

Exhibit VIII.C.1.e
Geological or Structural Defect in Project Site

Submit as Exhibit VIII.C.1.e, a description of any geological or structural defect of the Project Site, and include a description of the engineering, design, and construction plans to remedy the defect. Indicate whether or not any of the Project Site is proposed to be located in a floodplain and, if so, include a description of the flood history of the site.

Based upon geotechnical studies conducted by the landowner, the subsurface strata at the site are composed of uncontrolled fill materials that typically overlie poor bearing materials consisting of unconsolidated and loose natural silts and sands in the flood plain of the Mohawk River. For structures with moderate loads, mitigation of the poor bearing materials should be expected through either ground improvement or deep foundations. Rush Street Gaming has experience with riverfront development in similar soil types and also has experience with advanced foundation systems that will support the proposed improvements. Please refer to Attachment “A” of Exhibit VIII.C.1.e for a June 2, 2014 “Geotechnical Document Review & Recommendations” letter report prepared by Whitestone Associates, Inc.

The proposed Rivers Casino & Resort at Mohawk Harbor Project is located within the floodplains of the Mohawk River. The Mohawk Harbor project includes widening the Mohawk River within the boundaries of the larger project site to provide for flood control and to raise the elevation of the project area above the 100 year floodplain. This will serve the purpose of providing flood control and providing fill material to raise the site above the 100 year floodplain elevation, while providing visual and recreational enhancements along the river. These improvements also include the addition of a man-made embayment (harbor) that will allow recreational boaters opportunities to experience the multitude of commercial uses proposed. These enhancements include a river walk that will provide pedestrian access to the gaming facility and other proposed commercial developments to the north of the site. These improvements will also incorporate a direct link to the Mohawk Hudson Hike-Bike Trail that provides direct access to Downtown Schenectady. The river embankment will also be stabilized and improved with strategically placed landscaping.

Being situated in the floodplain, the site has flooded in the past when subjected to uncommon rain events. Therefore, a hydraulic analysis was conducted by Bergmann Associates to determine if this project, and the larger Mohawk Harbor project, will have any impacts on the Base Flood Elevations (“BFE”) shown on the effective Flood Insurance Rate Map (“FIRM”) of the City of Schenectady. According to the Floodplain Development Hydraulics Report prepared by Bergmann Associates, dated February 27, 2013 (please refer to Attachment “B” of Exhibit VIII.C.1.e), the existing BFE in the vicinity of the project is at elevation 229 ft. (NAVD88) and the Post-Conditions Modeling demonstrates that the project will not adversely impact the Mohawk River floodplain or raise the BFE above 229 ft. (NAVD88).