigation*
Vegetated Wetlands Filled	3.733	2:1	7.466
Unvegetated Wetlands (Ponds) Filled	0.536	1:1	0.536
Hand-Clearing in Vegetated Wetlands	3.400	1:1.5	5.100
Total	**7.669**	**--**	**13.102**

Notes: * Mitigation ratios will be set by the USACE and NYSDEC.

By creating wetland in portions of the existing Monster Golf Course that suffer from saturated soil and periodic flooding, the mitigation plan will reclaim and recreate floodplain forest. These wetland creation areas are all located immediately adjacent to formerly connected wetland patches now isolated and of lower value. By expanding and spanning the non-wetland spaces between remnant areas of existing wetland habitat now isolated within the Monster Golf Course's lower elevations, the wetland mitigation plan will not only exceed the wetland acreage disturbed by a ratio of greater than 2:1, it will also create contiguous wetland habitat that currently does not exist. The net benefit to wetland functions and values, including wetland flora and fauna functions, will be substantially increased.

The design and construction of the EPT Concord wetland mitigation plan is proposed for three areas. These areas will be excavated to intercept the shallow groundwater table which will ensure that wetland hydrology is maintained during the growing season. To supplement wetland hydrology from groundwater, each wetland will also be provided with surface water inputs from adjacent surface water bodies. In the case of the largest wetland creation area, Area 3, surface water from the existing pond within Monster Golf Course Hole #4 will be directed to descending hydraulic cells connected by flow control structures. For Area 2, floodwaters from an existing golf course surface pond will backflow during periods of inundation to the mitigation area. Planting plans for the mitigation areas emphasize forested wetland acreage to fully compensate for the forested wetlands disturbed by the Proposed Project. Although costly, the use of large plant size and high density will maximize the potential for the success of the mitigation plan. Elsewhere, as at Area 1 and 2, use of berms to detain flood water will increase floodplain storage capacity while also providing sustained wetland hydrology from the adjacent Tannery Brook and Kiamesha Creek. The proposed mitigation areas are physically separate from other project

components, and can therefore be constructed independently of the development construction schedule.

Implementation and adjustment to the wetland mitigation plan during its construction and grow-in period will employ an Adaptive Management approach. This is a science-based approach for managing ecological systems and communities that are continuously evolving. A multi-disciplinary Adaptive Management Team will track the mitigation project against expected progress to ensure that the project stays on the appropriate trajectory to success. As necessary and appropriate, the Adaptive Management Team will address any identified problems on an ongoing basis and will implement appropriate monitoring programs and/or alternatives to guide the mitigation.

Detailed construction and planting plans, water budgets, recorded groundwater levels, wetland establishment period monitoring and maintenance plans will be included in the final Wetland Mitigation Plan Report as presented to the regulatory authorities and the Town.

The mitigation plan for the Proposed Project is subject to review and approval by the USACE and NYSDEC. These agencies requested that a complete wetland mitigation plan be prepared and set aside for the entire Proposed Project, all phases. In this way, viable land areas capable of supporting wetland creation have been designated and set aside for future use. The wetland mitigation areas will then be built as needed for each phase, with certain features, including necessary hydrology and water conveyance structures, built from the outset. Much of the wetland mitigation will be built in Phase 1 as the Casino Resort comprises a large percentage of the overall wetland impacts. The remainder of the wetland creation areas will be built and planted as the successive phases are constructed. Ultimately, the timing and phasing of the wetland mitigation component of the Project will be determined by the USACE and NYSDEC and will be incorporated in the Project's Federal and State wetland permits.

SITE SPECIFIC DEVELOPMENT OF PHASE 1 (FEIS)

The overall Phase 1 footprint of disturbance remains largely the same as that presented in the DGEIS. Changes in wetland impacts within Phase 1 between DGEIS and FGEIS presented in **Table 2-3** below are due to site specific engineering that has been conducted for the Phase 1 Site during the period between DGEIS and FGEIS. By modifying the location of proposed structures and developing detailed grading plans for the facilities proposed in the Phase 1 footprint, overall wetland impacts are reduced as compared to the conservative estimate presented in the DGEIS. Table 2-4 presents the impact to wetlands associated with the Phase 1 development and the mitigation required to offset these impacts.

Table 2-3
Phase 1 and Phase 1 InfrastructureWetland Disturbance

Wetland ID and Type	DGEIS - Wetland Disturbance (Acres)	FGEIS - Wetland Disturbance(Acres)
Phase 1		
Wetland #32 (Red Maple)	0.640	0.640
Wetland #33A (Red Maple)	0.120	0.000
Wetland #33B (Red Maple)	0.550	0.064
Wetland #103 (Pond)	0.140	0.000
Wetland #45A (Hemlock)	0.270*	0.270*
Wetland #45B (Hemlock)	2.840*	2.840*
Wetland #20 (Red Maple)	0.040	0.040
Wetland #22 (Red Maple)	0.011	0.011
Phase 1 Total	**4.611 acres**	**3.865 acres**
Phase 1 Infrastructure		
Wetland #1 (Red Maple)	0.200	0.000
Wetland #2 (Red Maple)	1.110	0.000
Wetland #3 (Red Maple)	0.001	0.001
Wetland #34 (Red Maple)	0.280	0.050
Wetland #57 (Red Maple	0.053	0.053
Wetland #7 (Scrub/Shrub)	0.003	0.003
Wetland #9 (Red Maple)	0.080	0.060
Wetland #71 (Hemlock)	0.000	1.029
Wetland #72 (Red Maple)	0.000	1.150
Phase 1 Infrastructure Total	**1.727 acres**	**2.346 acres**
GRAND TOTAL	**6.338 acres**	**6.211 acres**

Notes: *Hand clearing of overstory vegetation within the Harness Track only to facilitate race viewing, soil and vegetation <4' in height to remain undisturbed.

Table 2-4
Phase 1 and Phase I Infrastructure Wetland Impacts and Mitigation

Wetland Type	Wetland Impacts (Acres)	Potential Mitigation Ratio* (Acres)	Potential Acres of Mitigation*
Phase 1			
Vegetated Wetlands Filled	0.755	2:1	1.51
Unvegetated Wetlands (Ponds) Filled	0.000	1:1	0.00
Hand-Clearing in Vegetated Wetlands	3.110	1:1.5	4.665
Total	**3.865 acres**	**--**	**6.175 acres**
Phase 1 Infrastructure			
Vegetated Wetlands Filled	2.346	2:1	4.692
Unvegetated Wetlands (Ponds) Filled	0.000	1:1	0.000
Hand-Clearing in Vegetated Wetlands	0.000	1:1.5	0.000
Phase 1 Infrastructure Total	**2.341 acres**	2:1	**4.692 acres**
GRAND TOTAL	**6.206 acres**		**10.867 acres**

Notes: * Mitigation ratios will be set by the USACE and NYSDEC.

G. STORMWATER MANAGEMENT

COMPREHENSIVE DEVELOPMENT PLAN (FGEIS)

The alignment and grading of the selected alternative Resort Entry Road has been designed to include a system of green infrastructure practices as well as stormwater ponds that will capture, convey, and manage stormwater runoff. The proposed roadway is designed with the minimum lane width, thereby reducing the potential impervious surface coverage. The median will be vegetated and landscaped with trees, where sight distance allows, providing additional green infrastructure practices along the entire roadway. The roadway will consist of asphalt pavement sloped to convey stormwater runoff to a vegetated open channel that will convey runoff to a bioretention basin. Stormwater management ponds are proposed at various sections of the roadway to provide additional treatment and provide detention during larger storm events. The system is designed to meet the requirements of the NYSDEC Stormwater Management Design Manual. **Figure 2-4** shows the overall approach to stormwater management for the Resort Entry Road.

Beyond the stormwater management design of the Resort Entry Road, the design approach to stormwater management for the full CDP has not changed. It will still include a system of green infrastructure and stormwater ponds designed to capture, treat and detain stormwater runoff to the predevelopment conditions. The design intent for stormwater management is to comply with the Stormwater Management Design Manual to the extent practicable. If the design requires deviation from the manual, the Applicant will work with NYSDEC to develop measures that are acceptable. The intent is to capture the water quality volume in various green infrastructure practices, thereby reducing the stormwater runoff volume from post-development conditions. Therefore, green infrastructure planning techniques would be evaluated in each phase trying to maintain existing stream corridors, avoid and minimize impacts to wetlands and the natural buffer, steep slopes and natural resources. However, the implementation of green infrastructure practices will be incorporated into each phase of the development. Practices would include reduction of impervious surface through minimizing drive aisles and roadway widths while integrating roadway and parking design to segment portions of impervious surfaces into rain gardens, bioretention basins, open channel swales, and storm planters where feasible. Other practices that would be implemented may include rain barrels, cisterns, for water reuse for irrigation or other water demands. Storm planters, porous pavement and pervious pavers would also be included in the hierarchy of green infrastructure practices that could be incorporated into the complete stormwater management design.

SITE SPECIFIC DEVELOPMENT OF PHASE 1 (FEIS)

Since the publication of the DGEIS/DEIS, the Phase 1 Site Plan and associated stormwater design has continued to progress. Stormwater ponds have been sized to capture and treat the Water Quality Volume from the contributing drainage area. There are several ponds located on-site that will provide treatment and detention. (**Figure 2-5**) The system is designed to meet the requirements of the NYSDEC Stormwater Management Design Manual where the post-development flows will not exceed pre-development flows.

Preliminary geotechnical investigation has been performed in several areas indicating that the depth to the water table is shallow in most areas and that the permeability rates vary but tend to be slow. The primary hydrologic soil groups are C and D throughout the site. These conditions are not conducive to green infrastructure practices, however, rain gardens, bioretention basins,

porous pavement, and pervious pavement are proposed in areas where the soils are conducive to green infrastructure practices.

