

A. INTRODUCTION

EPT Concord II, LLC (referred to as “EPT” or the “Applicant”) proposes to develop a master planned destination resort community (referred to as “EPT Concord Resort”) on approximately 1,538 acres of land located in the Town of Thompson (the “Project Site”), Sullivan County, New York. When complete, the EPT Concord Resort will include an 18-hole golf course, Casino Resort, harness horse racetrack, grandstand/showroom, a simulcast theatre, hotels, an Entertainment Village with cinemas and supporting retail, and RV parks. In addition, there will be a Residential Village with a mix of condos, apartments, townhouses and detached single-family homes, a community center, an innovative health care facility, and an active adult residential community. Approximately 45 percent of the Project Site will remain as open space.

Upon completion, the Proposed Project will provide approximately 2,642 permanent full time equivalent jobs (FTE). The direct economic activity will generate an additional 1,229 indirect and induced jobs within Sullivan County and an additional 1,505 indirect and induced jobs within New York State.

To develop the EPT Concord Resort, the Applicant has initiated several actions. First, the Applicant has petitioned the Town Board of the Town of Thompson for an amendment to the Town of Thompson Planned Resort Development (“PRD”) section of the zoning law (Town Code § 270-27.2) to enable the development of the EPT Concord Resort at the site of the former Concord Resort (“Proposed Action”). The amended zoning law will apply to the entire PRD district, which is comprised of approximately 1,735 acres.¹

Second, the Applicant seeks approval from the Town Board for a new PRD Comprehensive Development Plan (“CDP”) for the approximately 1,538-acre Project Site (“Proposed Project”). The approval of the CDP is contingent on the adoption of the proposed zoning amendment.

Third, the Applicant seeks Site Plan Approval from the Town of Thompson Planning Board to develop the Casino Resort complex at the Resort Core as detailed in the proposed CDP. This initial site plan will include a casino, hotel, harness horse racetrack, grandstand/showroom, simulcast facility, banquet event center, restaurants, and related facilities. Phase 1 construction is anticipated to begin by the end of 2012, pending the receipt of the necessary permits, approvals and necessary financing.

¹ When the PRD Zoning Law was adopted in 2006, the entire 1,735± acre property within the PRD zoning district was owned or controlled by Concord Associates, LP and/or its affiliates (“CALP”). In November 2006, the Town Board approved a Comprehensive Development Plan (“CDP”), a requirement of the PRD, for the 1,735± acres owned or controlled by CALP. That CDP was later amended by CALP to include a casino and harness horse racetrack. In June 2010, CALP, without completing any phases of construction, deeded ownership and control over the majority of land (approximately 1,538 acres) within the PRD zoning district and CDP to the Applicant.

This combined Draft Generic Environmental Impact Statement (DGEIS) and Draft Environmental Impact Statement (DEIS) has been prepared pursuant to the requirements of the State Environmental Quality Review Act (SEQRA) (Article 8 of the Environmental Conservation Law and its implementing regulations at 6 NYCRR 617). The purpose of this DGEIS/DEIS is to analyze the potential environmental impacts of the Proposed Action and Proposed Project in all phases of construction and operation, including Phase 1. Potential impacts of the Proposed Actions, Proposed Project, and Phase 1 development to be addressed in this DGEIS/DEIS were identified by the Town of Thompson Town Board, acting as Lead Agency under SEQRA, in the Scoping Document adopted on April 17, 2012. A copy of the adopted Scoping Document is included in Appendix A.

This DGEIS/DEIS has been prepared pursuant to 6 NYCRR 617.9(a)(1), and meets the requirements of SEQRA. Also pursuant to 6 NYCRR 617.9(a)(2), the Town of Thompson Town Board as Lead Agency has determined this DGEIS/DEIS to be complete and “adequate with respect to its scope and content for the purpose of commencing public review.”

This Executive Summary describes the Proposed Action, Proposed Project, and Phase 1 development and their Purpose and Need, and all required approvals. It also summarizes the potential impacts associated with the Proposed Actions, Proposed Project, and Phase 1; improvements incorporated into the Proposed Project to avoid, minimize, or mitigate those potential impacts; and alternatives to the Proposed Project. Technical chapters within this DGEIS/DEIS discuss these items in greater detail, in accordance with the adopted Scoping Document.

B. PURPOSE AND NEED

Development in Sullivan County and on the EPT Concord Resort Site in particular has stagnated in recent years. The tourist industry that supported the region has waned, and economic growth has declined. EPT proposes to counter this trend by developing the 1,538-acre Site adjacent to the former Concord Hotel into a world-class, four-season destination resort and multi-use residential community. This endeavor will reclaim the former Concord Resort property and transform the patterns of employment, development, and investment in the area. At full build out, the EPT Concord Resort is estimated to create in excess of 2,600 jobs, while revitalizing the local economy. The purpose of this Proposed Project is to act as a catalyst for the area by providing a market-driven modern-day resort destination in the tradition of the beloved historical properties of yesteryear that made this region famous.

The EPT Concord Resort will attract residents and visitors to the area, which will translate into economic benefit not only from dollars spent, property, hotel, gaming, and sales tax revenue but also by creating jobs. The Proposed Project will also incorporate sustainable development initiatives, set aside approximately 45 percent of the Project Site as open space, and provide significant additional indoor and outdoor recreational amenities to both residents of, and visitors to, the EPT Concord Resort as well as those currently residing in the surrounding communities.

C. PROJECT DESCRIPTION

To develop the EPT Concord Resort, the Applicant is seeking approval for: an amendment to the PRD section of the zoning law (Proposed Action); a new PRD Comprehensive Development Plan (Proposed Project); and Site Plan Approval for the first phase of the Proposed Project (Phase 1).

AMENDMENT TO ZONING ORDINANCE (PROPOSED ACTION)

When the PRD Zoning Law was originally adopted in 2006, the entire 1,735± acre property within the PRD zoning district was owned or controlled by CALP. In November 2006, the Town Board approved a Comprehensive Development Plan (“CDP”), a requirement of the PRD, for the 1,735± acres owned or controlled by CALP. The CDP was later amended by CALP in 2008 to include a casino, harness horse racetrack, grandstand, and related buildings. However, in June 2010, CALP, without completing any phases of construction, deeded ownership and control over the majority of the land within the PRD zoning district and CDP to the Applicant. In 2011, the Applicant acquired additional property within the PRD zoning district, known as the Monster Golf Course and the International Golf Course. With these actions, the Applicant became the owner of approximately 90 percent of the land within the PRD zoning district.

The proposed PRD zoning text amendments will allow the development of a CDP by any property owner that meets the minimum PRD site requirements or has received prior approvals and associated development rights before this Proposed Action. The proposed PRD zoning amendments do not affect previous approvals or development rights received by CALP for the 160± acres it owns or has certain lease options to, nor will those rights be affected by the Applicant’s development plans. Additional detail on the proposed changes can be found in the full text of the proposed zoning amendment in Appendix A-2 of this DGEIS.

The intent of the PRD district has not changed. The PRD district requires that the Town Board approve an overall site development plan (“Comprehensive Development Plan” or “CDP”) for a minimum 1,200-acre site, and allows flexibility in designing that site from typical zoning regulation constraints. The PRD district must contain at least one 18-hole golf course, must devote at least 35 percent of the gross site area for open space, and have a maximum residential density for the approved CDP of 4.0 units per acre of net site area. In addition, each phase of the proposed development would still require site plan approval from the Planning Board.

The proposed revisions to the PRD zoning text will allow additional non-residential density for hotel/motel units, and allow additional permitted uses within the PRD, including a racino, equestrian facilities including harness horse racing, farm markets, amusement parks and community gardens, medical services, brewery and an artisanal distillery.

COMPREHENSIVE DEVELOPMENT PLAN (PROPOSED PROJECT)

EPT envisions the development of a high-quality master planned destination resort community on the former Concord Resort property. Innovatively arranged for visual access to the rural Catskills setting, the EPT Concord Resort will capitalize on the historic legacy and beauty of the Catskills. Proposed to be developed over 10 years, the EPT Concord Resort will have a variety of spaces, products, destinations, amenities, and experiences. Due to its rural setting, the presence of the historic Monster Golf Course, and the inclusion of a Casino Resort, the Applicant will create a four-season tourism and gaming resort destination.

The destination resort being proposed by the Applicant will preserve the natural features and landscape that has been drawing people to this region for decades. The proposed EPT Concord Resort will offer: short- and long-term lodging opportunities; a variety of residential choices including apartments, townhouses, and single-family homes; indoor and outdoor recreation opportunities; gaming, equestrian activities, and small- and larger-scale commercial/retail options and restaurants.

EPT Concord Resort

As required in the PRD, the Applicant proposes to develop the Project Site in conjunction with a CDP, included as Appendix A-2. The Project Site is divided into two sectors as illustrated in Figure 1-6. The eastern portion of the Project Site will be devoted to resort uses, including the Sporting Club, Family Resort Hotel, Monster Golf Course, Resort Core, Casino Resort complex and Lake Club with time-shares and Recreational Vehicle Park. The western portion of the Project Site includes the Village uses, such as the civic center, retail/service and commercial uses, innovative health care facility and uses, and apartments, townhomes and single-family residential lots. Some commercial development including smaller hotel uses and restaurants will also be located on the non-contiguous outparcels located on the western edges of the Project Site.

NEIGHBORHOOD AREAS

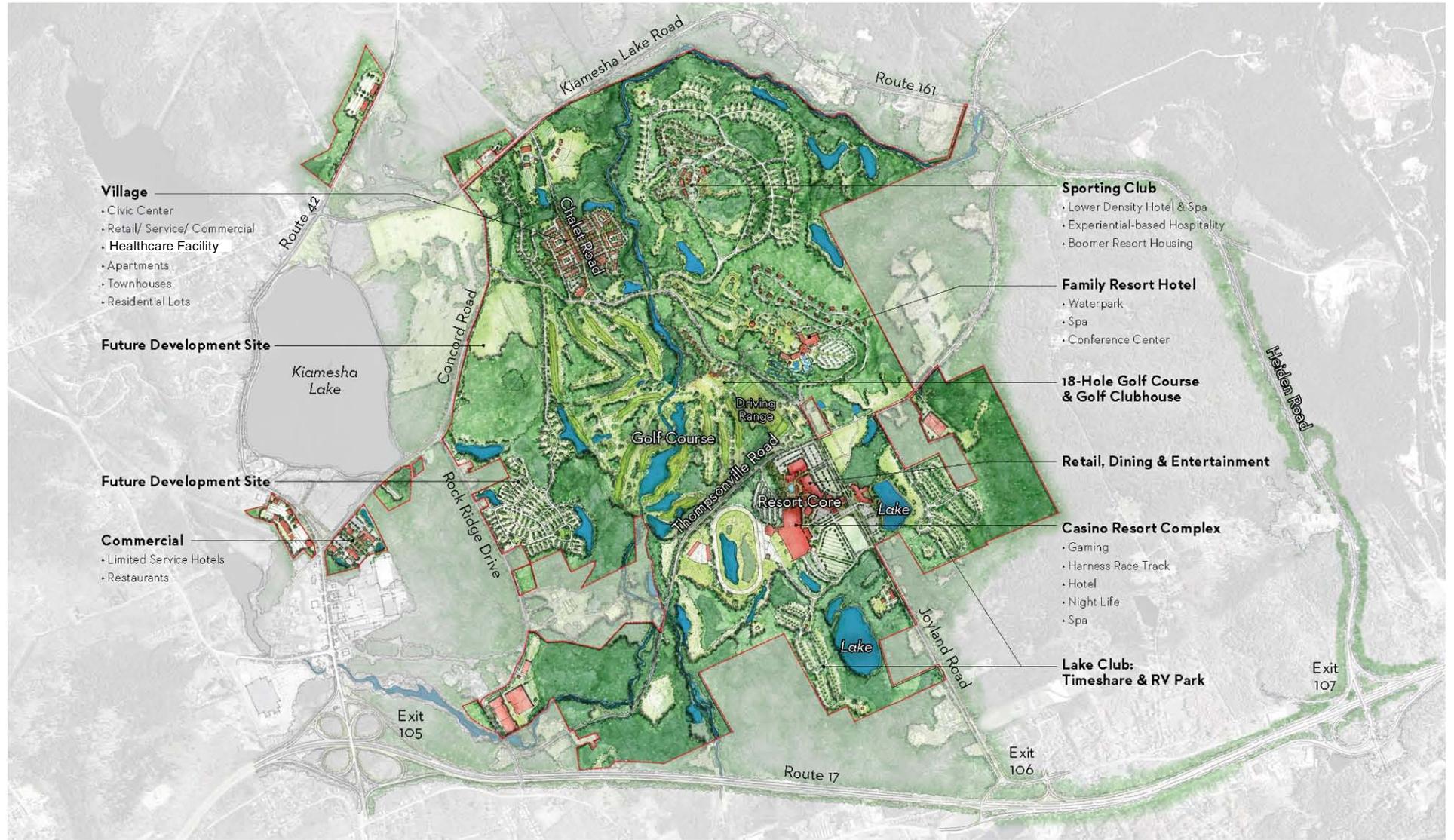
The EPT Concord Resort will cluster development where the natural topography of the land is most suitable. Clustering will create centers of activity, minimizing infrastructure needs and protecting natural resources and large areas of open space. **Figure S-1** presents the overall CDP for the Project Site. The CDP presents the conceptual development plan for the Project Site as divided into five key neighborhood areas: (1) the Resort Core; (2) Golf; (3) Residential Village; (4) Resort Hotel; and (5) Sporting Club. The overall land use plan and density of development for the Project Site is presented in Figure 1-8. **Table S-1** presents the overall unit count and site density for residential and commercial uses for the EPT Concord Resort.

Table S-2 presents the total open space proposed on the Project Site. Consistent with the Town of Thompson Code, which requires 35 percent of gross site area in a PRD district to be dedicated to open space, the proposed EPT Concord Report proposes approximately 696 acres, roughly 45 percent of gross site area, to be set aside as open space.

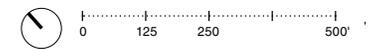
Resort Core

The Resort Core is proposed to be located in the southeast portion of the Project Site on the east and west sides of Joyland Road, south of Thompsonville Road. The Resort Core includes the Casino Resort and the Entertainment Village and will be the activity center of the EPT Concord Resort, establishing Sullivan County as a regional entertainment destination. As illustrated in Figure 1-9, the Resort Core would contain the entertainment zone, ice rink, Casino Resort, market square, conference center and lakefront park, and the tent and event field. Figure 1-8 also presents the proposed pedestrian circulation plan for this development area. The CDP also proposes the Lake Club, timeshare and recreational vehicle park to the south of the Casino Resort. The recreational vehicle park would cater to a range of regional visitors, providing camping sites and hook-ups in a managed, maintained park setting.

The Resort Core represents the central activity center of the EPT Concord Resort and will be the most “public” areas with opportunities for signature building designs, pavilions and open air structures, gathering spaces, and a traditional square. The built environment will be designed to maximize views and be respectful of the existing natural landscape and topography. Figure 1-10 presents the proposed uses in the Resort Core.



SOURCE: Hart Howerton



**Table S-1
Land Use Program Summary¹**

Program	Units/Rooms/SF
Residential	897 dwelling units
Hotel (Resort and Conference Center)	1,800 keys
Spa	7,500 sf
Indoor Waterpark*	45,000 sf
Conference Center*	50,000 sf
Casino Resort Hotel Amenities	15,000 sf
Casino	405,000 sf
Commercial (Retail)*	475,000 sf
Commercial (Other)	
Golf Clubhouse***	20,000 sf
Golf School	4,000 sf
Golf Maintenance Building***	9,000 sf
Support/Back of House (BOH)	30,000 sf
RV Park	60,000 sf
Health Care Facility	90,000 sf
Recreational Sports Center	40,000 sf
Movie Studio	175,000 sf
TOTAL COMMERCIAL	903,000 sf
Civic Center	35,000 sf
Notes: Estimated square footages have been rounded.	
* Indoor Waterpark and Conference Center are ancillary uses to the Hotel Program (at full build out)	
** Commercial Parcel #2 (Kiamesha Lake Parcel 1) may include two 125 room hotels and 19,200 of restaurant or 65,000 of commercial use	
*** Golf uses exist on the Project Site.	
Source: Hart Howerton	

**Table S-2
Open Space**

Open Space	Estimated Total Acreage
Golf (including wetlands, waterbodies and setbacks)	220
Recreation Core (including wetlands, waterbodies, and setbacks)	33
Additional wetlands and waterbodies	281
Additional setbacks	125
Parks (5 percent of NULA)*	37
Total	696
Notes: Per requirements of the Town of Thompson Code, gross acreage is assumed to be 1,538 acres. Gross acreage to be verified upon completion of final property boundary survey. Estimated acreages have been rounded.	
* Net usable land area	
Sources: Hart Howerton	

¹ It should be noted that the proposed Comprehensive Development Plan is illustrative and represents land use options that could be developed on the Project Site. However, because the Proposed Project will be market driven, the staging and combination of uses that will ultimately be developed on the Project Site is yet to be determined. Nonetheless, for the purpose of this DGEIS/DEIS, a single reasonable and conservative combination of uses has been used for analysis.

EPT Concord Resort

Golf Development Area

The 7,650-yard, par 72 Monster Golf Course was built in 1963, as the original Concord Resort's third golf course on the Project Site (preceded by the nine-hole "Challenger" and 18-hole "International" Courses). As part of this Application, the Monster Golf Course will be redesigned by Rees Jones, Inc., a renowned golf course designer (see Figure 1-12). The Course will be renovated to provide opportunities for a range of golf skills. The renovation will feature the natural landscape, Kiamesha Creek, and will maximize the rolling terrain of the former International Course. In the past, the low-lying topography of the course resulted in frequent flooding, which has been exacerbated by upstream development within the Kiamesha Creek watershed. The EPT Concord Resort proposes improvements to the Monster Golf Course to reduce flooding and improve course irrigation and drainage systems to reduce weather-related course closings.

