



**MASSACHUSETTS GAMING COMMISSION
PUBLIC MEETING #220**

June 22, 2017
10:00 a.m.

Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA



Massachusetts Gaming Commission



**NOTICE OF MEETING and AGENDA
June 22, 2017**

Pursuant to the Massachusetts Open Meeting Law, G.L. c. 30A, §§ 18-25, notice is hereby given of a meeting of the Massachusetts Gaming Commission. The meeting will take place:

**Thursday, June 22, 2017
10:00 a.m.
Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA**

PUBLIC MEETING - #220

1. Call to order
2. Approval of Minutes
 - a. June 8, 2017 – VOTE
3. Administrative Update – Ed Bedrosian, Executive Director
 - a. General Update
 - b. SER Legislative and Regulatory Options – Todd Grossman, Deputy General Counsel; Karen Wells, Director – Investigations and Enforcement Bureau; Loretta Lillios, Deputy Director - Investigations and Enforcement Bureau - VOTE
4. Research and Responsible Gaming – Mark Vander Linden, Director
 - a. Regional Voluntary Self-Exclusion List – T. Fiore, Program Manager
5. Licensing Division – Paul Connelly, Director
 - a. Bristol Community College Gaming School
 - b. Gift Acceptance – B. Curtis, Licensing Supervisor – VOTE
6. Finance Division – Derek Lennon, Chief Financial and Accounting Officer
 - a. Massachusetts Gaming Commission Fiscal Year 2018 Budget - E. Bedrosian, Executive Director – VOTE



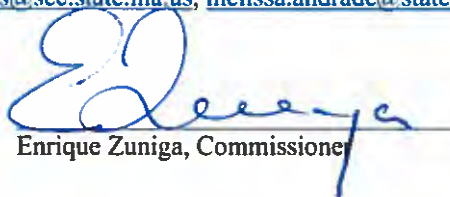
Massachusetts Gaming Commission

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7. Legal Division – Catherine Blue, General Counsel
 - a. Small Business Impact Statement – **VOTE**
 - i. 205 CMR 3.00 (Harness Horse Racing)
 - ii. 205 CMR 4.00 (Rules of Horse Racing)
 - b. Amended Small Business Impact Statement and Final Version – **VOTES**
 - i. 205 CMR 136.08 (removing names from alcoholic beverage license)
 - ii. 205 CMR 143.02 (transfer of progressive jackpots)
 - iii. 205 CMR 143.01 (adoption of GLI-11, 3.0 with amendments)
 - iv. 205 CMR 138.56 (updating internal controls to reflect taxation and aggregate reporting changes)
 - v. 205 CMR 139.04 (updated slot machine data reporting)
 - c. 205 CMR 134.00 (gaming vendor qualifier update) – Emergency Regulation – **VOTE**
8. Investigations and Enforcement Bureau – Karen Wells, Director
 - a. Qualifier Suitability Determination – **VOTE**
9. Ombudsman – John Ziemba
 - a. Mitigation Fund Applications Review – J. Delaney, Constuction Project Oversight Manager and M. Thurlow, Paralegal – **VOTES**
10. Commissioner’s Updates
11. Other business – reserved for matters the Chair did not reasonably anticipate at the time of posting.

I certify that on this date, this Notice was posted as “Massachusetts Gaming Commission Meeting” at www.massgaming.com and emailed to: regs@sec.state.ma.us, melissa.andrade@state.ma.us.

6/19/17
DATE


Enrique Zuniga, Commissioner

Date Posted to Website: June 20, 2017 at 10:00 a.m.



Massachusetts Gaming Commission



Massachusetts Gaming Commission Meeting Minutes

Date/Time: June 8, 2017 – 10:00 a.m.

Place: Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA

Present: Chairman Stephen P. Crosby
Commissioner Gayle Cameron
Commissioner Lloyd Macdonald
Commissioner Bruce Stebbins
Commissioner Enrique Zuniga

**Time entries are linked to
corresponding section in
Commission meeting video**

Call to Order

See transcript page 2

[10:01 a.m.](#) Chairman Crosby called to order the 218th Commission meeting.

Approval of Minutes

See transcript pages 2-6

[10:02 a.m.](#) *Commissioner Macdonald moved for the approval of the May 25, 2017, Commission meeting minutes subject to any corrections, typographical errors, or nonmaterial matters. Commissioner Stebbins requested to check a statement at time entry 3:36 p.m. and see if it was made by Commissioner Macdonald. Chairman Crosby stated that at time entry 11:59 a.m. all Commissioners were in agreement with him writing a letter to the legislature. Motion seconded by Commissioner Stebbins. Motion passed unanimously.*

Administrative Update

See transcript page 6

[10:05 a.m.](#) Executive Director Edward Bedrosian, Jr. reported that he has been working on the service employee registration matter and the budget.

Research and Responsible Gaming

See transcript pages 7-45

- [10:06 a.m.](#) Director Mark Vander Linden introduced the awardees of the grant to study gambling behavior among special populations. The special populations identified as being at-risk for problem gambling are: African Americans/Blacks, Veterans, Immigrants, Asians, and Hispanics. Director Vander Linden stated that three proposals were received and reviewed by the Research Design and Analysis Subcommittee of the Gaming Research Advisory Committee. They found that all three proposals were worthy of funding and the Public Health Trust Fund Executive Committee agreed to move forward with these proposals. He stated that they did not receive a specific proposal to study the Hispanic or immigrant populations but they may be able to expand an existing proposal to include these groups. He stated that he would propose a continuing study of these populations.
- [10:16 a.m.](#) Dr. Carolyn Wong, from the Institute for Asian American Studies at UMass Boston, presented on the proposal for the study of Asian Americans. She stated that the Baseline Population study confirmed that people with low income and low education are at-risk for problem gambling. She stated that a high percentage of Asian Americans in Chinatown Boston are socially isolated with low levels of education. She stated that they will examine the nature of gambling behavior within this community and how to break through communication barriers. She also stated that they will explore, through qualitative interviews, the types, frequency, and thoughts of gambling. They also will look at the effects of gambling on the family. She stated that gambling is very popular in Asians countries and casinos market aggressively in low income Asian communities. She stated that they want to reach out to family members of gamblers to participate in screenings and interviews. Commissioner Macdonald inquired about their methodology to get folks to talk to them. Dr. Wong stated that they have experienced community educators and staff that are fluent in three dialects. She stated that they will go to casino bus and job van departure points to offer invitations for educational sessions on healthy gambling and screenings. Dr. Wong stated that there are women gamblers but they will focus on males.
- [10:30 a.m.](#) Dr. Rodolfo Vega, from the JSI Research and Training Institute, presented on the proposal for the study of African Americans/Blacks. He introduced the research team and noted their partner agencies – the Dimock Center, Mattapan Community Health Center, Children Services of Roxbury, and a Springfield social media company (Unity First). He summarized the gambling problem within the Black community. He noted that Blacks are more affected with problem gambling than Whites. He stated that the purpose of the study is to create a foundation of knowledge for intervention tools. He stated that they will have access to a large Black community and will look at consequences of gambling, motivations for gambling, help-seeking behavior, and idioms of distress.
- [10:40 a.m.](#) Dr. Shane Kraus, Director of the Behavioral Addictions Clinic at Bedford VAMC and Research Investigator at MIRECC (Mental Illness Research Education Clinical Centers), presented on the proposal for the study of Veterans. He acknowledged his collaborators. He stated that Veterans are a vulnerable population for developing problem gambling which is highly associated with mental health and substance abuse problems. He stated that they are likely to see increased rates of problem

gambling due to the number of returning Veterans. He reported that their proposal is to reach Veterans in a primary care setting using routine gambling screening. He also reported that they plan to screen at least 300 Veterans over 6 months. He stated that positive screenings will get referred to a clinic.

Director Vander Linden stated that they expect these projects to be completed in fiscal year 2018 and the deliverable dates have not yet been determined.

Administrative Update

See transcript pages 45-81

10:51 a.m. Executive Director Bedrosian stated that there have been a number of meetings on the gaming service employee registration matter. Chairman Crosby stated that at the last Commission meeting there was a desire for a legislative fix to this matter. He reported that in the last few weeks he worked with the legislature to see if they could clarify their intention. He noted that MGM, Springfield, and advocacy groups also contacted the legislature. He explained to the legislative leadership that the statute is confusing and a quick clarification is needed because the recruiting and training process is underway. Chairman Crosby stated that he spoke to the House General Counsel and Representative Wagner and they indicated that they did not intend to automatically disqualify gaming services employees and they never intended to write language that couldn't be reconciled. He reported that the House will move as quickly as they can to do a legislative fix. He stated that we don't have information yet pertaining to the Senate.

10:59 a.m. Karen Wells, Director of the Investigations and Enforcement Bureau ("IEB"), reported on the operational impacts to her staff and budget with the exemption of employees from registration and rehabilitation. She stated that the Commission should consider the impacts when making a recommendation to the legislature.

Chairman Crosby suggested consideration for a regulation change. Director Wells and Commissioner Cameron suggested waiting for a legislative fix before doing a regulation change. The Commissioners and staff discussed changes that could be recommended to the legislature. Executive Director Bedrosian suggested working with the staff to draft options for the Commissioner's consideration at the meeting on June 14th.

11:26 a.m. The Commission took a brief recess.

11:32 a.m. The meeting resumed.

Finance Division

See transcript pages 81-107

11:33 a.m. CFAO Derek Lennon introduced his team and presented on the fiscal year 2018 (FY18) budget projections for the Gaming Control Fund and the Racing Oversight and Development Fund. He provided an overview of the budget process. He stated that they met with each director and budget requests were reviewed internally and by our licensees. He stated that he will post the budget for public comment. He also noted our high level of transparency with the budget process.

CFAO Lennon presented on the Gaming Control Fund and provided an overview of regulatory and statutory costs. He recommended a 7.7% increase to the Fund. Commissioner Zuniga highlighted the statutory costs for the Attorney General's Office. CFAO Lennon discussed the Attorney General's line item increase. Executive Director Bedrosian stated that the Attorney General is staffing up in anticipation of the casino opening. Commissioner Cameron stated that the Attorney General has worked on a number of investigations and they are filling a gap.

CFAO Lennon presented on the Racing Oversight Development Fund. He stated that a majority of the fund is for payroll and State Police that have been picked up by the Racing Division. He provided an overview of expenses in the racing budget.

CFAO Lennon also presented on funding exposures which included staffing, litigation, and State Police.

Executive Director Bedrosian thanked CFAO Lennon, staff, and the licensees for their work on the budget process. Commissioner Zuniga noted that increases were related to licensing and the IEB in preparation for the casino openings. He also noted that the directors really looked at what they needed and a number of costs are decreasing because we are more efficient. He stated that the allocation to racing accurately reflects the amount of time it takes to do the work. Executive Director Bedrosian stated that the budget will be posted for public comment and brought back to the Commission for a vote on June 22nd.

Workforce, Supplier and Diversity Development

See transcript pages 108-125

[12:01 p.m.](#) Director Jill Griffin provided an update on a policy change affecting Portuguese Business Enterprises and our licensee's diversity goals. The Massachusetts Supplier Diversity Office announced in April 2016 that all Portuguese owned minority business enterprises will no longer be considered minority business enterprises due to a Superior Court injunction. She stated that this change in status has impacted our licensees – Wynn and MGM – as they both utilized a Portuguese owned business, S&F Concrete, which resulted in millions of dollars not being counted towards the MBE (minority business enterprise) project goals. She reported that our licensees are working hard to exceed their goals. Director Griffin stated that the Superior Court litigation is not final. She stated that she will stay in touch with the Supplier Diversity Office and update the Commission with any changes.

[12:22 p.m.](#) Commissioner Stebbins provided an update on the Gaming Economic Development Fund. He stated that a letter will go out to stakeholders about the fund along with legislative priorities for spending. He stated that he reached out to other jurisdictions to see if they had a similar funding model. He stated that he received a reply from a jurisdiction that has a trust fund that is used to pay for debt. He stated that he and staff are working to schedule hearings and get the letters out.

Legal Division

See transcript pages 126-139

[12:25 p.m.](#) Dr. Alexandra Lightbown, Director of Racing, reported on medication changes that were recommended by the ARCI (Association for Racing Commission International). She also provided a brief overview of the amendments for standardbreds (205 CMR 3.00) and thoroughbreds (205 CMR 4.00) that describe Veterinary practices, sets up conditions that allow for the use of therapeutic medications, reduces penalties for multiple medication violations, changes the Furosemide dosage to 500 mg, expands criteria for out of competition testing, and allows judges to use environmental contaminants and substances of human use as possibilities for mitigating circumstances in disciplinary actions.

She stated that the amendments were discussed with stakeholders. General Counsel Catherine Blue requested that the Commission approve the amendments as an emergency and to start the promulgation process. She also noted that these amendments will have to go through a 60 day legislative review process.

[12:34 p.m.](#) *Commissioner Cameron moved that the Commission approve the racing medication regulations on an emergency basis for 205 CMR 3.00 and 205 CMR 4.00. Motion seconded by Commissioner Macdonald. Motion passed unanimously.*

[12:35 p.m.](#) General Counsel Blue requested that the Commission approve the regulations and small business impact statements (for 205 CMR 141, 143, and 115) to start the promulgation process. She stated that these regulations have been before the Commission.

[12:35 p.m.](#) *Commissioner Stebbins moved that the Commission approve the small business impact statements and the formal promulgation process for 205 CMR 141, 143, and 115. Motion seconded by Commissioner Macdonald. Motion passed unanimously.*

[12:36 p.m.](#) General Counsel Blue requested that the Commission approve the small business impact statement for the administrative closure regulation - 205 CMR 134, and formal promulgation process.

[12:36 p.m.](#) *Commissioner Macdonald moved that the Commission approve the small business impact statement and regulation for 205 CMR 134 as included in the packet and authorize the staff to continue the regulation promulgation process. Motion seconded by Commissioner Cameron. Motion passed unanimously.*

Racing Division

See transcript pages 140-151

[12:37 p.m.](#) Director Lightbown presented on the request from Suffolk Downs for the approval of racing officials. She noted that the Commission and Suffolk Downs were complimented by the accreditation association for a successful opening day in 2016. Director Lightbown stated that this success was due to the racing officials.

[12:40 p.m.](#) *Commissioner Cameron moved that the Commission approve the request of Suffolk downs to approve their June 2nd 2017 list of key operating personnel and racing officials pending the approval by the stewards and a satisfactory completion of*

their background checks by the Massachusetts State Police. Motion seconded by Commissioner Stebbins. Motion passed unanimously.

