



# EXHIBIT VIII.C.17.e.

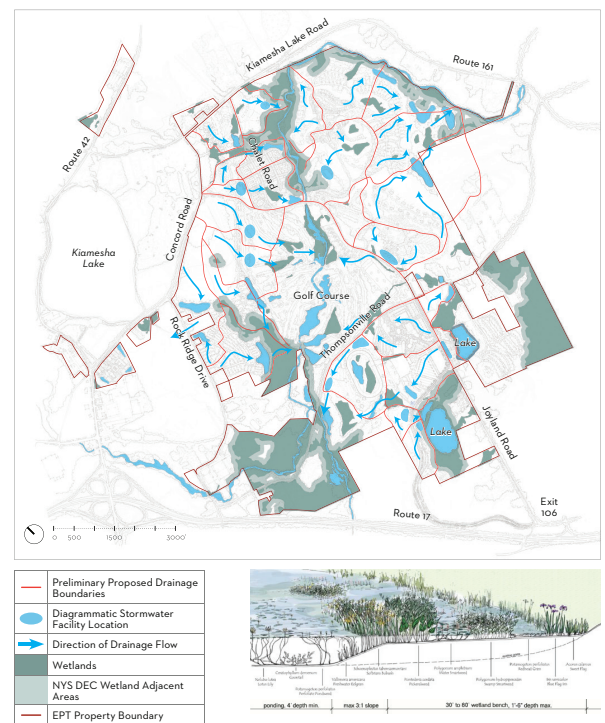
## INFRASTRUCTURE REQUIREMENTS

### Storm Water Management

Submit as Exhibit VIII.C.17.e. a description of plans for management, detention and discharge of storm water on and from the Project Site to include (i) the estimated cost of the improvements; (ii) the estimated date of completion; (iii) the names of the parties, whether public or private, initiating the improvements; (iv) the names of the parties responsible for the costs of the improvements; and (v) if more than one party is responsible for the costs, the proportionate distribution of the costs among the parties.

For the improvements described in this section: (i) state whether local government approval is necessary for making the improvements; (ii) include a description of the procedure by which the local government approval is going to be obtained; (iii) indicate all conditions likely to be placed on the local government approval; and (iv) indicate the estimated date by which local government approval will be granted.

The management of storm water was a key factor influencing the development of the master plan for Adelaar. As the NYSDEC regulates storm water discharges associated with construction activity, management practices are required to be implemented to achieve water quality, water quantity



and pollution prevention control goals. These practices are required to be developed and detailed to show compliance with NYSDEC standards in site specific Storm Water Pollution Prevention Plans ("SWPPP"). Complete SWPPPs have already prepared for both Montreign Resort Casino, as well as for the roadway infrastructure required to serve Adelaar. They incorporate strategies to reduce run-off, maintain natural drainage patterns and discharge locations, and regulate the rate of discharge to receiving waters. Conceptual storm water management planning has also been developed for the Entertainment Village and the Indoor Waterpark Lodge. Finally, flood mitigation strategies are included in the redesign of the Monster Golf Course, even though they are not required.

These storm water management practices and flood mitigation strategies will be implemented prior to the opening of resort components that they serve. They will be initiated and financed by the property owner, EPR, or leaseholder, as described below. The storm water management practices utilized are approved by, and in compliance with, the NYSDEC requirements. While the flood mitigation strategies do not require NYSDEC approval, they will be closely coordinated with the Town of Thompson.

## **MONTREIGN RESORT CASINO**

A Storm Water Pollution Prevention Plan ("SWPPP") was developed in March 2013 for the Montreign Resort Casino. This SWPPP is attached as Attachment VIII.C.17.a.-1 to Exhibit VIII.C.17.a. The SWPPP details the structures, techniques and materials that will be used to manage the storm water generated at the site. As shown on Figure 5 of the SWPPP, the site will use a combination of storm water ponds, bio retention areas, vegetated swales, porous pavement and grass pavers to mitigate any storm water impacts of the Montreign Resort Casino. Computations which show compliance with green infrastructure and run-off reduction practices are detailed in Appendix G of the SWPPP. These improvements will be built during the construction of the Resort Casino, are included in the construction cost of Montreign and will be fully operational prior to its opening. No off-site improvements will be necessary for the management of storm water generated by Montreign.

