

Record of Decision

Attachment III

Mitigation Monitoring and Enforcement Plan

MASHPEE WAMPANOAG TRIBE TRUST ACQUISITION AND CASINO PROJECT

MITIGATION MONITORING AND ENFORCEMENT PLAN

Introduction

CEQ directs all federal agencies to include in an Environmental Impact Statement (EIS) the appropriate means to mitigate any adverse environmental impacts (40 C.F.R. 1502.16(h)). CEQ also requires that a Mitigation Monitoring and Enforcement Plan (MMEP) be adopted and summarized in the Record of Decision (ROD) (40 C.F.R. 1505.2(c)). The Bureau of Indian Affairs (BIA) is the lead agency for National Environmental Policy Act (NEPA) compliance purposes. Mitigation Measures adopted within the BIA's Rod for the Preferred Alternative have been incorporated into this MMEP.

Mitigation Monitoring Overview

This MMEP has been developed to guide mitigation compliance before, during, and after implementation of the BIA's Preferred Alternative. The mitigation measures described below in **Table 1** were developed through the analysis of potential impacts within the Final EIS. The MMEP provides the requirements for compliance of the mitigation measures, the parties responsible for each mitigation measure, and the timing of mitigation measure implementation.

Where applicable, mitigation measures will be monitored and enforced pursuant to Federal law, tribal ordinances, and agreements between the Tribe and appropriate governmental authorities, as well as the ROD.

TABLE 1: MITIGATION MONITORING AND ENFORCEMENT PROGRAM

MITIGATION MEASURE	IMPLEMENTING RESPONSIBILITY	COMPLIANCE STANDARDS	ENFORCEMENT MECHANISM	TIMING	VERIFICATION (DATE & INITIALS)
Transportation, Air Quality, and Environmental Justice					
A. The Tribe will work with the City of Taunton to develop a comprehensive Construction Traffic Management Plan, which will include the definition of designated routes for all associated construction truck traffic developed in close coordination with MassDOT and City staff prior to start of construction. A separate TMP will be developed specific to roadway improvements and the construction of the new water main and sewer extension, which will take place partly in public roadways.	Tribe	TMPs shall be created for site construction, road improvements, and water and sewer extensions	Massachusetts Environmental Policy Act (MEPA) project documentation	Design and Construction	
B. Construction equipment, material deliveries and personnel vehicular travel to the Project Site in connection with construction activities will use only the designated service road from Route 140 onto Stevens Street rather than accessing Stevens Street from the Middleboro Avenue side.	Tribe	Measure shall be included in TMP and implemented through construction	MEPA	Construction	
C. Construction workers will have off-site parking and will be shuttled to/from the Project Site. They will be encouraged to carpool, and will be able to store tools and equipment on Site.	Tribe	Measure shall be included in TMP and implemented through construction	MEPA	Construction	
D. Should a partial street closure be necessary in order to transport or off-load construction materials and/or to complete construction-related activities, the closure will be limited to off-peak periods.	Tribe	Measure shall be included in TMP and implemented through construction	MEPA	Construction	
E. Galleria Mall Drive South/County Street/Route 140 Southbound (SB) Ramps (Exit 11A) Improvements: <ul style="list-style-type: none"> • County Street traffic will merge from two lanes to one lane before meeting with the Route 140 SB ramp traffic. • Stevens Street Overpass centerline will shift to the west to allow for three travel lanes as it approaches the signal at the Overpass Connector/Route 140 Northbound (NB) Ramps/Stevens Street intersection. 	Tribe, City of Taunton, MassDOT	Measures shall be specified in construction plans	IGA	Construction	