In addition to the Monster Golf Course, the Golf District will include duplex cottages, a driving range, practice putting green, and bag and cart storage areas. Figure 1-13 presents the proposed layout of the Golf District. The EPT Concord Resort also proposes a clubhouse with additional amenities including a pro-shop, dining and event space, bar, locker rooms, and a lounge area. An on-site Golf Academy and instructional space are also proposed within this District.

Residential Village

The Residential Village is proposed to be a more private side of the EPT Concord Resort, located on the west side of the Monster Golf Course. The Residential Village is located north of Chalet Road, with Kiamesha Creek forming its eastern border. As shown in Figure 1-15, the Residential Village is comprised of single-family and multi-family residences, clustered around a central commercial core, which will be no more than a ¼ mile, or 5-minute walk, from the residences. The neighborhoods are organized by a system of interconnected streets and open spaces, forming central green spaces within each sub-neighborhood. Figure 1-16 presents the natural and green spaces, as well as general circulation patterns and the proposed trail network within the Residential Village. Stormwater retention ponds are proposed to be located to the north and south of the neighborhoods.

The general layout and proposed residential and commercial density is presented in Figure 1-17. Within the Residential Village are proposed 288 flats, which will include workforce housing for employees of the various uses within the EPT Concord Resort, 40 townhomes, and 37 single-family residential lots. Workforce housing will include a mix of one- and two-bedroom units with an average unit size of approximately 900 sf.

The central commercial core would include local neighborhood oriented commercial, retail, and service establishments. The Village would also include a civic center and innovative health care facility.

Family Resort Hotel

The approximately 100-acre Resort Hotel area is located just north of the Resort Core, on the north side of Thompsonville Road (see Figure 1-18). Overlooking the Kiamesha Creek Valley, the Resort Hotel site proposes a combination of guest activities, including a traditional-style Catskill lodge, individual cottages, an indoor-outdoor waterpark, and connections to outdoor activities, including snow-tubing and biking on the hillside.

The Resort Hotel is proposed to contain approximately 250 rooms, restaurants, a fitness center, and a spa. Resort cottages are proposed to the east of the main Hotel area and an approximately

40-50,000 sf Conference Center is proposed immediately adjacent to the Hotel. Throughout the Resort Hotel area are various active and passive recreation areas, including a putting green, and lawn and racquet sports including tennis, croquet, volleyball, basketball, shuffleboard, bocce, and horseshoe courts. Other outdoor recreation activities are proposed for the lawn area and could include a skating rink, amphitheater, and event spaces. An indoor/outdoor waterpark (approximately 30-40,000 sf) is proposed within this district to provide opportunities for four-season aquatic activities.

Sporting Club

The fifth neighborhood area is a Sporting Club. The Sporting Club is located on the northern portion of the Project Site, north of the Resort Hotel. Situated on a hilltop and surrounded by woodlands with views north to the Catskills, the uses proposed within the Sporting Club are geared toward outdoor-oriented lifestyles with a lower density Branded Residential Community. Figure 1-20 presents the proposed uses and layout of the Sporting Club District. The eastern border of the Sporting Club is ringed with wetlands and the Kiamesha Creek. The Lodge, Spa, Cabins, and Fitness Center are clustered in the central portion of this neighborhood with single-family residential lots to the east.

A network of trails will be woven throughout the Sporting Club area, maximizing the natural landscape and topographic features. As presented in Figure 1-21, a wooded trail is proposed along the east side of the Kiamesha Creek, which forms the eastern border of this neighborhood.

SUSTAINABLE DEVELOPMENT

The Applicant has consciously sought to differentiate the Proposed Project from the projects that have come before. Consequently, the vision for the renewed EPT Concord Resort is dedicated to timeless, complementary fundamentals that will shape the legacy of the Project Site by setting a new regional standard for how development is done. Integrated throughout the CDP are strategies for environmental and economic sustainability that will enhance the value of the Project Site, as well as the broader community.

The sustainability initiatives included in the Proposed Project move beyond best practices by integrating a common set of sustainability practices and principles into each phase of the project, with the ultimate goal of producing a holistic sustainability plan that will be an integral part of each phase of the Proposed Project. The principles that drove the development of the CDP created a master plan that integrates the natural features of the land, arranging residential and commercial density in proximity to existing roadway infrastructure, where feasible, and incorporating a wide variety of sustainable development initiatives for the short- and long-term conservation of resources.

LANDSCAPING/STREETSCAPE

The landscape design for the EPT Concord Resort will provide a continuous link between the various neighborhoods throughout the Project Site. The natural features of the Project Site will be restored and augmented to highlight the traditional Catskill landscapes and viewsheds that characterize the region.

RELATIONSHIP OF THE PROPOSED PRD ZONING AMENDMENT AND THE COMPREHENSIVE DEVELOPMENT PLAN

As previously noted, the PRD (§250-27.2) requires that the Applicant submit a Comprehensive Development Plan (CDP), which presents a conceptual development plan for the entire Project Site. The PRD requires that a CDP be approved by the Town Board and illustrates and describes uses proposed on the Project Site, the proposed roadways, circulation, site access, infrastructure, open space, and other site amenities. The CDP also includes conceptual “bulk and dimensional standards” and aggregate residential density for the Project Site.

As previously noted, the CDP for the EPT Concord Resort is illustrative and reflects a conceptual development scenario that will be built in phases over an approximately 10-year time horizon.¹ A central tenet of the PRD is that the CDP that is approved by the Town Board is intended to be flexible to allow for unanticipated site conditions, ownership, or changing market conditions. In fact, the PRD specifically allows for some flexibility to accommodate changes in circumstances as long as the development is consistent with the PRD regulations in the Zoning Code and the CDP.

The PRD requires Town Board approval for the CDP, and each development phase requires Site Plan approval from the Planning Board. Here, the ownership and the proposed land use plan are substantially different from that proposed by CALP (when CALP owned the property), and thus the Applicant – which owns a minimum of 1,200 acres and 18-hole golf course – is seeking approval of a new CDP. The new uses and development program proposed by the Applicant are required to align the development with current market conditions. These changes also warrant amendments to the PRD text. However, the CDP can be approved by the Town Board only after the Zone Text Amendments to the PRD have been adopted.

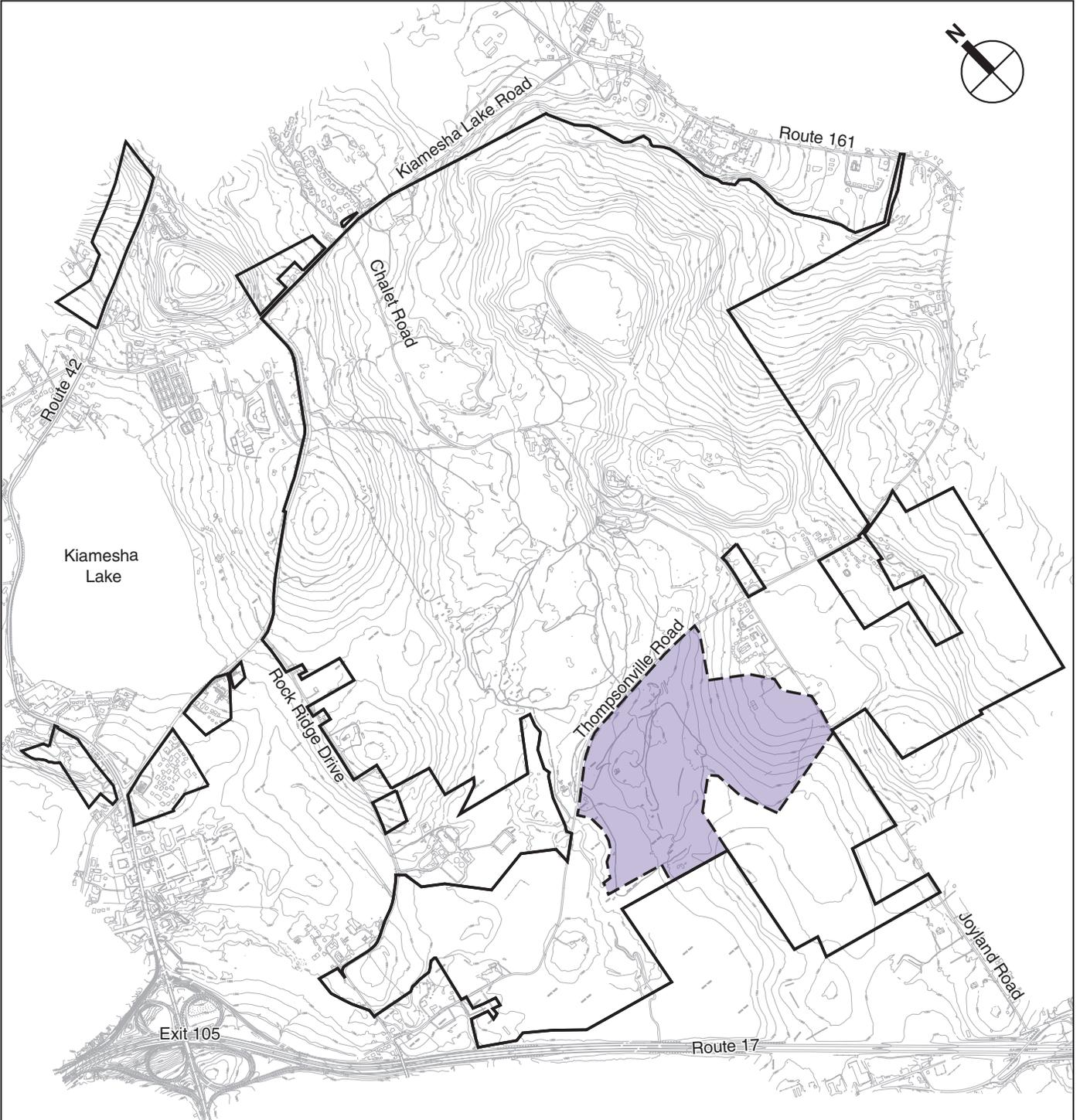
Accordingly, both the PRD text amendments and the revisions to the CDP are the subject of this DGEIS.

SITE-SPECIFIC DEVELOPMENT OF PHASE 1 (PHASE 1)

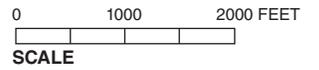
The Phase 1 Site is approximately 125 acres of a roughly 200-acre parcel that is proposed to be leased to Monticello Raceway Management, Inc. (“MRMI”) for the development of a casino, hotel, harness horse racetrack, grandstand/showroom, simulcast facility, banquet event center, restaurants, and related facilities. The Phase 1 Site is located in the south central portion of the Project Site with access from Joyland and Thompsonville Roads. The Phase 1 Site is bordered on the north and west by Thompsonville Road and on the east by Joyland Road (see **Figure S-2**). The Phase 1 Site includes the casino and associated support and back of house uses, the harness horse racetrack, stables, and hotel, and associated parking for all proposed uses. **Figure S-3** and **Table S-3** present the Phase 1 Conceptual Site development plan and program.

Construction for Phase 1 will begin upon receipt of approvals and permits and is anticipated to be completed in 2014.

¹ Timing for full project build out is assumed to be 10 years for analysis purposes, but actual build out will be determined based on market and economic conditions and timing for permits and approvals. For the purpose of this DGEIS/DEIS a reasonable and conservative development scenario has been selected for analysis.



-  Project Site Boundary
-  Phase 1





Phase I Area

0 200 400 FEET
SCALE

Table S-3
Phase 1 Development Program

Program	Building Area	Parking
Casino Resort Hotel (248 rooms)	143,400	496
Casino	374,135	
Casino (2,150 VGM's) ¹	74,000	308
Back of House	183,572	917
Grandstand/Showroom	53,409	167
High Limit Entertainment Lounge	4,746	(included in Casino)
Events Center	17,563	352
Fine Dining (160 seats + 14 in private dining room)	10,640	58
Buffet Restaurant (225 seats)	8,970	75
Entertainment Restaurants (202) seats)		68
Hotel Amenities (pool, spa, fitness)	14,868	248
Subsurface Parking (three levels below the Casino)	454,890	1,300 spaces
Surface Parking		2,000 spaces
5/8 mile Harness Horse Racetrack	105,600	
Grandstand/Showroom (with seating for 500) (1)	18,866	(see above)
Paddock	28,361	141
Maintenance Building	16,264	82
Vehicle and Trailer Parking for Paddock and Main (2)	70,000	125
Total for Phase 1	1,017,050	3,425
Notes:	(1) Includes 462 Fixed Auditorium seats, 40 banquet seats, and eight table seats and associated support space	
	(2) Includes parking for 38 trailers and 30 vehicles	
Source:	JCJ Architecture	

Phase 1 of the Project proposes the Casino Resort Complex. The Casino Resort Complex will consist of 2,150 Video Gaming Machines (VGMs), restaurants and food service, a 248-room hotel, events center, harness horse racetrack, grandstand/showroom and support buildings, and structured and surface parking on approximately 125 acres.

Primary access to the Casino Resort Complex will be via a signed boulevard entry off Joyland Road. This main entrance will lead visitors and guests to the Casino Hotel. A secondary entrance located just south of the main entrance will provide access directly to the visitor parking area. An employee/service access is proposed from Thompsonville Road, at the northern portion of the Phase 1 Site. Two additional points of entry are proposed from Thompsonville Road to provide access/egress to the harness horse racetrack and associated equestrian support facilities. A bus loading/unloading area with canopy will be located to the south of the Casino Hotel building.

The proposed Casino Hotel will be an architecturally significant marquis building with a contemporary design, utilizing glass to maximize views of the resort. **Figures S-4a, S-4b, and S-4c** present conceptual renderings of the proposed Casino Resort. It should be noted that final materials for the Casino Resort have not yet been chosen.

¹ VGM's include Video Lottery Terminals (VLT's) and Electronic Table Games (ETG's).

SUSTAINABILITY PLAN

Consistent with that developed by the Applicant for the overall EPT Concord Resort and the sustainability goals set forth in the CDP, MRMI, the developer for the Casino Resort, will incorporate environmental sustainability practices into this initial phase of development wherever feasible.

D. IMPACTS AND MITIGATION

This section summarizes the potential environmental impacts that are discussed in detail in this DGEIS/DEIS. It also describes the measures that the Applicant will include in the Proposed Project to avoid or minimize any significant adverse impacts to the maximum extent practicable. The technical chapters that follow more fully discuss these topics.

COMPREHENSIVE DEVELOPMENT PLAN (DGEIS)

LAND USE, COMMUNITY CHARACTER, ZONING, AND PUBLIC POLICY

Land Use and Community Character

The EPT Concord Resort has been designed to create a sense of place that respects and enhances the natural landscape of the Catskills. The Proposed Project includes a mix of land uses, resort amenities, open spaces, and roads and trails that will bring residents and guests to the best features the site has to offer. And, once construction is underway, the Proposed Project will represent the first significant and sustained investment in the local and regional economy in several decades. As such, the development of the EPT Concord Resort will have the potential to transform this portion of the Catskills into an economic engine the likes of which have been sought by the community for some time.

Overall, the land use changes associated with the Proposed Project will have a positive effect on the Town of Thompson by redeveloping an underutilized property, improving recreational and tourist opportunities in the Town, and encouraging economic growth. The Proposed Project seeks to enhance and expand land uses that have historically been present on the Project Site and within the surrounding area. While the Proposed Project will increase the intensity of the development on the Project Site, the general character will reflect the resort style of the region.

Zoning

As discussed above, to develop the EPT Concord Resort, the Applicant has petitioned the Town Board of the Town of Thompson for an amendment to the Town of Thompson PRD section of the zoning law (Town Code §270-27.2). The proposed zoning text amendments allow the development of a CDP by any property owner that meets the minimum PRD site requirements or has received prior approvals and associated development rights before this Proposed Action.

The zoning amendments also propose additional non-residential density for hotel/motel units, codifies certain uses already permitted in the PRD, and seeks to include additional permitted uses within the PRD, including for example, a casino, equestrian facilities including a harness horse racetrack, farm markets, amusement parks and community gardens, medical services, breweries, and a distillery. Microbreweries and micro-distilleries, as well as brew pubs, are contemplated uses within the Proposed Project. Large-scale commercial breweries and distilleries are not envisioned.



SOURCE: JCJ Architecture



SOURCE: JCJ Architecture



SOURCE: JCY Architecture

Neither the proposed PRD zoning text amendments nor the Proposed Project would alter the intent of the PRD. The PRD would still require that the Town Board approve an overall site development plan or CDP for a minimum 1,200-acre site, and will still encourage flexibility in designing the site consistent with the existing zoning text. The PRD will still require at least one 18-hole golf course, must still devote 35 percent of the gross site area for open space and have a maximum residential density for the approved CDP of 4.0 units per acre of net site area. In addition, no changes are proposed to the requirement that each phase of the proposed development require site plan approval from the Planning Board.

As previously noted, the proposed PRD Zoning text (§250-27.2.) still requires the Applicant to submit a CDP, which presents a conceptual development plan for the entire Project Site. The proposed CDP still must illustrate and describe uses proposed on the Project Site, the proposed roadways, circulation, site access, infrastructure, open space, and other site amenities. The CDP must also include conceptual “bulk and dimensional standards” and aggregate residential density for the Project Site.

A summary of the conformance of the Proposed Project with the PRD district, as proposed, is provided in **Table S-4**.

Public Policy

The Town of Thompson Village of Monticello Joint Comprehensive Plan

The Town established the PRD zoning district with the purpose of furthering the goals and objectives of the Town of Thompson – Village of Monticello Joint Comprehensive Plan (“Comprehensive Plan”).