[12:40 p.m.](#) Director Lightbown presented on the request from Suffolk Downs to reduce the takeout to 16 percent on win place show and 19 percent on exotics.

[12:41 p.m.](#) *Commissioner Macdonald moved that the Commission approve the request of Suffolk Downs to reduce the takeout to 16 percent on win place show and 19 percent on exotics. Motion seconded by Commissioner Cameron. Motion passed unanimously.*

[12:42 p.m.](#) Chairman Crosby reported that the Commission just received a submission from William Logoria. General Counsel Blue stated that the submission pertains to the sale of Suffolk Downs and other racing items. She stated that this submission should not impact the Commission's decision on purse money. Commissioner Cameron stated that she read the submission and it will not affect her decision to authorize the request before us.

[12:47 p.m.](#) Chip Tuttle, Chief Operating Officer at Suffolk Downs, thanked the Commission for their consideration.

[12:48 p.m.](#) *Commissioner Stebbins moved that the Commission approve the request of Suffolk Downs for \$2.4 million from the Race Horse Development Fund for their purses. Motion seconded by Commissioner Macdonald. Motion passed unanimously.*

Commissioner Updates

See transcript pages 151-157

[12:48 p.m.](#) Commissioner Cameron reported that she attended a conference and spoke on a panel about illegal gambling. She noted that the folks on the panel expressed a lack of resources to work on these issues. She also noted that the racing panel expressed positive remarks on the way we regulate the racing industry.

Commissioner Stebbins reported that he and staff attended the Supplier Diversity Awards event. The Commission was recognized for its diversity efforts and our unique role in working with our licensees to make sure they meet their diversity goals. He also reported that he met with the President of Westfield State University and discussed opportunities and careers for students.

Chairman Crosby reported that he sent a letter to legislature regarding the Commission's position on the Race Horse Development Fund. He also provided an update on the Online Gaming Commission. Commissioner Cameron thanked the Chairman, Director of Licensing Paul Connelly, and Staff Attorney Justin Stempeck for their work on this project. Commissioner Zuniga noted that Gaming Technology Manager Floyd Barroga has been an in-house resource on this topic.

Other Business Not Reasonably Anticipated

See transcript pages 157-158

12:55 p.m. *Having no further business, a motion to adjourn was made by Commissioner Zuniga. Motion seconded by Commissioner Macdonald. Motion passed unanimously.*

List of Documents and Other Items Used

1. Massachusetts Gaming Commission, Notice of Meeting and Agenda dated June 8, 2017
2. Massachusetts Gaming Commission, Draft Meeting Minutes dated May 25, 2017
3. Massachusetts Gaming Commission, Memorandum dated June 8, 2017 regarding Awards for study of gambling behavior among special population
4. JSI Research & Training Institute, Qualitative Study on Recreational and Problem Gambling among African Americans in Massachusetts, Presentation to the Massachusetts Gaming Commission, dated June 8, 2017
5. Massachusetts Gaming Commission, Memorandum dated June 8, 2017 regarding Fiscal Year 2018 (FY18) Initial Budget Recommendations, with attachments
6. Massachusetts Gaming Commission, Memorandum dated June 8, 2017 regarding Update – MBE Certification Status of Portuguese-Owned Businesses effect on Licensees Supplier Diversity Efforts, with attachment
7. Massachusetts Gaming Commission, Memorandum dated May 22, 2017 regarding Gaming Economic Development Fund, with attachments
8. 205 CMR 3.00: Harness Horse Racing
9. 205 CMR 4.00: Rules of Horse Racing
10. 205 CMR 141.00: Surveillance of the Gaming Establishment, Small Business Impact Statement and draft amendments
11. 205 CMR 143.00: Gaming Devices and Electronic Gaming Equipment, Small Business Impact Statement and draft amendments
12. 205 CMR 134.00: Licensing and registration of Employees, Vendors, Junket enterprises and representatives, and Labor Organizations, Small Business Impact Statement and draft amendments
13. Massachusetts Gaming Commission, Memorandum dated June 5, 2017 regarding Suffolk Downs Request for Race Horse Development Funds
14. Letter from Suffolk Downs to the Massachusetts Gaming Commission, dated May 25, 2017 regarding Suffolk Downs 2017 Race Horse Development Fund Request
15. Letter from William Lagorio (Massachusetts Thoroughbred Horsemen's Association) to the Massachusetts Gaming Commission, dated June 8, 2017 regarding Suffolk Downs, with attachments
16. Massachusetts Gaming Commission, Memorandum dated June 5, 2017 regarding Suffolk Downs Key Operating Personnel and Racing Officials
17. Letter from Suffolk Downs to the Massachusetts Gaming Commission dated June 2, 2017 regarding request for approval of racing officials and list of racing officials
18. Massachusetts Gaming Commission, Memorandum dated June 5, 2017 regarding Suffolk Downs Takeout Reduction Request
19. Letter from Suffolk Downs to the Massachusetts Gaming Commission dated June 2, 2017 regarding approval for takeout reduction

/s/ Catherine Blue
Catherine Blue, Assistant Secretary

No Documents

HYBRID OF OPTIONS A & D

Description:

Under this proposal the Commission could exclude some categories of gaming service employees (“GSE”) from the registration requirement. Accordingly, these individuals would not be subject to any background check or the automatic disqualifications in section 16. The process and standards would generally remain as they presently are for the remaining GSEs. The exception being that the waiting period prior to GSE applicant having an opportunity to demonstrate rehabilitation of an automatic disqualifier would be reduced from 10 years to 5 years.

Redline:

SECTION 1. 2 "Gaming service employee", an employee of a gaming establishment who is not classified as a gaming employee or a key gaming employee, ~~but is required to register with the commission.~~

SECTION 2. 16(b) The commission shall deny an application for a license or registration, other than a gaming license or a license for a key gaming employee, under this chapter if the applicant: (i) has been convicted of a felony or other crime involving embezzlement, theft, fraud or perjury; provided, however, that for convictions which occurred before the 10-year period immediately preceding application for licensure, **or before the 5-year period immediately preceding application for registration**, an applicant may demonstrate, and the commission shall consider, the applicant's rehabilitation and whether such conviction should not be an automatic disqualification under this section; (ii) submitted an application for a license under this chapter that contains false or misleading information; (iii) committed prior acts which have not been prosecuted or in which the applicant was not convicted but form a pattern of misconduct that makes the applicant unsuitable for a license under this chapter; or (iv) has affiliates or close associates that would not qualify for a license or whose relationship with the applicant may pose an injurious threat to the interests of the commonwealth in awarding a gaming license to the applicant.

SECTION 3. 30(a) No person shall be employed by a gaming licensee unless such person has been licensed by or registered with the commission **subject to paragraph (c).**

SECTION 4. 30(c) ~~All other employees in a gaming establishment who are not considered to be gaming employees, key gaming employees or who have restricted access to an area of the gaming establishment or knowledge of security procedures, shall be required to register with the bureau as a gaming service employee and shall produce such information as the bureau may require to become registered under this chapter.~~

All gaming service employees shall be required to register with the commission. Provided, however, the commission may exempt certain gaming service employees by job position from the registration requirement at its discretion. # The commission and the bureau may require any gaming service employee to produce any information it deems necessary.

SECTION 5. 30(f) The commission ~~may~~ shall deny an application for a key gaming employee or gaming employee license or the registration of ~~any other employee of a gaming establishment~~ a gaming service employee who is required to register by the commission if the commission finds that an applicant or registrant is disqualified under section 16 or may be unsuitable for licensure under any of the criteria set forth in section 12; provided, however, that the commission, in its discretion, may issue a license to an applicant for a gaming employee license or register a gaming service employee who has a prior conviction if the applicant or registrant can affirmatively demonstrate the applicant's rehabilitation. In considering the rehabilitation of an applicant for a license under this section, the commission shall consider the following: (i) the nature and duties of the position of the applicant; (ii) the nature and seriousness of the offense or conduct; (iii) the circumstances under which the offense or conduct occurred; (iv) the date of the offense or conduct; (v) the age of the applicant when the offense or conduct was committed; (vi) whether the offense or conduct was an isolated or repeated incident; (vii) any social conditions which may have contributed to the offense or conduct; and (viii) any evidence of rehabilitation, including recommendations and references of persons supervising the applicant since the offense or conduct was committed.

OPTION A

Description:

Under this proposal the Commission could exclude some categories of gaming service employees (“GSE”) from the registration requirement. Accordingly, these individuals would not be subject to any background check or the automatic disqualifications in section 16. The process and standards would remain as they presently are for the remaining GSEs.

Redline:

SECTION 1. 2 "Gaming service employee", an employee of a gaming establishment who is not classified as a gaming employee or a key gaming employee, ~~but is required to register with the commission.~~

SECTION 2. 16(b) The commission shall deny an application for a license or registration, other than a gaming license or a license for a key gaming employee, under this chapter if the applicant: (i) has been convicted of a felony or other crime involving embezzlement, theft, fraud or perjury; provided, however, that for convictions which occurred before the 10-year period immediately preceding application for licensure, an applicant may demonstrate, and the commission shall consider, the applicant's rehabilitation and whether such conviction should not be an automatic disqualification under this section; (ii) submitted an application for a license under this chapter that contains false or misleading information; (iii) committed prior acts which have not been prosecuted or in which the applicant was not convicted but form a pattern of misconduct that makes the applicant unsuitable for a license under this chapter; or (iv) has affiliates or close associates that would not qualify for a license or whose relationship with the applicant may pose an injurious threat to the interests of the commonwealth in awarding a gaming license to the applicant.

SECTION 3. 30(a) No person shall be employed by a gaming licensee unless such person has been licensed by or registered with the commission **subject to paragraph (c).**

SECTION 4. 30(c) ~~All other employees in a gaming establishment who are not considered to be gaming employees, key gaming employees or who have restricted access to an area of the gaming establishment or knowledge of security procedures, shall be required to register with the bureau as a gaming service employee and shall produce such information as the bureau may require to become registered under this chapter.~~

All gaming service employees shall be required to register with the commission. Provided, however, the commission may exempt certain gaming service employees by job position from the registration requirement at its discretion. It may require any gaming service employee to produce any information it deems necessary.

SECTION 5. 30(f) The commission ~~may~~ **shall** deny an application for a key gaming employee or gaming employee license or the registration of ~~any other employee of a gaming establishment~~ **a gaming service employee who is required to register by the commission** if the commission finds that an applicant or registrant is disqualified under section 16 or may be unsuitable for licensure

under any of the criteria set forth in section 12; provided, however, that the commission, in its discretion, may issue a license to an applicant for a gaming employee license or register a gaming service employee who has a prior conviction if the applicant or registrant can affirmatively demonstrate the applicant's rehabilitation. In considering the rehabilitation of an applicant for a license under this section, the commission shall consider the following: (i) the nature and duties of the position of the applicant; (ii) the nature and seriousness of the offense or conduct; (iii) the circumstances under which the offense or conduct occurred; (iv) the date of the offense or conduct; (v) the age of the applicant when the offense or conduct was committed; (vi) whether the offense or conduct was an isolated or repeated incident; (vii) any social conditions which may have contributed to the offense or conduct; and (viii) any evidence of rehabilitation, including recommendations and references of persons supervising the applicant since the offense or conduct was committed.

OPTION B

Description:

Under this proposal GSEs would still have to register, but the Commission would be given complete discretion to construct different categories of GSEs and set out any suitability standards it deems appropriate. This would render the automatic disqualifier language from section 16 inapplicable, though the Commission could make it, or the section 12 standards, applicable via regulation for all or some GSEs at its election.

Redline:

SECTION 1. 2 "Gaming service employee", an employee of a gaming establishment who is not classified as a gaming employee or a key gaming employee, but is required to register with the commission.

SECTION 2. 16(b) The commission shall deny an application for a license ~~or registration~~, other than a gaming license or a license for a key gaming employee, under this chapter if the applicant: (i) has been convicted of a felony or other crime involving embezzlement, theft, fraud or perjury; provided, however, that for convictions which occurred before the 10-year period immediately preceding application for licensure, an applicant may demonstrate, and the commission shall consider, the applicant's rehabilitation and whether such conviction should not be an automatic disqualification under this section; (ii) submitted an application for a license under this chapter that contains false or misleading information; (iii) committed prior acts which have not been prosecuted or in which the applicant was not convicted but form a pattern of misconduct that makes the applicant unsuitable for a license under this chapter; or (iv) has affiliates or close associates that would not qualify for a license or whose relationship with the applicant may pose an injurious threat to the interests of the commonwealth in awarding a gaming license to the applicant.

SECTION 3. 30(c) ~~All other employees in a gaming establishment who are not considered to be gaming employees, key gaming employees or who have restricted access to an area of the gaming establishment or knowledge of security procedures, shall be required to register with the bureau as a gaming service employee and shall produce such information as the bureau may require to become registered under this chapter.~~

All gaming service employees shall be required to register with the commission. The commission shall establish suitability standards for gaming service employees, and may require the production of any information it deems necessary. The Commission may assign different suitability and registration standards to different gaming service employees based on the job description.

SECTION 4. 30(f) The commission ~~may~~ **shall** deny an application for a key gaming employee or gaming employee license ~~or the registration of any other employee of a gaming establishment~~ if the commission finds that an applicant ~~or registrant~~ is disqualified under section 16 or may be unsuitable for licensure under any of the criteria set forth in section 12; provided, however, that the commission, in its discretion, may issue a license to an applicant for a gaming employee

license or register a gaming service employee who has a prior conviction if the applicant or registrant can affirmatively demonstrate the applicant's rehabilitation. In considering the rehabilitation of an applicant for a license under this section, the commission shall consider the following: (i) the nature and duties of the position of the applicant; (ii) the nature and seriousness of the offense or conduct; (iii) the circumstances under which the offense or conduct occurred; (iv) the date of the offense or conduct; (v) the age of the applicant when the offense or conduct was committed; (vi) whether the offense or conduct was an isolated or repeated incident; (vii) any social conditions which may have contributed to the offense or conduct; and (viii) any evidence of rehabilitation, including recommendations and references of persons supervising the applicant since the offense or conduct was committed.

OPTION C

Description:

Under this proposal all GSEs would have to register with the Commission, but there would not be any mandatory background check, suitability standards, or automatic disqualifications directed by statute. The Commission could draft regulations governing the registration process which would still be required under 30(c), and create applicable suitability standards. This approach lacks the specificity of Option B, but may ultimately achieve the same result.