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<ul style="list-style-type: none"> Stevens Street Overpass bridge will be restriped to consist of three travel lanes northbound and one travel lane southbound. This improvement will include updating all traffic signal equipment. 					
<p>F. Overpass Connector/Route 140 NB Ramps/Stevens Street Intersection Improvements:</p> <ul style="list-style-type: none"> Two lanes will be provided out to the Site driveway to prevent excessive on-site queuing. Right-turn out of the Site driveway will be signalized to prevent weaving between vehicles traveling through on Stevens Street and those making a left-turn onto the Route 140 NB ramp. Traffic from the Project Site onto Stevens Street will access the ramp via a double left turn onto the existing ramp. This intersection will be coordinated with the intersection of O'Connell Way/Stevens Street (Mitigation Measure H, below). This improvement will include updating all traffic signal equipment. 	Tribe	Measures shall be specified in construction plans	IGA	Construction	
<p>G. Route 140 NB between Exits 11 and 12:</p> <ul style="list-style-type: none"> Route 140 NB will be widened from two lanes to three lanes between the existing ramp and the approach to the Route 24 NB on-ramp. Vehicles from Stevens Street will enter Route 140 NB in a separate lane. 	Tribe	Measures shall be specified in construction plans	MEPA Section 61 Findings	Construction	
<p>H. O'Connell Way/Stevens Street Improvements:</p> <ul style="list-style-type: none"> NB Stevens Street approach will have two left-turn lanes, a through lane, and a right-turn lane. SB approach will have a left-turn lane, a through lane, and a right-turn lane. Westbound (WB) approach will operate as left-turn lane and a shared through/right-turn lane. Eastbound (EB) Site drive approach will 	Tribe	Measures shall be specified in construction plans	MEPA Section 61 Findings	Construction	

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<p>have two right-turn lanes, which will operate under signal control. Left-turns and through movements will not be allowed out of the main Site driveway.</p> <ul style="list-style-type: none"> This intersection will be coordinated with the intersection of Overpass Connector/Route 140 NB Ramps/Stevens Street Intersection (Mitigation Measure F, above). This improvement will include updating all traffic signal equipment. 					
<p>I. Secondary service road constructed north of parking garage to accommodate service vehicles generated by casino and Crossroads Center:</p> <ul style="list-style-type: none"> Garage exits will be signed so as to prohibit right turns by casino patrons or employees on to that service road. Tribe will work with the City of Taunton and MassDOT to implement a heavy-vehicle exclusion on Stevens Street north of the service driveway. 	Tribe	Measures shall be specified in construction plans	IGA	Construction	
<p>J. Route 24 SB Ramp (Exit 12B) / County Street (Route 140) improvements:</p> <ul style="list-style-type: none"> Construction of a new off-ramp in the northwest quadrant of the interchange to accommodate traffic from Route 24 SB to Route 140 NB. At its approach to Route 140, a single channelized right-turn lane will be provided. Route 140 SB beneath Route 24 will be widened to accommodate two through lanes and a barrier-separated through lane, which accommodates the free right turn from the Route 24 SB off-ramp. Route 24 SB will be widened to accommodate three travel lanes from Hart Street Overpass to Route 140. Tribe will continue to work with MassDOT to develop a long-term interchange alternative which, when realized, will accommodate all projected traffic volumes including the potential revitalization of the Silver City 	Tribe	Measures shall be specified in construction plans	MEPA Section 61 Findings	Prior to Opening. (If MassDOT agrees to allow the casino to open with only a temporary ramp connection, this improvement may not be completed.)	