In addition to developing the stormwater management system in conformance with the NYSDEC General Permit, there have been additional developments in the Concentrated Animal Feeding Operations (CAFOs) design and permitting. The existing CAFOs permit for the Monticello track will be modified to include the operations at the proposed paddock and racetrack. The paddock and stalls will be a covered building located to the west of the proposed racetrack. The stormwater runoff from the track will be conveyed overland through a grassed filter strip to a vegetated swale discharging into a stormwater pond in the center of the track. The stormwater pond is designed to detain the flows during the 1, 2, 10, 25, and 100-year, 24-hour storm event. An outlet control structure will be designed to detain the flows and convey stormwater under the track to a vegetated treatment area (VTA) located between the track and Thompsonville Road. A second VTA is proposed at the southwest corner of the track providing treatment from the stormwater runoff and snowmelt from the snow stockpile area.

H. WATER SUPPLY

COMPREHENSIVE DEVELOPMENT PLAN (FGEIS)

The selected alternatives and mitigation for the Proposed Project will not substantially alter the plans to acquire and distribute water to the Project Site from the conditions that were analyzed in the DGEIS/DEIS. As stated in the DGEIS/DEIS, three water supply and distribution sources are available for the Project: on site sources, connection with Kiamesha Artesian Spring Water Company (KASWC), and the Village of Monticello Water Department. Owing to the selection of the Resort Entry Road, the potential routing of the water supply lines has been revised as shown in **Figure 2-6**.

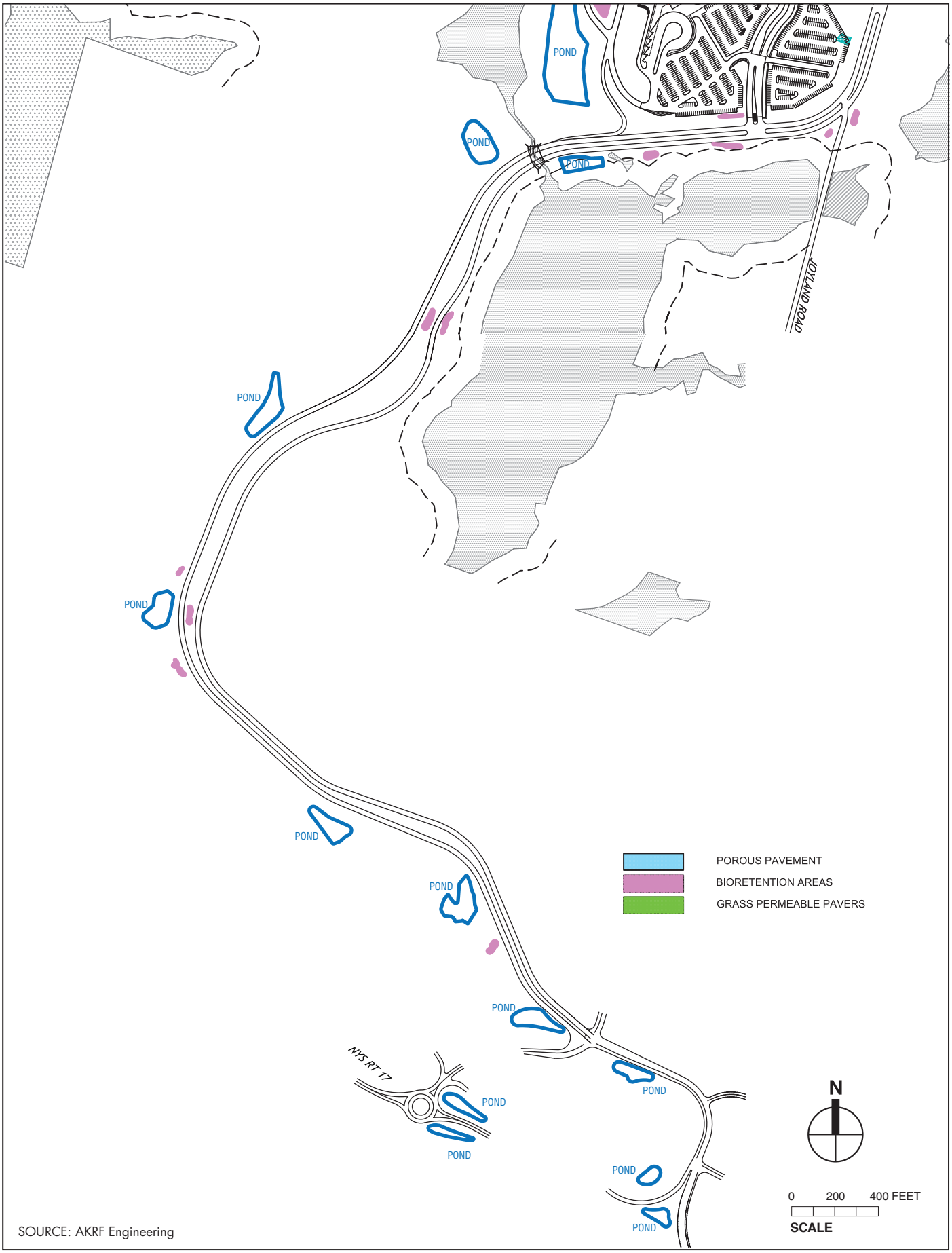
SITE SPECIFIC DEVELOPMENT OF PHASE 1 (FEIS)

The Applicant is negotiating with the Village of Monticello Water Department to provide water for Phase 1 components of the Proposed Project. On November 20, 2012, the Village of Monticello adopted a resolution that authorized continued negotiations with EPT Concord Resort regarding a water contract. (See Appendix A-5)

The Village of Monticello is in the process of engaging an engineer with expertise in water supply to review the details of interconnecting the Village's water system with the Proposed Project. As stated in the DGEIS/DEIS, The Village of Monticello Water Department's Water Treatment Plant has a design capacity to pull and treat two (2) million gallons per day (MGD) from Kiamesha Lake. This capacity, together with the daily allowable withdrawal of 900,000 GPD from the Village's three wells, provides a total of 2.9 MGD. The actual daily use varies from an average of 1.1 MGD to a maximum of 2.3 MGD. Therefore, a surplus water supply of approximately 600,000 GPD exists.[1]

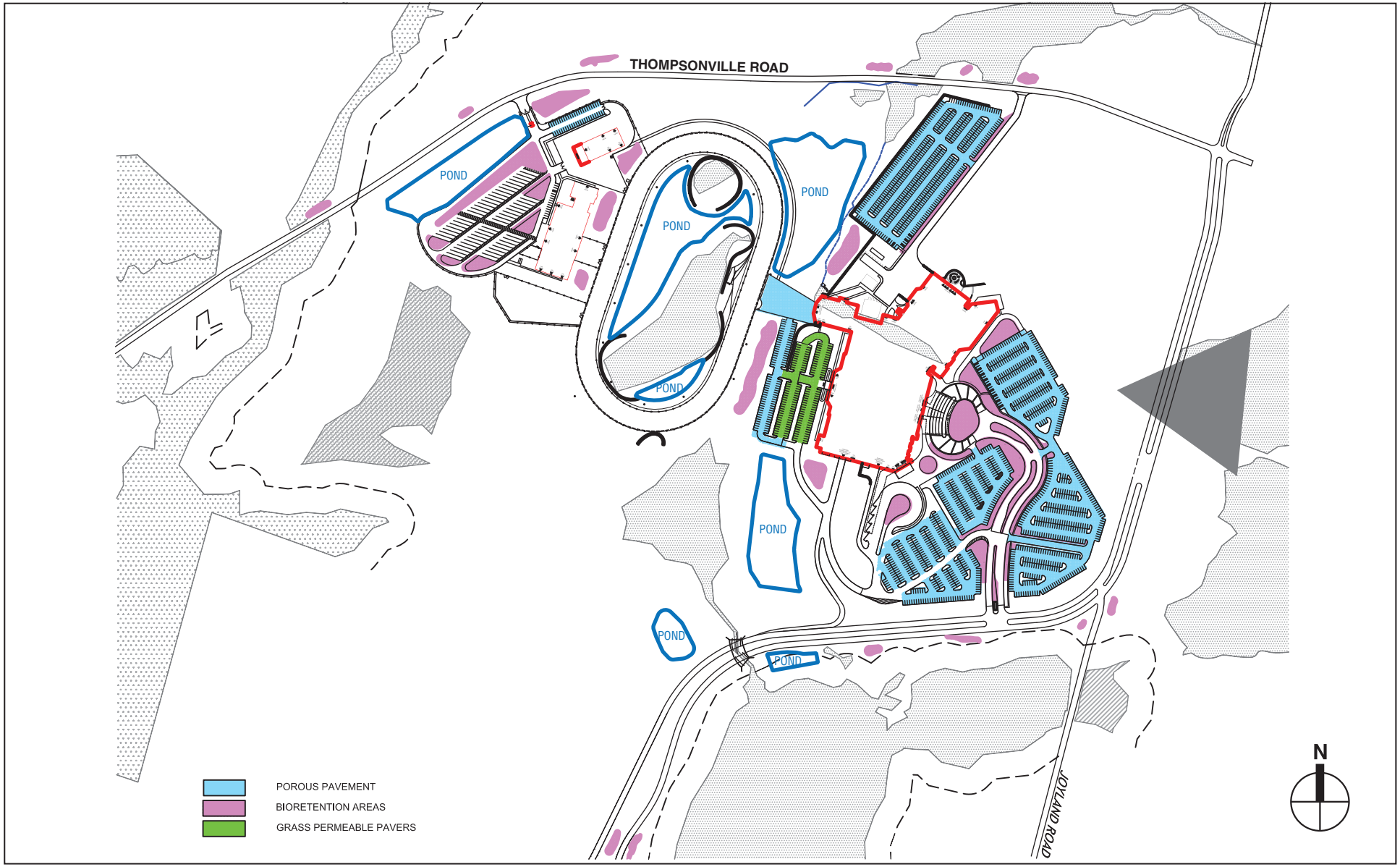
[1] Water supply and demand figures based on Delaware River Basin Commission Docket included in DGEIS Appendix H-1.

