

VIII. ECONOMIC ACTIVITY AND BUSINESS DEVELOPMENT

C. LAND, CONSTRUCTION AND DESIGN OF PHYSICAL PLANT

1. DESCRIPTION OF LAND

Submit as Exhibit VIII. C.1.f. copies of any Phase I and II reports or any other investigations of site, sub--surface, geotechnical or environmental conditions or hazardous materials that have been completed relating to the condition of the Project Site.

The Project Site comprises 125 acres which is bounded by NYS Route 208 on the east and private property on the north, west and south. An unimproved street right-of-way is located at the extreme western boundary. Satterly Creek generally bisects the property, along with an existing Orange and Rockland Utilities, Inc. power line.

The power line easement permits access under the lines and provides Orange and Rockland with a 100 foot wide area to maintain clearance to the power line.

The land to the west slopes up steeply from approximately elevation 570 to elevation 700. This portion of the property is not being used for the project building program. The site, east of Satterly Creek ranges from approximately elevation 570 near the Creek to elevation 600 to 620 along Route 208. The design and placement of the multistory casino and garage structure will take advantage of the elevation difference to minimize site excavations and the topography will not create any construction constrains for the project. A summary of the site slope ranges are as follows:

RANGE	PERCENTAGE (%)
0% TO 10%	62.4%
10% TO 15%	11.9%
GREATER THAN 15%	25.8%

The eastern portion of the site will be used for project development. A significant portion of the property, east of the Creek, has been subject to prior uses including a prior sand and gravel pit and the current golf driving range.

The site's geologic characteristics is predominantly sand and gravel stratum. This was observed by deep excavations within the prior area using for the sand and gravel mining operation. The steep slopes to the western portion of the site have rock outcrops, however there is no site development within this area. Based on observed and documented data with respect to the subsurface conditions of the site, it is anticipated that there are no geotechnical constraints with respect to building foundation construction or the site grading and infrastructure construction. A

geotechnical engineering investigation and analysis will be concurrent with the building structural design to provide the design parameters for building foundation construction.

The prior sand and gravel operation was permitted by NYSDEC under a Mine Land Reclamation Permit (#3-3320-00047-00001). OCCR will obtain approval from NYSDEC to allow for the construction and to provide the required stabilization and reclamation plan to close of the current permit.

A family cemetery is located along the north property line of the Project Site. The cemetery is surrounded by a stone wall. The cemetery will not be disturbed as part of the site development. It will be located greater than 100 feet from any building in accordance with the Village of South Blooming Grove Zoning Code. The site plans will provide access to the cemetery and the proposed landscape plan will supplement and enhance the vegetation surrounding the cemetery.

Satterly Creek flows from south to north, originating at the Orange and Rockland Lake located South of Museum Drive Road and continuing under Route 17. The Creek flows in a south to north direction and discharges to the Moodna Creek, which ultimately discharges to the Hudson River. The most recent flooding event in the area of the Project Site occurred during Hurricane Irene in August 2011. Based on information obtained from local officials, during the rainfall that accompanied Hurricane Irene as it moved across NY state and then into New England, there was no flooding in the area proposed for development.

A FEMA 100-year (1%) floodplain is located along Satterly Creek. The site development and building and garage will not be in the floodplain. The 100-year floodplain is as shown on the FEMA Flood Insurance Rate Map (FIRM), Map Number 36071C0477E, Effective Date August 3, 2009, see Figure A. The site is located in Zone AE and the 100-year FEMA flood elevations vary from north to south (Elevation 545 to elevation 571). The buildings will be located above the FEMA 100-year flood elevations in accordance with all Village of South Blooming Grove (Village Code, Chapter 232: Flood Damage Prevention), NYS Building Code and FEMA regulations.

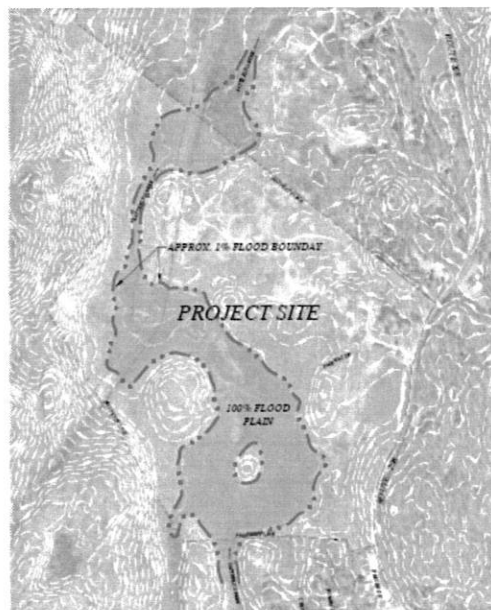


Figure A- FEMA Flood Plain

Summary

The geological, current structural or floodplain conditions of the property do not require any significant construction or engineering design for the project. The project is designed to consider the current site conditions and will not be impacted by the flood plain or other site conditions.

Attachments included:

Fairway Drive-Phase I
NY Phase I Appendix A
NY Phase I Appendix B
NY Phase I Appendix C-1
NY Phase I Appendix C-4
NY Phase I Appendix D
NY Phase I Fairway Drive Phase I
Phase I ESA Submittal Letter