The proposed amendments would further the tourism industry through the inclusion of land uses that are complementary to a resort community. The amendments sought by the Applicant as part of the Proposed Project would not affect previously issued Town approvals within the PRD, would rejuvenate the area of the former Concord Resort, and encourage further development, economic stimulus, and employment opportunities within the Town.

Sullivan 2020: Defining an Image and Managing Change: A Strategic Plan for Sullivan County, May 2005

As recommended by Sullivan 2020, the Proposed Project would be a year-round destination, which includes a balanced mix of activities including recreational venues, harness horse racetracks, and hotels in a comprehensive master planned resort community.

COMMUNITY SERVICES

At full build out, the Proposed Project would increase the residential population of the Town of Thompson by approximately 2,400 persons, and generate additional employment and visitors. The projected increase in the Town of Thompson residential population would increase the demand for community services.

Police Protection

To minimize calls for assistance from the New York State Police, Sullivan County Sheriff’s Department, Monticello Fire Department, and Emergency Medical Services, the EPT Concord Resort would implement an on-site security and fire safety program. Buildings would be equipped with appropriate fire safety equipment including sprinklers and smoke and fire detectors and alarms as required by New York State and local Building Codes. In addition, the EPT Concord Resort would include a private security team to patrol and monitor points throughout the Resort.

Table S-4
Project Conformance with PRD Regulations

Use	Current PRD Density	Proposed PRD Density*	Allowable Total (proposed)**	Proposed Project
Residential	4.0 units per acre of net site area	No Change	4,766 units	897 units
Residential Accessory Uses	10% of aggregate net floor area of residential uses	No Change	--	--
Hotel/Motel Units	0.75 keys per acre of net site area	1.75 keys per acre of net site area	2,085 keys	1,800 keys
Hotel/Motel Accessory Uses	10% of aggregate net floor area of hotel/motel uses	15% of aggregate net floor area of hotel/motel uses	165,000 sq ft	134,931 sq ft
Casino and harness horse racetrack uses	450,000 sq ft Total	No Change	450,000 sq ft Total	405,000 sq ft
Commercial uses (excluding casino uses and hotel/motel accessory uses, including RV park)	0.0175 FAR	No Change	908,341 sq ft	903,000 sq ft
Maximum building height	350 feet	No Change	350 feet	200 feet
Open space	35% of gross site area (minimum)	No Change	538 acres (minimum)	696 acres
Notes:				
* Proposed density as it would apply to each approved CDP.				
** Based on a net site area, as defined in §250-27.2(B)(6) of the Town of Thompson's Zoning Code, of 1,191.58 acres.				
Sources: Applicant				

As indicated in correspondence provided by the Sullivan County Sheriff's Department, when the Proposed Project is fully operational (2022), response time to the Project Site for non-emergency calls to the Sheriff's Department could increase. However, it is not anticipated that the Proposed Project will significantly increase response times for emergency vehicles travelling to the Project Site or the surrounding neighborhood.

It is anticipated that, as subsequent phases of the Proposed Project apply to the Planning Board for Site Plan approval, coordination would occur with the New York State Police, Troop F Zone Commander, and other emergency service providers to determine whether additional patrols and staffing would be required.

Fire Protection

Project generated residential population would potentially increase staffing needs from the Monticello Fire Department by approximately four persons, and property tax revenues allocated to the Monticello Fire Department would be expected to offset the costs for additional equipment and personnel required to provide fire protection services to the Proposed Project.

Site plans for all phases of development proposed for the EPT Concord Resort would be reviewed by the Fire Department to ensure adequate design, layout, and provision of fire protection equipment including hydrants and sprinklers. During this review, the Fire Department would assess their current staffing and equipment and determine whether the impact of the phase would require associated increases. It is anticipated that any increase in demand would be offset by tax revenue allocated by the County and the State to the various emergency service providers.

Schools

The EPT Concord Resort proposes 897 residential units, of which 12 (the Golf Cottages), are presumed to be weekend/second homes. As such, the analysis of potential project-generated school-aged children is based on a total of 885 year-round residences at full build out of the Proposed Project (anticipated to be 2023). Although the apartment units to be located in the Residential Village are proposed to be a mix of one- and two-bedroom units, to evaluate the worst-case scenario herein, the analysis assumes that all apartment units would be two bedrooms. The single-family units are analyzed as three-bedroom homes and the townhouses are analyzed assuming that all would provide two bedrooms.

At full build out, the EPT Concord Resort could generate approximately 340 school- aged children to the Monticello Central School District (MCS D), which could exceed the capacity of some grades in the schools if the children were to be enrolled immediately approval of Phase 1 of the Proposed Project. However, it must be noted that Phase 1 will be the Casino Resort – a use that will not generate any school-aged children, but will generate over \$6.5 million annually to the school district. The residential component of the Proposed Project will be added much later in the build out of the project. Therefore, it is premature to estimate the impact that the EPT Concord residential units would have on the MCS D over the various development phases. These potential impacts will be the subject of subsequent environmental reviews as the Proposed Project is built out.

Nonetheless, for the purposes of estimating impacts, the analysis assumes that all units would be constructed at one time and within the short term.

Correspondence from the School Superintendent of the Monticello Central School District¹, indicates that the school-age children of EPT Concord Resort employees would result in an increase in enrollment and may require: “hiring additional staff, should enrollment capacity be reached in all elementary buildings and that there would be an additional cost to re-open Duggan Elementary.” In addition, the Superintendent noted that funding to the School District generated by property tax revenue is currently operating under the constraints imposed by the New York State property tax cap.

For the school year 2009-2010, the expenditure per pupil was \$21,775. For special education students, the cost per pupil is estimated at \$33,326 per year. The total MCS D expenditure for the 340 additional school children that would be generated from the Proposed Project at full build out would be \$7.4 million. The revenues that would be received by the MCS D for the Proposed Project would be \$29.3 – well in excess of the cost to educate 340 students.

These tax revenues are based on the full value of future property assessment and other applicable taxes and fees. However, it is noted that there are a number of financial assistance programs for which the Proposed Project or portions thereof may be eligible, pursuant to Article 18-A of the

¹ Ibid.

EPT Concord Resort

General Municipal Law of New York State, known as the Industrial Development Agency (IDA) Act. To the extent that financial assistance programs are utilized for the Proposed Project, payments in lieu of taxes (PILOTs) would be negotiated.

Emergency Medical Services and Healthcare Facilities

MobileMedic EMS provides services to Sullivan County via a private contract. As a private for-profit contractor, MobileMedic does not receive government funding or subsidies, but rather finances their operations through private contracts, and insurance companies. As such, any additional demand generated by the Proposed Project due to the increase in visitor, part- and full-time residential population, and employees would offset costs associated with potential increases in staffing and equipment.

Full project build out for the EPT Concord Resort would be expected to occur over approximately 10 years, which would result in a gradual introduction of both full-time residential population and commercial employee and visitor population. As such, it is expected that increases in population would be accommodated by the two regional medical centers and additional health service providers locally. In addition, the proposed EPT Concord Resort includes an approximately 90,000-square-foot innovative health care facility which would include medical-related facilities, including 90 beds and 12 assisted living units.

Solid Waste

Solid waste and recyclable materials generated by the Proposed Project would continue to be managed by a private carting service, which would expand their truck fleets and staff to accommodate project-generated demand. As is the current practice, the private carting services would collect the refuse and recyclable materials from the Project Site and bring them to the transfer station where they would be sorted for disposal at one of five Sullivan County landfills. At present, the Sullivan County Division of Solid Waste operates the Sullivan County Landfill & Recycling Center in Monticello, as well as five recycling & transfer stations located conveniently throughout the County. Although the collection service would be via a private company, the Sullivan County Legislature collects solid waste fees (as a component of real property tax revenue assessments), which are calculated on a per parcel basis (e.g., \$120 per residential parcel, \$300 per commercial parcel). These fees support the operation of the landfills and recycling centers throughout the County. Based on input from the Sullivan County Treasurer's Office, estimating solid waste fees for the proposed project would be speculative due to the scale and use composition of the project and potential changes in fee structure and rates over the next several years. However, it is anticipated that solid waste fees assessed for the residential and commercial components of the project would offset any additional costs or demand generated by the Proposed Project.

Recreational Facilities

The EPT Concord Resort would provide both indoor and outdoor recreation facilities, accommodating not only the demand generated by the proposed development, but also would augment the recreation opportunities available to the Town of Thompson, the Village of Monticello and the region. As such, it is anticipated that the proposed EPT Concord Resort would provide ample on-site recreation facilities to accommodate any additional demand, and also introduce significant new amenities for public use.

GEOLOGY, SOILS, AND TOPOGRAPHY

Topography and Slopes

The Project Site's topography is characterized by the lowland valley of Kiamesha Creek that generally runs from north to south through the center of the Site, and its higher elevation uplands to the east and west. Steep slopes (>20 percent) are minimal and primarily located within the northeastern forested area of the Project Site where the elevation rises to two distinct high points.

The EPT Concord Resort design largely conforms to the Project Site's existing contours. Additionally, nearly the entire Project Site has slopes of less than 20 percent, such that development would require minimal grading or other alteration of the Site's topography. Of the approximately 684 acres that will be disturbed by the Proposed Project, approximately 635 acres are on slopes between 0 and 20 percent; 40 acres are on slopes 20-30 percent; and 9 acres are on slopes greater than 30 percent.

Geology

Geologic maps indicate that the Project Site is underlain by bedrock of the Upper and Lower Walton formations of the West Fall Group. This group characterizes the geology of the entire Neversink watershed, and largely consists of sedimentary rocks, including shale, sandstones, and conglomerate covered by glacial till.

Substantial bedrock excavation is not expected to occur due to the depth of bedrock throughout the majority of the Site and the moderate depths of excavation required to implement the Proposed Project. Small outcrops of rock that exist in some places within the Project Site would likely require removal.

Soils

The Project Site contains 27 different soil mapping units, but four units together account for more than 60 percent of the Site's acreage, while the remaining units each account for less than 5 percent of the total acreage. The four dominant soils include Wellsboro and Wurtsboro soils, strongly sloping, extremely stony (19 percent); Wellsboro gravelly loam (19 percent); Arnot-Oquaga complex (14 percent); and Wurtsboro loam (11 percent). Prime farmland soils that are present within the Project Site include Pompton gravelly fine sandy loam, 3-8 percent slopes (PmB), Raynham silt loam (Ra), Red Hook sandy loam (Re), Riverhead sandy loam, 3-8 percent slopes (RhB), Scio silt loam, 2-6 percent slopes (SaB), and Wallington silt loam (Wa).

The erosion hazard for most of the soil types disturbed by the Proposed Project is slight to moderate, and therefore, potentially adverse impacts from construction activities would be avoidable through implementation of standard erosion and sediment control practices. Two of the most abundant soil types within the Project Site, Wellsboro gravelly loam and Wurtsboro loam, are classified as having higher erosion risk, but only in areas with slopes >8 percent (WeC and WuC soil types). There is only a small proportion (<6 percent) of the Project Site's acreage where these soils and slopes that exceed 8 percent are both present.

In all areas of land disturbance that would be landscaped post-construction, topsoil that has been removed from areas of development and stockpiled would be replaced as an appropriate planting medium. Outside of the specific areas of disturbance, no changes to plant species composition or coverage would occur from erosion or soil movement due to strict adherence to the erosion control specifications and post-construction stormwater management requirements.

Prime Farmland Soils occurring within the limit of disturbance are minimal and include less than 1 acre of PmB, less than 1 acre of Ra, 2 acres of Re, and 3 acres of Wa. None of the Prime Farmland soils that will be disturbed by the Proposed Project are currently used for agriculture.

NATURAL RESOURCES

Vegetation

Construction and operation of the Proposed Project would result in a loss of forested cover of the property and increase in the mowed lawn and urban structure communities. The abundance and acreage of forested communities will diminish with the Proposed Project. Despite the diminishment in natural habitats, the diversity of plant species present on the Project Site is expected to be maintained through the establishment of representative open space areas. In addition, approximately 214 acres of the overall disturbance for the proposed CDP would be located on areas currently disturbed with existing golf course, buildings, or other developments. Finally, some revegetation will take place in those portions of the property where dilapidated structures will be razed and landscaped with native species and, as well, where only temporary construction disturbances are proposed.

Wildlife

The majority of the 1,538-acre Project Site would eventually be developed, leaving behind small fragments of remnant habitat. In turn, wildlife community composition, particularly in the largely forested eastern half of the Project Site, would shift from mostly area-sensitive, specialist species towards generalists that are highly tolerant of disturbance and can thrive in degraded areas. The bird, reptile, amphibian, and mammal communities would likely become dominated by common, synanthropic species such as house sparrow, European starling, mourning dove, American robin, blue jay, brown snake, house mouse, gray squirrel, and raccoon. Most other species that are known or expected to presently inhabit the Site would no longer occur due to the direct loss of habitat during project construction and the increased levels of human disturbance introduced to the area during project operation. These effects would extend beyond the Project Site's boundaries into neighboring forests by creating a sharp edge and greatly increasing overall fragmentation in the surrounding landscape. Given its extensive size and embedment within relatively contiguous tracts of forest and other wildlife habitat, development of the Project Site would possibly have measurable impacts on the size and viability of these species' local populations and metapopulations. At a broader scale, the Proposed Project by itself would be unlikely to cause significant adverse impacts to, or jeopardize the continued existence of, these species within the County or the State. Yet, many of these species are in steep decline throughout their range primarily as a result of cumulative habitat loss at the local scale. While the majority are not federally or State-listed, and are therefore of less regulatory interest, they are of no less ecological importance.

Threatened, Endangered, and Special Concern Species

The following threatened, endangered, or special concern species are considered to have the potential to occur within the Project Site: sharp-shinned hawk, Cooper's hawk, Jefferson salamander, and blue-spotted salamander. Red-shouldered hawk was observed within the Project Site during an AKRF site visit. In addition, the federally listed dwarf wedgemussel is known to occur in the Neversink River, to which the Project Site is hydrologically connected via Kiamesha Creek. Non-breeding bald eagles have been recorded 1.3 miles east of the Project Site, along the Neversink River.

Dwarf Wedgemussel

With proper erosion and sedimentation measures in place to avoid degradation to Kiamesha Creek, development of the Project Site and subsequent operation will not have any adverse impacts on dwarf wedgemussels in the Neversink River.

Bald Eagle

Properly distancing human activities from bald eagle nesting and foraging areas can effectively minimize disturbance. Given that the distance between the Project Site and the Neversink River, where non-breeding bald eagles have been recorded by NYSDEC, (1.3 miles) is more than double the maximum buffer size of a half mile recommended by the USFWS, construction and operation of the Proposed Project is not expected to disturb bald eagles occurring in this area.

Northern Blue Monkshood

The preferred habitat of the northern blue monkshood consists of cool headwater streams and the base of talus slopes or rocky cliffs. These habitats are not abundant on-site, but potential habitat occurs in several areas of rock outcropping and headwater springs in sloped portions of the Project Site. These areas will be examined by trained ecologists during the flowering period of the northern blue monkshood.

Sharp-shinned Hawk

The largely forested Project Site may represent suitable breeding habitat for sharp-shinned hawks, although sharp-shinned hawks are far more likely to occur within the Project Site during migration and winter when they are more generalistic in their habitat selection and more common in the region. If sharp-shinned hawks occur within the Project Site, development of the Project Site would result in the conversion of the potential habitat present to other vegetated habitat, which would support more generalist species, as well as loss to impervious surfaces and buildings. In the context of the abundance of forest cover in the surrounding landscape, development of the Project Site alone is not expected to impact sharp-shinned hawks at the population level. At a local scale, however, development of the 1,538-acre Project Site will reduce local habitat availability for sharp-shinned hawks and contribute to the effects of cumulative habitat loss ongoing throughout the species' range in New York.

Cooper's Hawk and Red-shouldered Hawk

The Project Site contains suitable nesting, wintering, and migratory stopover habitat for Cooper's hawks, as well as suitable breeding and non-breeding habitat for the red-shouldered hawk. Development of the Project Site would result in the conversion of this hawk habitat within the Project Site to other vegetated habitat, which would support more generalist species, and loss to impervious surfaces and buildings. This would affect any individuals that may utilize the Project Site. Given the amount of forest in the surrounding landscape, the apparent increasing tolerance of Cooper's hawks to fragmentation, and the recent County- and State-wide growth in Cooper's and red-shouldered hawk numbers, these individual level impacts are not be expected to significantly reduce the size or viability of the populations at a local, or higher, scale.

Jefferson Salamander

Jefferson salamanders are considered to have the potential to occur within the Project Site because the Site is within the species' geographic range and contains appropriate breeding and non-breeding season habitat, including deciduous and mixed coniferous-deciduous upland forests and vernal pools and wetlands. Development of the Project Site would result in the conversion of all on-site habitat that would be capable of supporting Jefferson salamanders to other vegetated and unvegetated habitats that would not support the species. Jefferson salamanders can migrate upwards of 0.25 miles between breeding and non-breeding habitats; as

such, development of the Project Site would also result in the loss of potential habitat for Jefferson salamanders that may breed in aquatic habitats in the surrounding area and then migrate to the Project Site's upland forests during the non-breeding season, or vice versa. Loss of this habitat and any individuals that may be using the Project Site during site clearing activities could impact the size and viability of any local Jefferson salamander population(s) that happen to be present on, or in close proximity to, the Project Site. From a broader perspective, development of the Project Site alone will be incapable of significantly reducing the abundance of Jefferson salamanders in the County or the State, but would contribute to the cumulative habitat loss and fragmentation that is threatening the persistence of the species throughout its range.

Blue-spotted Salamander

Blue-spotted salamanders have not been documented within the Project Site but are considered to have strong potential to occur at the Site based on the available habitat. The small ponds and freshwater wetlands in the southeastern and southwestern corners of the Project Site, in particular, may support blue-spotted salamanders. Potential impacts to blue-spotted salamanders from the Proposed Project are essentially the same as those described above for the Jefferson salamander.