Redline:

SECTION 1. 2 "Gaming service employee", an employee of a gaming establishment who is not classified as a gaming employee or a key gaming employee, but is required to register with the commission.

SECTION 2. 16(b) The commission shall deny an application for a license ~~or registration~~, other than a gaming license or a license for a key gaming employee, under this chapter if the applicant: (i) has been convicted of a felony or other crime involving embezzlement, theft, fraud or perjury; provided, however, that for convictions which occurred before the 10-year period immediately preceding application for licensure, an applicant may demonstrate, and the commission shall consider, the applicant's rehabilitation and whether such conviction should not be an automatic disqualification under this section; (ii) submitted an application for a license under this chapter that contains false or misleading information; (iii) committed prior acts which have not been prosecuted or in which the applicant was not convicted but form a pattern of misconduct that makes the applicant unsuitable for a license under this chapter; or (iv) has affiliates or close associates that would not qualify for a license or whose relationship with the applicant may pose an injurious threat to the interests of the commonwealth in awarding a gaming license to the applicant.

SECTION 3. 30(c) All other employees in a gaming establishment who are not considered to be gaming employees, key gaming employees or who have restricted access to an area of the gaming establishment or knowledge of security procedures, shall be required to register with the bureau as a gaming service employee and shall produce such information as the bureau may require to become registered under this chapter.

SECTION 4. 30(f) The commission ~~may~~ **shall** deny an application for a key gaming employee or gaming employee license ~~or the registration of any other employee of a gaming establishment~~ if the commission finds that an applicant ~~or registrant~~ is disqualified under section 16 or may be unsuitable for licensure under any of the criteria set forth in section 12; provided, however, that the commission, in its discretion, may issue a license to an applicant for a gaming employee license ~~or register a gaming service employee~~ who has a prior conviction if the applicant ~~or registrant~~ can affirmatively demonstrate the applicant's rehabilitation. In considering the rehabilitation of an applicant for a license under this section, the commission shall consider the following: (i) the nature and duties of the position of the applicant; (ii) the nature and seriousness of the offense or conduct; (iii) the circumstances under which the offense or conduct occurred;

(iv) the date of the offense or conduct; (v) the age of the applicant when the offense or conduct was committed; (vi) whether the offense or conduct was an isolated or repeated incident; (vii) any social conditions which may have contributed to the offense or conduct; and (viii) any evidence of rehabilitation, including recommendations and references of persons supervising the applicant since the offense or conduct was committed.

OPTION D

Description:

Under this option, the look back period for automatic disqualifiers under section 16 would be adjusted. It could either be shortened or removed altogether such that anyone with a disqualifying conviction could immediately attempt to demonstrate rehabilitation. GSEs would still have to get registered and there would still be automatic disqualifiers, but this option would either lessen the severity of the disqualifiers or grant the Commission discretion to review applicants on a case by case basis. This approach would certainly require an increase in administrative resources.

Redline:

SECTION 1. 2 "Gaming service employee", an employee of a gaming establishment who is not classified as a gaming employee or a key gaming employee, but is required to register with the commission.

SECTION 2. 16(b) The commission shall deny an application for a license or registration, other than a gaming license or a license for a key gaming employee, under this chapter if the applicant: (i) has been convicted of a felony or other crime involving embezzlement, theft, fraud or perjury; provided, however, that ~~for convictions which occurred before the 10-7 year period immediately preceding application for licensure,~~ an applicant may demonstrate, and the commission shall consider, the applicant's rehabilitation and whether such conviction should not be an automatic disqualification under this section; (ii) submitted an application for a license under this chapter that contains false or misleading information; (iii) committed prior acts which have not been prosecuted or in which the applicant was not convicted but form a pattern of misconduct that makes the applicant unsuitable for a license under this chapter; or (iv) has affiliates or close associates that would not qualify for a license or whose relationship with the applicant may pose an injurious threat to the interests of the commonwealth in awarding a gaming license to the applicant.

SECTION 3. 30(c) All other employees in a gaming establishment who are not considered to be gaming employees, key gaming employees or who have restricted access to an area of the gaming establishment or knowledge of security procedures, shall be required to register with the bureau as a gaming service employee and shall produce such information as the bureau may require to become registered under this chapter.

SECTION 4. 30(f) The commission ~~may~~ **shall** deny an application for a key gaming employee or gaming employee license or the registration of any other employee of a gaming establishment if the commission finds that an applicant or registrant is disqualified under section 16 or may be unsuitable for licensure under any of the criteria set forth in section 12; provided, however, that the commission, in its discretion, may issue a license to an applicant for a gaming employee license or register a gaming service employee who has a prior conviction if the applicant or registrant can affirmatively demonstrate the applicant's rehabilitation. In considering the rehabilitation of an applicant for a license under this section, the commission shall consider the

following: (i) the nature and duties of the position of the applicant; (ii) the nature and seriousness of the offense or conduct; (iii) the circumstances under which the offense or conduct occurred; (iv) the date of the offense or conduct; (v) the age of the applicant when the offense or conduct was committed; (vi) whether the offense or conduct was an isolated or repeated incident; (vii) any social conditions which may have contributed to the offense or conduct; and (viii) any evidence of rehabilitation, including recommendations and references of persons supervising the applicant since the offense or conduct was committed.

WHAT EFFECT WOULD EACH OPTION HAVE ON GSEs?

STATUTORY REQUIREMENTS →	REGISTRATION FOR ALL	SECTION 16 AUTOMATIC DISQUALIFIERS APPLY	SECTION 12 SUITABILITY STANDARDS APPLY	REHABILITATION AFTER 10 YEARS
OPTION A	No. The MGC may establish categories of GSE and exempt some from registration requirement.	The automatic disqualifiers would not apply to any GSE job descriptions that the MGC exempts from registration requirement. They would continue to apply to the others as they presently do.	There would not be any background check for individuals in the exempted GSE positions so the section 12 suitability standards would not apply.	Individuals in a GSE job position that is required to register would only be eligible to demonstrate rehabilitation after 10 years as is presently the case.
OPTION B	Yes. All GSE would still be required to register.	No. The MGC could create its own background check process for GSEs including making distinctions among certain job positions. Section 16 could be made applicable to certain positions.	No. The MGC could create its own suitability standards for GSEs including dividing them up by job position and applying different levels of scrutiny to each. Section 12 could be made applicable to certain positions.	Since section 16 would no longer apply to GSEs this limitation would not be mandated. It could be assigned to certain GSE job positions at the MGC election.
OPTION C	Yes. The existing registration requirements would remain in place.	Section 16 would no longer apply. There would not be any mandatory background check for GSEs required by statute.	Section 12 would no longer apply. There would not be any mandatory background check for GSEs required by statute.	Section 16 would no longer apply. There would not be any mandatory background check for GSEs required by statute.
OPTION D	Yes. The existing registration requirements would remain in place.	Yes. The automatic disqualifiers themselves would remain in place, but one's ability to demonstrate rehabilitation would be adjusted.	Yes. These standards would remain in place.	Though the AD would remain an individual would be allowed to demonstrate rehabilitation immediately on a case-by-case basis or after some period of time shorter than 10 years; or other variation.

MEMORANDUM

To: Fellow Commissioners

From: Lloyd Macdonald 

Date: June 21, 2017

Re: *Statutory Alternatives for Regulation of Gaming Service Employees*

As you know, I was out of town at the time of last week's public meeting when the above subject was discussed. However, I was able to review the video of the meeting that recorded your discussion. Knowing that the subject was going to be addressed again at this week's public meeting and wanting you to understand my thinking on the issues before the discussion resumed, I prepared the sketch below of my thoughts. I distributed this to Staff, and met with Catherine, Karen, Loretta and Todd yesterday to discuss it. The latter discussion was very worthwhile, but the substance of my views remains as articulated below. I did not communicate the memo to you earlier because of the Open Meeting Law's restrictions on such communications outside of a duly noticed public meeting. I did, however, share it with our Chairman as such a communication to less than a quorum of the body is permitted by the OML.

Which of the Staff's options to adopt?

As the options are weighed, it is important to recall the reason that we are going through the current exercise. It is that, going back to the Commission's earliest engagement with the issue of the standards to be applied in registering gaming service employees in 2013 and 2014, the Commission was burdened by the circumstance that the text of c. 23K, §16(b) required the automatic exclusion of any applicant who had been convicted within the past ten years of any felony or offense, including misdemeanors, involving, among other crimes, "theft" or "fraud".

In the transcripts of those early public meetings and in the memos prepared by Michael & Carroll on the subject, this was consistently characterized as most unfortunate. It was repeatedly noted that it made no sense for the same CORI standard to be applied to Steve Wynn or someone working in a casino's cash room as was to be applied to a dishwasher. And it was noted that it was equally nonsensical that a person would be denied the opportunity for employment equally on account of having been convicted of a shoplifting offense nine years earlier and an armed robbery a month previously.

It was also observed at the time (and repeatedly since) that 16(b) had the inevitable effect of making more difficult the Commission (and the licensees) being able to achieve the ambitious employment and workforce development goals of the Gaming Statute.

We have now agreed that we should advocate for a legislative fix of this unfortunate situation, and the Staff has ably provided us with four options.

From having reviewed the video recording of the June 14th public meeting on the subject, I gather that complete consensus was not reached but that at least three commissioners were inclined to Option A, with two of the three preferring to add to Option A elements of Option D. Our Chairman appeared to be inclined to Option B. I was reported to be in favor of Option C, but no vote was taken because of past practice to not vote on controversial matters when a commissioner was absent. (In the meantime, the Staff has prepared for our consideration a "hybrid" of Options A and D.)

I had a marginal preference for Option C over Option B because Option C appeared to provide the Commission with the most flexibility to fashion a comprehensive and rational regulatory scheme for gaming service employees by freeing the Commission entirely from the breadth of the automatic exclusion provision of 16(b). However, Option B appears identical with Option C except that Option B includes language that explicitly authorizes the Commission to fashion specific suitability categories for different job categories of gaming service employees. Since I read Option C as including that authority by implication from the statute, I simply thought that it was unnecessary to include such language in the fix. But I would wholeheartedly support Option B over either Options A or D.

The reason that I oppose Options A or D is that both perpetuate, albeit in more limited form, the problem posed by 16(b).

For example, as noted in the public meeting discussion on June 14th, Option A would allow the Commission to exempt certain categories of gaming service employees from registration and, thus, from 16(b). There was reference, for example, to bowling alley attendants as likely being one such class of service employees to be exempted. By implication, however, other more sensitive service categories such as, for example, wait staff on the gaming floors or housekeepers in the licensees' hotels, would still be required to register and—this is critical—would still be subject to 16(b)'s automatic exclusion. Thus, an applicant for a cocktail waitress position or for a housekeeping position who had nine years before been convicted of shoplifting but who otherwise was qualified by experience, education and training would be just as ineligible for employment as the bowling alley attendant under the current regime. That does not seem reasonable to me.

Option D suffers from a similar infirmity. It would substitute for all classes of service employees a shorter period of time than 16(b)'s 10-year look-back (7 years, 5 years or whatever number of years) for the operation of the automatic exclusion. That certainly would be an improvement over the present situation, but it would still bar an applicant from a service position because of a shoplifting conviction within the revised look-back period without reference to the applicant's suitability for employment otherwise. That, too, does not seem reasonable.

My bottom line is that we have a present opportunity (subject, of course, to the Legislature's ultimate authority) to excise altogether from 23K the problematic text of 16(b) as it applies to service employees. Options A and D reduce the scope of 16(b)'s harm, but it perpetuates its unfortunate effects, nevertheless.

By contrast, Options B and C would free of us entirely of 16(b) as it applies to service employees. In doing so, both options would permit us to exercise our statutory authority to fashion a singular regulatory regime for gaming service employees that rationally protects the integrity of gaming operations and the safety of gaming patrons while permitting the licensees more readily to achieve the affirmative action employment and workforce development goals of the Gaming Statute.

No Documents



Division of Licensing

TO: Chairman Crosby and Commissioners Cameron, Macdonald, Stebbins and Zuniga
FROM: Paul Connelly, Director of Licensing
DATE: June 22, 2017
RE: Bristol Community College – Gaming School Certification

SUMMARY

Bristol Community College has submitted a Gaming School Certification Form to the MGC Division of Licensing as per 205 CMR 137.00, seeking certification for their newly-established Casino Management program. The Division of Licensing has reviewed the application, deemed it complete, and is prepared to issue the Commission's first Gaming School Certification to Bristol Community College (BCC).

BCC worked collaboratively and constructively with the Massachusetts Gaming Commission throughout the duration of the application process. BCC worked to ensure that all regulatory requirements were met, including hours of instructions, and the inclusion of responsible gaming education, CPR, and a focus on the Massachusetts rules of the game.