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<ul style="list-style-type: none"> Galleria Mall into the design year of 2032. This improvement will include updating all traffic signal equipment with consideration for Alternative 1D improvements in the future. 					
<p>K. Route 24 NB (Exit 12A) / County Street (Route 140) Ramp Improvements:</p> <ul style="list-style-type: none"> Route 140 SB approach will have two through lanes, an added free-flow lane from the exclusive Route 24 SB ramp, and one exclusive left-turn lane. NB approach will have two through lanes and two channelized right-turn lanes. Route 140 NB right turn approach will be widened to allow two channelized right-turn lanes, capable of accommodating queues that will taper to one lane onto Route 24 NB. This improvement will include updating all traffic signal equipment. 	Tribe	Measures shall be specified in construction plans	MEPA Section 61 Findings	Prior to Opening. (If MassDOT agrees to allow the casino to open with only a temporary ramp connection, this improvement may not be completed.)	
<p>L. Mozzone Boulevard/County Street (Route 140) Improvements:</p> <ul style="list-style-type: none"> Signal phasing will be adjusted to add a short leading left-turn from Route 140 NB. NB lanes will be restriped to have a left-turn only lane and a through lane. This signal will be coordinated with the signals at Erika Drive, the Bristol Plymouth High School driveway and the Route 24/140 interchange. 	Tribe	Measures shall be specified in construction plans	MEPA Section 61 Findings	Construction	
<p>M. Addition of traffic signal to Bristol-Plymouth High School Drive/County Street (Route 140) intersection</p>	Tribe	Measures shall be specified in construction plans	IGA	Construction	
<p>N. Updates to signal length and phasing splits at Erica Drive/County Street (Route 140) intersection</p>	Tribe	Measures shall be specified in construction plans	IGA	Construction	
<p>O. Hart's Four Corners [Hart Street/County Street (Route 140)] Improvements:</p> <ul style="list-style-type: none"> Both County Street approaches will be widened to three lanes consisting of a left-turn lane, a through lane, and a shared through/right-turn. 	Tribe	Measures shall be specified in construction plans	IGA	Construction	

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<ul style="list-style-type: none"> Both Hart Street approaches will be widened to include a left-turn lane, a through lane, and a right-turn lane. 					
P. Adjustment of phasing splits at County Street (Route 140)/Gordon M. Owen Riverway Extension intersection	Tribe	Measures shall be specified in construction plans	IGA	Construction	
Q. Signal phasing changes at High Street/Winthrop Street intersection	Tribe	Measures shall be specified in construction plans	IGA	Construction	
R. Evaluation and signal timing and phasing updates at Winthrop Street (Route 44)/Highland Street intersection	Tribe	Measures shall be specified in construction plans	IGA	Construction	
S. Thirteen existing traffic signals to be outfitted with emergency vehicle priority equipment to allow rapid response from firehouse to Project Site	Tribe	Measures shall be specified in construction plans	IGA	Construction	
T. Bristol-Plymouth High School Drive/Hart Street/Poole Street Improvements: <ul style="list-style-type: none"> Realignment of High School driveway to align with Poole Street Americans with Disabilities Act (ADA) accommodations Addition of a flashing warning beacon on Hart Street 	Tribe	Measures shall be specified in construction plans; Intersection shall comply with ADA standards	IGA	Construction	
U. Stevens Street/Middleboro Avenue Improvements: <ul style="list-style-type: none"> Addition of a flashing warning beacon ADA accommodations Sidewalk widening at intersection approaches Installation of crosswalk markings Stevens Street to be signed for Heavy Vehicle Exclusion 	Tribe	Measures shall be specified in construction plans; Intersection shall comply with ADA standards	IGA	Construction	
V. Stevens Street/Pinehill Street Improvements: <ul style="list-style-type: none"> Radar speed control signs on Stevens Street in advance of Pinehill Street ADA accommodations at intersection Update of crosswalk markings Pinehill Street to be signed for Heavy Vehicle Exclusion 	Tribe	Measures shall be specified in construction plans; Intersection shall comply with ADA standards	IGA	Construction	
W. Addition of traffic signal control and pedestrian	Tribe	Measures shall be	IGA	Construction	