Mitigation

Potential adverse impacts to vegetation, ecological communities, and wildlife would be minimized and through maintenance of buffers along Kiamesha Creek and other water features on-site, preservation of areas of open space, and revegetation and landscaping with native plant species that are relatively resistant to deer browsing but beneficial to other native wildlife. Additional measures that would be considered include the provision of large box culverts with sunlight penetration at stream and wetland crossings to facilitate the passage of amphibians and other small animals and reduce road mortality, use of low-profile curbing that does not impede movements of reptiles and amphibians across roads and other paved surfaces, and use of shielded and directional lighting to minimize ecological light pollution of wildlife habitats within and adjacent to the Project Site.

WATER RESOURCES AND WETLANDS

The Project Site is located within a subwatershed of the Neversink River, which is tributary to the Delaware River. The major drainage feature on the Project Site is Kiamesha Creek, which roughly bisects the Site between higher ground to the east and west occupied by two rounded hillsides. The Project Site also contains numerous ponds and lakes associated with Kiamesha Creek. The condition of the on-site streams ranges from optimal to marginal depending upon site location.

The Project Site is mapped as a "Principal Aquifer," defined as "aquifers known to be highly productive or whose geology suggests abundant potential water supply, but which are not intensively used as sources of water supply by major municipal systems at the present time". Groundwater pumped from wells on-site may be used as the source of drinking water for the Proposed Project. Based on the preliminary hydrogeologic assessment and water demand projections for the Proposed Project, it is expected that groundwater resources are a viable source of drinking water to service the Proposed Project in all phases without causing any detrimental effects to groundwater levels or wetland/water resources on the Project Site. Alternatively, drinking water supplies may be obtained from the Village of Monticello, or Kiamesha Artesian Spring Water Company (KASWC).

On-site wetlands and waters were delineated in accordance with NYSDEC and USACE methodology. The regulatory boundaries of all on-site wetlands were verified by the NYSDEC in 2007 and by the USACE in 2008. A complete Wetlands and Watercourse Assessment Report is included in Appendix F-2 of this DGEIS. The delineated wetlands and their regulatory designation are shown in Figure 6-1.

The CDP has been designed to avoid wetland and stream areas. With the exception of the Phase 1 development area and the proposed revisions to the Monster Golf Course, the only wetland impacts from the CDP are proposed improvements to Chalet Road and Thompsonville Road and for access to upland areas proposed for development. Aside from roadway access, none of the residential components of the Proposed Project require wetland or wetland buffer disturbance. In total, 8.23 acres of regulated wetlands and waters are expected to be disturbed by the Proposed Project. This includes 6.4 acres of direct disturbance (fill) of vegetated wetlands, 0.67 acres of direct disturbance (fill) to unvegetated wetlands (golf course ponds); and 1.15 acres of hand-clearing of vegetated wetlands within the proposed Monster Golf Course to reduce the height of vegetation and facilitate golf course play-over areas.

Due to the need for direct and indirect wetland disturbance, the Proposed Project requires permit approval from the USACE pursuant to the Clean Water Act Section 404. As part of permit review and approval, the USACE requires that wetland disturbance be mitigated with the creation or restoration of wetlands as part of a wetland mitigation plan. Typically, mitigation for wetland disturbance must create more acres of wetland than would be disturbed in order to ensure that wetland functions and benefits equal or exceed pre-development conditions. For vegetated wetlands, a ratio of 2 acres of mitigation (created) wetlands for every 1 acre of wetland disturbed is contemplated. For unvegetated wetlands (ponds) and those wetlands that would be hand-cleared only, a mitigation ratio of 1 acre of mitigation wetland for every 1 acre disturbed is contemplated. Final mitigation ratios will be determined during the USACE and NYSDEC permitting processes required for disturbance of all State and federally regulated wetlands. **Table S-5** presents the total acreage of wetland impacts and the mitigation acreage that may be required to be constructed on-site.

**Table S-5
Wetland Impacts and Mitigation**

Wetland Type	Wetland Impacts (acres)	Potential Mitigation Ratio*	Potential Acres of Mitigation*
Vegetated Wetlands	6.40	2:1	12.80
Unvegetated Wetlands (Ponds)	0.67	1:1	0.67
Hand-Clearing in Vegetated Wetlands	1.15	1:1	1.15
TOTAL	8.23		14.62
Note: * Mitigation ratios will be set by the USACE and NYSDEC.			

To mitigate for the proposed wetland impacts, a wetland creation plan is proposed to create wetland habitat in an unused area of the Monster golf course. By creating just one golf course, a large quantity of lowland in proximity to Kiamesha Creek and its contributing drainageways is made available by the proposed plan. These areas have been examined by project ecologists and the USACE and found to be viable mitigation sites for wetland creation. The location of proposed mitigation sites is shown in Figure 6-4. In total, they comprise 36.7 acres, far exceeding the necessary mitigation acreage. All mitigation areas will be maintained as dedicated

wetland mitigation areas, set aside with permanent restrictions to ensure they serve as wetland mitigation for the life of the Proposed Project.

STORMWATER MANAGEMENT

At the present time, the Project Site contains no purpose-built stormwater management practices. However, the open water ponds and the interconnecting drainage system that occupies the golf courses on the Project Site serve to detain and convey surface flows from portions of the Project Site east and west of Kiamesha Creek to the lowlands at the center of the Project Site. These drainage features include a network of culverts and swales built on the golf courses to channel water away from the fairways. The ponds also provide water features for the golf courses. The golf courses' existing drainage network adequately conveys smaller design flows. However, due to the low elevations of many of the fairways and greens located within the floodplain of Kiamesha Creek, the Monster Golf Course experiences considerable flooding during larger storm events.

Since there is minimal stormwater infrastructure located within the roadway network, the majority of the Project Site runoff travels to the existing wetlands and water bodies via overland flow, and through tributary streams and brooks. In some areas, man-made swales parallel to the roadways collect and convey the stormwater through culvert crossings.

The Proposed Project proposes to redesign the existing Monster Golf Course in the center of the Project Site to retain a wide central green space on either side of Kiamesha Creek. Development of new buildings, roadways, and related impervious surfaces is not proposed in close proximity to Kiamesha Creek so that the stream resource can be protected and enhanced.

The Proposed Project will increase the amount of impervious surface on the Project Site with buildings and roadways and will reduce the amount of forest cover overall. To manage the increase in stormwater runoff that will result from this development, stormwater management practices have been sited and conceptually designed such that all areas of development will receive stormwater treatment in full conformity with the NYSDEC guidelines.

A conceptual drainage plan for the Proposed Project is provided principally for planning purposes so that land area is set aside for the necessary stormwater basins and infrastructure that will be required in the future to satisfy NYSDEC's stormwater management requirements. Each development phase of the Proposed Project will be analyzed separately and a Stormwater Pollution Prevention Plan (SWPPP) developed in conformance with the New York State Stormwater Management Design Manual (NYSSMDM).

The conceptual size (surface area) of the proposed detention basins was determined by assuming a 4-foot average depth of storage volume. This is the basis for the conceptual design of the stormwater management facilities for future phases of the Proposed Project. The locations of the conceptual detention basins, excluding Phase 1 which is considered in greater detail in Chapter 7, are shown in Figure 7-1.

The Proposed Project will employ various stormwater treatment techniques to address the anticipated increase in pollutant loads from the development of the Project Site. Stormwater will be detained and treated in one or a combination of pond designs. In accordance with NYSDEC runoff reduction volume requirements, green infrastructure will be incorporated into the stormwater management design where feasible to further reduce runoff and provide water quality treatment. Green infrastructure practices are now a required element of stormwater

management design intended to enable the post-developed condition to closely replicate pre-development conditions.

WATER SUPPLY

The anticipated water demand for all phases of the Proposed Project is approximately 960,000 gallons per day (GPD) with water-saving fixtures. Water demand estimates by Project phase is presented in **Table S-6**, Water Demand Calculations.

**Table S-6
Water Demand Calculations**

Project Phase	Water (Daily Demand)	Daily Demand with Water Saving Fixtures*
Phase 1 – Casino Resort A	228,719	201,586
Golf	21,800	17,440
Casino Resort B	32,750	26,200
Entertainment Village	118,408	95,991
Residential Village, Hospitality & Recreation	433,830	391,864
Hospitality, Commercial & Residential	283,500	226,800
Total	1,119,008	959,880
Note:	* 20 percent reduction, when applicable - in GPD	
Source:	AKRF Engineering, P.C.	

While sufficient for the current demand of the golf course Chalet Pro Shop and maintenance building, the existing potable water supply on the Project Site is not sufficient to support the water supply demand for the Proposed Project. Therefore a potable water infrastructure system will need to be designed and constructed, in phases, to provide adequate water supply for the respective development phases. The following water supply sources have been identified as possible sources that may be used for the Proposed Project: on-site groundwater supply wells; connection with the Village of Monticello Water Department; or connection with the Kiamesha Artesian Spring Water Company (KASWC). Figure 8-1 presents the various supply options.

Each option will require augmenting the current system’s supply. According to previous reports prepared by CA Rich Associates, groundwater within the Project Site has the potential to produce enough water to meet the requirements of the previously analyzed 2006 CALP development plan, which was estimated at 1.4 million gallons per day (MGD). Therefore, the potential impacts associated with the increased water withdrawal from the KASWC or Village of Monticello Water Department could be mitigated through an interconnection to existing and proposed on-site wells. Groundwater withdrawals will be monitored to ensure that neighboring properties would not be affected.

All water infrastructure proposed by the Applicant will be designed and constructed in conformance with the Recommended Standards for Water Works - 2007 Edition and the NYSDOH Sanitary Code. As the water source(s) for future phases of the Proposed Project are determined, designs for supply, treatment, transmission and distribution systems will be developed in conformance with all local, regional and State regulations. Ultimately, the water supply systems for each development phase will be reviewed and approved by all agencies with jurisdiction over water supply in the vicinity of the Proposed Project.

Existing NYSDEC and DRBC permits may need to be modified to address the anticipated increased water withdrawals. The associated Drought Management Plan and Non-Point Source Pollution Control Plan (NPSPCP) will also need to be revised to adequately reflect the increase in the water withdrawal rate. NYSDOH permits for community water systems may also have to

be modified to reflect the anticipated population served by the Proposed Project for each of the three supply options.

SANITARY SEWER SERVICE

The Project Site is located within the Kiamesha Lake Sewer District (KLSD). KLSD has one sewage treatment plant (STP), located on Rock Ridge Road in the Town of Thompson, which is operated by the Town of Thompson. KLSD's STP is designed and permitted to treat 2 million GPD of wastewater flow, as confirmed by the (NYSDEC State Pollutant Discharge Elimination System (SPDES) permit. According to the Superintendent of the STP, the plant currently has available capacity to treat an additional 500,000 to 700,000 GPD.

The Proposed Project will require an on-site sanitary sewer network. The Applicant will construct this sanitary sewer network as part of the Proposed Project and the network will subsequently be privately owned and operated. Portions of the proposed system may be located within the public right-of-way where easements will be obtained from the municipality, as necessary. This sanitary sewer network may include gravity and/or force main piping as well as associated pump stations, manholes and lateral connections to proposed buildings. Although the Proposed Project will be constructed in phases, the sanitary infrastructure will be designed to accommodate the flows from the maximum build out of the Proposed Project.

At full build out of the Proposed Project, it is anticipated that it will generate approximately 880,200 GPD of wastewater. As stated above, the facility currently has excess capacity to treat between 500,000 and 700,000 GPD. At full build out, the projected flows generated by the Proposed Project will be greater than the existing capacity of the STP, thereby potentially requiring modifications to the STP. According to the Superintendent of the STP, the plant was originally designed and constructed so that additional treatment modules could be added to the facility once wastewater flows reached the designed capacity.

ENERGY & TELECOMMUNICATIONS

Energy

Table S-7 presents the estimated electrical demand that would be generated by the Proposed Project. The electric loads assume that heat and air conditioning would be provided by propane gas.

A new substation is not anticipated for the Proposed Project. Any improvements to existing substations are not anticipated to require permitting since the expansion would be within the bounds of the existing disturbance. All new electrical wires within the Project Site will be buried underground.

To provide fuel for heating and cooking, propane gas would be incorporated into the design of the buildings. All propane gas fuel tanks would be installed to meet or exceed local, State, and federal safety and environmental standards.

Telecommunications

The Proposed Project would not result in impacts to existing telecommunications services. These services are provided by private companies that would expand service areas as needed to accommodate customer demand.

Table S-7
Proposed Project Electrical Demand

Project Phase	Total Area of Buildings (sf)	Design KVA	Design Amps (480V)	Total VA/SF	Total Watts/SF (PF=.85)
Phase 1 – Casino Resort A	568,117	6,148	7,395	11	9.2
Golf	56,000	395	476	7	6
Casino Resort B	145,000	1,138	1,423	8	6.9
Entertainment Village	388,000	2,535	3,049	7	5.6
Residential Village, Hospitality & Recreation	819,228	5,570	6,700	7	5.8
Hospitality, Commercial & Residential	1,225,000	7,582	9,120	6	5.3
Notes: This table is a summary of the Electric Load Letters provided to NYSEG on March 30, 2012 (Appendix I-1). KVA=Kilovolt-ampere V=Volt VA/SF = Volt-ampere per square foot PF= power factor VA=Volt-ampere Sources: AKRF Engineering P.C.					

TRAFFIC AND TRANSPORTATION

A Traffic Impact Study (TIS) was conducted for the Proposed Project. Upon completion of the CDP (anticipated to be 2023) the Proposed Project would generate 5,708 Friday peak hour vehicle trips and 4,749 Sunday peak hour vehicle trips.

A qualitative assessment and potential mitigation based on the volumes developed for the full build of the proposed CDP are presented below for each of the study intersections, and summarized in **Table S-8**. As the proposed EPT Concord Resort development program advances, supplemental detailed traffic studies and intersection analyses may be needed to specifically identify potential impacts and required mitigation measures. In addition to potential mitigation described below, the implementation of ITS as discussed in the Chapter 11, will be included in the analyses of future mitigation.

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 need at this intersection.
- 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.
- 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. Providing additional lanes on the northbound and southbound approaches may not be feasible given right-of-way constraints and thus improvements to signal timings and signal equipment may be needed to improve traffic operations.

EPT Concord Resort

- 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. Providing additional lanes on the northbound and southbound approaches may not be feasible given right-of-way constraints and thus improvements to signal timings and signal equipment may be needed to improve traffic operations.
- 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 addition turn lanes on all approaches.
- 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 may be needed at this intersection and could include widening NYS Route 42 from two lanes to four lanes and providing turn lanes on all approaches.

Unsignalized Intersections

- Old Liberty Road and Fraser Road – this intersection would likely continue to operate at acceptable conditions and would not need mitigation to accommodate the project traffic going through this intersection.
- Rock Ridge Drive and Concord Road – at full build out, the Proposed Project would add approximately 700 vehicles to this intersection during both the Friday and Sunday peak hours. The increase in traffic at this intersection 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 would 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 would 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 would add less than 250 vehicles 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.
- Joyland Road and Thompsonville Road – at full build out, the proposed EPT Concord Resort project would add a significant amount of traffic to this intersection. Therefore, it is likely this intersection would need to be signalized with turn lanes on all approaches.
- Heiden Road and Thompsonville Road – at full build out, the Proposed Project would 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 would add less than 170 vehicles 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.

Table S-8
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 partial acquisition of adjacent parcels to accommodate potential need for additional lanes
NYS Route 42 / Depot Drive	Potential signal re-timings Potential for partial acquisition of adjacent parcels to accommodate potential need for additional lanes
NYS Route 42 / Concord Road	Potential signal re-timings Potential to widen all approaches for additional lanes
NYS Route 42 / Kiamesha Lake Road	Potential to widen all approaches for additional lanes
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 re-design and re-construction of interchange
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.

NYS Route 17 Interchange 106 (Joyland Road)

Phase 1 of the Proposed Project (i.e., Casino Resort) would require mitigation at the Cimarron Road/NYS Route 17 Exit 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 would continue to traverse these intersections and may degrade operations at these intersections to unacceptable (LOS E or F) 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 measures that could include a re-design and re-construction of this interchange to accommodate the increased vehicle turning movements.

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.

AIR QUALITY

Mobile Sources

An assessment of the potential air quality effects of CO emissions that would result from vehicles coming to and departing from the Proposed Project was performed following the Volume Threshold Screening analysis procedures outlined in the NYSDOT EPM. Based on this analysis, the Proposed Project-related traffic volumes in the Build year at each of the

intersections studied would be below the Volume Threshold criteria. Although the Proposed Project would generate additional traffic at these intersections, it would not be enough to necessitate further study. Therefore, a detailed CO microscale air quality analysis was not warranted at these intersections for the Proposed Project. As such, no significant adverse air quality impacts are expected to result from the mobile sources associated with the Proposed Project.

Stationary Sources

For the Proposed Project's fossil-fueled heating and hot water systems, the primary pollutants of concern are NO₂ and SO₂ when burning propane. Since monitored concentrations of these pollutants indicate that levels are well below the standards in the study area, and the Proposed Project would not be a major source of stationary source emissions, the Proposed Project is not expected to result in significant adverse air quality impacts due to stationary sources.

NOISE

Noise from operation of the Proposed Project was considered at six locations near the Project Site as shown in **Figure S-5**. These locations represent the noise-sensitive land uses that would be most likely to experience noise level increases due to the Proposed Project or Phase 1 because of their proximity to the Project Site and the roadways leading to and from the Project Site.