BRISTOL COMMUNITY COLLEGE – CATCH INSTITUTE

BCC has designed a Casino Management program to prepare students for employment at a casino as part of an overall hospitality program that can prepare students for a variety of positions in a gaming establishment. This hospitality program is known as the CATCH Institute, an institution whose intent is to prepare students for positions – depending on a particular student's concentration – in the following areas:

- **Culinary Arts:** Prepares students to work in entry level positions in a variety of food service operations in non-food preparation positions;
- **Tourism Management:** Prepares students for a broad variety of entry level positions in the tourism industry;
- **Casino Management:** Prepares students for a variety of positions within a full-service casino including the ability to deal two table games;
- **Hotel Management:** Prepares students for a variety of positions within the hotel, motel, hospitality and cruise-ship industry;

All students who choose the Casino Management Program must complete the following core courses before moving on to the specific-game training courses:



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- **Introduction to Casino Operations** (45 course hours) An introductory course designed to provide students with a history of the gaming industry and the basics of casino management. The course emphasizes discussions involving gaming psychology and ethics and includes an overview of popular betting games.
- **Casino Loss Prevention** (45 course hours) This course is designed to provide students with a working knowledge of how multiple disciplines, casino departments, and government agencies insure the protection of the casino customer and the casino’s assets. The course explores and analyzes types of gamblers, investigative processes, regulatory and enforcement issues, gaming devices, taxes and casino crimes, detecting cheating, and internal controls.
- **Gaming and Social Policy** (45 course hours) A course intended to provide students with knowledge of the effects of gaming on a community. Students study personal and business ethics; state, federal and local government rules and policies; the reasons why we gamble; Tribal casino operations vs. regular casino operations; and the social and cultural issues of gaming.
- **Introduction to Casino Games** (30 course hours) A course designed to introduce students to the common skills necessary to deal the most popular casino table games (Black Jack, Poker, Roulette, Craps) found in a casino. Topics covered include:
 - Cutting cheques (a.k.a chips)
 - Verbalizing the game
 - Inspecting and spreading decks of cards
 - Currency exchange
 - Game security and protection
 - Dealer relief procedures
 - Fills and credits
 - Paying markers
 - Tip acceptance procedures
 - Value of Cheques
 - Color up and color in procedures
 - Shuffle procedures
 - Rack maintenance
 - Pacing the game
 - Conversions
 - Table opening and closing procedures
 - Dealer code of ethics
 - Customer service

After completing the cores courses, (including passing both **Introduction to Casino Operations** and **Introduction to Casino Games** with a grade of C+ or better), a student is eligible to move on to take two of the following casino dealing courses:

COURSE	HOURS		EXPECTED OUTCOMES
	205 CMR 137 REQ.	BCCC – CATCH INSTITUTE OFFERING	
POKER	200	<u>203 Total Training Hours</u> <ul style="list-style-type: none"> • Poker: 128 training hours <ul style="list-style-type: none"> ○ 16 hrs/week x 8 weeks • Casino Operations: 45 hours 	<ul style="list-style-type: none"> • Efficiently and effectively deal: <ul style="list-style-type: none"> ○ Seven Card Stud, ○ Texas Hold-Em ○ Omaha • Become proficient in game security



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		<ul style="list-style-type: none"> • Casino Games: 30 hours 	<ul style="list-style-type: none"> • Acquire excellent customer service skills
BLACKJACK	130	<p style="text-align: center;"><u>181 Total Training Hours</u></p> <ul style="list-style-type: none"> • Black Jack: 96 training hours <ul style="list-style-type: none"> ○ 16 hrs/week x 6 weeks • Casino Operations: 45 hours • Casino Games: 30 hours 	<ul style="list-style-type: none"> • Efficiently and effectively deal: <ul style="list-style-type: none"> ○ Black Jack • Become proficient in game security • Acquire excellent customer service skills
ROULETTE	150	<p style="text-align: center;"><u>181 Total Training Hours</u></p> <ul style="list-style-type: none"> • Roulette: 96 hours instruction <ul style="list-style-type: none"> ○ 16 hrs/week x 6 weeks • Casino Operations: 45 hours • Casino Games: 30 hours 	<ul style="list-style-type: none"> • Efficiently and effectively deal: <ul style="list-style-type: none"> ○ Roulette • Become proficient in game security • Acquire excellent customer service skills
CRAPS	200	<p style="text-align: center;"><u>235 Total Training Hours</u></p> <ul style="list-style-type: none"> • Craps: 160 hours instruction <ul style="list-style-type: none"> ○ 16 hrs/week x 10 weeks • Casino Operations: 45 hours • Casino Games: 30 hours 	<ul style="list-style-type: none"> • Efficiently and effectively deal: <ul style="list-style-type: none"> ○ Craps • Become proficient in game security • Acquire excellent customer service skills

The first three semesters of instruction will be conducted at the BCC Fall River Campus. The Casino concentration courses in the fourth semester will be conducted in the new classrooms and casino training lab located in Taunton at the Galleria Mall.



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No Documents



MASSACHUSETTS GAMING COMMISSION

MEMORANDUM

To: Chairman Crosby and Commissioners Cameron, Macdonald, Stebbins and Zuniga
From: Edward Bedrosian, Jr. and Derek Lennon
Date: 6/8/2017
Re: Fiscal Year 2018 (FY18) Initial Budget Recommendations

Summary

The Massachusetts Gaming Commission's (MGC) initial Fiscal Year 2018 (FY18) budget and assessment projections are composed of the following:

Gaming

- \$18.75M for gaming regulatory costs including funding for 69.5 full-time equivalents (FTEs), 3.5 of which are new positions during FY18;
- \$1.66M assessment from the Commonwealth indirect costs;
- \$3.67M assessment for the Office of the Attorney General's (AGO) gaming operations inclusive of Massachusetts State Police (MSP) assigned to the AGO;
- \$4.99M assessment for the research and responsible gaming agenda inclusive of DPH costs which will be funded from the Public Health Trust Fund in future years;
- \$75K for the Alcohol and Beverage Control Commission (ABCC); and,
- \$29.15M combined total of the Gaming Control Fund Budget.

Racing

- \$2.7M for racing regulatory costs including funding for seven (7) FTEs;
- \$163.4K assessment from the Commonwealth for indirect costs;
- \$2.86M combined total of regulated racing costs.

Total

- \$31.74M – Total Gaming Assessments (\$29.15) plus Total Racing Costs (\$2.86M).
- This funds ~76.5 FTEs.

A list of the MGC's spending and revenue projections by appropriation is attached to this document (Attachment A).

The MGC, under 205 CMR 121.00 will assess gaming licensees the difference between its Gaming Control Fund (1050-0001) budget and anticipated revenues in FY17. The MGC's gaming regulatory costs combined with the statutorily required assessments are projected to be \$29.15M, and



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revenues are anticipated to be ~\$4.69M, which would leave an assessment of \$24.46M to be divided up among the licensees.

The Racing Division's budget is funded through a portion of wagering as stipulated in statute. While the landscape of thoroughbred racing in Massachusetts is not stable, the Division's budget was built using prior year revenue projections deflated at the average rate of decline experienced from FY15-FY16.

Regulatory vs. Statutory Costs

It is important to distinguish among the different components of the proposed Gaming Control Fund for FY18 and understand the difference between regulatory and statutory costs. The composition of the \$29.15M can be broken up into two areas. The first area comprises the regulatory costs of the Massachusetts Gaming Commission to regulate category 1 and 2 facilities. The regulatory costs are directly within control of the Gaming Commission. The second area, comprises statutory costs that are assessments contained in the Expanded Gaming Act but are not within the budgetary discretion of the Gaming Commission. The statutory costs are the responsibility of our licensees to pay. The break out of regulatory versus statutorily required is illustrated in the chart below:

Item	Amount	Notes
Regulatory Costs		
MGC Regulatory Costs	18,759,583.75	Costs of MGC to Regulate Category 1 and 2 facilities.
Statutorily Required		
Office of the Attorney General	3,668,416.98	Up to \$3M for AGO operations (~\$2.6M in FY18) and a separate reimbursement for their share of MSP costs.
Research and Responsible Gaming	4,989,606.34	Includes DPH responsible gaming funding. In future years this entire budget will be part of Public Health Trust Fund.
Commonwealth Assessed Indirect Costs	1,659,949.80	Governor's office of Administration and Finance assesses these costs and they go directly to the MA General Fund.
Alcohol Beverage Control Commission	75,000.00	
Total Statutory Costs	10,392,973.12	

The statutorily required costs in FY18 are projected to be \$10.39M and include

- \$3.67M for the costs of the Attorney General's Office (C. 12 § 11M),
- \$4.99M for the Research and Responsible Gaming office, which will be funded from the Public Health Trust Fund in subsequent years (C. 23K § 56(e), 58, and 71),
- \$75K for the Alcoholic Beverage Control Commission (C. 10 § 72A), and
- \$1.66M for Commonwealth of Massachusetts Assessed Indirect Costs (ANF Bulletin 5).

The Commission's regulatory FY18 budget projections total \$18.76M, and fund 11 divisions. The funding level of each division along with the change from the previous year is laid out in further detail later in this memorandum.



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Gaming Control Budget FY18 Compared to FY17

The MGCs currently approved FY17 budget for the Gaming Control Fund is \$27.07M. The MGC is recommending an FY18 budget of \$29.15M, that includes both regulatory and statutory costs. The Gaming Control Fund's total budget increase is ~7.7%. However, the MGC's regulatory costs only grew by ~1.5% from \$18.48M in FY17 to \$18.76M in FY18 while the statutorily required costs grew by ~21% from \$8.58M in FY17 to \$10.39M in FY18. The table below explains significant changes by regulatory vs statutorily required costs between fiscal years.

Fund	Grouping Name	Current Year Amount	Next Year Amount	Variance	% Change	Explanation
Gaming Control Fund (1050-0001)						
	MGC Regulatory Costs	18,484,154.63	18,759,583.75	275,429.12	1.49%	Revised cost allocation plan to reflect larger portion of time spent on racing activities. Addition of 3.5 FTEs, increase of over 1% in fringe rate, decrease in consultants by \$600K, increase of MSP costs by \$843.6K (includes 2 months' salary of 19 troopers for Springfield and 1 in IEB, OT increase and annualization of salaries in IEB and Plainville).
Statutorily Required Costs						
	Indirect	1,635,476.20	1,659,949.80	24,473.60	1.50%	Corresponds to costs in AA, CC, HH, and JJ MGC regulatory spending.
	Research and Responsible Gaming/PHTF	4,498,929.33	4,989,606.34	490,677.01	10.91%	Reduction of .5 FTE, reduction in research agenda by over \$100K, increase in DPH ISA by ~\$600K.
	Office of Attorney General and AGO MSP	2,376,844.36	3,668,416.98	1,291,572.62	54.34%	Additional 5 FTEs, \$500K in office improvements, salary of 4 additional MSP troopers and \$100K in MSP OT.
	Alcohol and Beverage Control Commission	75,000.00	75,000.00	-	0.00%	
	Total Statutorily Required Costs	8,586,249.89	10,392,973.12	1,806,723.23	21.04%	
10500001	Total	27,070,404.52	29,152,556.87	2,082,152.35	7.69%	

The chart below breaks the costs above out in a little more detail by object class within each grouping:

Fund	Grouping Name	Obj Class	Obj Class Name	Current Year Amount	Next Year Amount	Variance	% Var	Explanation
(1050-0001) Gaming Control Fund								
<i>MGC Regulatory Costs</i>								
		AA	REGULAR EMPLOYEE COMPENSATION	6,007,876	5,950,131	(57,745)	-1%	Cost allocation plan for shared services revised. 3.5 new FTEs included in this number.
		BB	REGULAR EMPLOYEE RELATED EXPEN	71,900	78,400	6,500	9%	
		CC	SPECIAL EMPLOYEES	106,863	-	(106,863)	-100%	Elimination of contract employees.
		DD	PENSION & INSURANCE RELATED EX	2,173,259	2,208,050	34,791	2%	Fringe Rate went up from 33.5% to 34.88%.



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							-Workforce development flyer printing, -Increases for subscriptions (instatrac, Westlaw, Nat. Student Loan, Hire Authority, Lexis Nexis) -Increase in travel agent costs for licensing and finance for anticipated licensing reviews and for regulatory needs for ANF -Career Development and Required Trainings for MGC.
EE	ADMINISTRATIVE EXPENSES	592,826	647,724	54,898	9%		
GG	ENERGY COSTS AND SPACE RENTAL	1,221,983	1,247,229	25,247	2%		Escalator in lease agreement.
HH	CONSULTANT SVCS (TO DEPTS)	1,324,603	727,000	(597,603)	-45%		Decrease in outside counsel \$127K, decrease in gaming consultants tribal and regulatory \$240K, decrease in general consultants \$100K, Women in Trade and WF coordinator shifted to grants resulted in decrease of \$150K.
JJ	OPERATIONAL SERVICES	3,179,186	4,022,785	843,599	27%		Annualization of costs of troopers and increase in OT for MSP of \$100K.
KK	EQUIPMENT PURCHASE	8,400	78,444	70,044	834%		2 New finger print machines for printing of MGM employees, Electronic Gaming Device verification equipment.
LL	EQUIPMENT LEASE- MAINTAIN/REPAR	29,684	32,107	2,423	8%		Planned addition of a leased copier for an owned one at replacement stage.
NN	INFRASTRUCTURE:	-	1,000	1,000	-		
PP	STATE AID/POL SUB	125,000	150,000	25,000	20%		Re-alignment of grants for supplier and workforce development.
UU	IT Non-Payroll Expenses	3,642,576	3,616,714	(25,863)	-1%		
<i>MGC Regulatory Costs Total</i>		18,484,155	18,759,584	275,429	1%		
<i>Indirect Costs</i>							
EE	ADMINISTRATIVE EXPENSES	1,635,476	1,659,950	24,474	1%		Corresponds to AA, CC, HH and JJ spending.
<i>Indirect Total</i>		1,635,476	1,659,950	24,474	1%		
<i>Research and Responsible Gaming/PHTF</i>							
AA	REGULAR EMPLOYEE COMPENSATION	322,465	205,318	(117,148)	-36%		Reduction of .5FTE and shifting of all DPH costs to State Aid Item.
BB	REGULAR EMPLOYEE RELATED EXPEN	9,000	6,000	(3,000)	-33%		Shifting of all DPH costs to State Aid item.
CC	SPECIAL EMPLOYEES	20,000	-	(20,000)	-100%		Shifting of all DPH costs to State Aid item.
DD	PENSION & INSURANCE RELATED EX	113,745	74,592	(39,153)	-34%		Reduction of .5FTE and shifting of all DPH costs to State Aid Item.
EE	ADMINISTRATIVE EXPENSES	25,719	8,000	(17,719)	-69%		Shifting of all DPH costs to State Aid item.
FF	FACILITY OPERATIONAL EXPENSES	500	500	-	0%		
HH	CONSULTANT SVCS (TO DEPTS)	1,427,500	1,380,000	(47,500)	-3%		Shifting of all DPH costs to State Aid item.
JJ	OPERATIONAL SERVICES	20,000	-	(20,000)	-100%		
MM	PURCHASED CLIENT/PROGRAM SVCS	40,000	25,000	(15,000)	-38%		Reduction in Reviewers. DPH ISA costs all shifted here and increase of \$550K for Public Health Trust Fund.
PP	STATE AID/POL SUB	2,455,000	3,215,197	760,197	31%		
UU	IT Non-Payroll Expenses	65,000	75,000	10,000	15%		
<i>Research and Responsible Gaming/PHTF Total</i>		4,498,929	4,989,606	490,677	11%		
<i>Office of Attorney General and AGO MSP</i>							
JJ	OPERATIONAL SERVICES	472,304	1,068,417	596,113	126%		Increase of 4 troopers and \$100K increase in OT.
OO	(blank)	1,904,541	2,600,000	695,459	37%		Addition of 5 FTEs and Office Build Outs of \$500K.
<i>Office of Attorney General and AGO MSP Total</i>		2,376,844	3,668,417	1,291,573	54%		
<i>Alcohol and Beverage Control Commission</i>							
OO	(blank)	75,000	75,000	-	0%		
<i>Alcohol and Beverage Control Commission Total</i>		75,000	75,000	-	0%		
10500001 Total		27,070,405	29,152,557	2,082,152	8%		



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FY18 Regulatory Budget Development Process and Recommendations

In FY18, the MGC will continue allocating funds to each division/bureau and tracking contractual commitments, expenditures and salaries against each division/bureau budget. The Commission will be using the expense budget feature in the Massachusetts Management and Accounting Reporting System (MMARS) to establish these budgets and automate the process of keeping track of budget to actual expenditures and commitments.