These improvements have already been approved by the Town of Thompson and NYSDEC in conjunction with the Site Plan approval granted for the Resort Casino on July 10, 2013 and amended on June 11, 2014. The only condition placed on the approval of these improvements was that Montreign obtains and adheres to all requirements of the State Pollutant Discharge Elimination System General Permit.

## **ENTERTAINMENT VILLAGE, INDOOR WATERPARK LODGE, MONSTER GOLF COURSE, INFRASTRUCTURE IMPROVEMENTS**

### **Entertainment Village**

Any storm water run-off from the Entertainment Village will be managed in the vicinity of the parcel as detailed within the site specific SWPPP. As the design of the Entertainment Village site is not yet complete, precise storm water management techniques and locations, and their cost, have not yet been determined or chosen. However, it is expected that the Entertainment Village will incorporate NYSDEC mandated run-off reduction strategies to minimize impervious surfaces and utilize green infrastructure practices. All storm water management techniques will be initiated by, and be the financial responsibility of the leaseholder for the Entertainment Village. These storm water management techniques will be an integral part of the overall site design and will be constructed during the development of the Entertainment Village and will be fully operational prior to its opening.

The Town of Thompson Planning Board will have to approve the final storm water management techniques during site plan approval. It is expected that the Entertainment Village will receive site plan approval in the Summer of 2015. As the storm water impacts of development were already the subject of a Generic Environmental Impact Statement, it is not expected that the Town will place any conditions on the use of these techniques, other than obtaining and adhering to all requirements of the State Pollutant Discharge Elimination System General Permit.

### **Indoor Waterpark Lodge**

Any storm water run-off from the Indoor Waterpark Lodge will be managed on-site in accordance with a site specific SWPPP. As the final site design of the Indoor Waterpark Lodge is not yet complete, precise storm water management techniques, and their cost, have not yet been determined or chosen. However, it is expected that the Indoor Waterpark Lodge will incorporate NYSDEC mandated run-off reduction strategies to minimize impervious surfaces and utilize green infrastructure practices. All storm water management techniques will be initiated by, and be the financial responsibility of, the leaseholder. These storm water management techniques will be an integral part of the overall site design and will be constructed during the development of the Indoor Waterpark Lodge and will be fully operational prior to its opening.



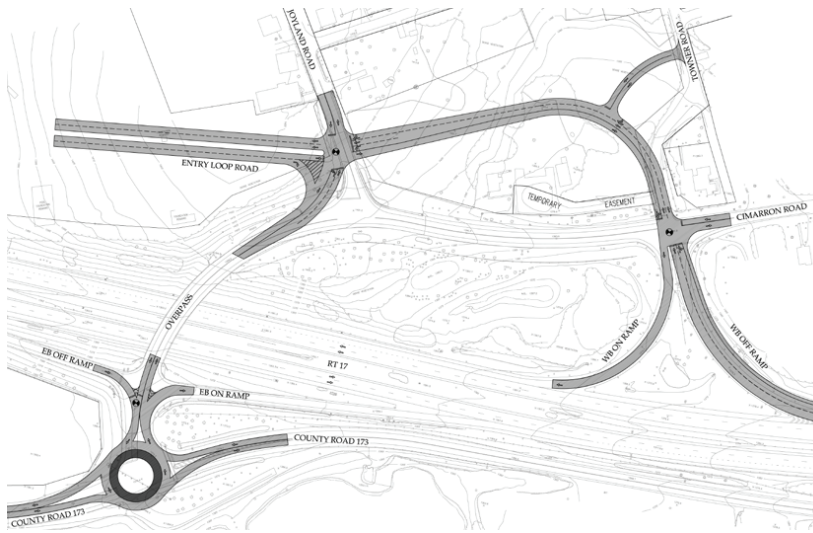
The Town of Thompson Planning Board will have to approve the final storm water management techniques during site plan approval. It is expected that the Indoor Waterpark Lodge will receive site plan approval in the Spring of 2015, or six (6) months after the award of a gaming license for Montreign, whichever is later. As the storm water impacts of development were already the subject of a Generic Environmental Impact Statement, it is not expected that the Town will place any conditions on the use of these techniques, other than obtaining and adhering to all requirements of the State Pollutant Discharge Elimination System General Permit. No off-site improvements are anticipated in order to manage the storm water from the Indoor Waterpark Lodge.

### **Monster Golf Course**

The development of the Monster Golf Course will not include the development of large areas of new impervious area. The alteration of the play area will include the re-alignment and re-grading of the existing course, as well as the building of a new clubhouse and maintenance building. Therefore, no significant storm water impacts are anticipated from the development of the Monster Golf Course and no significant storm water management techniques will be required.