Noise levels in the future with the Proposed Project will be expected to increase as a result of increased traffic traveling to and from the Project Site and additional mechanical equipment associated with the full build out of the Proposed Project. Furthermore, noise levels at the Project Site itself will also increase as a result of these same noise sources. Increased traffic noise in the future with the Proposed Project may result in perceptible and or readily noticeable noise level increases at some nearby sensitive receptors due to the low levels of traffic and noise in the existing condition and the substantial increases in traffic associated with the Proposed Project. The Proposed Project's mechanical systems will be designed to meet all applicable noise regulations and to avoid producing levels that would result in any significant increase in ambient noise levels.

Future phases of the Proposed Project will be subject to environmental analysis, as required by SEQRA, at the time of their application for site plan approval. If any significant adverse noise impacts are anticipated, measures to mitigate those impacts will, to the extent practical, be implemented. Mitigation proposed would include those required to offset significant impacts resulting from both stationary and mobile sources.

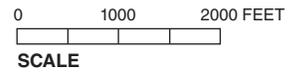
In addition, residential structures included in the Proposed Project could include double-glazed windows and an alternate means of ventilation (i.e., air conditioning), which would provide sufficient attenuation to ensure interior noise levels less than 45 dBA, which is a generally accepted interior noise level threshold for residential uses.

ECONOMIC CONDITIONS

The Proposed Project would result in 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



-  *Project Site Boundary*
-  *Noise Receptor Locations*



York State, of which 5,674 person-years are anticipated in the Catskills region.¹ This economic activity would lead to the creation of additional indirect and induced jobs. Total employment resulting from the Proposed Project's construction, including direct, indirect, and induced jobs, is estimated to be 11,356 person-years in New York State, with 8,784 person-years of employment in the Catskills region. Total employee compensation is estimated at \$675.98 million in the State, with \$441.04 million in the Catskills region, and total economic output is estimated at \$2,389 million in New York State, with \$1,681 million in the Catskills region.

Upon completion, the Proposed Project is anticipated to support approximately 2,642 direct permanent full-time equivalent (FTE) jobs. The direct economic activity is anticipated to generate an additional 1,229 indirect and induced jobs within Sullivan County and an additional 1,505 indirect and induced jobs within New York State. Total employee compensation is estimated at \$155.84 million annually in the State, with \$138.63 million in the County, and total economic output is estimated at \$656.63 million annually in New York State, with \$598.53 million in Sullivan County.

Anticipated tax revenues generated by the Proposed Project would be substantial. Based on current tax rates and regulations, the completed development program is estimated to annually generate approximately \$42.5 million in real property tax, \$8.5 million in sales tax, \$4.4 million in hotel occupancy tax, and \$46.5 million in vendor track fees annually. Of this, approximately \$29.3 million would go to the Monticello Central School District, \$737,000 would go to Sullivan County, and \$12.5 million would go to the Town of Thompson.

These tax revenues are based on the full value of future property assessment and other applicable taxes and fees. However, it is noted that there are a number of financial assistance programs for which the Proposed Project or portions thereof may be eligible, pursuant to Article 18-A of the General Municipal Law of New York State, known as the Industrial Development Agency (IDA) Act. To the extent that financial assistance programs are utilized for the Proposed Project, payments in lieu of taxes (PILOTs) would be negotiated.

Overall, the Proposed Project would be beneficial to the local as well as the Catskill region's economy in terms of providing for a substantial number of new employment opportunities, fiscal benefits, and overall increased levels of economic activity in the region.

CULTURAL RESOURCES

Archaeological Resources

There are no S/NR listed or previously identified archaeological resources located on the Project Site. The archaeological sensitivity of the Project Site was evaluated via several cultural resource surveys between 2000 and 2008 on behalf of CALP. As plans for the current EPT Concord Resort CDP are developed and site plan approvals and permits are requested, additional cultural resource investigations may be required on archaeologically sensitive portions and previously untested portions of the Project Site to determine the presence or absence of archaeological resources. 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

¹ A person-year is the equivalent of one person working full time for a year.

redevelopment project. However, if any such resources are determined to be S/NR eligible and if they can not be avoided, the redevelopment project would likely have an adverse effect.

Historic Resources

There is one known historic resource on the EPT Concord Resort Project Site: a portion of the Breezy Corners Bungalow Colony at 253 Joyland Road. Two additional properties, the H. Rumsey House and Echo Mountain Bungalow Colony on Thompsonville Road are located adjacent to the Project Site (Figure 15-2). The 1,538 acre Project Site also contains other structures, including a (vacant) bungalow colony, cottages, farmhouses, and barns over 50 years old, yet to be evaluated for S/NR eligibility.

The CDP depicts the demolition of the Breezy Corners Bungalow property to accommodate the development of the Resort Core. Demolition of this property would constitute an adverse effect on an historic resource and will require, in consultation with SHPO, that alternatives to demolition be explored, including measures to mitigate such adverse effects.

As subsequent segments of the EPT Concord Resort proceed, additional analyses of potential effects on historic resources may be required. As described above, this would include, in consultation with SHPO, the completion of the identification of historic properties, identification of appropriate APEs, assessing the development's effects on any identified historic properties, and developing appropriate mitigation measures if adverse effects would occur on historic resources.

VISUAL RESOURCES

The visual character of the Project Site varies due to its large size and the range of uses found throughout. Portions of the Project Site are heavily forested and undeveloped and other areas contain residential properties giving the Site a settled residential appearance. In some areas, bungalows and remnants of bungalow colonies and other recreational uses are visible in varying conditions. The portion of the Project Site that contains the Monster Golf Course and associated buildings appears well maintained and landscaped and gives the Site a resort-type character. Portions of the Site also appear blighted and underutilized.

The visual character of the ¼ mile Study Area immediately surrounding the Project Site varies and is defined by a mix of residential, resort, commercial, and agricultural uses. Northwest of the Project Site is the former Concord Hotel property and adjacent the (former) 9-hole Challenger Golf Course. In general, residential and agricultural uses are found north and east of the Project Site and commercial uses are found west and south of the Project Site along NYS Route 42 and East Broadway/Cimarron Road. There are no notable visually sensitive locations in the Study Area. Kiamesha Lake does provide some bucolic scenic vistas west of the Project Site. However, it is separated from the Project Site by an elevation change and the former Concord Hotel Property and is not visually connected to the Project Site.

The Proposed Project will preserve the visual character of the natural features and landscape that has been drawing people to this region for decades. Green corridors will be maintained to connect the various uses. The green corridors would include community lakes, parks, trails, open spaces, and recreation areas.

Portions of the Proposed Project will be visible from public rights-of-way or private residences adjacent to the Project Site. The Proposed Project and site improvements have been designed to be as sensitive to the existing landscape and community character as possible and to link

together the individual neighborhoods, districts and amenities, expressing the special qualities of the Site and establishing a distinct sense of place. Wherever possible, the Site's existing natural features would be maintained to promote the Site's natural settings, wildlife and native plant communities, and cultural landscape traditions. A network of roads and trails designed to interface with unique Site features would be installed. The essential qualities of the Catskills building traditions would be represented by the design, details, and materials palette for buildings, Site structures, and Site elements. An extensive landscape plan including deciduous trees, evergreen trees, flowering trees, and shrubs will be implemented throughout the Site, especially in areas abutting residential properties.

The visual changes associated with the Proposed Actions and Proposed Project will intensify land uses that have historically been present on the Project Site and within the surrounding Study Area. Nonetheless, the Proposed Project will be consistent and compatible with the existing and historic uses of the Site and Study Area. Therefore, although the Proposed Project will result in changes to the visual character of the Project Site and Study Area, these changes will largely be expected to improve the overall appearance of the Project Site and generate additional investment in, and improvements to, the Study Area and region.

HAZARDOUS MATERIALS

Between 1998 and 2004, Phase I and Phase II ESAs were performed for a 1,735± acre area that included the approximately 1,538 acres of the EPT Concord Resort Project Site that is the subject of this DGEIS/DEIS, the northwest-adjacent CALP property (the former Concord Hotel complex), and additional land area that expanded beyond the EPT Concord Resort Project Site boundaries to the north, east, south, and west.

The assessments were performed to identify Areas of Environmental Concern (AOCs), and the results documented that 24 AOCs required remedial investigation and/or remedial action. AOCs 1 through 3 were associated with the CALP and/or its affiliate property and included underground storage tanks (USTs) and pole mounted transformers associated with the hotel. AOCs 4 through 9 included five locations on the Project Site (the chalet dump site, the casino dump site, Breezy Corners Bungalows dump area, and the cemetery dump site) and two locations beyond the Project Site boundary (the horse farm dump site, and the Mountain View residence). Reports and references to NYSDEC correspondence indicated that environmental issues associated with AOCs 4 through 9 were addressed through investigations and remedial efforts. Based on the documentation reviewed, it is not believed that further action is required. However, additional documentation may be needed to confirm this status.

AOCs 10 through 24 (located on the Project Site) are included in a Brownfield Cleanup Agreement (BCA) that CALP and/or its affiliates have entered into with the NYSDEC,¹ and were divided into several operable units (OU). Remedial Investigations (RI's) were completed for each OU to identify and delineate sources of contamination in October 2008. With the exception of localized "hot spots" related to contaminated fill, the soil and groundwater contamination was primarily related to storage tanks and unregulated landfills. Remedial Action Work Plans or Interim Remedial Measures Work Plan has been submitted to the NYSDEC for

¹ Pursuant to an Access Agreement with the Applicant, CALP will complete the cleanup activities covered under the BCA, as amended, on property owned by the Applicant within the Project Site. When the cleanup is completed in accordance with the terms set forth in the BCA, CALP will be allowed certain tax credits available under the New York State Brownfield Cleanup Program.

each OU. The Proposed Actions and Proposed Project would include full remediation and clean-up of the OUs that have been previously identified.

CONSTRUCTION

Traffic and Transportation

Construction of the Proposed Project would create construction-related traffic to and from the Project Site, including vehicle trips related to workers and delivery of materials and equipment. In addition, there would be some truck traffic associated with removal of construction debris, demolished structures, and potentially from excavated materials from the Project Site.

Construction-related vehicles would be instructed to take Exit 106 off NYS Route 17 and travel north on Joyland Road into the Project Site. This route would require construction vehicles to pass by several small clusters of houses and bungalows, many of which are seasonal or vacant. During the reconstruction of Joyland Road, the primary access for construction vehicles will remain Joyland Road. Therefore, construction vehicles will be subject to the same roadway use limitations as the general public, such as lane closures. It is possible that construction workers would come from local areas and access the Site from local roads. Some heavy equipment and trucks might travel to the Project Site via NYS Route 42 using either Concord Road or Kiamesha Lake Road to access the Site.

A traffic management plan would be in place to minimize impacts on local traffic. Measures would include clear signage, detours, and flagmen, as necessary. All construction vehicles and staging are expected to be accommodated on-site, thereby limiting any queuing on public streets. In addition, Work Zone Traffic Control Plans (WZTCP) would be developed as necessary and approved by the Town for any construction performed on its roads. Finally, local roads that carry construction vehicles and other local traffic will be swept or washed down as needed as determined by the Town.

Air Quality

Air quality impacts associated with construction activities are typically from the generation of fugitive dust and emissions from vehicles and equipment. Fugitive dust can result from grading, excavation, filling, or movement of vehicles over dry dirt. Erosion and dust control measures to minimize impacts during construction would be implemented. Fugitive dust would be expected to remain on Site and have minimal effect on surrounding properties. Due to the distance of construction activities from sensitive land uses, fugitive dust would not result in any significant adverse impacts.

Vehicle emissions from construction vehicles and equipment can result in elevated levels of nitrogen oxides (NO_x), particulate matter (PM), and carbon monoxide (CO). Greatest impacts are typically associated with heavy duty equipment that is used for short durations. To minimize emissions, vehicle operators would be required to comply with any applicable idling restrictions; use clean fuels as feasible; conform to any applicable local, State, or federal emission standards; and use vehicles and equipment with Tier 2-rated engines or better. Because emissions would be temporary in nature and construction activities would not be in close proximity to sensitive land uses, construction activities would not be expected to result in any significant air quality impacts.

Noise

Construction of the Proposed Project would typically generate noise and vibration from construction equipment, construction vehicles, worker traffic, and delivery vehicles traveling to and from the Project Site. Noise levels caused by construction activities would vary widely, depending on the phase of construction—demolition, excavation, foundation, construction of the structures, etc.—and the specific task being undertaken. All construction activities would be conducted in full compliance with existing regulations, including local day and hour construction limitations. Construction activities would be conducted in full compliance with the Town’s noise ordinance (Chapter 170 of the Town Code) which restricts use of any pile driver, steam shovel, pneumatic hammer, derrick, steam, or electrical hoist or other excessively loud apparatus between the hours and 8:00 PM and 7:00 AM, unless where authorized by the Town. The Town also has a general provision in its noise ordinance that prohibits unreasonable and disruptive noise between 8:00 PM and 7:00 AM on weekdays, and 8:00 PM and 9:00 AM on Sundays or holidays, with which construction activities would also comply.

Stormwater and Erosion and Sediment Control

To prevent potential impacts to water quality, projects that disturb more than one acre of land are required to obtain a SPDES General Permit (GP-0-10-001) from the New York State Department of Environmental Conservation (NYSDEC). As part of this permit process, a Stormwater Pollution Prevention Plan (SWPPP) must be developed, which includes an Erosion and Sediment Control Plan (ESCP). Appropriate erosion and sediment control measures for each phase, including the reconstruction of Joyland Road, would be developed as the Proposed Project progresses. These measures would require review and approval from NYSDEC before any earth work activities can take place. Upon completion of construction activities, a landscape plan would be implemented to revegetate disturbed areas. With NYSDEC-approved erosion and sediment control measures in place, no significant adverse impacts related to erosion and sedimentation would occur.

SITE-SPECIFIC DEVELOPMENT OF PHASE 1 (DEIS)

LAND USE, COMMUNITY CHARACTER, ZONING, AND PUBLIC POLICY

Land Use and Community Character

The design for the proposed Casino Resort would be an architecturally significant marquis building, with a contemporary design. Similar to the overall CDP, the land use changes associated with Phase 1 will have a positive effect on the Town of Thompson by redeveloping an underutilized property, improving recreational and tourist opportunities in the Town, and encouraging economic growth. Phase 1 will enhance and expand land uses that have historically been present on the Project Site and within the surrounding area. While Phase 1 will increase the intensity of the development on the Project Site, the general character and design of the Casino Hotel is anticipated to become an icon of the region, as was the former Concord Resort Hotel.

Zoning

Phase 1 of the Proposed Project requires the adoption of the text amendments that are being proposed for the PRD district and the adoption of a new CDP by the Town Board. Neither the adoption of the PRD Zoning Amendments, nor the CDP, are anticipated to result in any significant adverse zoning or land use impacts. The proposed PRD zoning text amendments

would not preclude previously approved development from taking place on land within the PRD Zoning District not controlled by the Applicant.

Public Policy

Phase 1 would further the tourism industry in the region and would rejuvenate the former Concord Resort property. As a catalyst for the region's economic development, Phase 1 would be consistent with *Town of Thompson/Village of Monticello Comprehensive Plan* and the *Sullivan 2020 Plan*. Further, as recommended by *Sullivan 2020*, Phase 1 of the Proposed Project would represent the beginning of the kind of year-round resort destination that is a goal of the County's 2020 Plan.

COMMUNITY FACILITIES

Police Protection

Correspondence from the State Police Troop F, Zone Commander¹ indicated the following with regard to potential impact of the proposed project on the New York State Police, Troop F:

“As with any new facility that brings visitors and employees to a site within a patrol area, your project would impact how our patrols are assigned and how many Troopers are scheduled to work on a given shift. These details are typically worked out as your facility comes on line.”

Correspondence provided by the Sullivan County Sheriff's Department² indicated that over the last three years (2009, 2010 and 2011), there were no calls to the 125± acres included in the Phase 1 Site. (The Sheriff's Department responded to 26 calls to the overall Project Site, primarily for larceny and trespass events.) During the days when the Concord Resort was open, the number of calls for service to the Concord site responded to by the Sheriff's Department was higher than at present. The Department anticipates that, with the development of Phase 1, response times for emergencies would remain the same as at present (10 minutes or less); however response times for routine or non-emergency calls could be increased slightly.

The casino and harness horse racetrack operation will retain its own trained security staff to assist with the operations of these facilities. When necessary, this staff will interface and coordinate with law enforcement and other emergency services providers. As such, this private security staff may lessen the need for the hiring of addition Deputies by the Sullivan County Sheriff's Department.

Fire Protection

The Applicant has and will continue to coordinate with the Monticello Fire Department to ensure that the Proposed Project provides sufficient fire safety measures including: standpipes, adequate and unencumbered access points of arrival and departure for emergency vehicles, and hydrants/siamese connections.

¹ Letter from Captain Brendan R. Casey, Zone Commander, State Police Liberty. May 9, 2012 included in Appendix C-1.

² Email from Lieutenant Brian Boyd, Sullivan County Sheriff's Department, 5/2/12, including in Appendix C-1.

Schools

Phase 1 of the EPT Concord Resort does not propose any residential development and as such it is not anticipated to generate any additional demand to the Monticello Central School District.

EMS and Healthcare Facilities

MobileMedic EMS is a private contract provider of emergency EMS services and ambulance and ambulance services. The potential demand generated by Phase 1 of the Proposed Project would likely require MobileMedic to increase staff, ambulances, and equipment to accommodate the EPT Concord Resort. However, it should be noted that the harness horse racetrack will have on-site EMT's and ambulance services. As such, it is anticipated that these on-site services will lessen the additional demand placed on MobileMedic services.

Solid Waste

Phase 1 of the EPT Concord Resort would be expected to generate approximately 10 tons per month of solid waste. Of this, approximately one-third (3.41 tons/month) would be expected to be recyclables and almost seven tons would be refuse. Solid waste and recycling would be collected from the commercial, retail, and hotel buildings by a private carter, according to all appropriate regulations and standards as is currently the practice.

