

### **Exhibit VIII.C.1.e - Geological or structural defect in project site**

There are no geological or structural defects on the site.

There are slopes in excess of 15%, however they are part of the attractiveness of the site, and have been utilized to the project's benefit. The building and site are able to be stepped such that the original onsite independent parking garage was eliminated and the structured parking placed under the building. This reduces the site footprint and limits disturbance while providing for ideal parking options for patrons.

Portions of the site include small pockets of apparent wetlands and drainage paths that were documented and incorporated in the site plan. None of the planned site improvement disturbs such features.

The proposed entrance area and portions of Watson Boulevard are within the (100-year) floodplain and have flooded in the recent massive 2006- (100 year) and 2011-(500 year) flood events that devastated the Southern Tier. The site has an existing alternate emergency ingress/egress road that is utilized in such instances. It is a private access road from the Traditions Resort to Eagle Drive west of the proposed casino. The drive is also utilized by the Fairmont Park residents in times of emergency. This drive will be fully upgraded and reconstructed with an improved width for 2-way traffic, and pavement design per industry standards and projected emergency traffic load. Casino operations and traffic patterns will not be adversely impacted by the floodplain or future floods.