The MGC's office of finance met with each division/bureau head within the MGC and developed spending and revenue projections that are realistic representations of what will be needed in FY18 to operate the Commission, as well as what can be expected for revenue based on the Commission's current fee structures. These requests were then reviewed by the CFAO, the Executive Director, and the Treasurer of the Commission. A third review was conducted by representatives of the current gaming licensees (Penn, Wynn and MGM) at a meeting on May 16, 2017 at the MGC office. The meeting included a comprehensive review of the Commission's budget at a line item level, as well as a review of each division's staffing levels by employee and anticipated hires.

Below is a summary by appropriation of spending anticipated for the MGC Regulatory costs of the Gaming Control Fund and the Racing Oversight and Development Fund. Immediately following each summary is a chart that demonstrates significant variances between FY17 and FY18 for each division/bureau. Attachment B to this document provides a view of each division's budget by object class, object code and then specific budget item. This same information can be found in Attachment C but the view is ordered first by object class, then object code, then division and finally by specific budget item.

10500001 Gaming Control Trust Fund

The MGC Regulatory portion of the Gaming Control Trust funds 11 divisions/bureaus. Each division's/bureau's costs of providing regulatory oversight to expanded gaming are built into the spending figures in the table below, which represents, at a macro level, the anticipated spending. This item funds 69.5 FTEs. The FY18 recommended spending level includes funding for ~3.5 new positions in the IEB, as well as funding for the positions approved in the FY17 spending plan. Through an updated cost allocation plan, ~4 FTEs were transferred from the Gaming Control Fund to the Racing Oversight and Development Fund. In addition, while we determine the Research and Responsible Gaming/Public Health Trust Fund (PHTF) component of the Gaming Control Fund to be a statutorily required funding source, 2 MGC FTEs in that unit are included in the 69.5 FTE count. As one would expect the fiscal year prior to opening a facility, the increases are found in the IEB and licensing divisions.

Below is a chart that shows the FY17 currently approved budget by division compared to FY18 proposed budget for the Regulatory portion of the Gaming Control Fund with a brief explanation for any large discrepancies. Further details for budgets by each division are provided in attachments B and C:



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Fund	Grouping Name	Unit	Unit Name	Current Year Amount	Next Year Amount	Variance	% Var	Explanation
(1050-0001) Gaming Control Fund								
<i>MGC Regulatory Costs</i>								
		1000	Finance and Administration	2,164,548	2,008,544	(156,003)	-7%	Shift in salaries and fringe benefits to Racing through cost allocation
		1100	Human Resources	591,405	488,902	(102,503)	-17%	Shift in salaries and fringe benefits to Racing
		1200	Legal	1,363,444	1,223,859	(139,585)	-10%	Shift in salaries and fringe benefits to Racing through cost allocation as well as \$127K reduction in Outside Counsel budgeted items
		1300	Executive Director	804,808	876,698	71,890	9%	Reduction of \$220K in consultant costs, offset by organizational realignment of 2.7 FTEs from Commissioners item to E.D. item
		1400	Information Technology	4,485,946	4,457,067	(28,879)	-1%	
		1500	Commissioners	1,366,586	882,571	(484,016)	-35%	Shift of 2.7 FTEs to Executive Director's item, as well as reduction of 1 FTE, and reduction in contracts by \$35K.
		1600	Workforce and Supplier Diversity	583,301	453,370	(129,931)	-22%	Reduction of .5 FTE, shifted \$150K in grants to Community Mitigation Fund
		1800	Communications	372,789	359,155	(13,634)	-4%	Shift in salaries and fringe benefits to Racing through cost allocation
		1900	Ombudsman	485,238	442,378	(42,859)	-9%	Reduction of \$50K in contracts. One amount rolled up for potential contracts under Executive Director.
		5000	Investigations and Enforcement Bureau	5,714,561	6,969,889	1,255,328	22%	Addition of 3.5 FTEs, elimination of all contracted staff. Annualization of MSP costs of \$260K, addition of 19 MSP for MGM and one for background unit for last two months of fiscal year \$448K and an additional \$137.5K of MSP OT for background checks and opening of MGM facility. \$40K for additional equipment needed at MGM (fingerprint machinery, Electronic Gaming Device authentication equipment.
		7000	Licensing Division	551,528	597,150	45,622	8%	Travel, supplies and temp help for licensing operations associated with opening of MGM Springfield
		<i>MGC Regulatory Costs Total</i>		18,484,155	18,759,584	275,429	1%	

The Research and Responsible Gaming/PHTF budget is considered a Statutorily required component of the Gaming Control Fund due to the fact that it will be funded from the Public Health Trust Fund (PHTF) once category 1 facilities become operational and taxes from gross gaming revenue begin to fund the PHTF. However, I have included a brief chart of that budget comparing FY17 to FY18 below because 2 MGC employees are funded from that budget.

<i>Research and Responsible Gaming/PHTF</i>								
		1700	Problem Gambling	4,498,929	4,989,606	490,677	11%	Reduction of .5 FTE, decrease of research by \$100K, and increase in DPH ISA by ~\$600K.

10500003 Racing Development and Oversight Trust Fund

This item funds the operations of the Racing division. The majority of funding from this appropriation is payroll, seasonal payroll, and fringe related costs. However, the MGC performed an updated cost allocation plan, which shifted the cost of approximately (four) 4 FTEs from Gaming to Racing, and for the first time since the Racing operations were part of the Gaming Commission, the state troopers assigned to racing will be funded from the racing budget. These two items resulted in a significant increase to the Racing Development and Oversight Fund. Other costs of the



Massachusetts Gaming Commission

division are drug and laboratory testing \$238K, ISA to DPH for \$70K, and purchased client services for economic hardship payments, eighth pole payments, and the jockey guild totaling \$235K.

Below is a chart that shows the FY17 currently approved budget by division compared to FY18 proposed budget for the Regulatory portion of the Gaming Control Fund with a brief explanation for any large discrepancies. Further details for budgets by each division are provided in attachments B and C:

Fund	Grouping Name	Unit	Unit Name	Current Year Amount	Next Year Amount	Variance	% Var	Explanation
(1050-0003) Racing Oversight and Development Fund								
<i>MGC Regulatory Costs</i>								
-				-				
		1000	Finance and Administration	33,534	223,481	189,947	566%	Shift in salaries and fringe benefits from Gaming through cost allocation
		1100	Human Resources	23,044	114,221	91,177	396%	Shift in salaries and fringe benefits from Gaming through cost allocation
		1200	Legal	10,260	49,774	39,514	385%	Shift in salaries and fringe benefits from Gaming through cost allocation
		1300	Executive Director	12,599	48,958	36,358	289%	Shift in salaries and fringe benefits from Gaming through cost allocation
		1400	Information Technology	13,159	46,745	33,585	255%	Shift in salaries and fringe benefits from Gaming through cost allocation
		1500	Commissioners	41,725	73,473	31,748	76%	Shift in salaries and fringe benefits from Gaming through cost allocation
		1800	Communications	-	15,367	15,367	-	Shift in salaries and fringe benefits from Gaming through cost allocation
		3000	Racing Division	1,341,931	1,854,555	512,624	38%	Paying for MSP Costs as well as increase in drug testing
		7000	Licensing Division	-	1,350	1,350	-	Shift in salaries and fringe benefits from Gaming through cost allocation
<i>MGC Regulatory Costs Total</i>				1,476,253	2,427,923	951,670	64%	

Funding Exposures not Included in FY18 Budget Proposal

FY18 was a particularly challenging budget year given the potential opening of MGM Springfield in September of 2018, less than 90 days into FY19. If MGM Springfield stays on schedule, the IEB may need gaming agents and state police for part of FY18 to begin opening preparations. Finance may need an additional tax verification professional for table games. Rather than speculating on the appropriate timing for additional staff, staff proposes an assessment towards the end of calendar year 2017 to determine if MGM Springfield is on schedule. This will allow for a more concrete determination on whether or not MGC will need additional personnel in FY18. In addition, we have built in the minimum required by our insurance policy for litigation costs in the legal budget. Staff anticipates the figure to grow above the amount funded in this budget.

It is important for the Commission to be aware that there both regulatory and public safety costs that are anticipated for the FY18 budget year that are not included in this proposal. A state police complement was built into the IEBs budget for the two months staff anticipates having troopers assigned to MGC in FY18; however, there are costs the MSP will bear as a result of the MGC taking troopers from their ranks and further discussion on how to fund these costs is required. The costs not included in this budget have been discussed with our licensees, as well as the rationale for not including the costs. Staff intends on returning to the Commission towards the end of calendar year



Massachusetts Gaming Commission

2017 to address both the public safety and regulatory funding exposures as the landscape and timeline for the opening of MGM Springfield becomes more concrete and better estimates/options for funding are available.

Assessment on Licensees

Chapter 23K §56 (a)-(c) define how the MGC will fund its annual costs related to Gaming/non-racing activities. This chapter was further defined through 205 CMR 121.00. By taking the projected spending less the net revenues projected for FY18, the commission will utilize 205 CMR 121.01 3(c) to assess ~\$24.45M on licensees as shown in the chart below:

Licensee	Slots	Table Games	Table Gaming Positions*	Total Gaming Positions*	Percentage of Gaming Positions	Annual Assessment
MGM	3,000	100	600	3,600	38.99%	\$9,535,923.44
Wynn	3,242	168	1,008	4,250	46.03%	\$11,257,721.37
Penn	1,250	-	-	1,383	14.98%	\$3,663,712.06
	7,492	268	1,608	9,233	100.00%	\$24,457,356.87

*Table gaming positions, slots and table gaming positions are derived by using the HLT figures from Finance Plan section of the Presentation under 2.3 the table titled Proposed Facility Suitability. For estimating gaming positions from table games, a multiplier of 6 for each table game is used. For PPC, it is the amount approved as of June 2017.

Conclusion

Staff is proposing an FY18 Gaming Control Fund budget of \$29.15M for Regulatory and Statutorily Required Costs and an FY18 Racing Oversight and Development Fund budget of \$2.59M for Regulatory and Statutorily Required Costs. Staff seeks the Commission's guidance on further spending recommendations and to post the budget for public comment prior to the next public meeting.

Staff would like to remind the Commissioners that there are both public safety and regulatory funding exposures not built into this budget that will need to be addressed prior to the end of calendar year 2017.

Attachments:

Attachment A: FY18 Listing of Accounts Spending and Revenue

Attachment B: Next Year Budget All Departments for Commission

Attachment C: Next Year Budget by Object Class for Commission



Massachusetts Gaming Commission

2018

Item Name	FY18 Budget
10500001 Gaming Control Fund	
MGC Regulatory Cost	
AA REGULAR EMPLOYEE COMPENSATION	5,950,131.49
BB REGULAR EMPLOYEE RELATED EXPEN	78,400.00
CC SPECIAL EMPLOYEES	-
DD PENSION & INSURANCE RELATED EX	2,208,049.75
EE ADMINISTRATIVE EXPENSES	647,723.64
GG ENERGY COSTS AND SPACE RENTAL	1,247,229.38
HH CONSULTANT SVCS (TO DEPTS)	727,000.00
JJ OPERATIONAL SERVICES	4,022,785.01
KK Equipment Purchase	78,444.00
LL EQUIPMENT LEASE-MAINTAIN/REPAR	32,106.80
NN INFRASTRUCTURE:	1,000.00
PP STATE AID/POL SUB	150,000.00
UU IT Non-Payroll Expenses	3,616,713.68
MGC Regulatory Cost Subtotal:	18,759,583.75
EE--Indirect Costs	1,659,949.80
Office of Attorney General	
ISA to AGO	2,600,000.00
AGO State Police	1,068,416.98
Office of Attorney General Subtotal:	3,668,416.98
Research and Responsible Gaming/Public Health Trust Fund	
AA REGULAR EMPLOYEE COMPENSATION	205,317.50
BB REGULAR EMPLOYEE RELATED EXPEN	6,000.00
CC SPECIAL EMPLOYEES	-
DD PENSION & INSURANCE RELATED EX	74,591.84
EE ADMINISTRATIVE EXPENSES	8,000.00
FF PROGRAMMATIC FACILITY OPERATONAL SUPPLIES	500.00
HH CONSULTANT SVCS (TO DEPTS)	1,380,000.00
JJ OPERATIONAL SERVICES	-
MM PURCHASED CLIENT/PROGRAM SVCS	25,000.00
PP STATE AID/POL SUB	3,215,197.00
UU IT Non-Payroll Expenses	75,000.00
Research and Responsible Gaming/Public Health Trust Fund Subtotal:	4,989,606.34
ISA to ABCC	75,000.00
Gaming Control Fund Total Costs	29,152,556.87
Gaming Control Fund Revenues	

2018

Item Name	FY18 Budget
Gaming Control Fund Beginning Balance 0500	-
Region A slot Machine Fee 0500	1,945,200.00
Region B Slot Machine Fee 0500	1,800,000.00
Slots Parlor Slot Machine Fee 0500	750,000.00
Gaming Employee License Fees (GEL) 3000	30,000.00
Key Gaming Executive (GKE) 3000	35,000.00
Key Gaming Employee (GKS) 3000	20,000.00
Non-Gaming Vendor (NGV) 3000	30,000.00
Vendor Gaming Primary (VGP) 3000	45,000.00
Vendor Gaming Secondary (VGS) 3000	40,000.00
Gaming School License (GSB)	-
Gaming Service Employee License (SER) 3000	-
Subcontractor ID Initial License (SUB) 3000	-
Temporary License Initial License (TEM) 3000	-
Veterans Initial License (VET) 3000	-
Assessment 0500	24,457,356.87
Misc 0500	-
Gaming Control Fund Revenue Total	29,152,556.87
1050003 Racing Oversight and Development Trust Fund	
AA REGULAR EMPLOYEE COMPENSATION	712,760.73
BB REGULAR EMPLOYEE RELATED EXPEN	12,000.00
CC SPECIAL EMPLOYEES	360,000.00
DD PENSION & INSURANCE RELATED EX	266,307.72
EE ADMINISTRATIVE EXPENSES	34,555.00
FF PROGRAMMATIC FACILITY OPERATONAL SUPPLIES	2,000.00
HH CONSULTANT SVCS (TO DEPTS)	25,000.00
JJ OPERATIONAL SERVICES	815,300.00
KK EQUIPMENT PURCHASES	-
LL EQUIPMENT LEASE-MAINTAIN/REPAR	2,000.00
MM PURCHASED CLIENT/PROGRAM SVCS	155,000.00
UU IT Non-Payroll Expenses	43,000.00
Regulatory Costs	2,427,923.45
Indirect Costs	163,398.45
Spending Total	2,591,321.90
Racing Oversight and Development Revenues	
Plainridge Assessment 4800	110,000.00
Plainridge Daily License Fee 3003	145,000.00
Plainridge Occupational License 3003/3004	40,000.00
Plainridge Racing Development Oversight Live 0131	20,000.00
Plainridge Racing Development Oversight Simulcast 0131	130,000.00
Racing Oversight and Development Balance Forward 0131	-
Raynham Assessment 4800	100,000.00