Recreational Facilities

Phase 1 of the EPT Concord Resort proposes significant additional indoor and outdoor active recreation amenities including the hotel, casino, and harness horse racetrack. These facilities would be available for use by visitors to the community, including local area residents. Because Phase 1 does not propose any residential development, it is not anticipated to generate additional demand on existing public recreation facilities in the Town, including those facilities that are shared with the School District.

Mitigation

Phase 1 of the Proposed Project would generate approximately \$10.1 million in real property tax, \$831,000 in sales tax, \$603,000 in hotel occupancy tax, and \$46.5 million in Vendor Track Fees annually. These tax revenues represent what Phase 1 of the Proposed Project would pay in real property taxes if it were fully constructed in 2012 and subject to current tax rates. Of this, approximately \$6.5 million would go to the Monticello Central School District, \$164,000 would go to Sullivan County, and \$3.3 million would go to the Town of Thompson. Solid waste fees would be additional and would be determined by the Sullivan County Legislature upon construction completion.

As previously noted, and fully described in Chapter 14, "Economic Conditions," the Proposed Project may be eligible for a number of financial assistance programs through the IDA in the form of tax incentives, including real property tax exemptions, sales and use tax exemptions, and mortgage tax exemptions. To the extent that financial assistance programs are utilized for the Proposed Project, payments in lieu of taxes (PILOTs) would be negotiated.

Phase 1 of the Proposed Project is expected to generate approximately \$3.5 million annually in real property taxes for the Town of Thompson and Sullivan County and approximately \$46.9 million annually to New York State from sales tax and Vendor Track Fees. It is anticipated that these funds would offset additional demand for emergency services resulting from Phase 1.

GEOLOGY, SOILS, AND TOPOGRAPHY

Topography and Slopes

Elevation within the Phase 1 Site increases slightly from west to east, with a low point of 1,340 feet above sea level on the golf course on the Site's western side to a high point of 1,456 feet above sea level in the mixed coniferous-deciduous forest on the Site's eastern side. The Phase 1 Site contains almost no slopes greater than 20 percent. Development of the casino building, harness horse racetrack, parking lot, and other associated facilities would therefore require minimal grading, and would disturb less than half an acre of slopes greater than 20 percent

Geology

A geotechnical survey was conducted at the Phase 1 Site and along the route of the proposed sanitary sewer line. This investigation found subsurface conditions that consisted of a surficial layer of topsoil approximately 6 to 12 inches deep followed by 12 to 36 inches of surficial natural sands. No bedrock excavation or blasting is expected to occur within the Phase 1 Site due to the depth of bedrock in the disturbance area and the moderate depths of excavation required for building Phase 1 facilities.

In addition, test pit explorations were performed within the proposed building, parking and harness horse racetrack locations. Groundwater was found at 1 to 21 feet below grade in most locations indicative of seasonally saturated conditions and seepage from groundwater perching. Prior to reuse, some dewatering, aeration, and drying of the shallower surficial materials may be necessary. Controlling groundwater through diversion trenches or similar measures during construction may be required. See Appendix D for the Subsurface Investigation Report.

Soils

Soils in the eastern, forested section of the Phase 1 Site are dominated by WeB, with WeC and WIC also present. Soils underlying the golf course on the Site's western side are composed of ScB, Ne, and WuB, and smaller areas of Aoc and Wd. None of the soils present within the Phase 1 Site are designated as Prime Farmland by the NRCS.

The erosion hazard for the majority of the nine soil types present within the Phase 1 Site is slight to moderate. Wellsboro gravelly loam 8-15 percent slopes (WeC) has a higher risk of erosion and is present in the northeastern section of the Phase 1 Site, along Thompsonville Road. Approximately 4 acres of this soil would fall within the limit of disturbance. Impacts from construction activities within the Phase 1 Site would be avoided through implementation of erosion and sediment control practices.

The soils on the Project Site are suitable to support building foundations. When locations of new buildings for future project phases are finalized and floor elevations are established, test pit and/or boring explorations would need to be undertaken to evaluate the subsurface soil, rock, and groundwater conditions within the proposed building areas.

NATURAL RESOURCES

Vegetation

The Phase 1 Site contains a subset of the overall habitat types found on the Project Site. Approximately half of the habitat available to wildlife within the Phase 1 Site is limited to the

manicured lawn, shade trees, wooded borders, and water traps of the golf course on the parcel's western side, whereas the eastern half of Phase 1 contains forested land.

The development of Phase 1 would require the conversion of 52 acres of upland forest habitat to buildings, pavement, and adjacent graded areas. Approximately 45 acres of existing golf course would be disturbed. In addition, approximately 4.5 acres of forested hemlock and forested red maple wetlands would be disturbed to facilitate construction of the harness horse racetrack. In addition, disturbance to construct the infrastructure necessary to support Phase 1, both on- and off-site, will occur. Approximately 31 acres will be disturbed to allow for the installation of water and wastewater lines and construction of roadway improvements. Approximately 15 of those acres are forested, 2 acres are golf course, 2 acres are vacant land, and roughly 1.5 acres is wetland. 10 acres of that disturbance is located off-site and the habitat communities of those areas have not been surveyed, though they are expected to be similar in composition to the on-site areas described above.

Wildlife

Phase 1 of the Proposed Project would entail altering the majority of the roughly 125-acre Phase 1 Site to build a casino and parking lot, and small areas of land disturbance adjacent to the Site for infrastructure improvements. The most disturbance-tolerant species, such as house sparrow, are expected to continue to occur within the Phase 1 Project Site following construction, and may actually increase in abundance. Clearing the mixed forest on the Phase 1 Site's eastern side would result in the loss of potential habitat for the above-described wildlife species that are known or expected to occur in this area.

The size of the forest that will remain south of the Phase 1 Site's boundaries will likely be too small to continue supporting woodland species currently known or expected to occur in the area such as Cooper's hawk, black-throated green warbler, Canada warbler, blue-headed vireo, Acadian flycatcher, wood frog, red squirrel, North American porcupine, northern myotis, and big brown bat. Wildlife species composition closest to the Phase 1 Site's boundaries are expected to gradually shift towards species that are associated with forest edges and are tolerant of human disturbance, including nest predators (e.g., blue jays) and brood parasites (brown-headed cowbirds) that would gain increased access to the interior and likely reduce the reproductive success of any forest birds that attempt to continue nesting in the area. Construction and operation of Phase 1 would have adverse impacts on the biotic integrity of wildlife communities and impact wildlife at the individual level, but given the small size of the area to be affected and the quantity of comparable habitat that will remain elsewhere within the Project Site and surrounding landscape, no significant impacts to wildlife at the population level are expected to occur.

Clearing the forest on the Phase 1 Site up to within 100 feet of the pond will compromise the ability of the pond to support the same assemblages of wildlife species as at present. It would also substantially reduce the amount of habitat available to any pond-breeding reptiles and amphibians that potentially migrate to upland forest on the Site during the non-breeding season.

Because development of Phase 1 would cause potential habitat on the Phase 1 Site for species other than the disturbance-tolerant generalists discussed above to be converted to other types of habitats, lighting will not have significant impacts to wildlife occurring within the Phase 1 Site. Spillage of light from the Phase 1 Site into adjacent woodland and wetland habitats may potentially affect wildlife occurring in these areas. Use of directional and shielded lighting will minimize spill beyond the Phase 1 Site and avoid sky glow, and thereby reduce the potential for

alterations to the behaviors of wildlife in the neighboring areas. The most likely biological consequence of directional and shielded nighttime lighting at the Phase 1 Site will be an attraction of insects to the lights and an exploitation of this food source by bats and insectivorous nocturnal birds.

Threatened, Endangered, and Special Concern Species

Bald Eagle

As discussed above for the Project Site, the distance between the Phase 1 Site and the Neversink River, where non-breeding bald eagles have been recorded by NYSDEC, is more than double the maximum buffer size of a half mile recommended by the USFWS. As such, construction and operation of Phase 1 is not expected to disturb bald eagles occurring in this area.

Sharp-shinned Hawk

Development of the Phase 1 Site would cause potential sharp-shinned hawk habitat on the parcel to be unavailable to any individual(s) of this species that may utilize the area and fragment the relatively contiguous tract of forest that currently extends from NYS Route 17 to Pleasure Lake. The widening of Joyland Road, and the increased traffic and overall levels of human disturbance that will be generated during operation of the Phase 1 Project may also reduce habitat suitability for sharp-shinned hawks in the forested area east of Joyland Road. This direct loss of habitat and potential displacement of sharp-shinned hawks from the forest edge along Joyland Road is not expected to have any significant adverse impacts on sharp-shinned hawks at the individual or population levels, given the small size of the disturbance area relative to the amount of suitable habitat that will remain available elsewhere within the greater Project Site and surrounding landscape.

Cooper's Hawk and Red-shouldered Hawk

The mixed forest fragment on the eastern half of the Phase 1 Site represents suitable habitat for these species. Development of the Phase 1 Site would remove all habitat within the Site for the Cooper's hawk and the Red-shouldered hawk. However, suitable habitat for will remain abundant elsewhere on the Project Site and surrounding landscape, such that development of the Phase 1 Site is not expected to have significant adverse impacts on the size or viability of local populations of these two species.

Jefferson and Blue-Spotted Salamanders

As discussed above, development of the Phase 1 Site would cause the disturbance of all potential Jefferson and blue-spotted salamander habitat that may be present within the Site. Development of the Phase 1 Site may also reduce the potential for the adjacent pond to support pond-breeding amphibians that require upland habitat during the non-breeding season, including Jefferson and blue-spotted salamanders. The 100-foot buffer that will be maintained between the limit of disturbance and the pond's northern boundary would be insufficient to meet the upland habitat requirements of non-breeding adults or juveniles emigrating from their natal pool. At the population level, development of the Phase 1 Site is unlikely to have significant adverse impacts to either salamander species, but would contribute to the cumulative impacts of habitat loss and fragmentation on their populations in New York and throughout their range.

Mitigation

While not significant, potential adverse impacts to vegetation, ecological communities, and wildlife from Phase 1 will be minimized and offset to the fullest extent feasible. Green spaces within the limit of disturbance will be vegetated with native plant species that are relatively

resistant to deer browsing but beneficial to other native wildlife. Large box culverts with sunlight penetration are anticipated to be provided under Joyland Road to help reduce road mortality of amphibians and other small wildlife, and increase connectivity of habitat on the eastern and western sides of the road. Low-profile curbing is anticipated to also be used to avoid impediment of reptile and amphibian movements. Directional and shielded lighting are anticipated to be used to minimize spillage from the Phase 1 Site into neighboring habitats.

WATER RESOURCES AND WETLANDS

The Phase 1 Site contains only vegetated wetlands and several surface drainage channels that connect these wetlands to Kiamesha Creek. It does not contain any perennial streams or rivers. Kiamesha Creek is the closest perennial watercourse and is located immediately west of the Phase 1 Site.

As shown in Figure 6-6, several wetland areas will be disturbed for construction of buildings, parking, roadway improvements, and the harness horse racetrack in Phase 1, totaling approximately 4.6 acres. Infrastructure to implement the Phase 1 project component includes the widening of Joyland and Thompsonville Roads, and construction of utility infrastructure including connection to the off-site sewage treatment plant and construction of the potable drinking water well field and its distribution. In total, 1.42 of additional wetland acres are expected to be filled for these infrastructure improvements. The majority of the Phase 1 Infrastructure wetland impacts are associated with the widening of the primary Project Site access road – Joyland Road.

The primary wetland to be directly disturbed (filled) within Phase 1 for the Casino Resort is a hillside steep wetland that derives its hydrology from the effluent of an abandoned water/septic filtration field that formerly served the seasonal community along Joyland Road within Phase 1. The other principal wetlands requiring disturbance in Phase 1 are two hemlock dominated wetlands that would be located within the proposed harness horse racetrack. Although these wetlands would be cleared of vegetation and their wetland functions/values effectively lost, at present these wetlands are isolated, “islands” of wetland habitat surrounded by golf course fairways on all sides. As such, their vegetative diversity and wildlife habitat values are lower than the majority of wetlands on-site. By choosing the proposed location for development of Phase 1, wetland impacts have been avoided to the maximum extent practicable.

Many factors were considered when choosing the approximately 125-acre Phase 1 Site for the Casino Resort project component. By linking the natural topographic forms of the EPT Concord Resort Site with pre-existing drainage ways and infrastructure routings, prime development parcels were subsequently identified. These sites are comprised of forested hilltop sites with prime views of the Catskill Mountains and a stream valley with access to Kiamesha Creek. After a thorough investigation of the opportunities and challenges presented by each location, the most appropriate site for the Casino Resort lies within a 125-acre relatively flat parcel of the southeastern portion of the property, located between Thompsonville Road and Joyland Road. This was the site chosen for Phase 1.

Wetland mitigation for the development of Phase 1 would be undertaken concurrently with the overall CDP wetland mitigation as described above. Regarding flooding, the vast majority of the Phase 1 Site improvements are located outside of the 100-year floodplain boundary. All areas of Phase 1 that will be constructed within the 100-year floodplain will be designed to conform to FEMA regulations to meet the National Flood Insurance Program and Chapter 140: Flood Damage Prevention of the Town of Thompson Code. Improvements proposed within the 100-

year floodplain include regrading for stormwater facilities, and minor roadway and utility improvements. No habitable structures are proposed within the 100-year floodplain boundary.

STORMWATER MANAGEMENT

Substantive stormwater infrastructure does not exist within the Phase 1 Site. Drainage on the Phase 1 Site generally flows from the high area located along the western side of Joyland Road to the low lying wetlands and lakes to the west. Stormwater runoff travels via overland flow across the Phase 1 Site towards the Tannery Brook which ultimately discharges into Kiamesha Creek. Since there is minimal stormwater infrastructure located within the roadway network, the majority of the existing Phase 1 Site runoff travels via overland flow, natural channels, and through tributary streams and brooks. In some areas, such as along the southern side of Thompsonville Road, man-made swales parallel to the roadway collect and convey the stormwater through culvert crossings.

Construction of Phase 1 will increase the impervious coverage of the Site and thereby produce greater stormwater volumes and introduce additional pollutants into the runoff. To mitigate the effects of the development of Phase 1, the stormwater management system has been designed in accordance with NYSDEC guidelines to comply with runoff reduction requirements, and provide pollutant removal by using Stormwater Management Practices (SMPs) acceptable for water quality and runoff reduction.

To achieve the requirements for the Runoff Reduction Volume (RRv), the Phase 1 Site must use green infrastructure techniques and practices to meet the required water quality volume (WQv) as determined in the NYSSMDM. However due to limiting Site conditions, the full WQv may not be achieved using the green infrastructure practices alone. The major limiting conditions are the proposed slopes, building mass and poor infiltrative capacity of the soils.

In such cases, the NYSSMDM states that if a project is not able to achieve runoff reduction to the pre-construction condition, it must at a minimum reduce a percentage of the runoff from impervious areas to be constructed on Site. By providing rain gardens/bioretention basins and porous pavement, Phase 1 is expected to meet the requirements of the RRv based on the Specific Reduction.

Inspection and maintenance of the proposed stormwater management features will be conducted to ensure that the erosion and sediment control practices that are part of the SWPPP continue to be effective in preventing sediment and other pollutants from entering the stormwater system. As a part of the SWPPP inspection and maintenance activities during construction, an Erosion and Sediment Control Inspection Report will be updated and kept on Site. Implementation of the State approved SWPPP for Phase 1 will avoid potential adverse impacts caused by surface water runoff.

Separately, as part of the horse housing/feeding operation conducted for the harness horse racetrack component of Phase 1, the General Permit for Concentrated Animal Feeding Operations (CAFOs) - General Permit GP-0-09-001, will be submitted for review and approval by the NYSDEC.

WATER SUPPLY

The anticipated water demand of Phase 1 is approximately 202,000 GPD, with the use of water-saving fixtures. This demand includes approximately 75,000 GPD that will be used to wet the harness horse racetrack. The finished surface of the track is crushed stone which requires regular

wetting to reduce dust. In addition, a 4,800 GPD water demand will be used for window washing of the premises. The water distribution system within the Phase 1 Site will include a looped water main around the Casino Hotel continuing south under the harness horse racetrack, providing water service to the maintenance and paddock buildings. To satisfy fire code requirements if the on-site groundwater well supply option is used, a fire storage tank or booster pump may be located on-site. Preliminary sizing calculations indicate the need for a 60,000 gallon tank. The location of the tank is proposed in the lower level of the grandstand/showroom building. However, if analysis of the water system shows that adequate flow and pressure will be provided to the Phase 1 Site, on-site storage may not be necessary.

The Phase 1 water supply demand can be met by at least one of, or a combination of, the options outlined above for the Proposed Project. The anticipated water supply is intended to be developed using on-site wells that would be drilled in support of Phase 1. Preliminary test well locations have been submitted to NYSDOH and to the Town of Thompson and permits have been secured from both entities.

SANITARY SEWER SERVICE

Wastewater will be collected from Phase 1 via new 8-inch and 12-inch sanitary laterals from the Casino and Hotel buildings to a connection at a newly constructed manhole along the proposed sanitary main in Thompsonville Road (see Figure 9-1). From this connection, the wastewater will travel by gravity main in Thompsonville Road to a pump station located on the north side of the road near the proposed maintenance building. From this pump station, the flow will be conveyed via force main along an existing path leading to the manhole at the head works of the KLSD STP. The design will avoid and minimize, to the maximum extent practicable, disturbance of the land in this area, which is within the 100-foot adjacent area of a NYSDEC wetland. To this end, it is proposed that the sanitary force main be constructed using trenchless technology, which will require a minimal amount of disturbance at Tannery Brook and no disturbance to the stream bed and banks or the wetlands.

