

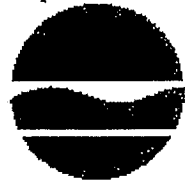
New York State Department of Environmental Conservation

Division of Environmental Permits, Region 3

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Alexander B. Grannis
Commissioner

April 20, 2010

Tim Allred, Senior Project Manager
Hudson River Valley Resort, LLC
PO Box 385
Rosendale, NY 12472

Hand
4/22/10
GW

Re: Hudson River Valley Resort, former William's Lake Resort
DEC Tracking #: 3-5146-00063/00007
Town of Rosendale, Ulster County

Draft Environmental Impact Statement Submitted for Review

Dear Mr. Allred:

The Department of Environmental Conservation (DEC), the lead agency pursuant to the State Environmental Quality Review Act (SEQRA) for this project, has received the Draft Environmental Impact Statement (Draft EIS) submitted for review for the proposed project. The Department has determined that the submitted Draft EIS is inadequate for the purpose of commencing public review; see 6 NYCRR Part 617.9(a)(2)(i). Please address the following major deficiencies:

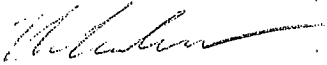
1. Per Section III.G.2.a of the Final Scoping Document, "(p)rior DEC approval of (wildlife) survey protocols shall be a requirement of DEIS acceptance". A survey protocol has been accepted for the study of northern cricket frog, and a protocol for the study of vernal pools in accordance with Section III.G.3.d. Proposed wildlife protocols for Indiana bat, Eastern small-footed Bat, Jefferson's salamander, Allegheny woodrat, pied-billed grebe, timber rattlesnake, and red shouldered hawk were submitted on March 11, 2010. These protocols have been reviewed and DEC will be responding with comments shortly. Until such protocols have been accepted, the Draft EIS cannot be accepted for review.
2. As previously indicated in my letter of December 30, 2009, the Department has determined that the karst nature of the region requires retention of a specialist in the field of karst study. Once retained, this individual will review the protocols used by Hudson River Valley Resort in their hydro-geological investigations to determine whether the work already performed is sufficient to allow determination of impacts to the myriad of issues related to hydro-geology. These issues, which include water supply, stormwater, and endangered species, are significant, and could potentially impact the design of the proposed project. Therefore the Department cannot accept the Draft EIS without determining whether the hydro-geological studies are sufficient.

In the meantime, DEC staff will review the submitted materials as preliminary documents to identify any serious concerns with the information and/or methodology. Please note that the Department was informed by the Town of Rosendale that a copy of this Draft EIS was not provided to them. As previously indicated in my letters of September 2, 2009 and October 7, 2009, all

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submissions should be copied to the Town of Rosendale, as an involved agency. You may wish to also copy other involved agencies, such as Ulster County Health Department or Department of Highways & Bridges, on applicable portions of the preliminary DEIS. If you have any questions, please feel free to contact me at (845) 256-3014 or the above address.

Sincerely yours,



Rebecca Crist
Environmental Analyst

Cc: see attached