New York Gaming Facility Location Board Response to Request for Applications to Develop and Operate a Gaming Facility in New York State

TIOGA DOWNS RACETRACK, LLC

Exhibit X.C.5.

The Tioga Downs Casino Resort is being designed and documented to minimize the use of potable water in the building and also in the landscape. The plans have been reviewed and documented by Energy & Environmental Solutions (e2) to assure alignment with the project LEED goals and a detailed report of the findings and strategies has been written for the Project Team

Water Efficiency on Site:

Storm water rate and quantity will be reduced and the detained to allow for cleaning of water prior to discharge. The landscape for Tioga Downs Casino Resort has been designed with native and adaptive plants and will not have any permanent irrigation system. Care will be taken over the first 18 months to water the plants to get them off to a good start and the soils will be amended to provide better moisture retention.

Water Efficiency in the Building:

The interior water efficiency was calculated using the Energy Policy Act (EPAct) 2006 as a baseline, and the efficiencies calculated using the LEED Water Calculators. The plumbing fixtures for the project have been selected to be low-flow fixtures and also to be easy to maintain. The project is currently anticipating a 36% water use reduction below EPAct, based on calculations against the EPAct baseline using the following flow and flush rates.

Public Areas:

Water Closets 1-1 - 1.28 gpf Urinals 0.125 gpf

Lav Faucets 0.5 gpm with meters

Hotel:

Water Closets 1.28 gpf

Lav Faucets 0.5 gpm

Showerheads 1.75 gpm

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Exhibit X.C.5. (cont.)

Process water will be addressed through efficiencies in kitchen equipment, including rinse valves and dishwashers. Continued water efficiency measures will be focused on the kitchen areas.

Initial water modeling studies have been performed by e2, establishing fixture use groups for the various hotel areas as well as occupancy and Full-Time Equivalent (FTE) numbers. Currently the project is performing at a 36.44% water use reduction below EPAct. This model will continually be developed as occupancy and FTE numbers are more fully developed.