12.6.12



SOURCE: AKRF Engineering

Resort Entry Road Stormwater Management



SOURCE: AKRF Engineering

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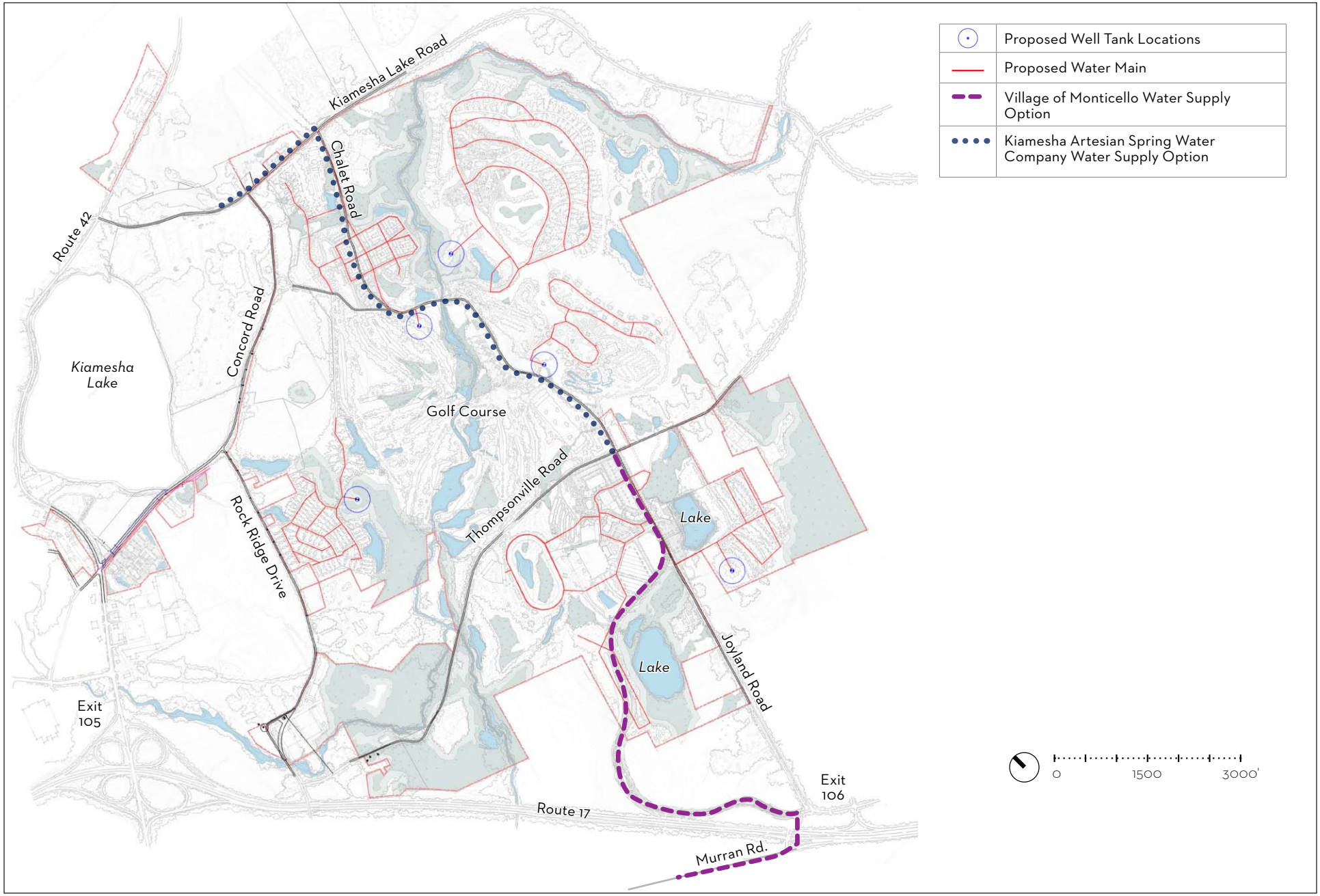
SCALE

Phase 1 Green Infrastructure
Figure 2-5



Water Supply

I. SANITARY SEWER SERVICE

COMPREHENSIVE DEVELOPMENT PLAN (FGEIS)

The selected alternatives and mitigation will not substantially alter the plans to connect the Proposed Project to the existing sanitary sewer facilities in the Town of Thompson. Minor revisions to the proposed routing of the sanitary sewer lines are shown on **Figure 2-7**.

SITE SPECIFIC DEVELOPMENT OF PHASE 1 (FEIS)

The selected alternatives and mitigation for Phase 1 will not substantially alter the plans to connect the Proposed Project to the existing sanitary sewer facilities in the Town of Thompson.

J. ENERGY AND TELECOMMUNICATIONS

COMPREHENSIVE DEVELOPMENT PLAN (FGEIS)

The selected alternatives and mitigation for the Proposed Project will not substantially alter the energy and telecommunications impacts from those analyzed in the DGEIS/DEIS.

SITE SPECIFIC DEVELOPMENT OF PHASE 1 (FEIS)

The selected alternatives and mitigation for the Revised Phase 1 will not substantially alter the energy and telecommunications impacts from those analyzed in the DGEIS/DEIS. New York State Electric and Gas (NYSEG) has provided the Applicant with another 'will serve' letter confirming that it can provide the electric load required by both the Casino Resort and the Entertainment Village. (Appendix D)

K. TRAFFIC AND TRANSPORTATION

INTRODUCTION

An updated traffic impact study has been completed for the FGEIS/FEIS. This study addresses several comments received on the analysis presented in the DGEIS/DEIS and includes an analysis of the selected alternative Resort Entry Road. Responding to comments, the updated traffic impact study also analyzes the traffic generated from the Proposed Project and Phase 1 without the CALP-sponsored road improvements and in the absence of CALP-generated traffic. A summary of the results of this analysis are presented below. The full traffic impact study can be found in Appendix E of this FGEIS/FEIS.

COMPREHENSIVE DEVELOPMENT PLAN (FGEIS)

A qualitative assessment was performed and potential mitigation identified for each of the study intersections based on the volumes developed for the full build of the Proposed Project. Mitigation measures are summarized in **Table 2-5**. As the proposed EPT Concord Resort development program advances, supplemental detailed traffic studies and intersection analyses will be needed to specifically identify potential impacts and required mitigation. In addition to the potential mitigation described below, the implementation of intelligent transportation systems (ITS) as discussed in Appendix E will be included in the analyses of future mitigation. The impacts and mitigation identified in this FGEIS/FEIS are qualitative. Specific impacts of

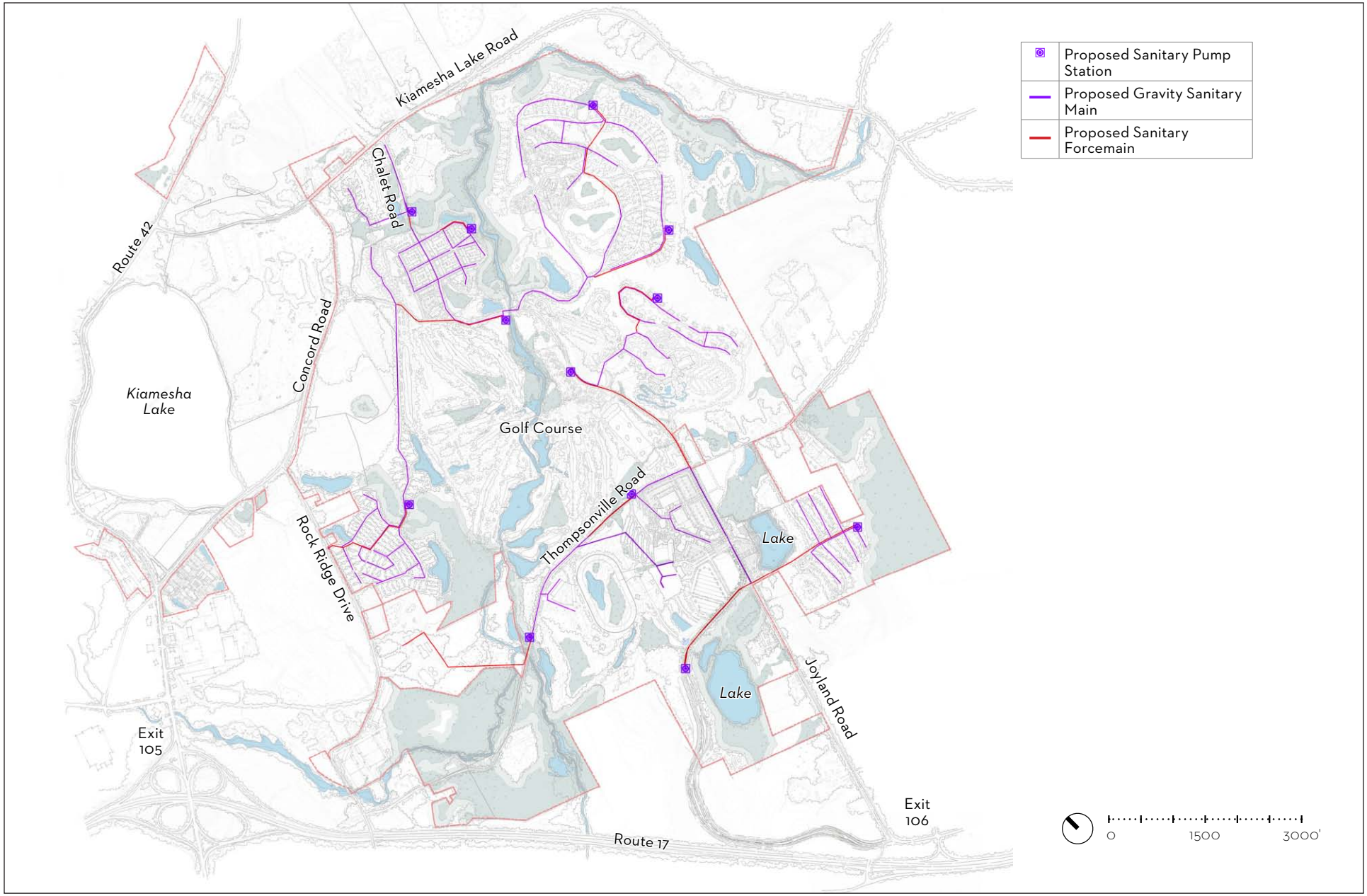
future phases will be analyzed at the time of their Application. The Applicant will continue to coordinate with the Town and other regulatory agencies to determine the appropriate mitigation for the impacts of these future phases at the time that they are proposed.