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improvements at Middleboro Avenue/Pinehill Street/Caswell Street intersection		specified in construction plans; Intersection shall comply with ADA standards			
X. Addition of traffic signal control and pedestrian improvements at Middleboro Avenue/Old Colony Avenue/Liberty Street intersection	Tribe	Measures shall be specified in construction plans; Intersection shall comply with ADA standards	IGA	Construction	
Y. Addition of school zone flashing warnings and appropriate signage and pavement markings at East Taunton Elementary Driveway/Stevens Street intersection	Tribe	Measures shall be specified in construction plans; Intersection shall comply with ADA standards	IGA	Construction	
Floodplain, Wetlands, and Other Waters of the U.S.					
A. The Tribe will implement a Stormwater Pollution Prevention Plan (SWPPP) to prevent impacts to the wetlands during construction. The program will incorporate Best Management Practices (BMPs) specified in guidelines developed by the EPA.	Tribe	SWPPP shall be completed for all construction activities	NPDES Permit	Pre-Construction	
B. The contractor will establish site trailers and staging areas to minimize impacts on natural resources.	Tribe	Measure shall be specified in construction plans	MEPA	Construction	
C. The Construction Manager (CM) will establish an "environmental safety" zone establishing a 10-foot buffer zone around the wetland areas on the site.	Tribe	Measure shall be specified in construction plans	MEPA	Construction	
D. Any refueling of construction vehicles and equipment will take place outside of the 10-foot wetlands buffer zone and will not be conducted in proximity to sedimentation basins or diversion swales.	Tribe	Measure shall be specified in construction plans	MEPA	Construction	
E. No on-site disposal of solid waste, including building materials, will be allowed in the 10-foot buffer zone. Stumps will be removed from the site.	Tribe	Measure shall be specified in construction plans	MEPA	Construction	
F. No materials will be disposed of into the wetlands or existing or proposed drainage systems. All	Tribe	Measure shall be specified in	MEPA	Construction	

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subcontractors will be informed that the cleaning of equipment will be prohibited in areas where wash water will drain directly into wetlands or stormwater collection systems.		construction plans			
G. The contractor will establish a water resource, e.g., "cistern supply area," to supply a "water truck," or other means, to provide moisture for dust control and irrigation. Water will not be withdrawn from wetland areas.	Tribe	Measure shall be specified in construction plans	MEPA	Construction	
H. In compliance with Executive Orders 11988 (Floodplain Management) and 11990 (Protection of Wetlands), and EPA Section 404(b)(1) review by the Corps, impacts to wetlands, floodplain, and other waters of the U.S. were avoided and minimized to the maximum extent practicable in project design.	Tribe	Completion of EIS process in compliance with E.O. 11988,, E.O. 11990, and EPA Section 404 (b)(1)	U.S Army Corps of Engineers (Corps)	Design	
I. Compensatory flood storage will be provided for all flood storage that would be lost within the 100-year floodplain so as not cause an increase, incremental or otherwise, in the horizontal extent and level of flood waters during peak flows. Approximately 20,900 sf of compensatory flood storage volume will be created on the Project Site to offset fill within the 100-year floodplain.	Tribe	Measure shall be specified in construction plans	MEPA	Design and Construction	
J. Compensatory mitigation for unavoidable impacts to wetlands and other waters of the U.S. will be provided in accordance with the ratios contained in the "New England District Compensatory Mitigation Guidance" (Corps; July 20, 2010). Wetland creation to mitigate off-site impacts will be developed at an approximately 2:1 ratio. Creation will take place on the Project Site in the same general watershed and reach of the affected wetlands.	Tribe	Measure shall be specified in construction plans	Corps/MassDEP	Design and Construction	
Stormwater					
A. Stormwater from the majority of the existing (and proposed) roadways will be collected in a closed conduit piping system fitted with 4-foot, deep-sump catch basins with hooded outlets.	Tribe	Measure shall be specified in construction plans in accordance with MassDEP Stormwater	MEPA	Design and Construction	