2018

Item Name	FY18 Budget
Raynham Daily License Fee 3003	145,000.00
Raynham Racing Development Oversight Simulcast 0131	140,000.00
Suffolk Assessment 4800	500,000.00
Suffolk Commission Racing Development Oversight Simulcast 0	130,000.00
Suffolk Daily License Fee 3003	80,000.00
Suffolk Occupational License 3003/3004	35,000.00
Suffolk Racing Development Oversight Live 0131	20,000.00
Suffolk TVG Commission Live 0131	15,000.00
Suffolk TVG Commission Simulcast 0131	120,000.00
Suffolk Twin Spires Commission Live 0131	12,000.00
Suffolk Twin Spires Commission Simulcast 0131	90,000.00
Suffolk Xpress Bet Commission Live 0131	10,000.00
Suffolk Xpress Bet Commission Simulcast 0131	40,000.00
Suffolk NYRA Bet Commission Live 0131	6,000.00
Suffolk NYRA Bet Commission Simulcast 0131	17,000.00
Wonderland Assessment 4800	40,000.00
Wonderland Daily License Fee 3003	80,000.00
Wonderland Racing Development Oversight Simulcast 0131	50,000.00
Plainridge fine 2700	15,000.00
Suffolk Fine 2700	7,000.00
Plainridge Unclaimed wagers 5009	160,000.00
Suffolk Unclaimed wagers 5009	210,000.00
Raynham Unclaimed wagers 5009	170,000.00
Wonderland Unclaimed wagers 5009	20,000.00
Misc 0131	500.00
Racing Oversight and Development Fund Revenue Total	2,657,500.00

Next Year Budget All Departments for Commission

Approp	Budget Grouping	Division/ Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
	MGC Regulatory Costs									
		1000	Finance and Administration							
		AA	REGULAR EMPLOYEE COMPENSATION							
		A01	Salaries: Inclusive		Employee Compensation	Salaries	\$500,089.89	\$364,080.20	(\$136,009.69)	-27.20%
			Obj Class Totals:				\$500,089.89	\$364,080.20	(\$136,009.69)	-27.20%
		BB	REGULAR EMPLOYEE RELATED EXPEN							
		B01	Other Out Of State Travel - INCLUSIVE: AIRFARE, HOTEL, LODGI		Travel	Out of State Travel	\$0.00	\$2,000.00	\$2,000.00	#Div/0!
		B02	In-State Travel		Travel	In-State Travel	\$2,000.00	\$1,000.00	(\$1,000.00)	-50.00%
			Obj Class Totals:				\$2,000.00	\$3,000.00	\$1,000.00	50.00%
		DD	PENSION & INSURANCE RELATED EX							
		D09	Fringe Benefit Cost Recoupment		Fringe	Fringe rate of 34.88%	\$167,530.11	\$126,991.17	(\$40,538.94)	-24.20%
					Taxes	Tax rate of 1.45%	\$8,351.50	\$5,279.16	(\$3,072.34)	-36.79%
			Obj Class Totals:				\$175,881.61	\$132,270.33	(\$43,611.28)	-24.80%
		EE	ADMINISTRATIVE EXPENSES							
		E01	Office & Administrative Supplies		Supplies	Adoni Spring Water	\$5,000.00	\$2,500.00	(\$2,500.00)	-50.00%
					Supplies	Cam Office Supplies	\$10,000.00	\$10,000.00	\$0.00	0.00%
					Supplies	W.B. Mason	\$25,000.00	\$25,000.00	\$0.00	0.00%
		E02	Printing Expenses & Supplies		Printing	Sir Speedy	\$3,950.00	\$3,950.00	\$0.00	0.00%
		E05	Postage Chargeback		Postage	ITD PAD Chargeback for postal Services	\$2,600.00	\$2,664.00	\$64.00	2.46%
		E06	Postage		Postage	Postage for Ashburton Mail Room	\$2,400.00	\$2,400.00	\$0.00	0.00%
					Postage	Postage for Pitney Bowes, Fed Ex, UPS	\$1,500.00	\$1,500.00	\$0.00	0.00%
		E15	Bottled Water		Water	Quench	\$500.00	\$684.00	\$184.00	36.80%
		E18	State Single Audit Chargeback		FY 17 Chargeback Single State Audit	Chargeback	\$250.00	\$300.00	\$50.00	20.00%
		E19	Fees, Fines, Licenses, Permits & Chargebacks		Fees, Fines, Licensed, Chargebakcs	EZ Pass	\$0.00	\$300.00	\$300.00	#Div/0!
		E20	Motor Vehicle Chargeback		OVM	Motorized Vehicle Chargeback--Leases of ford fusion and ford escape	\$12,689.64	\$12,689.64	\$0.00	0.00%
		E22	Temp Use Space/Confer-Incidental Includes Reservation Fees		Laz Parking	Parking at 33 Arch St. 13 spaces	\$70,200.00	\$54,000.00	(\$16,200.00)	-23.08%
		E30	Credit Card Purchases		Credit Card	Credit Card Incidental Purchases	\$0.00	\$500.00	\$500.00	#Div/0!
		E41	Out Of State Travel Expen on Behalf of State Employ		Travel	Travel Agency Fees	\$0.00	\$5,000.00	\$5,000.00	#Div/0!
		EE2	Conference, Training and Registration Fees		Conference Registrations	Registration Fees	\$0.00	\$5,000.00	\$5,000.00	#Div/0!

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
	MGC Regulatory Costs									
		1000	Finance and Administration							
			Obj Class Totals:				\$134,089.64	\$126,487.64	(\$7,602.00)	-5.67%
		GG	ENERGY COSTS AND SPACE RENTAL							
		G01	Space Rental		Office Lease	101 Federal St. 12 months	\$1,161,267.18	\$1,182,473.94	\$21,206.76	1.83%
					Rent	Umass Office Rent	\$0.00	\$2,540.00	\$2,540.00	#Div/0!
		G03	Electricity		Electricity	101 Federal St. 12 months	\$32,635.44	\$32,635.44	\$0.00	0.00%
		G05	Fuel For Vehicles			Wex Bank/Gulf	\$0.00	\$1,500.00	\$1,500.00	#Div/0!
			Obj Class Totals:				\$1,193,902.62	\$1,219,149.38	\$25,246.76	2.11%
		HH	CONSULTANT SVCS (TO DEPTS)							
		H09	Attorneys/Legal Services		Insurance	Comprehensive Insurance Policy	\$125,000.00	\$86,450.00	(\$38,550.00)	-30.84%
		H19	Management Consultants			CPA Firm for Annual Audits consistent with Generally Accepted Auditing Standards	\$0.00	\$38,550.00	\$38,550.00	#Div/0!
			Obj Class Totals:				\$125,000.00	\$125,000.00	\$0.00	0.00%
		JJ	OPERATIONAL SERVICES							
		JJ2	Auxiliary Services		Courier	USA Couriers	\$500.00	\$200.00	(\$300.00)	-60.00%
					Shredding	ProShred	\$1,500.00	\$750.00	(\$750.00)	-50.00%
			Obj Class Totals:				\$2,000.00	\$950.00	(\$1,050.00)	-52.50%
		LL	EQUIPMENT LEASE-MAINTAIN/REPAR							
		L24	Motorized Vehicle Equipment Rental or Lease		Rental Cars	Enterprise Car Rental	\$2,500.00	\$500.00	(\$2,000.00)	-80.00%
		L25	Office Equipment Rental or Lease		Printing	Pitney Bowes	\$200.00	\$532.80	\$332.80	166.40%
		L26	Printing/Photocopy & Micrographics Equip Rent/Lease		Copier	Canon Financial Services Recurring Payment of \$5.4K for 13th floor Recurring Payment of \$4.8K IEB Per Click costs of \$2.5K	\$7,500.00	\$12,738.00	\$5,238.00	69.84%
		L46	Print, Photocopying & Micrograph Equipment Maint/Repair		Copier	Canon USA/Maintenance & Repair	\$3,000.00	\$3,000.00	\$0.00	0.00%
					Xerox Leases	Xerox Leases Recurring Payments of \$11.1K for 3 machines Per Click costs of \$4.2K (avg of this year)	\$16,483.80	\$15,336.00	(\$1,147.80)	-6.96%
			Obj Class Totals:				\$29,683.80	\$32,106.80	\$2,423.00	8.16%
		NN	INFRASTRUCTURE:							
		N50	Non-Major Facility Infrastructure Maintenance and Repair		Repairs	Office/Building Repairs	\$0.00	\$1,000.00	\$1,000.00	#Div/0!
			Obj Class Totals:				\$0.00	\$1,000.00	\$1,000.00	#Div/0!
		UU	IT Non-Payroll Expenses							
		U10	Information Tech (IT) Equipment Maintenance & Repair		Cable	Cable/Comcast	\$1,900.00	\$4,500.00	\$2,600.00	136.84%
			Obj Class Totals:				\$1,900.00	\$4,500.00	\$2,600.00	136.84%
			Division/Bureau Totals:				\$2,164,547.56	\$2,008,544.35	(\$156,003.21)	-7.21%

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
	MGC Regulatory Costs									
		1100	Human Resources							
		AA	REGULAR EMPLOYEE COMPENSATION							
		A01	Salaries: Inclusive		Employee Compensation	Employee Salaries	\$233,446.08	\$157,680.34	(\$75,765.74)	-32.46%
					Raises	2.0% COLA/Bonus Incentives Agency Wide	\$127,272.43	\$121,971.16	(\$5,301.27)	-4.17%
			Obj Class Totals:				\$360,718.51	\$279,651.50	(\$81,067.01)	-22.47%
		BB	REGULAR EMPLOYEE RELATED EXPEN							
		B02	In-State Travel		Travel	In State Travel	\$1,000.00	\$1,000.00	\$0.00	0.00%
			Obj Class Totals:				\$1,000.00	\$1,000.00	\$0.00	0.00%
		DD	PENSION & INSURANCE RELATED EX							
		D09	Fringe Benefit Cost Recoupment		Fringe	Fringe rate of 34.88%	\$78,204.44	\$54,998.90	(\$23,205.54)	-29.67%
					Payroll Taxes & Fringe on Raises	Payroll Taxes & Fringe on Raises	\$56,180.53	\$44,312.12	(\$11,868.41)	-21.13%
					Taxes	Tax rate of 1.45%	\$3,898.55	\$2,286.36	(\$1,612.19)	-41.35%
		D15	Workers' Compensation Chargebacks		Worker's Comp Chargeback	Worker's Comp Chargeback	\$49,000.00	\$50,000.00	\$1,000.00	2.04%
			Obj Class Totals:				\$187,283.52	\$151,597.38	(\$35,686.14)	-19.05%
		EE	ADMINISTRATIVE EXPENSES							
		E12	Subscriptions, Memberships & Licensing Fees		Subscriptions	Subscriptions, Memberships & Licensing Fees SHRM, NEHRA, The Partnership	\$2,000.00	\$2,000.00	\$0.00	0.00%
		E19	Fees, Fines, Licenses, Permits & Chargebacks		Licenses	Fees, Fines, Licenses, Permits & Chargebacks for HRCMS and HRD	\$2,653.00	\$2,653.00	\$0.00	0.00%
		EE2	Conference, Training and Registration Fees		Training	Conference, Training and Registration Fees Career Development and Training • Diversity training for additional staff • Management Training • Business writing class for all new gaming agents • Senior MGT lunch and learns sessions (Betty Hoffman, on	\$3,000.00	\$13,000.00	\$10,000.00	333.33%
					ISA with EOHS	EOHS Professional Development (MasSP Trainings)	\$0.00	\$12,000.00	\$12,000.00	#Div/0!
		EE9	Employee Recognition Chargeback		Employee Morale	Employee Recognition Program	\$10,000.00	\$5,000.00	(\$5,000.00)	-50.00%
			Obj Class Totals:				\$17,653.00	\$34,653.00	\$17,000.00	96.30%
		HH	CONSULTANT SVCS (TO DEPTS)							
		H09	Attorneys/Legal Services		Worker's Comp	Workers Comp Litigation Fees	\$5,000.00	\$5,000.00	\$0.00	0.00%
			Obj Class Totals:				\$5,000.00	\$5,000.00	\$0.00	0.00%
		JJ	OPERATIONAL SERVICES							
		JJ2	Auxiliary Services		EAP	Crisis Management EAP program	\$2,000.00	\$2,000.00	\$0.00	0.00%
					HR Investigations	HR Investigations	\$15,000.00	\$10,000.00	(\$5,000.00)	-33.33%