The KLSD STP is currently permitted to treat 2 million GPD. Accounting for existing use and allocable capacity as discussed above, the KLSD STP currently has excess capacity to treat between 500,000 and 700,000 GPD. Phase 1 is estimated to produce approximately 121,800 GPD of wastewater. This wastewater will be conveyed to the KLSD STP for treatment. Based on the permitted capacity and current daily flows, the STP has adequate capacity to treat the wastewater generated by Phase 1.

ENERGY AND TELECOMMUNICATIONS

Energy

NYSEG currently provides electricity to the Project Site. NYSEG confirmed that they can provide the needed electricity to Phase 1 (see Appendix I-2). Upgrades to one or more of the existing substations and upgrades to the existing power lines will likely be required.

The energy required for heating, air conditioning and other non-electrical energy needs would be provided by a 30,000-gallon propane tank located on the Project Site. The tank would be approximately 60 feet long x 10 feet diameter and would be located at least 100 feet from the nearest occupied building. Refueling would likely occur two to four times each month in the winter season. Fuel would be brought to the Project Site by tractor trailer. As safety precautions,

emergency shutoff valves in the associated piping would be provided at the tank and 50 feet away from the tank. Bollards would be located around the tank adjacent to vehicle access points.

Telecommunications

As stated above, no upgrades would be required to the existing off-site Time Warner Cable infrastructure to provide the highest level of service that would be required at a hotel and casino. Additionally, Verizon could bring service into Phase 1 from their closest location of service. Most likely, service would be brought up Joyland Road from Exit 106 off of NYS Route 17. Verizon confirmed that their telephone and high-speed internet would meet the level of service required for a hotel and casino development. The decision as to which company would provide services to the development would be made at a later date.

TRAFFIC AND TRANSPORTATION

Phase 1 would result in 1,190 Friday peak hour vehicle trips and 1,346 Sunday peak hour vehicle trips. A majority (61 percent) of the project generated trips are expected to originate from the east and southeast of the Project Site and would use NYS Route 17 for traveling to and from the Project Site. Thirty (30) percent of the project-generated trips are expected to originate from the west and southwest and would use NYS Route 17 and Broadway for traveling to and from the Project Site. The remaining nine percent of project generated trips are expected to originate from the north and travel along Old Liberty Road, NYS Route 42, and Heiden Road to access the Project Site.

Under the Phase 1 build conditions, absent mitigation measures, there would be the following significant impacts for the following intersections based on the criteria described above:

- NYS Route 42 and Kiamesha Lake Road – during the Sunday peak hour, the westbound approach would deteriorate from LOS E and LOS F conditions.
- Joyland Road and Cimarron Road – the southbound approach would deteriorate from LOS B to LOS F conditions during the Friday and Sunday peak hours.
- NYS Route 17 Westbound Ramps/Towner Road and Cimarron Road – the northbound approach would deteriorate from LOS B to LOS F conditions during the Sunday peak hour.
- NYS Route 17 Eastbound Ramps and Cimarron Road – the eastbound approach would deteriorate from LOS B to LOS F conditions during the Friday and Sunday peak hours.

The following describes the proposed mitigation, which is also summarized in **Table S-9**:

- 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 the westbound approach will return to No Build LOS conditions;
- Joyland Road and Cimarron Road (County Road 173) intersection – Install traffic signal. Provide separate eastbound left-turn lane. Widen Cimarron Road to provide two westbound lanes between the NYS Route 17 Westbound Ramps and Joyland Road. With this mitigation all approaches will operate at LOS D or better;
- NYS Route 17 Westbound Ramps/Towner Road and Cimarron Road – Install traffic signal and restripe northbound approach to provide a left-turn lane and a shared left-turn/through/right-turn lane. In addition, install back of queue detectors to prevent vehicle

spillback onto NYS Route 17 westbound. With this mitigation all approaches will operate at LOS D or better; and

- NYS Route 17 Eastbound Ramps and Cimarron Road intersection – Install traffic signal. Re-stripe overpass over NYS Route 17 to provide a separate southbound left-turn lane. In addition, install back of queue detectors to prevent vehicle spillback onto NYS Route 17 eastbound. With this mitigation all approaches will operate at LOS D or better.

In addition to improving intersection operations to LOS D or better, the proposed mitigation provides sufficient storage to prevent queuing spilling back to upstream intersections. Also, the ITS described in Chapter 11 will be included in the analyses for future mitigation measures.

**Table S-9
Phase 1 Mitigation Measures Summary**

Intersection	Mitigations Measures
NYS Route 42 / Kiamesha Lake Road	Adjust signal timings to reallocate green time to westbound approach during the Sunday peak hour.
Joyland Road / Cimarron Road (County Road 173)	Install a traffic signal. Provide separate eastbound left-turn lane. Widen Cimarron Road to provide two westbound lanes between the NYS Route 17 Westbound Ramps and Joyland Road.
NYS Route 17 Westbound Ramps / Towner Road / Cimarron Road (County Road 173)	Install a traffic signal Restripe northbound approach to provide a left-turn lane and a shared left-turn/through/right-turn lane. Install back of queue detectors to prevent vehicle spillback onto NYS Route 17 westbound
NYS Route 17 Eastbound Ramps / Cimarron Road (County Road 173)	Install a traffic signal. Re-stripe overpass over NYS Route 17 to provide a separate southbound left-turn lane. Install back of queue detectors to prevent vehicle spillback onto NYS Route 17 eastbound

AIR QUALITY

Mobile Sources

An assessment of the potential air quality effects of CO emissions that would result from vehicles coming to and departing from Phase 1 was performed following the procedures outlined in the NYSDOT EPM. The study areas include the intersections evaluated as part of the Traffic Impact Study developed for the Proposed Project and presented in Chapter 11, “Traffic.” The results of the screening analysis based on NYSDOT’s *EPM*, which was employed to determine whether the Phase 1 requires further air quality analysis, demonstrated that none of the 20 Phase 1-affected intersections would require a detailed microscale air quality analysis. Therefore, no significant adverse air quality impacts are expected to occur as a result of the Phase 1’s mobile sources.

Stationary Sources

Phase 1 is expected to have a total of seven 4 million British Thermal Units per hour (mmBtu/hr) propane fired low NOx condensing boilers associated with the heating and hot water systems located in the central utility plant. Stationary source emissions were evaluated using NYSDEC

Policy DAR-1 (Air Guide 1) screening analyses to determine the potential for significant pollutant concentrations from these systems. Potential impacts from criteria pollutants were evaluated using the USEPA-approved AERSCREEN model (version 11076, EPA 2011).

A screening level modeling analysis of criteria pollutants was performed to determine the potential for significant adverse impacts from the heating and hot water systems for Phase 1. The model calculates 1-hour average concentrations. For other periods, the emissions were prorated to determine longer-term concentrations using USEPA approved conversion factors. Maximum predicted concentrations from the modeling analysis were added to the maximum ambient background concentrations and compared to the NAAQS. Based on this analysis, criteria pollutant impacts from Phase 1 are less than their respective NAAQS, therefore Phase 1 would not result in any significant adverse air quality impacts due to the proposed heating and hot water system.

NOISE

Phase 1 will not result in significant adverse noise impacts at nearby receptors due to the operation of the proposed harness horse racetrack. Furthermore, any mechanical equipment associated with Phase 1 will be designed to avoid noise impacts, and residential buildings associated with the Proposed Project will be designed to provide sufficient window/wall attenuation to result in generally acceptable interior noise levels.

At receptor site 1 (see Figure S-5), which is representative of residences along Joyland Road near Lorraine Drive, traffic associated with Phase 1 will be expected to result in noise level increases and total noise levels that would constitute a significant impact according to New York State Department of Environmental Conservation (NYSDEC) criteria. At other locations in the study area, traffic associated with Phase 1 could potentially result in noticeable noise level increases, but would not result in significant noise impacts according to NYSDEC criteria.

Several potential mitigation strategies for receptor site 1 were analyzed. It is not be feasible to construct noise-attenuating berms along Joyland Road at receptor site 1, because there is not sufficient space along the roadway and the Applicant does not own these parcels. While the installation of a noise attenuating wall/fence could be considered, if desired by the property owners in this area, this would likely result in traffic safety issues as these walls/fences would obstruct motorists' views at the two nearby intersections and on the three roads in the area. This impact to traffic safety could also be considered significant and, as such, the use of walls/fences as mitigation for noise impacts would likely not be feasible. Further, because of the increase in traffic volumes along Joyland Road resulting from Phase 1, traffic management measures such as speed limitations would not be effective in mitigating the noise impact to the residence on the east side of Joyland Road associated with receptor site 1. As a mitigation measure for this residence, receptor controls, such as noise attenuating windows and air conditioners, could be installed to bring interior noise levels within the acceptable range according to NYSDEC.

ECONOMIC CONDITIONS

With the completion of Phase 1, the golf course program and select components of the Entertainment Village at the Resort Core, it is anticipated that 1,143 new FTE jobs will be created. The development program components mentioned above that are in addition to Phase 1 would promote increased attendance at the Casino Resort and are anticipated to be completed concurrent with the completion of Phase 1. Of the 1,143 FTE jobs, the Casino Resort is estimated to create approximately 817 FTE jobs, the golf course program is expected to create

approximately 33 FTE jobs, and the select components of the Entertainment Village that would be completed in 2014 are anticipated to create 293 FTE jobs. Total employment, including direct, indirect, and induced jobs resulting from annual operation of Phase 1 only is anticipated to be 1,705 FTE jobs in New York State and 1,596 FTE jobs in Sullivan County.

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 would be in the Catskills region. Total employment resulting from Phase 1 construction, including direct, indirect, and induced jobs, is anticipated to be 2,587 person-years of employment in New York State, of which 2,196 would be in the Catskills region. Total employee compensation during Phase 1 construction is estimated at \$146.42 million in the State, with \$111.62 million in the Region, and total economic output is estimated at \$518.24 million in New York State, with \$409.01 million in the Catskills region.

Based on current tax rates and regulations, Phase 1 of the development program is estimated to annually generate approximately \$10.1 million in real property tax, \$831,000 in sales tax, \$603,000 in hotel occupancy tax, and \$46.5 million in vendor track fees annually. These tax revenues are based on the full value of future property assessment and other applicable taxes and fees. However, it is noted that there are a number of financial assistance programs for which the Proposed Project or portions thereof may be eligible, pursuant to Article 18-A of the General Municipal Law of New York State, known as the Industrial Development Agency (IDA) Act. To the extent that financial assistance programs are utilized for the Proposed Project, payments in lieu of taxes (PILOTs) would be negotiated.

CULTURAL RESOURCES

Archaeological Resources

An archaeological survey of Phase 1, the area northeast of Phase 1 bound to the north and east by Thompsonville Road and Joyland Road, and a small area on the east side of Joyland Road (see Figure 15-1) was conducted involving the hand excavation of approximately 2,000 shovel test pits and analysis of recovered artifacts in accordance with State standards. Three archaeological resources were identified: (1) a historic site on the south side of Thompsonville Road consisting of foundation remains, a stone-lined well, and associated artifact deposits (U. Clark Foundation Historic Site), (2) a second historic foundation on the west side of Joyland Road (N. Rumsey Foundation Historic Site), and (3) a historic bottle dump (Krum Bottle Dump Site). After consultation with SHPO, it was decided that additional testing would be conducted of the Krum Bottle Dump Site, which is located within Phase 1, and U. Clark Foundation Historic Site, which, though located immediately outside of Phase 1, could be disturbed by implementation of Phase 1. The additional testing involved the excavation of tighter interval shovel tests and larger units and was completed in June 2012. Analysis is ongoing but it appears that the two sites are not considered S/NR eligible. However, if these resources are determined to be S/NR eligible and cannot be avoided, the development of Phase 1 would likely have an adverse effect on archaeological resources as they are located near the current ground surface and project actions call for construction of a parking facility in this area. The N. Rumsey Foundation Historic Site is located well outside of Phase 1 (see Figure 15-3) and will be evaluated at a later date prior to development of that area.

Historic Resources

Access to Phase 1 along Joyland Road will require the road to be expanded from approximately 20 feet to 120 feet. This improvement will require the demolition of the Breezy Corners Bungalow Colony, a portion of which is considered historic. Of the four structures that comprise this bungalow colony, three are houses that do not contribute to the significance of the property. The fourth, the main bungalow/office building, is considered to be contributory to the NR significance of this colony. Since this building is proposed to be demolished as part of Phase 1, it would be considered to have an adverse effect on historic resources. Consequently, and in consultation with SHPO, appropriate mitigation measures would be developed in either a Letter of Resolution or a Memorandum of Agreement, describing the measures by which adverse effects on the Breezy Corners Bungalow Colony would be mitigated, and the responsible parties for the implementation of such measures.

VISUAL RESOURCES

The Phase 1 Site is approximately 125 acres located in the southern portion of the Project Site and is bordered by Thompsonville Road to the north and Joyland Road to the east. No structures are present on the Phase 1 Site, which is largely comprised of forested areas and ponds as well the southernmost portion of the Monster Golf Course. The portion of the Monster Golf Course within the Phase 1 Site includes fairways, manicured lawn, cart paths, and landscaping surrounded by a wooded border. From Joyland Road, the Phase 1 Site appears heavily wooded and undeveloped. The portion of the Monster Golf Course on the Phase 1 Site is visible only from Thompsonville Road.

The main entry to the casino and the secondary entry to the surface parking lot and parking garage would be accessed from T-intersections off of Joyland Road. Joyland Road would be widened from two to four lanes and enhanced to provide a gateway entrance to the resort. A landscaped boulevard, with two lanes each way, will be constructed to serve the casino guest traffic as well as the remainder of the Project Site after the build out of its later phases. The boulevard's median strip would be vegetated with trees that will grow to provide a canopy over the roadway. Vegetation on the edge of the boulevard will be preserved and enhanced to screen out adjacent land uses.

The 9-story hotel on the Phase 1 Site would not be visible when entering the Site from the south on Joyland Road (see Figure 16-27). Wooded vegetation would block views of the hotel and surface parking areas from this location. The upper levels of the proposed hotel and portions of the surface parking lots would become visible further north on Joyland Road when looking in a westerly direction.

At the intersection with Thompsonville Road, portions of the Phase 1 hotel building and associated surface parking areas will be visible beyond the Breezy Corners bungalow colony when looking in a southwesterly direction (see Figure 16-28). Farther west on Thompsonville Road across from the Monster Golf Course, the resort parking areas and the harness horse racetrack will be visible to the south. The hotel would also be visible from this location beyond the racetrack.

Similar to the overall CDP, the visual changes associated with Phase 1 are expected to have a positive effect on the Study Area by redeveloping an underutilized property with resort uses. Phase 1 will enhance and expand land uses that have previously been present on the Project Site and within the surrounding Study Area. While Phase 1 will increase the intensity of the

development on the Project Site, the general character and design of the hotel, casino, and associated structures are anticipated to become an icon of the region and result in the revitalization of the Study Area as a vacation destination and recreational community.

HAZARDOUS MATERIALS

The Phase 1 Site does not contain any structures and includes wooded areas along with manicured fairways and greens associated with the existing Monster Course. The previous environmental assessment (prepared by CALP and/or its affiliates) did not identify any AOCs within the Phase 1 Site.

To ensure that construction workers are not adversely affected by exposure to potential contamination during construction of Phase 1, a Construction Health and Safety Plan (CHASP) would be prepared prior to construction. The CHASP would identify safety procedures, monitoring requirements, and exposure limits for worker protection in the event that contamination is encountered. Procedures for soil sampling and handling to manage excavated material and export excess fill material and procedures for identification, handling, and disposal of any unknown contaminated soil encountered during excavation, would be completed in accordance with all applicable federal, State, and local regulations.

CONSTRUCTION

Traffic and Transportation

Construction of the Proposed Project would create daily construction-related traffic to and from the Project Site, including vehicle trips related to workers as well as for the delivery of materials and equipment. In addition, there would be some truck traffic associated with removal of construction debris, demolished structures and potentially from excavated materials from the Project Site.

With NYS Route 17 (a major limited-access highway suitable for large trucks) in close proximity to the Project Site, construction traffic impacts on local streets would be minimized. Construction vehicles would be instructed to take Exit 106 off Route 17 and use Joyland Road to access the Project Site.

Construction-related peak traffic is typically from 6:00 AM to 7:00 AM and the afternoon peak hour is typically between 3:00 PM and 4:00 PM. During these times, construction-related trips would range from about 60 to 270 trips, depending on the site work being conducted. Between 7:00 AM and 3:00 PM, the majority of the traffic generated would be truck trips ranging from 10 to 20 trips per hour. This level of traffic would not significantly impact traffic operating conditions on the access roads (e.g., Exit 106, Joyland Road, etc.) to the Project Site. Peak construction traffic typically occurs outside normal commuter peak hours (i.e., 8:00 AM to 9:00 AM and 4:00 PM to 5:00 PM), as well as local peak traffic hours, which were determined, based on the collected traffic data, to take place from 5:00 PM to 6:00 PM on Friday and 3:30 PM to 4:30 PM on Sunday, thereby avoiding significant traffic conflicts.

Because Joyland Road would be improved (i.e., widened from two to four lanes with a landscaped median) between Exit 106 and Thompsonville Road during Phase 1, there would be some periodic disruption to local traffic along this stretch of the roadway for a period of approximately 6 to 9 months. Thompsonville Road would also be improved between Joyland Road and the western boundary of Phase 1 over a period of approximately 4 to 6 months. These roads would remain open to local traffic but would be subject to periodic lane closures.

Roadway closures would be avoided to the extent practicable. A Maintenance and Protection of Traffic Plan would be developed prior to construction to minimize potential adverse impacts. Measures to minimize impacts and maintain orderly flow of traffic would include clearly marked signage to alert motorists, flagmen to guide traffic, and clearly marked detour signs in the unlikely event that the road should become temporarily inaccessible. In addition, WZTCPs would be developed as necessary and approved by the Town for any construction performed on its roads.