Table 2-5
Full Build Out Potential Mitigation Measures Summary

Intersection	Mitigations Measures
Liberty Street / Broadway	Potential signal re-timings
Pleasant Street / Broadway	Potential signal re-timings Potential improvements to eastbound and westbound approaches
NYS Route 42 / Anawana Lake Road	Potential signal re-timings Potential for lane geometry improvements
NYS Route 42 / Depot Drive	Potential signal re-timings Potential for lane geometry improvements
NYS Route 42 / Concord Road	Potential signal re-timings Potential for lane geometry improvements
NYS Route 42 / Kiamesha Lake Road	Potential for lane geometry improvements
Rock Ridge Drive / Concord Road	Potential signalization of intersection Potential to provide turn lanes on Concord Road
Concord Road / Kiamesha Lake Road	Potential signalization of intersection
Joyland Road / Thompsonville Road	Potential signalization of intersection
NYS Route 17 Interchange 106	Potential overpass widening and expanding the single lane roundabout to a two-lane roundabout.
Note: Mitigation measures identified for the full build out are preliminary based on a qualitative analysis of the full build volumes. Location specific mitigation measure will be identified in future studies when detailed intersection operation analyses are conducted based on an identified development program.	

SIGNALIZED INTERSECTIONS

- Liberty Street and Broadway – at full build out, the Proposed Project is estimated to generate approximately 200 more vehicles along Broadway; therefore, potential signal re-timings may be needed at this intersection. Future supplemental studies will identify detailed mitigation measures.
- Pleasant Street and Broadway – based on the No Build volumes, this intersection may deteriorate to unacceptable LOS E or LOS F conditions with project traffic exacerbating conditions. Mitigation for this intersection could include signal timing adjustments and improvements to the eastbound and westbound approaches. Future supplemental studies will identify detailed mitigation measures.
- NYS Route 42 and Anawana Lake Road – based on the No Build volumes, this intersection may deteriorate to unacceptable LOS E or LOS F conditions with project traffic exacerbating conditions. Mitigation for this intersection could include signal timing adjustments and roadway improvements within the right-of-way. Future supplemental studies will identify detailed mitigation measures.
- NYS Route 42 and Depot Drive – based on the No Build volumes, this intersection may deteriorate to unacceptable LOS E or LOS F conditions with project traffic exacerbating conditions. Mitigation for this intersection could include signal timing adjustments and



Sanitary Sewer Service

roadway improvements within the right-of-way. Future supplemental studies will identify detailed mitigation measures.

- NYS Route 42 and Concord Road – based on the No Build volumes, this intersection may deteriorate to unacceptable LOS E or LOS F conditions with project traffic exacerbating conditions. Mitigation may be needed at this intersection that could include adjusted signal timings and additional turn lanes on all approaches. Future supplemental studies will identify detailed mitigation measures.
- NYS Route 42 and Kiamesha Lake Road – based on the No Build volumes, this intersection may deteriorate to unacceptable LOS E or LOS F conditions with project traffic exacerbating conditions. Mitigation for this intersection could include signal timing adjustments and roadway improvements within the right-of-way. Future supplemental studies will identify detailed mitigation measures.

UNSIGNALIZED INTERSECTIONS

- Old Liberty Road and Fraser Road – this intersection will likely continue to operate at acceptable conditions and will not need mitigation to accommodate project traffic.
- Rock Ridge Drive and Concord Road – at full build out, the Proposed Project will add approximately 700 vehicles to this intersection during both the Friday and Sunday peak hours. The increase in traffic may result in the need to signalize the intersection and provide turn lanes along Concord Road.
- Rock Ridge Drive and Thompsonville Road – at full build out, the Proposed Project will add less than 300 vehicles to this intersection during both the Friday and Sunday peak hours. Given the low background volumes at this intersection and small increase in traffic due to the project, mitigation may not be needed.
- Concord Road and Kiamesha Lake Drive – at full build out, the Proposed Project will add 600 and 400 vehicles trips during the Friday and Sunday peak hours, respectively. This additional traffic may result in the need to signalize this intersection.
- Chalet Road and Kiamesha Lake Drive – at full build out, the Proposed Project will add less than 250 vehicles trips during the Friday and Sunday peak hours. Given the small amount of project trips added and low background volumes, mitigation may not be needed at this intersection.
- Joyland Road and Thompsonville Road – at full build out, the proposed EPT Concord Resort project will add a significant amount of traffic to this intersection. Therefore, it is likely this intersection will need to be signalized and turn lanes added on all approaches.
- Heiden Road and Thompsonville Road – at full build out, the Proposed Project will add less than 50 vehicle trips during the Friday and Sunday peak hours. Given the small amount of project trips added to low background volumes, mitigation may not be needed at this intersection.
- Heiden Road and Lake Kiamesha Road – at full build out, the Proposed Project will add less than 170 vehicles trips during the Friday and Sunday peak hours. Given the small amount of project trips added and low background volumes, mitigation may not be needed at this intersection.

The inclusion the Kelli Wood and Gan-Eden developments would exacerbate the unacceptable conditions along NYS Route 42. However, these developments would have little impact on traffic operations along Joyland Road, Heiden Road, Kiamesha Lake Road, Concord Road, and Thompsonville Road.

NYS ROUTE 17 INTERCHANGE 106 (JOYLAND ROAD)

To accommodate the Proposed Project components anticipated to come on line in 2014, (i.e. Phase 1, Golf Course, and select components of the Entertainment Village), mitigation is required at the Cimarron Road/NYS Route 17 Interchange 106 Ramp intersections and at the Joyland Road/Cimarron Road intersection to provide acceptable LOS conditions. A majority of the traffic from the full build out of the Proposed Project will continue to traverse these intersections and may degrade operations at them and the two-lane overpass to unacceptable conditions. Given the right of way constraints in this area and the limited available width on the overpass, full build out of the Proposed Project may require additional mitigation that could include a re-design and re-construction of this interchange to accommodate the increased vehicle turning movements. Re-design could include widening the overpass from a two-lane to four-lane roadway and expanding the roundabout at County Road 173/Overpass intersection from a single-lane to two-lane roundabout.

For future studies, the viability of using Heiden Road for vehicles to access parcels to the north of Thompsonville Road should be studied to reduce the high traffic volumes on Interchange 106. If subsequent supplemental studies assign the Proposed Project's trips to Heiden Road, then intersections at Interchange 107 (Heiden Road) and between Interchange 107 and Thompsonville Road should be added to the study area to be analyzed.

PUBLIC TRANSPORTATION

Under the full build out of the Proposed Project, it is anticipated that small to moderate increases in public transportation demand will occur mainly as a result of the development of the proposed residential component. However, it is the policy of the transportation agencies to adjust their schedules to meet the projected increases in demand. Additionally, a shuttle service will also be provided to guests and residents of the EPT Concord Resort offering transportation to locations throughout the Casino Resort, thereby eliminating additional vehicle trips.

PEDESTRIAN AND BICYCLE CONDITIONS

Under the full build out of the Proposed Project, there will be small to moderate increases in both pedestrian and bicycle traffic at certain locations throughout the study area. It is also assumed that, as the anticipated development schedule will be market driven and built in phases, subsequent development components will require detailed supplemental pedestrian studies to determine the need for improvements to existing facilities or the creation of new pedestrian and bicycle facilities. Any pedestrian/bicycle/vehicular conflict issues that will require safety improvement measures will also be examined.

SITE SPECIFIC DEVELOPMENT OF PHASE 1 (FEIS)

To accommodate traffic volumes resulting from Phase 1 and the additional program components anticipated to come on line in 2014 (i.e., the Golf Course and select components of the Entertainment Village), mitigation will be required at four of the study area locations. These measures are summarized in **Table 2-6** and described in more detail below. In addition, improvements to local roads*, if necessary, may be required for Phase 1 and subsequent phases. The mitigation measures developed meet the criteria established by the Town of Thompson and the Town's traffic consultant, for intersection operations. The Applicant will also coordinate with the Town on a program to monitor the conditions of the public roadways utilized for access to Phase 1. Based on the results of this monitoring program, the Applicant and the Town will

agree upon the work necessary to improve the roads. The Applicant will either construct or fund the cost of the agreed upon roadway improvements.