### **Infrastructure Improvements**

A Storm Water Pollution Prevention Plan ("SWPPP") was developed in March of 2013 for the significant roadway improvements being installed as part of the Gaming Facility. This SWPPP is attached as Attachment VIII.C.17.a.-2 to Exhibit VIII.C.17.a. These improvements are extensive and include improvements to the Route 17 Exit 106 interchange area, the construction of the new Resort Entry Road and the widening and reconstruction of existing town roads. A site specific SWPPP was



prepared for these work areas and details the structures, techniques and materials that will be used to satisfy governing water quality and quantity requirements. Computations which show compliance with green infrastructure and run-off reduction practices are detailed in Appendix G of the SWPPP. As shown in Figures 4a and 4b of the SWPPP, the site will use a combination of storm water ponds, bio retention areas, vegetated swales, porous pavement and grass pavers to mitigate the storm water impacts of these roadways. In addition, the disturbance limits were

carefully designed to minimize extraneous clearing of existing vegetation and forest.

These storm water improvements will be built during the construction of the roadway improvements, and will be fully operational prior to their opening. As requested by the Town of Thompson, the Resort Entry Roadway will be dedicated to the Town and future maintenance of the storm water systems will be furnished under a special district established for roadway maintenance. No off-site improvements will be necessary for the management of storm water generated by the improvements to Exit 106 or by the Resort Entry Road. Both the NYSDEC and the Town of Thompson Planning Board have approved the SWPPP in conjunction with the final site plan approval.

The storm water management and drainage improvements described above are expected to cost approximately \$3.4 million. They will be initiated by the property owner, EPR, and will be complete prior to the opening of the Gaming Facility. Montreign will be responsible for 25% of this cost, and the property owner, EPR, will be responsible for 75% of this cost.

## **FUTURE DEVELOPMENT**

Storm water from future development phases of Adelaar will be managed in accordance with all Town of Thompson and NYSDEC requirements. A conceptual storm water management plan for the future phases of Adelaar is included in the Comprehensive Development Plan, including a conceptual storm water management diagram. See pp. 62-63 of the Comprehensive Development Plan, attached as Attachment VIII.C.3.a.-3 to Exhibit VIII.C.3.a. A site-specific storm water management plan will be prepared to achieve run-off reduction requirements and implement green infrastructure practices using both structural and nonstructural best management practices for each large-scale development at Adelaar. The proposed water quality measures will include but will not be limited to: grass and rock-lined swales, porous pavement, rain gardens and bio retention facilities. Storm water flows from larger storm events will be conveyed via non-structural (swales) or structural (piped) networks to storm water management ponds located throughout the different development sites. These ponds will be used to detain post-development storm water and reduce flow rates to those equal to or less than pre-development conditions, thereby protecting downstream receiving water bodies. The overall storm water management network will control and convey the storm water flows on the Project Site; introduce water quality measures to

treat 90% of the average annual storm water runoff volume; and incorporate water quantity controls prior to discharging into Kiamesha Creek. The desired approach will integrate green infrastructure practices, where feasible, throughout the proposed neighborhoods and create natural edges which meld seamlessly with the proposed development program. All storm water facilities will be designed to comply with the NYS Stormwater Management Design Manual and Town of Thompson storm water regulations.

The development of site specific SWPPPs will be the responsibility of the developer of each future site, with the property owner responsible for those practices and infrastructure that are not exclusive to a specific development. The Town of Thompson Planning Board will have to approve the final storm water management techniques during site plan approval for each development. It is expected that future phase development will occur over an approximately ten (10) year time-frame. As the storm water impacts of development were already the subject of a Generic Environmental Impact Statement, it is not expected that the Town will place any conditions on the use of these techniques, other than the site-plan applicant obtaining and adhering to all requirements of the State Pollutant Discharge Elimination System General Permit. No off-site improvements are anticipated in order to manage the storm water from any future phase development.



## CATSKILL MOUNTAINKEEPER

The Advocate for the Catskills

**Charles Degliomini of Empire Resorts reached out to Mountainkeeper early on in their development plans at the Concord Hotel sites to discuss the environmental impacts of their proposal and has continued a very open and transparent dialogue regarding their evolving plans. We have met with the architects and have been given access to plans and documents regarding environmental issues, including water usage and traffic mitigation.**