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
	MGC Regulatory Costs									
		1100	Human Resources							
		JJ2	Auxiliary Services		Testing	The Hire Authority	\$2,750.00	\$5,000.00	\$2,250.00	81.82%
			Obj Class Totals:				\$19,750.00	\$17,000.00	(\$2,750.00)	-13.92%
			Division/Bureau Totals:				\$591,405.03	\$488,901.88	(\$102,503.15)	-17.33%
		1200	Legal							
		AA	REGULAR EMPLOYEE COMPENSATION							
		A01	Salaries: Inclusive		Employee Compensation	Employee Salaries	\$496,797.94	\$479,248.37	(\$17,549.57)	-3.53%
			Obj Class Totals:				\$496,797.94	\$479,248.37	(\$17,549.57)	-3.53%
		BB	REGULAR EMPLOYEE RELATED EXPEN							
		B01	Other Out Of State Travel - INCLUSIVE: AIRFARE, HOTEL, LODGI		Travel	Out of State Travel and Training	\$2,500.00	\$5,000.00	\$2,500.00	100.00%
		B02	In-State Travel		Travel	In State Travel	\$2,000.00	\$2,000.00	\$0.00	0.00%
		B05	Conference, Training, Registration and Membership Dues and L		Professional Licenses	Professional and Bar Licenses	\$2,000.00	\$2,000.00	\$0.00	0.00%
			Obj Class Totals:				\$6,500.00	\$9,000.00	\$2,500.00	38.46%
		DD	PENSION & INSURANCE RELATED EX							
		D09	Fringe Benefit Cost Recoupment		Fringe	Fringe rate of 34.88%	\$157,246.64	\$167,161.83	\$9,915.19	6.31%
					Taxes	Tax rate of 1.45%	\$8,296.53	\$6,949.10	(\$1,347.43)	-16.24%
			Obj Class Totals:				\$165,543.17	\$174,110.93	\$8,567.76	5.18%
		EE	ADMINISTRATIVE EXPENSES							
		E01	Office & Administrative Supplies		Supplies	Office Supplies	\$5,000.00	\$5,000.00	\$0.00	0.00%
		E12	Subscriptions, Memberships & Licensing Fees		Subscriptions	Subscriptions and Memberships Westlaw ABA	\$5,000.00	\$7,000.00	\$2,000.00	40.00%
		E13	Advertising Expenses		Reg Advertising	Advertising of Regs and Meetings	\$5,000.00	\$5,000.00	\$0.00	0.00%
		E41	Out Of State Travel Expen on Behalf of State Employ		Travel	Conference/Trainings	\$10,000.00	\$10,000.00	\$0.00	0.00%
			Obj Class Totals:				\$25,000.00	\$27,000.00	\$2,000.00	8.00%
		HH	CONSULTANT SVCS (TO DEPTS)							
		H09	Attorneys/Legal Services		Litigation Defense	Outside Counsel Litigation Defense	\$400,000.00	\$400,000.00	\$0.00	0.00%
					Litigation Defense	Outside Counsel Review of PRR	\$31,600.00	\$0.00	(\$31,600.00)	-100.00%
					Outside Counsel	General Practice, Regulations, Laws, etc.	\$176,003.14	\$80,000.00	(\$96,003.14)	-54.55%
					Outside Counsel	Labor Employment Law	\$20,000.00	\$20,000.00	\$0.00	0.00%
		H19	Management Consultants		Hearing Officer	Hearing Officer	\$32,000.00	\$32,000.00	\$0.00	0.00%
			Obj Class Totals:				\$659,603.14	\$532,000.00	(\$127,603.14)	-19.35%
		JJ	OPERATIONAL SERVICES							
		JJ1	Legal Support Services		Litigation Defense	Target Litigation	\$10,000.00	\$0.00	(\$10,000.00)	-100.00%
						Offsite Storage	\$0.00	\$2,500.00	\$2,500.00	#Div/0!

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
	MGC Regulatory Costs									
		1200	Legal							
							\$10,000.00	\$2,500.00	(\$7,500.00)	-75.00%
							\$1,363,444.25	\$1,223,859.30	(\$139,584.95)	-10.24%
		1300	Executive Director							
		AA	REGULAR EMPLOYEE COMPENSATION							
		A01	Salaries: Inclusive		Employee Compensation	Employee Salaries	\$378,640.38	\$589,524.27	\$210,883.89	55.70%
							\$378,640.38	\$589,524.27	\$210,883.89	55.70%
		BB	REGULAR EMPLOYEE RELATED EXPEN							
		B01	Other Out Of State Travel - INCLUSIVE: AIRFARE, HOTEL, LODGI		Travel	Two conferences Out of State	\$6,000.00	\$6,000.00	\$0.00	0.00%
		B02	In-State Travel		Travel	In-State Mileage and Rental Cars	\$2,000.00	\$2,000.00	\$0.00	0.00%
							\$8,000.00	\$8,000.00	\$0.00	0.00%
		DD	PENSION & INSURANCE RELATED EX							
		D09	Fringe Benefit Cost Recoupment		Fringe	Fringe rate of 34.88%	\$126,844.53	\$211,446.64	\$84,602.11	66.70%
					Taxes	Tax rate of 1.45%	\$6,323.29	\$2,727.53	(\$3,595.76)	-56.87%
							\$133,167.82	\$214,174.18	\$81,006.36	60.83%
		EE	ADMINISTRATIVE EXPENSES							
		E30	Credit Card Purchases		Credit Card	Credit Card Purchases	\$15,000.00	\$15,000.00	\$0.00	0.00%
		EE2	Conference, Training and Registration Fees		Gaming Forum	Gaming Forum TBD	\$10,000.00	\$10,000.00	\$0.00	0.00%
							\$25,000.00	\$25,000.00	\$0.00	0.00%
		HH	CONSULTANT SVCS (TO DEPTS)							
		H19	Management Consultants		Gaming Consultant	Gaming Consultant for Legal, and General Matters	\$180,000.00	\$0.00	(\$180,000.00)	-100.00%
					Strategic Consultant	General Consultant needs for OPM, Commissioners or Executive Director	\$20,000.00	\$40,000.00	\$20,000.00	100.00%
					Tribal Consultant	Gaming Consultant for Tribal Matters	\$60,000.00	\$0.00	(\$60,000.00)	-100.00%
							\$260,000.00	\$40,000.00	(\$220,000.00)	-84.62%
							\$804,808.20	\$876,698.45	\$71,890.25	8.93%
		1400	Information Technology							
		AA	REGULAR EMPLOYEE COMPENSATION							
		A01	Salaries: Inclusive		Employee Compensation	Employee Salaries	\$563,295.91	\$560,397.81	(\$2,898.10)	-0.51%
							\$563,295.91	\$560,397.81	(\$2,898.10)	-0.51%
		BB	REGULAR EMPLOYEE RELATED EXPEN							
		B01	Other Out Of State Travel - INCLUSIVE: AIRFARE, HOTEL, LODGI		Travel	Out of State Travel G2E/Gartner	\$6,000.00	\$4,000.00	(\$2,000.00)	-33.33%
		B02	In-State Travel		Travel	In-state travel	\$3,000.00	\$2,000.00	(\$1,000.00)	-33.33%

Approp	Budget Grouping	Division/ Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
	MGC Regulatory Costs									
		1400	Information Technology							
			Obj Class Totals:				\$9,000.00	\$6,000.00	(\$3,000.00)	-33.33%
		DD	PENSION & INSURANCE RELATED EX							
		D09	Fringe Benefit Cost Recoupment		Fringe	Fringe rate of 34.88%	\$188,704.13	\$195,466.76	\$6,762.63	3.58%
					Taxes	Tax rate of 1.45%	\$9,407.04	\$8,125.77	(\$1,281.27)	-13.62%
			Obj Class Totals:				\$198,111.17	\$203,592.53	\$5,481.36	2.77%
		EE	ADMINISTRATIVE EXPENSES							
		E41	Out Of State Travel Expen on Behalf of State Employ		Travel	Travel Agent Expenses	\$6,000.00	\$6,000.00	\$0.00	0.00%
		E56	Secretariat Central Services Chargeback		IT Support	ANF Chargeback for IT services (Help Desk Charges \$659.79 per desktop)	\$52,783.00	\$52,783.00	\$0.00	0.00%
			Obj Class Totals:				\$58,783.00	\$58,783.00	\$0.00	0.00%
		GG	ENERGY COSTS AND SPACE RENTAL							
		G01	Space Rental		Data Center	Markley Data Center Costs (Rack Space \$10.8K, Electricity \$13.2K, and Fiber \$4K)	\$28,080.00	\$28,080.00	\$0.00	0.00%
			Obj Class Totals:				\$28,080.00	\$28,080.00	\$0.00	0.00%
		UU	IT Non-Payroll Expenses							
		U01	Telecommunications Services Data		Plainridge IT	VPN Accounts	\$8,100.00	\$8,100.00	\$0.00	0.00%
					Plainridge Video	Video Circuit for Boston & Plainville for Surveillance and CMS	\$96,124.00	\$76,500.00	(\$19,624.00)	-20.42%
		U02	Telecommunications Services - Voice		Cable	Comcast Internet (Gaming Lab) and Cable Service (Meeting Rooms)	\$4,800.00	\$4,800.00	\$0.00	0.00%
					Cellular Service	Cell Phone Service	\$64,985.00	\$65,985.00	\$1,000.00	1.54%
					Phone Lines	Conference Bridge Lines	\$1,980.00	\$1,980.00	\$0.00	0.00%
					Phone Lines	DSCI phone services	\$9,000.00	\$9,000.00	\$0.00	0.00%
					Phone Lines	MCI Fax Line	\$480.00	\$500.00	\$20.00	4.17%
					Phone Lines	Windstream WAN for Data Connection \$1.5K/month	\$18,000.00	\$18,000.00	\$0.00	0.00%
					Phone Lines	Measured Business Lines	\$6,540.00	\$6,550.00	\$10.00	0.15%
		U04	Information Technology Chargeback		Internet	MAGNET (Internet Access -2x50Mbps @\$3,686/month, 1x20Mbps @\$3138/month, 1x0.06units @\$105.30/month)	\$127,384.00	\$118,454.00	(\$8,930.00)	-7.01%
					IT Support	ANF Chargeback for Space at Chelsea and Springfield	\$89,000.00	\$89,000.00	\$0.00	0.00%
					OSC Chargeback	MMARS Chargeback	\$10,636.00	\$10,000.00	(\$636.00)	-5.98%
		U05	Information Technology (IT) Temp Staff Augmentation Profs		CMS	CMS - IGT Intelligen	\$2,262,544.68	\$2,262,544.68	\$0.00	0.00%
					Consultant	IT Consultants Gartner	\$42,900.00	\$30,000.00	(\$12,900.00)	-30.07%

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change	
10500001	Mass. Gaming Commission										
				MGC Regulatory Costs							
			1400	Information Technology							
				U05	Information Technology (IT) Temp Staff Augmentation Profs	Consulting	IT Consulting Support @ \$100/hr (Advizex and Soltrix) \$25K for GLI Testing	\$50,000.00	\$75,000.00	\$25,000.00	50.00%
						LMS	Licensing System Continual Upgrades to Phase 1 and Phase 2 Development	\$500,000.00	\$500,000.00	\$0.00	0.00%
						Training	Technical Training	\$10,000.00	\$10,000.00	\$0.00	0.00%
						Training	User Training - EMC System Training	\$10,000.00	\$0.00	(\$10,000.00)	-100.00%
				U06	Information Technology (IT) Cabling	Phone	FTG Phone lines maintenance etc.	\$15,000.00	\$14,000.00	(\$1,000.00)	-6.67%
				U07	Information Technology (IT) Equipment	Hardware	Gaming Technology Laboratory Equipment	\$5,000.00	\$5,000.00	\$0.00	0.00%
						Maintenance	VMWare Mainteance	\$19,185.00	\$21,000.00	\$1,815.00	9.46%
						Miscellaneous	Miscellaneous Equipment--Equipment for new troopers and gaming agents	\$20,000.00	\$30,000.00	\$10,000.00	50.00%
						Printers	Printers @\$250/printer	\$2,500.00	\$2,000.00	(\$500.00)	-20.00%
						Servers	Servers and Storage	\$50,000.00	\$40,000.00	(\$10,000.00)	-20.00%
						Software	Adobe, Sharepoint, Office 365, Project, Vizio, Dragon, Winzip	\$50,000.00	\$50,000.00	\$0.00	0.00%
						Software	CodeGuard MGC Website Backup Service	\$1,764.00	\$2,000.00	\$236.00	13.38%
						Software	Kobitron - GLI Testing Platform	\$1,500.00	\$1,500.00	\$0.00	0.00%
						Software	Prezi Software	\$3,180.00	\$3,300.00	\$120.00	3.77%
				U09	Information Technology (IT) Equip Rental Or Lease	Leases	HP Leases	\$89,714.00	\$89,500.00	(\$214.00)	-0.24%
						Mobile Devices	Mobile Device Management (@ \$3.95/year/unit)	\$4,029.00	\$4,000.00	(\$29.00)	-0.72%
				U10	Information Tech (IT) Equipment Maintenance & Repair	Maintenace		\$2,980.00	\$0.00	(\$2,980.00)	-100.00%
						Maintenance	Aruba Maintenance	\$925.50	\$1,000.00	\$74.50	8.05%
						Maintenance	EMC Maintenance	\$50,000.00	\$50,000.00	\$0.00	0.00%
						Maintenance	Printer Maintenance	\$425.00	\$500.00	\$75.00	17.65%
						Obj Class Totals:		\$3,628,676.18	\$3,600,213.68	(\$28,462.50)	-0.78%
						Division/Bureau Totals:		\$4,485,946.26	\$4,457,067.02	(\$28,879.24)	-0.64%
			1500	Commissioners							
				AA	REGULAR EMPLOYEE COMPENSATION						
				A01	Salaries: Inclusive	Employee Compensation	Employee Compensation	\$884,653.65	\$558,769.76	(\$325,883.89)	-36.84%
						Obj Class Totals:		\$884,653.65	\$558,769.76	(\$325,883.89)	-36.84%
				BB	REGULAR EMPLOYEE RELATED EXPEN						