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B. Runoff from the roadway and parking areas, once routed through the initial pollutant attenuation stage of the collection system, will be conveyed to the existing extended detention basin located at the end of O'Connell Way.	Tribe	Standards Measure shall be specified in construction plans in accordance with MassDEP Stormwater Standards	MEPA	Design and Construction	
C. For the areas currently flowing to the large combined existing extended detention basin, runoff from a portion of the roadway, parking/loading areas and building, once routed through the initial pollutant attenuation stage of the collection system, will be conveyed to the existing sediment forebay.	Tribe	Measure shall be specified in construction plans in accordance with MassDEP Stormwater Standards	MEPA	Design and Construction	
D. A level spreader sump will be provided down gradient of all stormwater management BMPs to reduce the channeled flow velocities and induce non-erosive sheet flow conditions prior to discharge to the receiving wetland.	Tribe	Measure shall be specified in construction plans in accordance with MassDEP Stormwater Standards	MEPA	Design and Construction	
E. Where feasible, roof drainage from the proposed building structures will be serviced by individual subsurface recharge systems. In areas where unsuitable soils and/or groundwater conditions prohibit the proper placement of subsurface recharge systems, above ground retention storage will be provided.	Tribe	Measure shall be specified in construction plans in accordance with MassDEP Stormwater Standards	MEPA	Design and Construction	
F. A multi-cell water quality swale will intercept runoff from parking areas.	Tribe	Measure shall be specified in construction plans in accordance with MassDEP Stormwater Standards	MEPA	Design and Construction	
G. Stormwater from much of the paved surface parking areas will discharge directly to bioretention areas.	Tribe	Measure shall be specified in construction plans in accordance with MassDEP	MEPA	Design and Construction	

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		Stormwater Standards			
H. Upgrade the existing stormwater management systems located at the Route 24/Route 140 intersection in compliance with MassDEP Stormwater Standards to the extent possible. Design development of BMPs takes into consideration site constraints as well as compatibility with future stormwater needs related to MassDOT's long-range improvement plan (Alternative 1D).	Tribe, MassDOT	Measures shall be specified in construction plans in accordance with MassDEP Stormwater Standards	MEPA	Design and Construction	
Geology and Soils					
A. Off-site roadway improvements located adjacent to steep slopes and embankments shall be protected during construction utilizing stormwater best management practices.	Tribe	Measure shall be specified in construction plans	ConComm/DEP/Corps	Construction	
B. Slopes associated with off-site roadway improvements will be permanently armored, and permanent stormwater closed drainage systems will be constructed to protect the steep slopes from future erosion.	Tribe	Measure shall be specified in construction plans	ConComm/DEP/Corps	Construction	
Hazardous Materials					
A. The Tribe will further investigate the potential to encounter oil/hazardous materials (OHM) on the Project Site. Should any OHM be found present on the Project Site, it will be remediated in full compliance with all applicable regulations.	Tribe	The Tribe shall undertake this measure as described	MEPA	Pre-Construction	
B. In the event that contaminated soil and/or groundwater or other hazardous materials are encountered during construction activities, all work shall be halted until a qualified individual can assess the extent of contamination.	Tribe	The Tribe shall undertake this measure as described in accordance with MassDEP and Massachusetts Contingency Plan (MCP; 310 CMR 40.0000)	MEPA	Construction	
C. All hazardous materials necessary for the operation of the facilities shall be stored and handled according to State, Federal, and manufacturer's guidelines. All flammable liquids	Tribe	The Tribe shall undertake this measure as described	MEPA	Operation	

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shall be stored in a labeled secured container, encircled within a secondary containment enclosure.					
D. Personnel shall follow written standard operating procedures (SOPs) for filling and servicing construction equipment and vehicles.	Tribe	SOPs shall be provided to personnel	MEPA	Construction	
Water Supply					
A. The Stevens Street water main will be upgraded from a 12 inch main to a 16-inch water main, and the 12-inch water main and 8-inch water main on Pinehill Street will be replaced by one 16-inch water main.	Tribe	Measures shall be specified in construction plans	MEPA	Construction	
B. The second point of connection for the Project Site will be at the emergency entrance on Middleboro Avenue/Hart Street. This will then provide a 12-inch water main through the Project Site, which will be connected to the existing 12-inch water main in O'Connell Way.	Tribe	Measures shall be specified in construction plans	MEPA	Construction	
C. Hydrants, valves and other appurtenances will be installed as part of the new water main construction.	Tribe	Measures shall be specified in construction plans	MEPA	Construction	
Wastewater					
A. The Tribe will contribute to the City's infiltration and inflow (I/I) removal program at a ratio of 5:1 (i.e. 5 gallons of I/I removed for each gallon of wastewater added) to remove 1.125 million gallons of peak I/I from the sewer collection system.	Tribe	Measures shall be specified in construction plans	IGA	Construction	
B. The Tribe will rehabilitate the existing Route 140 Pumping Station.	Tribe	Measure shall be specified in construction plans	IGA	Construction	
Utilities					
A. A new substation will be constructed on the Project Site to fulfill electrical demand.	Tribe, TMLP	Measure will be specified in construction plans	Per agreement with TMLP	Construction	
B. A portion of the gas main in Route 140 shall be upgraded to meet project requirements.	Tribe, Columbia Gas	Measure will be specified in construction plans	Per agreement with Columbia Gas	Construction	
C. Gas service will be extended from Middleboro Avenue to provide for the water park.	Tribe, Columbia Gas	Measure will be specified in construction plans	Per agreement with Columbia Gas	Construction	