Table 2-6
2014 Build Year Mitigation Measures Summary

Intersection	Mitigations Measures
Pleasant Street and Broadway	• Adjust signal timings to reallocate green time to eastbound left-turn lane during the Friday peak hour.
NYS Route 42 / Concord Road	• Adjust signal timings to reallocate green time to westbound approach during the Friday peak hour.
NYS Route 42 / Kiamesha Lake Road	• Adjust signal timings to reallocate green time to westbound approach during the Sunday peak hour.
Interchange 106 (Joyland Road/Cimarron Road; NYS Route 17 WB Ramps/Cimarron Road; NYS Route 17 EB Ramps/Cimarron Road)	• Realign Cimarron Road. • Install signal at NYS Route 17 WB ramps/Cimarron Road intersection. • Install signal at Joyland Road/Cimarron Road/New Entry Road intersection. • Install signal at NYS Route 17 EB ramps/Cimarron Road intersection. • Prohibit westbound left-turns and southbound left-turns at NYS Route 17 EB ramps/Cimarron Road intersection • Install roundabout at County Road 173/Cimarron Road intersection
*Note: Local roads, including Chalet, Thompsonville, Rock Ridge and Concord Road, will be assessed as part of site plan review for each phase.	

The following proposed mitigation measures were also presented to the New York State Department of Transportation (NYSDOT) Region 9 at meetings in May 2012, July 2012, and November 2012:

- Pleasant Street and Broadway – Adjust signal timings to reallocate green time to the eastbound left-turn movement during the Friday peak hour. With this mitigation measure all approaches operate at LOS D or better;
- NYS Route 42 and Concord Road – Adjust signal timings to reallocate green time to the westbound approach during the Friday peak hour. With this mitigation measure all approaches operate at LOS D or better;
- NYS Route 42 and Kiamesha Lake Road – Adjust signal timings to reallocate green time to westbound approach during the Sunday peak hour. With this mitigation measure all approaches operate at LOS C or better;
- Joyland Road and Cimarron Road, NYS Route 17 Westbound Ramps/Towner Road and Cimarron Road, NYS Route 17 Eastbound Ramps and Cimarron Road intersections – Redesign Interchange 106 (See Figure 11-11 in Appendix E). The redesigned interchange was evaluated using the VISSIM micro-simulation software. With the redesigned interchange, all approaches at the Interchange 106 intersections will operate at LOS D or better except for the westbound approach at the County Road 173/Overpass roundabout, which will operate at LOS E conditions. When presented to DOT and the County, the LOS E condition was accepted due to the low volumes experiencing this delay.

- Also, in consultation with and approval from NYSDOT and other involved agencies, an innovative approach towards addressing proposed mitigation, Intelligent Transportation Systems (ITS), will also be considered. Mitigation measures could include installation of adaptive traffic control systems to improve vehicle detection/operations including the addition of system detectors for data collection and monitoring.
- Video monitoring that will allow for the remote viewing of the operation of the adaptive traffic control systems at the NYS Route 17 Exit 106 Interchange to ensure that the newly implemented systems are functioning correctly. The video monitoring will also improve safety and accident response time and will be part of the overall traffic management plan to be developed for the Proposed Project with the Town and emergency services.
- A sensitivity analysis was conducted along NYS Route 42 assuming the trips generated by, and improvements associated with, the CALP project were removed. Under this scenario, the impacts were mitigated with signal timing adjustments at Pleasant Street and Broadway, NYS Route 42 and Anawana Lake Road, and NYS Route 42 and Depot Drive.

All mitigation will require a Highway Work Permit (HWP) from NYSDOT and possibly other government agencies such as the Sullivan County Department of Public Works (DPW) and Town of Thompson DPW.

PUBLIC TRANSPORTATION

Approximately 10 to 15 buses per day will service the casino, thus likely not having an impact during peak hours of traffic operations. Although there may be a small increase in public transportation demand with Phase 1, this impact would not be considered significant.

PEDESTRIAN AND BICYCLE CONDITIONS

Although there may be a small increase in pedestrians and bicycles with the development of Phase 1, this impact would not be considered significant. Nonetheless, as part of the mitigation required at the Cimarron Road/NYS Route 17 Exit 106 Ramp intersections, the shoulder widths on the overpass will remain unchanged, thus still accommodating pedestrian and bicycle traffic. In addition, the construction of the selected alternative Resort Entry Road parallel to Joyland Road will lower vehicular volumes on Joyland Road, thus improving pedestrian safety on this section of roadway.

L. AIR QUALITY

COMPREHENSIVE DEVELOPMENT PLAN (FGEIS)

The selected alternatives and mitigation for the Proposed Project will not substantially alter the air quality impacts from those analyzed in the DGEIS/DEIS.

SITE SPECIFIC DEVELOPMENT OF PHASE 1 (FEIS)

MOBILE SOURCE AIR QUALITY SCREENING ANALYSIS

The assessment of the potential air quality effects of CO emissions that will result from vehicles traveling to and departing from the development of Phase 1 of the Proposed Project was updated based on the traffic study presented above. This assessment concluded that, based on the

selected alternatives and mitigation for Phase 1, no substantial alterations to the air quality impacts described in the DGEIS/DEIS are likely to occur.

The updated analysis used the same screening methodology and procedures outlined in the NYSDOT EPM and used in the DGEIS. Based on the revised traffic data, the Friday peak traffic hour was revised to 5:00 PM to 6:00 PM, and the Sunday peak traffic hour was revised to 3:30 PM to 4:30 PM. In addition, the Phase 1 Build Year was revised from 2013 to 2014 in the analysis.

The area roadway intersections were reviewed based on NYSDOT's *EPM* criteria for determining locations that may warrant a CO microscale air quality analysis. The screening analysis examined the LOS and projected volume increases by intersection approach.

The LOS screening criteria were first applied to identify those intersections with approach LOS D or worse. Based on the review of the 20 intersections analyzed, one additional intersection, Route 42/Pleasant Street and Broadway will be expected to operate at LOS D or worse during one of the peak traffic periods analyzed.

Further screening on the intersections identified in the LOS Screening Analysis was conducted using the Capture Criteria. At the new intersection, none of the Capture Criteria will be met. In addition, there were no changes to the Capture Criteria at the existing seven intersections with LOS D or worse. A Volume Threshold screening analysis was conducted to further determine the need for a microscale air quality analysis at the same four intersections that met the Capture Criteria. Based on the Volume Threshold screening, the revised Phase 1-related traffic volumes in the Build year at each of the intersections will be below the Volume Threshold criteria.

Therefore, the revised analysis concluded that none of the 20 Phase 1-affected intersections will require a detailed microscale air quality analysis, and no significant adverse air quality impacts are expected to occur as a result of the mobile sources associated with Phase 1 of the Proposed Project.

STATIONARY SOURCE AIR QUALITY SCREENING ANALYSIS

In addition to the information presented in the DEIS, Phase 1 is also expected to have two 1 mmBtu/hr hot water heaters located in the podium building and three 1.3 mmBtu/hr hot water heaters located in the showroom building. Potential concentrations from these sources are not expected to contribute to the potential concentrations from the boilers analyzed in the DGEIS since they are relatively small sources and are located in separate areas of the site. Therefore, the impacts to air quality from stationary sources presented in the DGEIS/DEIS will not be substantially altered.

M. NOISE

COMPREHENSIVE DEVELOPMENT PLAN (FGEIS)

The selected alternatives and mitigation for the Proposed Project will not substantially alter the noise impacts from those analyzed in the DGEIS/DEIS.

As noted in the DGEIS/DEIS, no uses of all-terrain vehicles (ATV's) are included as part of the Proposed Project. Any plans to include ATV uses as part of the Proposed Project would require a separate site plan application. The site plan application would be reviewed by the Planning Board, which would assess the application for consistency with adjacent land uses, consistency

with the overall master development plan, as well as for potential noise and other environmental impacts.

As stated in the DGEIS/DEIS, the closest receptor to the proposed harness horse racetrack is more than 800 feet from the track. At that distance, the noise level generated by the track would be below 36 dBA, less than the measured noise levels at receptor locations surrounding the Project Site. Consequently, it is not expected that the operations of the track will result in any noise level increases that would be considered perceptible or significant according to NYSDEC criteria.

SITE SPECIFIC DEVELOPMENT OF PHASE 1 (FEIS)

Using the same methodology described in the DEIS, the potential noise effects of the selected alternatives and mitigation for Phase 1 were examined. The updated analysis determined that the selected alternatives and mitigation for Phase 1 will not substantially alter the mechanical equipment or harness racing noise impacts from those analyzed in the DGEIS/DEIS, however the conclusions of the mobile source noise analysis will be affected by the selected alternatives and mitigation for Phase 1. **Table 2-7** shows the results of the DEIS and revised mobile source analyses.

Table 2-7
Future Noise Levels due to Vehicular Traffic (dBA)

Site	Time	Existing $L_{eq(1)}$	DEIS		FEIS	
			Future Build $L_{eq(1)}$	**Project Increment**	**Future Build $L_{eq(1)}$**	**Project Increment**
1	Friday Evening	60.0	66.5	6.5	58.5	-1.5
	Sunday Afternoon	51.3	66.7	15.4	54.5	3.2
2	Friday Evening	55.4	57.9	2.5	55.3	-0.1
	Sunday Afternoon	49.3	56.3	7.0	50.6	1.3
3	Friday Evening	56.8	57.2	0.4	57.0	0.2
	Sunday Afternoon	44.4	48.4	4.0	48.4	4.0
4	Friday Evening	47.4	56.3	8.9	56.8	9.4
	Sunday Afternoon	51.4	56.2	4.8	56.7	5.3
5	Friday Evening	43.1	43.2	0.1	43.2	0.1
	Sunday Afternoon	50.6	50.6	0.0	50.6	0.0
6	Friday Evening	55.0	55.0	0.0	55.1	0.1
	Sunday Afternoon	47.8	47.8	0.0	48.0	0.2

At receptors 3, 5, and 6, the results of the revised mobile source noise analysis for the selected alternatives and mitigation for Phase 1 are comparable to those of the DEIS mobile source analysis, and no significant noise impacts are predicted to occur,

At receptors 1 and 2, the selected alternatives and mitigation for Phase 1 are predicted to result in noise level increases well below those predicted in the DEIS analysis. The scenario analyzed in the DEIS predicted nearly a tripling of perceived noise level at receptor 1 during the Sunday Afternoon peak hour, but with the selected alternatives and mitigation for Phase 1, only a barely

noticeable increase in noise levels will occur. The scenario analyzed in the DEIS predicted a readily noticeable change in noise levels at receptor 2 during the Sunday Afternoon peak hour, but with the selected alternatives and mitigation for Phase 1, only a barely noticeable increase in noise levels will occur. These receptors are located along Joyland Road north of where the Revised Entry Road diverges from Joyland Road and Cimarron Road. All project generated traffic will use the Resort Entry Road to enter the Project Site which will decrease the volume of vehicles on Joyland Road between Cimarron Road and where the Resort Entry Road re-connects to Joyland Road. The lower traffic volumes on this segment of Joyland Road result in decreased noise levels at receptors 1 and 2 as compared to the results of the DEIS noise analysis, and consequently, no significant noise impacts at these locations are predicted to occur.