The segment of Joyland Road that would be affected by construction is lined by several clusters of residences and bungalows, primarily in the vicinity of Exit 106. The affected area along Thompsonville Road comprises one single-family residence but is otherwise undeveloped or passes through an existing golf course. Therefore, disturbance to residents from daily construction traffic would be minimal. However, in order to minimize impacts on residents, construction activities would take place during hours specified in the Town Code. In addition, all construction vehicles and staging would be accommodated on Site, thereby limiting any queuing on Joyland and Thompsonville Roads.

Air Quality

Air quality impacts associated with construction activities are typically from the generation of fugitive dust and emissions from vehicles and equipment. Fugitive dust can result from grading, excavation, filling, or movement of vehicles over dry dirt. Erosion and dust control measures to minimize impacts during construction would be implemented. Fugitive dust would be expected to remain on Site and have minimal effect on surrounding properties. Due to the distance of Phase 1 construction activities from sensitive land uses, fugitive dust would not result in any significant adverse impacts.

Vehicle emissions from construction vehicles and equipment can result in elevated levels of nitrogen oxides (NO_x), particulate matter (PM), and carbon monoxide (CO). Greatest impacts are typically associated with heavy duty equipment that is used for short durations. In order to minimize emissions, vehicle operators would be required to comply with any applicable idling restrictions; use clean fuels as feasible; conform to any applicable local, State, or federal emission standards; and use vehicles and equipment with Tier 2-rated engines or better. Because emissions would be temporary in nature and construction activities would not be in close proximity to sensitive land uses, construction activities would not be expected to result in any significant air quality impacts.

Noise

Construction of Phase 1 would typically generate noise and vibration from construction equipment, construction vehicles, worker traffic, and delivery vehicles traveling to and from the Project Site. Noise levels caused by construction activities would vary widely, depending on the phase of construction—demolition, excavation, foundation, construction of the structures, etc.—and the specific task being undertaken. All construction activities would be conducted in full compliance with existing regulations, including local day and hour construction limitations. Construction activities would be conducted in full compliance with the Town's noise ordinance (Chapter 170 of the Town Code) which restricts use of any pile driver, steam shovel, pneumatic hammer, derrick, steam or electrical hoist or other excessively loud apparatus between the hours and 8:00 PM and 7:00 AM, unless authorized by the Town. The Town also has a general provision in its noise ordinance that prohibits unreasonable and disruptive noise between 8:00

PM and 7:00 AM on weekdays, and 8:00 PM and 9:00AM on Sundays or holidays, with which construction activities would also comply.

Stormwater and Erosion and Sediment Control

A preliminary draft SWPPP for Phase 1 has been prepared in accordance with the SPDES permit and New York State Stormwater Management Design Manual and is included in Appendix G. Erosion and sediment control measures would be implemented to ensure that measures are in place to prevent sediment and other pollutants from entering the stormwater system. With these erosion and sediment control measures in place, no significant adverse impacts related to erosion and sedimentation would result.

Mitigation

As described above, construction of Phase 1 would not be expected to result in any significant adverse impacts on Site or in the surrounding area with regard to traffic, air quality, noise, stormwater and erosion and sediment control. As such, mitigation measures, in addition to those described above would not be required. Since a landscape plan would be implemented, all temporary site disturbances not developed would ultimately be revegetated.

E. ALTERNATIVES ANALYZED

The State Environmental Quality Review Act (SEQRA) and its implementing regulations require the consideration of project alternatives, which are formulated in response to potential impacts of the Proposed Project. The adopted Scope requires consideration of four alternatives for comparison to the Proposed Project.

ALTERNATIVE 1 – NO ACTION ALTERNATIVE

The No Action Alternative assumes that neither the PRD nor the CDP would be amended and no development would occur within the 1,538 acre Project Site. The Project Site would remain substantially undeveloped, other than the existing structures. The No Action Alternative assumes continued use of the Monster Golf Course, with the Chalet building used as its clubhouse.

If the No Action Alternative were to be implemented, no impact to the natural environment would be expected, no additional project generated traffic would occur on the existing street network and no impacts on the demand for community services would be expected to occur. The No Action Alternative would also eliminate the potential for significant project generated property, sales, and hotel occupancy tax revenue to the Town, County, School and other relevant taxing jurisdictions. The No Action Alternative would generate neither temporary construction jobs, nor permanent on-site part- or full-time employment.

ALTERNATIVE 2 – DEVELOPMENT UNDER EXISTING PRD ZONING AND COMPREHENSIVE DEVELOPMENT PLAN (CDP)

If the PRD text amendment and revisions to the existing CDP for the Project Site do not occur, this alternative evaluates the relative impacts of the Project Site being developed in accordance with the existing PRD regulations and the approved CDP¹.

¹ The existing CDP that is referenced in this analysis refers to the approvals that were granted in 2006 (as amended) for the CALP project. As noted elsewhere in this DGEIS/DEIS, subsequent to the 2006 CALP

The environmental impacts and mitigation for the PRD district and previously approved CDP were fully analyzed during the SEQRA process conducted by the Town of Thompson in 2005 and 2006 (with subsequent amendments). The Town of Thompson adopted an Environmental Findings Statement (November 21, 2006) affirming that the environmental impacts resulting from the PRD and CDP had been avoided, minimized and/or mitigated to fullest extent practicable. A complete set of SEQRA documents related to that project can be found at the Town of Thompson Town Hall and on its web site. Alternative 2, which proposes development under the existing PRD district and previously approved CDP, would not meet the objectives of the Applicant.

The previously approved CDP proposed 30 percent more residential units than the Proposed Project. The Applicant evaluated the current and projected market demand and developed an overall program for the Project Site which would provide the most successful balance of uses. The PRD was specifically designed to allow for the opportunity to reevaluate the CDP and provide flexibility for each phase of development. This is why the PRD requires individual site plan approval for each phase of development. If subsequent phases are substantially different from (or exceeds in number) the components of the approved CDP, the Applicant is required to provide additional environmental review. By reevaluating the need and demand for certain uses, EPT Concord Resort is acting consistent with the implementing regulations of the PRD.

ALTERNATIVE 3 – ALTERNATIVE CASINO HOTEL LOCATION (PHASE 1)

Alternative 3 describes optional locations for the Resort Core uses including the Casino Hotel, harness horse racetrack, hotel and entertainment complex. Figures 19-1 and 19-2 present these options, 3A and 3B, which assume that with the exception of these uses, the majority of the Project Site would be developed as described for the Proposed Project.

For both Options 3A and 3B, the Resort Core uses would be located in the south central portion of the Project Site with access from Thompsonville and Joyland/Chalet Roads.

Option 3A proposes that the harness horse racetrack, Casino Hotel and structured parking would be located northeast of the intersection of Thompsonville and Joyland/Chalet Roads and the Entertainment Village uses would be located at northwest, southeast and southwest corners of the same intersection. Option 3A would require the realignment of both Joyland Road and Chalet Roads to the east both north and south of the existing intersection, to avoid an existing outparcel located northeast of the existing Joyland Road alignment. Additionally, a portion of Thompsonville Road, east of the intersection with Joyland/Chalet Road would be realigned to the north of its existing right-of-way to avoid impacts to another outparcel. Surface parking would be located along the existing Joyland Road right-of way, south of Thompsonville Road. The realignment of Joyland Road in Option 3A would avoid tax parcels not included in the Applicant's land holdings, so no property acquisition would be required.

Option 3B proposes creating a loop road around these uses. This Option would require splitting Joyland Road, south of its intersection with Thompsonville Road into one eastbound leg and one westbound leg. The westbound leg of the new Joyland Road would be rerouted west of its existing right-of-way and would rejoin the eastbound leg just west of the existing Joyland Road

approvals, 1,538 acres of the original 1,700 acres in the PRD/CDP were transferred to the subject Applicant. This application does not impact the approvals that were granted for the remaining CALP property.

alignment. Because Joyland Road would be a loop road and not a through road, Chalet Road would terminate in a cul-de-sac, just north of its existing intersection with Thompsonville Road. The harness horse racetrack, Casino Hotel, and structured and surface parking would be located inside the new loop road, southwest of the existing intersection of Thompsonville and Joyland Roads. All but one of the proposed Entertainment Village uses would also be located inside the loop road. Additional surface parking would be located on the outside of the loop road, in the northeast corner of the development area.

Options 3A and 3B would be expected to have similar environmental impacts for each subject area analyzed in the DEIS, with the exception of the following subject areas:

LAND USE, COMMUNITY CHARACTER, ZONING, AND PUBLIC POLICY

Due to topographical constraints described below, the layout of the uses presented in Option 3A would require the Casino Hotel and structured parking to be separated from the Entertainment Village uses by the realigned Joyland/Chalet Roads, losing the opportunity to create a connected pedestrian environment.

Option 3B would locate all but two of the Resort Core uses within an internal loop road. The two uses located on the exterior of the loop road would be surface parking and one of the Entertainment Village structures. Ideally, all of these uses would be located adjacent to one another, but the realignment of the road and the lack of a significant flat area results in a difficult arrangement of the structures. As such, the Option 3B layout, while more contained than that proposed for 3A, is not ideal for land use consistency.

GEOLOGY, SOILS AND TOPOGRAPHY

The varied topography and lack of a flat expanse at the northeast corner of the intersection of Thompsonville and Joyland Roads would require significant regrading to accommodate the hotel, harness horse racetrack and Casino Hotel uses on the northeast side of Thompsonville Road, proposed in Option 3A. Similarly, the proposed layout for Option 3B would require significant regrading for the realigned loop road and the surface parking proposed in the northeast corner of the parcel. Because of the limited availability of flat/level land in this area, both the road bed and various structures would be located either within or immediately adjacent to wetlands and waterbodies.

TRAFFIC

For Option 3A, the newly created intersection at Thompsonville Road/Joyland Road would likely need to be signalized with turn lanes provided to accommodate traffic traveling to and from the casino main entrance and parking structure entrance. For Option 3B, the relocated roadway would require at least five new intersections as follows:

- The intersection of the loop roads
- Thompsonville Road and Joyland Road (west of the existing intersection)
- Joyland Road and Chalet Road, north of the cul-de-sac terminus of Chalet Road
- Joyland Road and Thompsonville Road (east of the existing intersection)

These intersections may require signalization and turn lanes to accommodate traffic demands.

SURFACE WATER RESOURCES AND WETLANDS

As shown in Figure 19-1, Option 3A would have significant adverse impacts on regulated surface waterbodies and wetlands. The realignment of Joyland Road to the east of its existing right-of-way south of Thompsonville Road would require crossing a New York State Department of Environmental Conservation (NYSDEC) regulated waterbody. Also south of Thompsonville Road, both the proposed surface parking and several of the Entertainment Village uses would be located within or immediately adjacent to a USACE wetland. On the north side of Thompsonville Road, the proposed Entertainment Village use located west of the realigned Chalet Road would be within an existing USACE wetland, as would the Casino Hotel and the structured parking.

As shown in 19-2, the loop road proposed for Option 3B would be located within the buffer and actually traverse an existing NYSDEC regulated waterbody in several locations. Several of the Entertainment Village structures would be located either within or immediately adjacent to existing surface wetlands, resulting in significant impacts on regulated waterbodies and wetlands.

ALTERNATIVE 4 – ALTERNATIVE ACCESS (ACCESS OPTION A)

This alternative, also known as Access Option A, would create a new approximately 120 foot wide access road that would cross Joyland Road close to its intersection with Cimarron Road. Option A would traverse several currently undeveloped parcels to the west of Joyland Road on its way to reconnecting with Joyland Road just south of the main entrance to the Casino Hotel (Figure 19-3).

Option A would be expected to have similar environmental impacts for each subject area analyzed in the DEIS, with the exception of the following subject areas:

LAND USE, COMMUNITY CHARACTER, ZONING AND PUBLIC POLICY

Under this option, structures along the west side of Joyland Road that would be removed to accommodate its widening, would remain undisturbed. The Option A roadway would be located to the south and west of the existing camp community and residential properties on the west side of Joyland Road in areas that are currently undeveloped changing the character of the land in this area. To the east of Joyland Road and north of Cimarron Road, two houses would be removed allowing the new access road to connect with Cimarron Road and ultimately the NYS Route 17 Exit 106 westbound ramp. This option would result in a slight difference in the land use and community character when compared with the Joyland Road access plan.

GEOLOGY, SOILS AND TOPOGRAPHY

The area between the western edge of the pond and the Project Site boundary where the road would be built is rather flat. The elevation high point is 1,400 feet above sea level near the western 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 0-5 percent. Land disturbance required to implement Option A would be greater than under the Joyland Road access option, since the access road is slightly longer.

NATURAL RESOURCES

Wildlife impacts associated with locating Option A on the west side of the pond rather than widening Joyland Road are expected to be roughly the same as that described for the Phase 1 Site and would affect the same suite of species. However, there would be more impacts to the vegetated communities than would be from the proposed improvements to Joyland Road. It would fragment the forested area west of the pond, rendering it unsuitable to most of the woodland wildlife known to or expected to currently occur in the wooded areas of the Phase 1 Site. It would also further isolate the pond from pond-breeding amphibians and disconnect the pond from upland, non-breeding amphibian habitat to the west.

SURFACE WATER RESOURCES AND WETLANDS

Preliminary assessment of wetlands and waters along the proposed route of the Option A roadway indicates that crossing of a wetland would be necessary at its southernmost location. (see Figure 19-4) The remainder of the Option A roadway would be in upland habitat with the exception of crossing the stream that discharges to the large on-site pond (USACE Wetland #101). Although delineation of the off-site wetlands through which Option A would traverse has yet to be conducted, based on initial assessment, it is expected that Option A would require somewhat greater wetland impacts than using Joyland Road for the primary project entrance.

TRAFFIC AND TRANSPORTATION

Option A would provide a more direct “gateway” access for visitors to the Project Site. Similar to the proposed access, vehicles would exit NYS Route 17 at Exit 106, and would traverse undeveloped property until the visitor comes upon the Casino Resort. The traffic volumes would be comparable to the trips generated for the access presented as part of the Proposed Action. In addition, there would need to be an additional intersection and road improvements at the point where Option A diverges from Joyland Road.

As a road primarily dedicated to provide access to the Proposed Project, the separation from Joyland Road would reduce potential traffic conflicts between visitors to the Proposed Project and the residents and visitors to Joyland Road. Option A would be beneficial for the existing uses because it would maintain a rural residential ambience along Joyland Road.

ECONOMIC CONDITIONS

Alternative 4 would require the acquisition, by the Applicant, of eight properties on the west side of Joyland Road. These properties would be privately negotiated by the Applicant with each property owner. Other economic impacts resulting from the construction and use of Alternative 4 would be similar to under the Proposed Project.

CULTURAL RESOURCES

While archeological investigations along the Option A route have not been completed, based on the results of the testing done elsewhere on the Project Site, if Option A were to be selected, there would need to be coordination with SHPO to coordinate the level of testing required. Should this alternative be chosen to serve as the access to the Project Site, land along this route would need to be investigated.

With regard to historic resources, Alternative 4 would be at a greater distance from the N/R eligible resource, Breezy Corners Bungalow Colony, and would not result in any direct impacts

to this property. Two properties on the north side of Cimarron Road, 1 and 3 Towner Road, would be removed under Option A. The structure at 1 Towner Road has previously been determined not eligible for listing on the S/NR by SHPO. Therefore, Option A would have no adverse impacts on this structure. The house at 3 Towner Road has an “undetermined” S/NR status, and, therefore, consultation with SHPO would need to be undertaken to determine the S/NR status of this property.

CONSTRUCTION

Construction related impacts for Option A would be expected to be similar to, but potentially be over a slightly longer time frame due to the increased length of the road, than the Proposed Project. All mitigation measures proposed for the development of the Proposed Project would be implemented under this alternative.

F. INVOLVED AGENCIES AND REQUIRED APPROVALS/PERMITS

The Town Board is the only agency that must approve the zoning amendments and the CDP. The development of Phase 1, however, will require approvals from, or reviews by, a number of local, State, regional, and Federal agencies. **Table S-10** lists the agencies and the approvals that will be required.

**Table S-10
Involved Agencies & Required Approvals**

Approving Agency/Department	Approval/Permit Required
Town of Thompson	
Town Board	Zoning Text Amendment
Town Board	Comprehensive Development Plan (CDP)
Planning Board	Site Plan Approval for Phase 1
Planning Board	Stripping of Land Permit
Highway Department	Road Improvement Permit
Sullivan County	
Division of Planning and Environmental Management	GML Section 239 Project Review
New York State	
Department of Environmental Conservation (DEC)	Public Water Supply Permit
DEC	SPDES Permit(s)
DEC	Article 15 Protection of Waters Permit
DEC	Article 24 Freshwater Wetland Permit
DEC	Water Quality Certification (Section 401)
DEC	Endangered and Threatened Species Review
DEC	Brownfields Cleanup Agreement (BCA)
DEC	CAFOS
DEC	Water Withdrawal Permit
DEC	Sewer Extension Approval
Department of Health (DOH)	Public Water Supply Permit
DOH	Sewer System Extension Permit
Department of Transportation (DOT)	Road Improvement Permit(s)
Office of Parks, Recreation, and Historic Preservation (OPRHP; also known as SHPO)	Section 106 and Section 14.09 Cultural Resources Review
Racing and Wagering Board	Section 322 Approval
Lottery	Section 1617A Approval

**Table S-10 (cont'd)
Involved Agencies & Required Approvals**

Approving Agency/Department	Approval/Permit Required
Regional	
Delaware River Basin Commission	Ground and/or Surface Water Withdrawal
Delaware River Basin Commission	Discharge of Pollutants into Surface Waters or Groundwaters of the Delaware River Basin
Delaware River Basin Commission	Total Dissolved Solids Determination
Federal	
US Fish and Wildlife Service (USFWS)	Section 7 ESA Review (Endangered and Threatened Species)
US Army Corps of Engineers (ACOE)	Individual Wetland Permit

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