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Solid Waste					
A. Approximately 40 percent of demolition waste will be recycled.	Tribe	Measure will be specified in Construction Waste Management Plan	MEPA	Pre-Construction	
B. The Tribe will implement a Construction Waste Management Plan to ensure that a minimal amount of waste debris is disposed of in landfills and to pursue the goal of diverting at least 60 percent of construction-related waste from landfills.	Tribe	Construction Waste Management Plan shall be completed	MEPA	Construction	
C. Waste that cannot be recycled would be disposed of by a private company that accepts construction/demolition materials.	Tribe	Measure will be specified in Construction Waste Management Plan	MEPA	Construction	
D. The Tribe shall contract with a private waste hauler for disposal of solid waste and recycled materials generated by the Project and pay all fees associated therewith.	Tribe	The Tribe shall contract with private waste hauler and pay fees	IGA	Operation	
E. Refuse bins will be provided for patrons and employees in convenient locations in the casino, restaurants, and other facilities. Patrons will not be asked to separate recyclable items; trash and recycling will be collected in a single stream for back-end sorting. Employee office space will include separate receptacles for paper recycling. All waste will be sorted by employees and temporarily held on site in building space located away from pedestrian- or patron-accessible areas.	Tribe	The Tribe shall undertake this measure as described	MEPA	Operation	
Air Quality					
A. Subcontractors will be required to adhere to all applicable regulations regarding control of dust and emissions. This will include maintenance of all motor vehicles, machinery, and equipment associated with construction activities and proper fitting of equipment with mufflers or other regulatory-required emissions control devices.	Tribe	Measures shall be specified in construction plans and implemented through construction	MEPA	Construction	
B. Dust generated from earthwork and other	Tribe	Measures shall be	MEPA	Construction	

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construction activities will be controlled by spraying with water. If necessary, other dust suppression methods will be implemented to ensure minimization of the off-site transport of dust. There also will be regular sweeping of the pavement of adjacent roadway surfaces during the construction period.		specified in construction plans and implemented through construction			
C. Equipment subject to the Massachusetts Environmental Results Program (ERP) shall meet emissions standards and other performance and maintenance requirements.	Tribe	DEP Regulations	MEPA	Design and Operation	
D. Carbon monoxide monitors will be installed within loading docks and parking garages.	Tribe	Measure shall be specified in construction plans	MEPA	Operation	
Greenhouse Gas Emissions and Sustainability					
A. A condenser heat recovery system will use a heat recovery exchanger to allow the reclamation of heat energy that is typically wasted and rejected via the chiller condenser.	Tribe	Measure shall be specified in construction plans	MEPA	Design and Construction	
B. High-efficiency water cooled chillers will use enhanced controls, enlarged and improved condenser sections, and high-efficiency compressors.	Tribe	Measure shall be specified in construction plans	MEPA	Design and Construction	
C. Air and water side economizers will allow the use of ambient air for cooling when outside temperatures are low enough.	Tribe	Measure shall be specified in construction plans	MEPA	Design and Construction	
D. Variable air volume systems, variable speed pumping, and variable speed cooling tower fans will reduce the energy use during periods when full motor capacity is not required.	Tribe	Measure shall be specified in construction plans	MEPA	Design and Construction	
E. Kitchen exhaust will be demand controlled to reduce unnecessary operation.	Tribe	Measure shall be specified in construction plans	MEPA	Design and Construction	
F. Improved air filtration will allow the system to meet indoor air quality requirements with less outdoor air makeup, reducing the energy needed to heat or cool the outdoor air makeup.	Tribe	Measure shall be specified in construction plans	MEPA	Design and Construction	
G. A high efficiency building shell generally includes greater insulation values in the building shell and glazing selection that combines functionality and high insulating properties. The casino design will	Tribe	Measure shall be specified in construction plans	MEPA	Design and Construction	