At receptor 4, the selected alternatives and mitigation for Phase 1 are predicted to result in noise level increases less than a decibel greater than those predicted in the DEIS analysis, including an increase of 9.4 dBA during the Friday Evening peak hour. This is a readily noticeable change in noise levels and would exceed NYSDEC's threshold for a significant noise level increase. However, the absolute level of 56.8 dBA will be well below NYSDEC's acceptable level for residential uses of 65 dBA, and will therefore not constitute a significant impact.

N. ECONOMIC CONDITIONS

COMPREHENSIVE DEVELOPMENT PLAN (FGEIS)

The selected alternatives and mitigation for the Proposed Project will not substantially alter the substantial economic and fiscal benefits to the Town of Thompson, Sullivan County, the Catskills region, and New York State. Construction of the Proposed Project is anticipated to directly generate 6,325 person-years of employment in New York State, of which 5,674 person-years are anticipated in the Catskills region. Upon completion, the Proposed Project will support approximately 1,642 direct permanent full-time equivalent (FTE) jobs. This economic activity will lead to the creation of additional indirect and induced jobs.

It is anticipated that the Applicant of the Proposed Project will submit an application to the Sullivan County Industrial Development Agency for financial assistance pursuant to the Destination Resort Program.

SITE SPECIFIC DEVELOPMENT OF PHASE 1 (FEIS)

Phase 1 construction is anticipated to directly generate an average of 1,523 person-years of employment in New York State, of which 1,475 person-years will be in the Catskills region. Upon completion, Phase 1 will generate an estimated 1,143 FTE jobs.

It is anticipated that the Applicant of the Proposed Project will submit an application to the Sullivan County Industrial Development Agency for financial assistance pursuant to the Destination Resort Program.

O. CULTURAL RESOURCES

INTRODUCTION

This section of the FGEIS/FEIS assesses new information from additional investigations conducted subsequent to the publication of the DGEIS/DEIS, and the potential effects of the

selected alternatives and mitigation for the Proposed Project on cultural resources, including archaeological and architectural resources ("historic resources").

COMPREHENSIVE DEVELOPMENT PLAN (FGEIS)

ARCHAEOLOGICAL RESOURCES

Revised CDP

The proposed CDP will not affect the conclusions regarding impacts to archaeological resources contained in the DGEIS/DEIS. As described in the DGEIS/DEIS, large portions of the Project Site were the subject of archaeological testing and the few archaeological resources discovered were not significant. As plans for the current EPT Concord Resort Revised CDP are developed and site plan approvals and permits are requested, additional cultural resource investigations may be required on previously untested portions of the Project Site to determine the presence or absence of archaeological resources (i.e., those areas not shown as having been surveyed on Figure 15-1 in the DGEIS/DEIS). If archaeological resources are identified, they will be evaluated prior to project initiation to determine their integrity, significance, and eligibility for listing on the S/NR. If any such resources are determined to lack integrity or significance and are therefore considered ineligible for listing, there will be no impacts to archaeological resources from the project. However, if any such resources are determined to be S/NR eligible and if they cannot be avoided, the Proposed Project will likely have an adverse effect.

Resort Entry Road

Once the limits of disturbance for the selected alternative Resort Entry Road are determined as a result of detailed engineering and design additional archaeological investigations will be required to determine the presence or absence of archaeological resources. These investigations will be coordinated with SHPO and will be prepared prior to the issuance of site plan approval or permits. Should SHPO determine that there are eligible archaeological resources within the selected alternative Resort Entry Road, EPT will work with SHPO to develop the appropriate mitigation measures to offset these impacts.

HISTORIC RESOURCES

CDP

The revisions to the CDP will not affect the conclusions regarding impacts to historic resources contained in the DGEIS/DEIS. As described in the Chapter 15, "Cultural Resources" of the DGEIS/DEIS, as subsequent phases of development of the EPT Concord Resort CDP proceed, analyses of potential effects on historic resources will be required. This will include, in consultation with SHPO, the identification of appropriate Areas of Potential Effect (APEs) in which to evaluate historic resources, completion of the identification of historic resources within the APEs, assessment of the development's effects on any identified historic resources, and development of appropriate mitigation measures if adverse effects would occur on historic resources.

Selected Alternative Resort Entry Road

To assess the proposed effects of the selected alternative Resort Entry Road on historic resources, an APE was delineated and historic resources were identified in the APE in consultation with SHPO. The APE is identified as that area including the directly affected areas

and within approximately 400 feet of the proposed and reconfigured roadways. The APE was submitted to SHPO on October 19, 2012. SHPO has provided determinations of S/NR eligibility for properties in the APE as part of their review of the Proposed Project in correspondence dated June 14, 2012 (included in the DGEIS/DEIS) and November 13, 2012 (see Appendix F).

Within the APE, two historic resources have been identified, the Breezy Corners Bungalow Colony at 253 Joyland Road and the Osterhoudt-Towner Farm at 75 Cimarron Road (see Figure 15-2 of the DGEIS/DEIS for location of the Breezy Corners Bungalow Colony and **Figure 2-8** for the location of the Osterhoudt-Towner Farm).

The Breezy Corners Bungalow Colony was determined S/NR eligible by SHPO as part of their review of the Proposed Project. As described in Chapter 15, "Cultural Resources" of the DGEIS, this property will be adversely impacted by the widening of Joyland Road. Even with the selection of the Resort Entry Road, where it rejoins Joyland Road, the impact to Breezy Corners remains unchanged from the DGEIS/DEIS.

In addition, subsequent to the selection of the Resort Entry Road, additional historic investigations were conducted and no other historic resources were identified within the areas directly affected by the Resort Entry Road. SHPO has reviewed the potential significance of the structures on the properties and has determined these properties to not meet eligibility criteria for listing on the S/NR. [1]

However, within the 400-foot APE, the Osterhoudt-Towner Farm at 75 Cimarron Road has previously been determined eligible for listing on the S/NR (see **Figure 2-9**).[2] The property consists of a farmhouse, barn and small outbuilding. The farmhouse, built circa 1830, is two-stories, clad in clapboard, and is a vernacular interpretation of the Greek Revival style. 20th century alterations include an addition at the rear of the house, a contemporary metal paneled roof, and modifications to the front porch. The barn is located behind the house and is two-stories with a gambrel roof, clapboard siding, and a square cupola. The property is significant for its association with the agricultural history of the region and the long land ownership in the area by the Towner family. The farmhouse is also architecturally significant as an example of a vernacular interpretation of a Greek Revival style farmhouse.

The selected alternative Resort Entry Road will have no adverse effect on the Osterhoudt-Towner Farm. The farmhouse is located approximately 300 feet from the roadway improvements with the barn and outbuilding located at a greater distance. Based on vibration-induced risk criteria for construction activities (as presented in Table 15-1 of Chapter 15, "Cultural Resources" of the DGEIS/DEIS), these structures are located beyond the range for architectural or structural damage from construction activities anticipated to modify and construct roadways for the Resort Entry Road, including pavement breaking, excavating and bulldozing, heavy truck traffic, and use of jackhammers. In addition, the Resort Entry Road will have no indirect effects on this historic resource. The Osterhoudt –Towner Farm is separated

[1] See letters from SHPO dated June 14, 2012 and November 13, 2012 (see Appendix F). In addition, SHPO had previously determined the property at 1 Towner Road not eligible for listing on the S/NR.

[2] Also within the APE, SHPO determined in a letter dated November 13, 2012 that the Frank House at 71 Cimarron Road is not eligible for listing on the S/NR. As part of the DEIS, SHPO also previously determined that the bungalow colonies at 42 and 71 Joyland Road are not eligible for listing on the S/NR in a letter dated June 14, 2012 (see Appendix F for the November 13, 2012 letter and the DGEIS for the June 14, 2012 letter).

from the proposed new roadway that will be constructed west of Towner Road by a number of intervening properties. Therefore, there will be no adverse visual effects or detrimental effects to the setting of the historic property. In addition, traffic to and from NYS Route 17 and the Proposed Project will be directed west of the historic property on the Resort Entry Road. In any case, this historic property is substantially set back from Cimarron Road, at approximately 150 feet, with the barn and outbuilding at the rear of the farmhouse located at an even greater distance from the road.

SITE SPECIFIC DEVELOPMENT OF PHASE 1 (FEIS)

ARCHAEOLOGICAL RESOURCES

The selected alternatives and mitigation for Phase 1 will not affect the conclusions of the DGEIS/DEIS with regards to archaeological resources.