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include a high efficiency shell to minimize the energy required to maintain desired interior conditions.					
H. Green roofing will provide insulation.	Tribe	Measure shall be specified in construction plans	MEPA	Design and Construction	
I. Reflective roofing aids in reducing urban heat island effect in summer and so will be utilized on most roof surfaces except where green roofing is employed.	Tribe	Measure shall be specified in construction plans	MEPA	Design and Construction	
J. By shading building structures, exterior shading devices can reduce the cooling requirements for those structures.	Tribe	Measure shall be specified in construction plans	MEPA	Design and Construction	
K. Premium electric motors are more efficient than standard motors and will be specified for all significant uses such as HVAC equipment and elevators.	Tribe	Measure shall be specified in construction plans	MEPA	Design and Construction	
L. For ventilation systems where a large percentage of fresh air makeup must be used, a heat exchanger will use exhaust air to pre-warm incoming air on cold days, and pre-cool incoming air on hot days.	Tribe	Measure shall be specified in construction plans	MEPA	Design and Construction	
M. Ventilation systems will be demand controlled to reduce unnecessary operation.	Tribe	Measure shall be specified in construction plans	MEPA	Design and Construction	
N. Room occupancy sensors will be used in offices, conference rooms, bathrooms and storage areas to turn off or reduce lighting when the space is not occupied. Similarly, HVAC will be designed to minimize energy use when hotel rooms are unoccupied.	Tribe	Measure shall be specified in construction plans	MEPA	Design and Construction	
O. Building shells will maximize daylight penetration, reducing the need for indoor electric lighting during the daytime.	Tribe	Measure shall be specified in construction plans	MEPA	Design and Construction	
P. High-efficiency lighting and dimmer lighting will be installed to reduce electricity use.	Tribe	Measure shall be specified in construction plans	MEPA	Design and Construction	
Q. Low flow fixtures will provide an energy benefit by reducing the amount of water that needs to be treated and pumped to the Site.	Tribe	Measure shall be specified in construction plans	MEPA	Design and Construction	
R. Energy Star appliances will be utilized wherever	Tribe	Measure shall be	MEPA	Design and	

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they are available for the intended function.		specified in construction plans		Construction	
S. Rainwater harvesting will provide an energy benefit by reducing the amount of water that needs to be treated and pumped to the Site for irrigation.	Tribe	Measure shall be specified in construction plans	MEPA	Design and Construction	
T. An energy management system will provide the operators with real-time data on system performance, allowing optimization of the system to reduce energy demand and cost.	Tribe	Measure shall be specified in construction plans	MEPA	Design and Construction	
U. To ensure proper implementation of energy-saving measures, enhanced commissioning will include additional oversight of the construction and startup phases.	Tribe	Measure shall be specified in construction plans	MEPA	Design and Construction	
V. An enhanced refrigerant management will ensure that the systems used have the minimum feasible global warming potential, and that leaks are prevented.	Tribe	Measure shall be specified in construction plans	MEPA	Design and Construction	
W. As the design of the Project progresses, the Tribe will continue to review the design against the LEED criteria and will strive to construct and operate the facility in an environmentally friendly manner.	Tribe	Construction plans shall comply with USGBC LEED Standards	IGA	Design	
Cultural Resources					
A. The BIA has recommended to the Tribe that the First Light 2-4 sites and the East Taunton Industrial Park 2 site should be avoided by the casino and resort construction activity, and PAL has developed a site avoidance plan. The BIA finding for the fee-to-trust undertaking is that no known historic properties will be affected if the sites are avoided. The Tribe will adhere to the requirements of the Site Protection Plan prepared by PAL, dated January 28, 2015.	Tribe	Measure shall be undertaken as described	Section 106, THPO	Design	
B. In the event of discovery of human remains during ground disturbing activities (on-site or off-site), stop work and implement appropriate mitigation measures.	Tribe	Measure shall be undertaken as described	THPO	Construction	
C. Define in an MOA appropriate resolutions of adverse effects to previously unidentified archaeological resources in the offsite roadway	Tribe	Measure shall be undertaken as described	THPO	Design	