HISTORIC RESOURCES

The selected alternatives and mitigation for to Phase 1 will not affect the conclusions of the DGEIS/DEIS with regards to historic resources.

P. VISUAL RESOURCES

COMPREHENSIVE DEVELOPMENT PLAN (FGEIS)

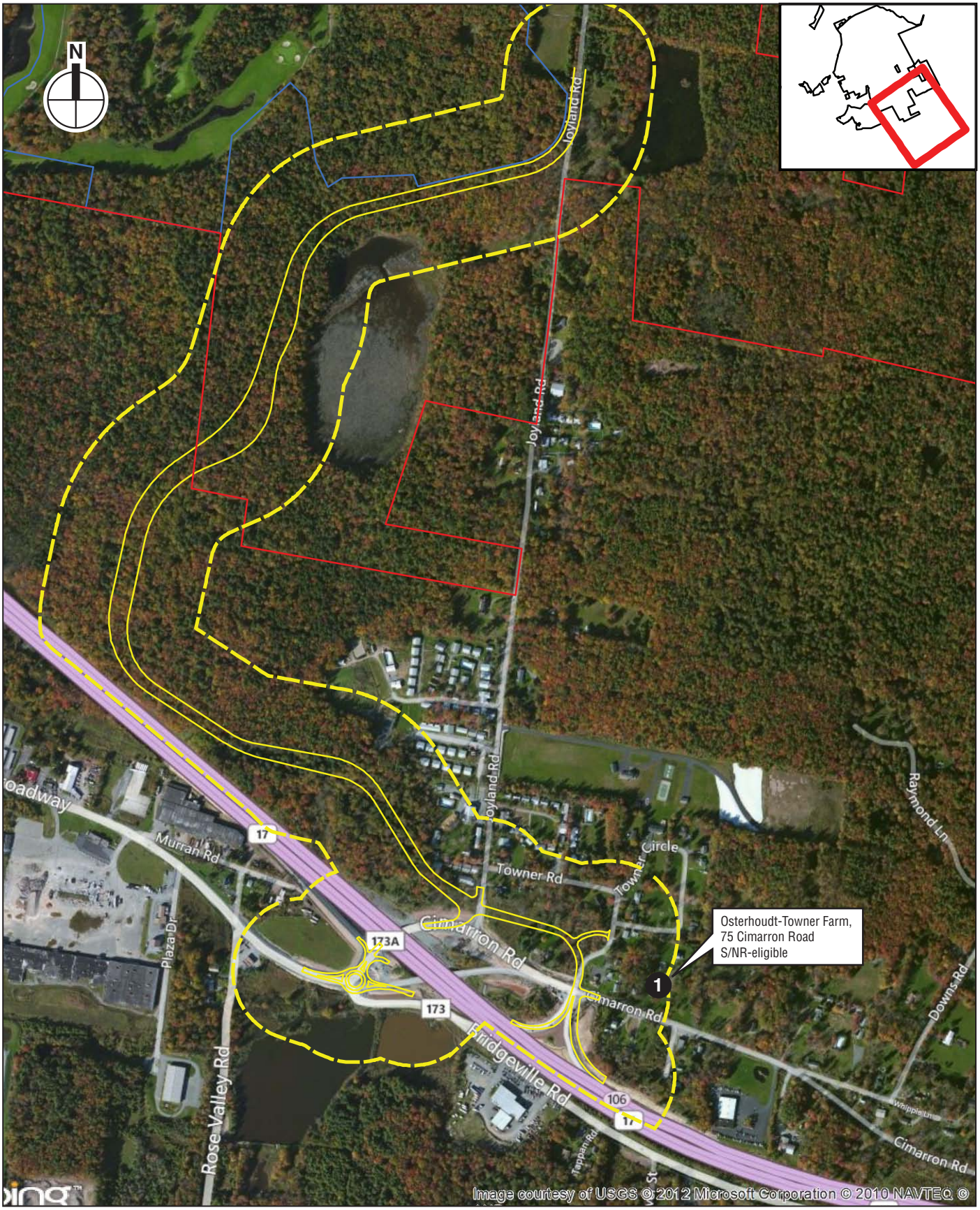
The selected alternative Resort Entry Road is the only aspect of the Proposed Project that potentially changes the analysis of visual resources presented in the DGEIS/DEIS. The majority of the selected alternative Resort Entry Road will not be visible from existing roads and structures due its design and the fact that it will be located within an existing vegetated forest. The selected alternative Resort Entry Road will not be visible from NYS Route 17. However, plantings and any signs/monuments may be visible from NYS Route 17, especially at the southwestern portion of the road where it is closest to NYS Route 17.

The southeastern portion of the Resort Entry Road and attendant modifications to Exit 106 will be visible from several residences and Bungalow Colonies at the southern end of Joyland Road, as well as along Towner. With respect to the Bungalow Colony on the southwest of Joyland Road, the change in visual impact from the DGEIS/DEIS will be minimal. Instead of a Resort Entry Road being located to the east of the colony, the road will be to the south. Only a few buildings to the extreme southwest of the colony are expected to be able to see the Resort Entry Road. The remainder of the bungalow colony will not be able to see the road owing to the existing trees that will remain between the road and the colony.

The house on the east side of Joyland – just north of Towner – and the bungalow colony immediately north, as well as the house to the southwest of the intersection of Towner Road and Towner Circle will also be able to see the Resort Entry Road. The effect of this change in view will be mitigated by the retention of existing trees to the maximum extent practical, as well as by the plantings that will be installed alongside the Entry Road.

The Resort Entry Road will not be visible from the S/NR eligible Osterhoudt-Towner Farm, located at 75 Cimarron Road. Therefore, no adverse effects on this potential resource are expected.

12.6.12



EPT Concord Resort Boundary

Phase 1 Boundary

Approximate Entry Road

400' Buffer Area

0 1000 2000 FEET

SCALE

Resort Entry Road Location -
Historic Resources in the Area of Potential Effect

View North from Cimarron Road **1a**

View of farmhouse and barn from Cimarron Road **1b**

Historic Resources –
Osterhoudt-Towner Farm, 75 Cimarron Road

SITE SPECIFIC DEVELOPMENT OF PHASE 1 (FEIS)

The selected alternatives and mitigation for Phase 1 will not substantially alter the visual impacts analyzed in the DGEIS/DEIS.

Q. HAZARDOUS MATERIALS

COMPREHENSIVE DEVELOPMENT PLAN (FGEIS)

The selected alternatives and mitigation for the Proposed Project will not substantially alter the hazardous material impacts analyzed in the DGEIS/DEIS. The typical areas of concern associated with the current uses of the parcels associated with the selected alternative Resort Entry Road and Exit 106 improvements (i.e., residential fuel tanks and/or local dump sites) can be addressed by the mitigation measures identified in Chapter 17, "Hazardous Materials," of the DGEIS/DEIS.

SITE SPECIFIC DEVELOPMENT OF PHASE 1 (FEIS)

The selected alternatives and mitigation for Phase 1 will not substantially alter the hazardous materials impacts analyzed in the DGEIS/DEIS.

R. CONSTRUCTION

COMPREHENSIVE DEVELOPMENT PLAN (FGEIS)

The selected alternative Resort Entry Road will be constructed from NYS Route 17 to the Phase 1 Site in lieu of widening Joyland Road. Elevation along the roadway alignment increases slightly from south to north, with a low point of 1,360 feet above sea level near NYS Route 17 and a high point of 1,440 feet above sea level where it enters the Phase 1 Site. All slopes are less than 20%, and therefore, road construction will require minimal grading and will not significantly alter existing topography. It is expected that the Resort Entry Road will be built from north to south, beginning and ending approximately 20 feet west of Joyland Road so as not to disrupt traffic on Joyland Road until the road is ready to be completed.

Geology in this area is the same as that of the Phase 1 site, as described in the DGEIS/DEIS. Bedrock excavation will not be required to construct the Resort Entry Road.

SITE SPECIFIC DEVELOPMENT OF PHASE 1 (FEIS)

The selected alternatives and mitigation for Phase 1 will reduce the construction impacts to Joyland Road as the Resort Entry Road will be used for construction traffic once it has been cleared, storm drainage and utilities have been installed, and binder course is installed. It is expected that the Resort Entry Road will be usable as a construction entrance approximately six months after the beginning of construction at the Casino Resort. During this initial period, it is expected that an average of approximately 130 truck trips per day will occur. The Applicant will coordinate with the Town on a program to improve the conditions of the public roadways utilized by construction vehicles and to mitigate the impacts of the construction truck traffic of Phase 1. The Applicant will either construct or fund the cost of the agreed upon roadway improvements.

Prior to the resort entrance road being used, there are three options for construction traffic to reach the Phase 1 Site as shown in **Figure 2-10**. The preferred alternative is to utilize Exit 106 off of NYS Route 17 and travel north along Joyland Road. This alternative is the shortest and most direct route to the Phase 1 Site from NYS Route 17 and the roadway configuration is the most favorable to truck movements. As such, impacts to local roadways would be minimized. Joyland Road has several residences and bungalow colonies along its frontage and is also utilized by pedestrians, especially in the summer.