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improvements area, if determined eligible, and implement the proposed measures.					
Noise					
A. Construction equipment will be required to have installed and properly operating appropriate noise muffler systems.	Tribe	Measure shall be specified in construction plans	MEPA	Construction	
B. All exterior construction activities will typically be limited to normal working hours. Off-hour work will be minimized, to the extent practicable, to avoid excess noise generating work at sensitive times.	Tribe	Measure shall be specified in construction plans	MEPA	Construction	
C. Appropriate traffic management techniques to mitigate roadway traffic noise impacts will be implemented during the construction period.	Tribe	Measure shall be specified in construction plans	MEPA	Construction	
D. Excessive idling of construction equipment engines will be prohibited.	Tribe	Measure shall be specified in construction plans	MEPA	Construction	
E. All exhaust mufflers will be in good working order, and regular maintenance and lubrication of equipment will be required.	Tribe	Measure shall be specified in construction plans	MEPA	Construction	
Socioeconomic Effects					
A. The Tribe will pay a one-time cost of approximately \$2.982 million and annual costs of \$2.5 million to fund the creation of a new police substation to accommodate the increased daily population in East Taunton, the purchase of new patrol cars, and the hiring of additional officers.	Tribe	The Tribe shall implement measures as described	IGA	Prior to Opening, Annually during Operation	
B. The Tribe will support problem gambling education, awareness, and treatment through a one-time contribution of \$60,000 and annual contributions of \$30,000 to a local center for the treatment of compulsive gambling. The Tribe will provide training to front line staff in recognizing compulsive gamblers and make information available and accessible for such individuals seeking assistance.	Tribe	The Tribe shall implement measures as described	IGA	Prior to Opening, Annually during Operation	
C. The Tribe will pay the City a one-time cost of \$2.14 million for Phase 1 of development, a one-time cost of \$720,000 for Phase 2, and annual costs of \$1.5 million for fire protection	Tribe	The Tribe shall implement measures as described	IGA	As described in IGA	

MITIGATION MEASURE	IMPLEMENTING RESPONSIBILITY	COMPLIANCE STANDARDS	ENFORCEMENT MECHANISM	TIMING	VERIFICATION (DATE & INITIALS)
infrastructure improvements.					
D. The Tribe will pay the City of Taunton \$370,000 annually as increased local contribution to the Taunton School District. The Taunton School District could use these additional funds as needed based on any new burdens that result from an increased student population.	Tribe	The Tribe shall implement measures as described	IGA	Annually during Operation	
E. The Tribe will provide the City of Taunton with payments in lieu of property taxes (PILOTs) based on the assessed valuation of the Project Site.	Tribe	The Tribe shall implement measures as described	IGA	On-going annually	
Construction					
A. Generally, construction work hours on-site will be limited to 7:30 AM to 4:30 PM, Monday through Friday. For off-site work zones including existing roadway improvements and utility work, work hours will be limited to Monday through Friday from 7:00 AM to 3:30 PM. No trucks will be allowed to idle more than five minutes. There may be occasions when work will occur outside these hours; however, appropriate authorizations will be obtained prior to such deviations.	Tribe	Measure shall be specified in construction plans and implemented through construction	MEPA	Construction	