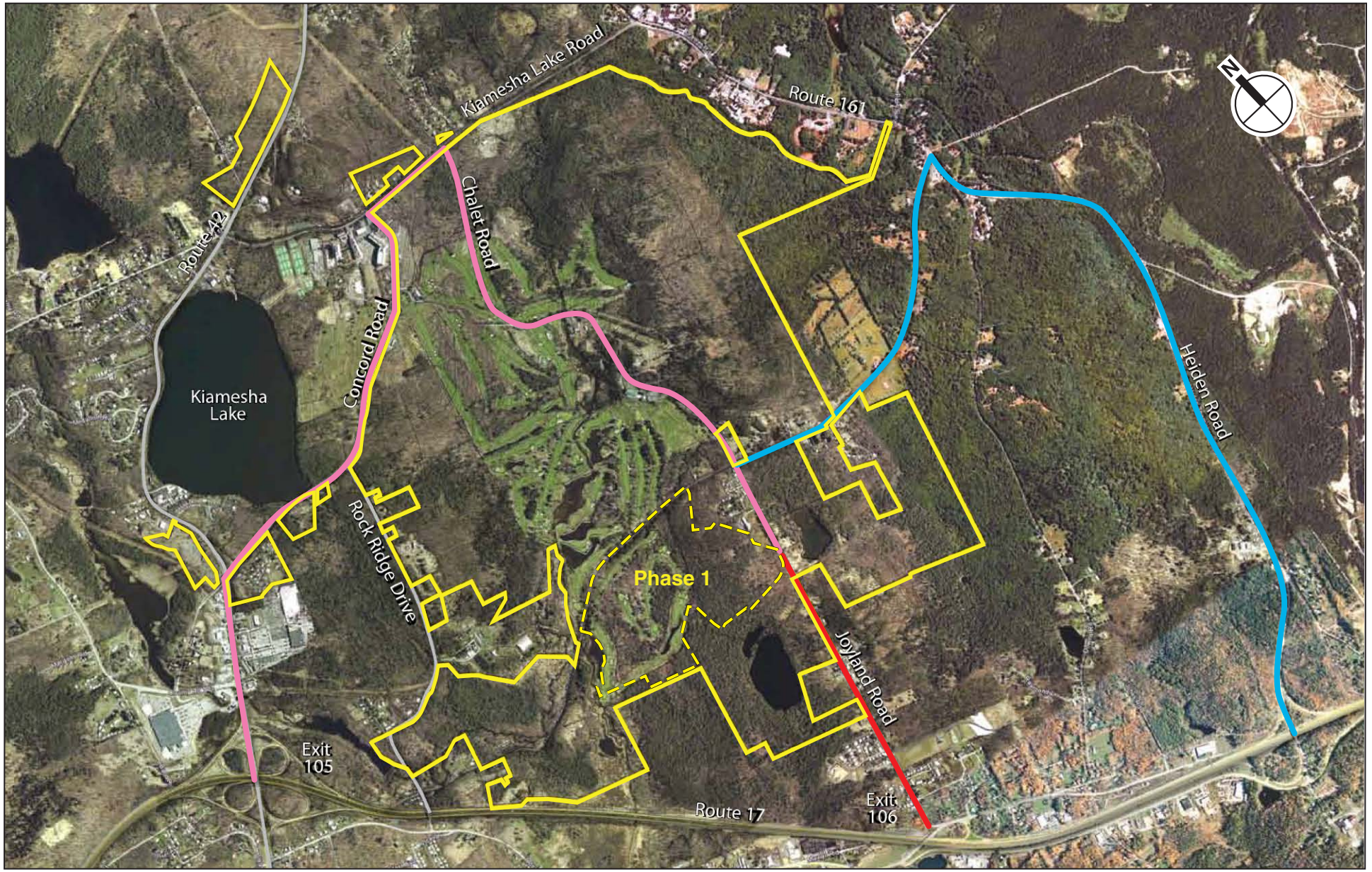
A second option is to utilize Exit 107 off NYS Route 17 and travel along Heiden Road to Thompsonville Road. This alternative route is longer than the preferred alternative. There are also residences along Heiden and Thompsonville Roads in this area. The exit ramp configuration is favorable to truck movements. While Heiden Road can accommodate larger vehicles and maintain two-way traffic, Thompsonville Road is a narrower roadway.

A third option is to utilize Exit 105 off NYS Route 17 and travel north on NYS Route 42 to Concord Road. NYS Route 42 is a truck route and as such the roadway is physically capable of handling the construction traffic, though there are capacity constraints in some areas. From Concord Road, construction vehicles would likely travel to Kiamesha Lake Road and then to Chalet Road and south to the Phase 1 Site. This route is the longest for construction vehicles once exiting NYS Route 17. In addition, the roadway configurations may not be conducive to certain truck movements, especially at intersections. Finally, Chalet Road is quite narrow and relatively winding in this area.

Use of these three options by construction vehicles will depend on a number of items, including truck origin, contents, size and weight. As this information will not be determined until the site plan is finalized and construction contractors and material suppliers are brought on, truck trips are not assigned to these roadways.

A construction traffic management plan will be developed in conjunction with the Town for review and approval by the Town prior to issuance of building permits. This plan will address efforts to minimize adverse impacts from construction traffic and ensure pedestrian and vehicular safety during the early phases of construction, until construction of the Resort Entry Road has advanced to the point where it can be used as the primary construction route. It will detail the selected route or routes for construction vehicles. It will also include a robust plan to ensure the safety of area pedestrians, residents, and motorists. This plan *may* include any of the following:

- Assessment of the need for roadway improvements prior to and during the course of construction.
- Providing the construction managers' contact information to all stakeholders in the area and posted on the construction signs on the Project Site.
- Notification of local stakeholders of the date and times of exceptional truck activity (oversized/weight).
- Development of a Work Zone Traffic Control Plans (WZTCP), including measures to protect pedestrian safety, to be implemented by the Applicant with the approval of and in coordination with the governing roadway agency.
- Outreach to, and coordination with, the residents and stakeholders along the construction vehicle routes focusing on pedestrian safety.



Phase 1 Construction Traffic Options

Figure 2-10

- Use of alternate routes (Exits 105 and 107) by construction traffic during times of peak summer usage of the properties along Joyland Road.
- Other activities as agreed to by the Applicant and the Town as a condition of site plan approval.

Prior to the Resort Entry Road being used, it is expected that a majority of the construction equipment and construction trips will be accommodated during normal roadway operation. However, there may be times when oversized equipment will need to be brought to, or removed from, the Project Site. During these times, it is possible that traffic control measures, including the use of flagmen and temporary lane closures on local roads near the Project Site will be implemented. To minimize the disruption to existing traffic, the Applicant will take all reasonable steps to limit such temporary closures to off-peak hours (i.e. Mondays through Thursdays and Friday mornings).

S. ALTERNATIVES

The selected alternatives and mitigation for the Proposed Project will not substantially alter the findings in the DGEIS/DEIS regarding alternatives for either the Comprehensive Development Plan or Phase 1.

T. UNAVOIDABLE ADVERSE IMPACTS

The selected alternatives and mitigation for the Proposed Project will not substantially alter the findings in the DGEIS/DEIS of the irreversible and irretrievable commitment of resources for either the Comprehensive Development Plan or Phase 1.

U. MITIGATION

COMPREHENSIVE DEVELOPMENT PLAN (FGEIS)

The selected alternatives and mitigation for the Proposed Project include those mitigation measures discussed in the DGEIS, as well as those presented above. Specifically, this FGEIS discusses updated plans for wetland mitigation, stormwater mitigation, and traffic mitigation.

SITE SPECIFIC DEVELOPMENT OF PHASE 1 (FEIS)

The selected alternatives and mitigation for the Phase 1 include those mitigation measures discussed in the DEIS, as well as those presented above. Specifically, this FEIS discusses updated plans for wetland mitigation, stormwater mitigation, and traffic mitigation.

V. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

The selected alternatives and mitigation for the Proposed Project will not substantially alter the findings in the DGEIS/DEIS regarding irreversible and irretrievable commitment of resources for either the Comprehensive Development Plan or Phase 1.

W. GROWTH-INDUCING EFFECTS

The selected alternatives and mitigation for the Proposed Project will not substantially alter the findings in the DGEIS/DEIS regarding growth inducing effects for either the Comprehensive Development Plan or Phase 1. In general, the additional commercial demand from Phase 1 is expected to stimulate existing businesses to expand their sales within their existing business locations. New business starts are expected to occupy existing vacant commercial space with most occurring within commercial districts of the Village and hamlet centers where individual businesses benefit from the presence of complementary business activities. This "agglomerative effect" is expected to foster village center and commercial corridor revitalization.

As much of the existing construction in the local economy is oriented toward construction of single-family homes, as well as contracting for municipal and county governments on road, water and sewer, and similar projects, the residential component of the proposed project, as well as other portions of the project would employ specialty trades that currently occur, but are underemployed locally. In addition to those trade specialties mentioned above, construction workers would be expected to travel to work at the Project Site from outside the local area, but within commuting distances such as Orange County and neighboring counties in Pennsylvania. Construction activity is not permanent but is temporary; therefore construction workers would not be expected to relocate closer to the Project Site.

The Proposed Project would likely draw employees from throughout the Catskill region, and from nearby counties outside the Catskill Region including Orange County in New York and Wayne and Pike Counties in Pennsylvania. The numbers of employees from any given county within or outside the Catskill region would primarily be a product of commuting distance to the project site and unemployed labor force. Orange County, with approximately 14,000 unemployed persons, is likely to house greater numbers of employees than Otsego County, with approximately 2,300 unemployed persons and which is located a greater distance from the project site. However, given the quality of the Project's job offerings, it is expected that some employees would reside within Otsego and Schoharie. Commuting times from portions of these counties are two hours or less, which, based on Census data, is within a commuting range for some.

The fact that some employees would reside outside of the Catskill Region would not alter the findings of the analysis presented in the DGEIS/DEIS and elsewhere in this FGEIS/FEIS. The IMPLAN modeling that was performed for the Catskill Region does not assume that every employee would reside within this area, and the Catskill Region was not estimated to capture all of the economic benefits of the Proposed Project.

X. USE AND CONSERVATION OF ENERGY

The selected alternatives and mitigation for the Proposed Project will not substantially alter the findings in the DGIES/DEIS regarding the use and conservation of energy for either the Comprehensive Development Plan or Phase 1. ✷