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
	MGC Regulatory Costs									
		1500	Commissioners							
		B01	Other Out Of State Travel - INCLUSIVE: AIRFARE, HOTEL, LODGI	Travel Reimbursements	Travel Reimbursements	Travel Reimbursements --In State (6 Commission Meetings a Year, Site Visits) --Out of Pocket Out of State Expenses	\$10,000.00	\$10,000.00	\$0.00	0.00%
			Obj Class Totals:				\$10,000.00	\$10,000.00	\$0.00	0.00%
		DD	PENSION & INSURANCE RELATED EX							
		D09	Fringe Benefit Cost Recoupment	Fringe	Fringe	Fringe Rate of 34.88%	\$296,358.97	\$194,898.89	(\$101,460.08)	-34.24%
				Taxes	Taxes	Tax rate of 1.45%	\$14,773.72	\$8,102.16	(\$6,671.56)	-45.16%
			Obj Class Totals:				\$311,132.69	\$203,001.05	(\$108,131.64)	-34.75%
		EE	ADMINISTRATIVE EXPENSES							
		E12	Subscriptions, Memberships & Licensing Fees	Subscriptions	Subscriptions	Trade Journals	\$3,000.00	\$3,000.00	\$0.00	0.00%
		E22	Temp Use Space/Confer-Incidental Includes Reservation Fees	75-101 Parking Garage	75-101 Parking Garage	Parking 75-101	\$28,200.00	\$28,200.00	\$0.00	0.00%
				Meeting Space	Meeting Space	Temporary Space \$1.2/mtg @ 6mtgs	\$7,500.00	\$7,500.00	\$0.00	0.00%
		E30	Credit Card Purchases	Credit Card	Credit Card	Allowable Credit Card Expenses	\$12,500.00	\$12,500.00	\$0.00	0.00%
		EE2	Conference, Training and Registration Fees	Registration Fees	Registration Fees	Conference/Trainings	\$5,000.00	\$5,000.00	\$0.00	0.00%
			Obj Class Totals:				\$56,200.00	\$56,200.00	\$0.00	0.00%
		HH	CONSULTANT SVCS (TO DEPTS)							
		H19	Management Consultants	Consultants Reviews	Consultants Reviews	Consultants	\$50,000.00	\$0.00	(\$50,000.00)	-100.00%
			Obj Class Totals:				\$50,000.00	\$0.00	(\$50,000.00)	-100.00%
		JJ	OPERATIONAL SERVICES							
		J33	Photographic & Micrographic Services	Stenographer	Stenographer	Court Reports and Stenography \$2.1K/mtg	\$54,600.00	\$54,600.00	\$0.00	0.00%
			Obj Class Totals:				\$54,600.00	\$54,600.00	\$0.00	0.00%
			Division/Bureau Totals:				\$1,366,586.34	\$882,570.81	(\$484,015.53)	-35.42%
		1600	Workforce and Supplier Diversity							
		AA	REGULAR EMPLOYEE COMPENSATION							
		A01	Salaries: Inclusive	Employee Compensation	Employee Compensation	Employee Salaries	\$192,279.28	\$187,317.58	(\$4,961.70)	-2.58%
			Obj Class Totals:				\$192,279.28	\$187,317.58	(\$4,961.70)	-2.58%
		BB	REGULAR EMPLOYEE RELATED EXPEN							
		B01	Other Out Of State Travel - INCLUSIVE: AIRFARE, HOTEL, LODGI	Travel	Travel	Other Out of State Travel-Inclusive Airfare, Hotel, Lodging --Las Vegas Gaming Conference G2E	\$3,000.00	\$1,000.00	(\$2,000.00)	-66.67%
		B02	In-State Travel	Travel	Travel	In-state Travel AOC as well as site visits of licensees	\$2,000.00	\$3,000.00	\$1,000.00	50.00%
			Obj Class Totals:				\$5,000.00	\$4,000.00	(\$1,000.00)	-20.00%

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
	MGC Regulatory Costs									
		1600	Workforce and Supplier Diversity							
		CC	SPECIAL EMPLOYEES							
		C04	Contracted Seasonal Employees		Interns		\$6,862.80	\$0.00	(\$6,862.80)	-100.00%
			Obj Class Totals:				\$6,862.80	\$0.00	(\$6,862.80)	-100.00%
		DD	PENSION & INSURANCE RELATED EX							
		D09	Fringe Benefit Cost Recoupment		Fringe	Fringe rate of 34.88%	\$65,875.10	\$65,336.37	(\$538.73)	-0.82%
					Taxes	Tax rate of 1.45%	\$3,283.92	\$2,716.10	(\$567.82)	-17.29%
			Obj Class Totals:				\$69,159.02	\$68,052.47	(\$1,106.55)	-1.60%
		EE	ADMINISTRATIVE EXPENSES							
		E02	Printing Expenses & Supplies		Printing	Flyer printing/Workforce Development	\$2,000.00	\$10,000.00	\$8,000.00	400.00%
		E12	Subscriptions, Memberships & Licensing Fees		Administrative Expenses	Marketing Sponsorships of Diversity and Opportunity Events --Best Corp (Workforce Event) --Colette Phillips Get Connected (Series of Diversity Events) --Dudley Square Sponsorship --Target Springfield Events	\$25,000.00	\$25,000.00	\$0.00	0.00%
		E22	Temp Use Space/Confer-Incidental Includes Reservation Fees		Conferences	Access Opportunity Meetings	\$7,000.00	\$7,000.00	\$0.00	0.00%
		E41	Out Of State Travel Expen on Behalf of State Employ		Travel	Travel Agent	\$1,000.00	\$2,000.00	\$1,000.00	100.00%
			Obj Class Totals:				\$35,000.00	\$44,000.00	\$9,000.00	25.71%
		HH	CONSULTANT SVCS (TO DEPTS)							
		H19	Management Consultants		Consultants	MCCTI Statewide WF Coordinator	\$50,000.00	\$0.00	(\$50,000.00)	-100.00%
		HH3	Media Design, Editorial and Communication		Consultants Media Design	Women in Construction Outreach	\$100,000.00	\$0.00	(\$100,000.00)	-100.00%
			Obj Class Totals:				\$150,000.00	\$0.00	(\$150,000.00)	-100.00%
		PP	STATE AID/POL SUB							
		P01	Grants To Public Entities		Grants	Worforce Development and Diversity Grants --Women In construction Outreach --WF Coordinator Community Colleges --Gaming Training Schools --Regional WF Collaborations	\$125,000.00	\$150,000.00	\$25,000.00	20.00%
			Obj Class Totals:				\$125,000.00	\$150,000.00	\$25,000.00	20.00%
			Division/Bureau Totals:				\$583,301.10	\$453,370.05	(\$129,931.05)	-22.28%
		1800	Communications							
		AA	REGULAR EMPLOYEE COMPENSATION							
		A01	Salaries: Inclusive		Employee Compensation	Regular Salaries	\$209,210.02	\$197,428.90	(\$11,781.12)	-5.63%
			Obj Class Totals:				\$209,210.02	\$197,428.90	(\$11,781.12)	-5.63%
		BB	REGULAR EMPLOYEE RELATED EXPEN							

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
	MGC Regulatory Costs									
		1800	Communications							
		B02	In-State Travel		Travel Reimbursement	In-State Travel Reimbursement	\$3,900.00	\$3,900.00	\$0.00	0.00%
			Obj Class Totals:				\$3,900.00	\$3,900.00	\$0.00	0.00%
		DD	PENSION & INSURANCE RELATED EX							
		D09	Fringe Benefit Cost Recoupment		Fringe	Fringe rate of 34.88%	\$70,085.36	\$68,863.20	(\$1,222.16)	-1.74%
					Taxes	Tax rate of 1.45%	\$3,493.81	\$2,862.72	(\$631.09)	-18.06%
			Obj Class Totals:				\$73,579.17	\$71,725.92	(\$1,853.25)	-2.52%
		EE	ADMINISTRATIVE EXPENSES							
		E02	Printing Expenses & Supplies		Printing	Printing	\$6,100.00	\$6,100.00	\$0.00	0.00%
		E12	Subscriptions, Memberships & Licensing Fees		Subscriptions	Subscriptions, Licensing, Memberships	\$25,000.00	\$25,000.00	\$0.00	0.00%
			Obj Class Totals:				\$31,100.00	\$31,100.00	\$0.00	0.00%
		HH	CONSULTANT SVCS (TO DEPTS)							
		HH3	Media Design, Editorial and Communication		Streaming	Pyxis Streaming & Production of Public Meetings	\$0.00	\$0.00	\$0.00	#Num!
					Website Design	Marketing & Website Design	\$25,000.00	\$25,000.00	\$0.00	0.00%
			Obj Class Totals:				\$25,000.00	\$25,000.00	\$0.00	0.00%
		JJ	OPERATIONAL SERVICES							
		JJ2	Auxiliary Services		Streaming	Streaming & Production of Public Meetings	\$30,000.00	\$30,000.00	\$0.00	0.00%
			Obj Class Totals:				\$30,000.00	\$30,000.00	\$0.00	0.00%
			Division/Bureau Totals:				\$372,789.19	\$359,154.82	(\$13,634.37)	-3.66%
		1900	Ombudsman							
		AA	REGULAR EMPLOYEE COMPENSATION							
		A01	Salaries: Inclusive		Employee Compensation	Regular Employees	\$314,594.66	\$313,488.00	(\$1,106.66)	-0.35%
			Obj Class Totals:				\$314,594.66	\$313,488.00	(\$1,106.66)	-0.35%
		BB	REGULAR EMPLOYEE RELATED EXPEN							
		B02	In-State Travel		In State Travel Reimbursement	In-State Travel Reimbursement and Out of State --Visits to Other Licensee Sites	\$0.00	\$4,000.00	\$4,000.00	#Div/0!
			Obj Class Totals:				\$0.00	\$4,000.00	\$4,000.00	#Div/0!
		DD	PENSION & INSURANCE RELATED EX							
		D09	Fringe Benefit Cost Recoupment		Fringe	Fringe Rate of 34.88%	\$105,389.21	\$109,344.61	\$3,955.40	3.75%
					Taxes	Tax rate of 1.45%	\$5,253.73	\$4,545.58	(\$708.15)	-13.48%
			Obj Class Totals:				\$110,642.94	\$113,890.19	\$3,247.25	2.93%
		EE	ADMINISTRATIVE EXPENSES							
		E12	Subscriptions, Memberships & Licensing Fees		Subscriptions/Memberships	Instatrac subscription	\$0.00	\$5,000.00	\$5,000.00	#Div/0!

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
	MGC Regulatory Costs									
		1900	Ombudsman							
		E22	Temp Use Space/Confer-Incidental Includes Reservation Fees		Conferences and Incidentals	Gaming Policy Advisory Committee	\$0.00	\$6,000.00	\$6,000.00	#Div/0!
		Obj Class Totals:					\$0.00	\$11,000.00	\$11,000.00	#Div/0!
		HH	CONSULTANT SVCS (TO DEPTS)							
		H19	Management Consultants		Construction Consultants	Construction, Economic Development, Planning, Design, etc consultants	\$50,000.00	\$0.00	(\$50,000.00)	-100.00%
		Obj Class Totals:					\$50,000.00	\$0.00	(\$50,000.00)	-100.00%
		JJ	OPERATIONAL SERVICES							
		JJ1	Legal Support Services		Stenographers	4 GPAC meetings 8 Local Community mitigation advisory meetings	\$10,000.00	\$0.00	(\$10,000.00)	-100.00%
		Obj Class Totals:					\$10,000.00	\$0.00	(\$10,000.00)	-100.00%
		Division/Bureau Totals:					\$485,237.60	\$442,378.19	(\$42,859.41)	-8.83%
		5000	Investigations and Enforcement Bureau							
		AA	REGULAR EMPLOYEE COMPENSATION							
		A01	Salaries: Inclusive		Employee Compensation	Regular Salaries	\$1,717,026.32	\$2,012,550.36	\$295,524.04	17.21%
		A08	Overtime Pay		Overtime	Overtime for Gaming Agents.	\$0.00	\$10,000.00	\$10,000.00	#Div/0!
		Obj Class Totals:					\$1,717,026.32	\$2,022,550.36	\$305,524.04	17.79%
		BB	REGULAR EMPLOYEE RELATED EXPEN							
		B01	Other Out Of State Travel - INCLUSIVE: AIRFARE, HOTEL, LODGI		Travel	Out of state travel reimbursements for gaming enforcement agents and non-state police staff	\$15,000.00	\$15,000.00	\$0.00	0.00%
		B02	In-State Travel		Travel	In-state-travel reimbursements for gaming enforcement agents and non-state police staff	\$4,000.00	\$8,000.00	\$4,000.00	100.00%
		Obj Class Totals:					\$19,000.00	\$23,000.00	\$4,000.00	21.05%
		CC	SPECIAL EMPLOYEES							
		C23	Management, Business Professionals & Admin Services		Contracted Employees	Contracted Investigators	\$100,000.00	\$0.00	(\$100,000.00)	-100.00%
		Obj Class Totals:					\$100,000.00	\$0.00	(\$100,000.00)	-100.00%
		DD	PENSION & INSURANCE RELATED EX							
		D09	Fringe Benefit Cost Recoupment		Fringe	Fringe Rate of 34.88% on AA	\$577,716.32	\$701,977.57	\$124,261.25	21.51%
					Taxes	Tax rate of 1.45% on AA	\$28,799.60	\$29,181.98	\$382.38	1.33%
					Taxes	Tax Rate of 1.45% on Contracted Staff	\$4,783.30	\$0.00	(\$4,783.30)	-100.00%
		Obj Class Totals:					\$611,299.22	\$731,159.55	\$119,860.33	19.61%
		EE	ADMINISTRATIVE EXPENSES							
		E01	Office & Administrative Supplies		Supplies	Supplies	\$5,000.00	\$5,000.00	\$0.00	0.00%

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
	MGC Regulatory Costs									
		5000	Investigations and Enforcement Bureau							
		E12	Subscriptions, Memberships & Licensing Fees	Subscriptions	Lexis Nexis,Hire Authority, Nat.Student Loan Increase of \$500/month for GOLD Subscription Service		\$49,000.00	\$55,000.00	\$6,000.00	12.24%
		E30	Credit Card Purchases	Credit Card	Credit Card Purchases		\$15,000.00	\$15,000.00	\$0.00	0.00%
		E41	Out Of State Travel Expen on Behalf of State Employ	Travel Agent	Travel Agent for Trainings and Investigations		\$100,000.00	\$100,000.00	\$0.00	0.00%
		EE2	Conference, Training and Registration Fees	Registrations	Training/Conference Registration Fees.		\$25,000.00	\$30,000.00	\$5,000.00	20.00%
			Obj Class Totals:				\$194,000.00	\$205,000.00	\$11,000.00	5.67%
		JJ	OPERATIONAL SERVICES							
		J01	Accreditation Review Costs	Temp Services			\$7,500.00	\$0.00	(\$7,500.00)	-100.00%
		J25	Laboratory & Pharmaceutical Services	Finger Prints State Police	Chargeback for Finger Print Costs for Licenses @ \$50/set and ~4.5K prints		\$175,000.00	\$175,000.00	\$0.00	0.00%
				Plainville Police Salaries	Plainville Police Salaries		\$271,120.15	\$273,000.00	\$1,879.85	0.69%
				State Police	MGC Salaries for MGC Investigations and Background Unit 1DLT 1LT 6 TRP 4 TDY TRPs June 2018 \$9,024.17		\$889,331.94	\$969,003.97	\$79,672.03	8.96%
				State Police	MGC State Police Troopers Plainville Straight Time and Payroll Taxes		\$1,088,506.30	\$1,283,085.53	\$194,579.23	17.88%
				State Police OT & Travel	MGC OT and Travel for Investigations and Plainville Troopers		\$612,500.00	\$750,000.00	\$137,500.00	22.45%
				State Police	MSP Staff Costs at MGM 19 FTEs coming on at different times: LT--1/1/18 Start Sergeants--5/1/18 Start Troopers--5/1/18 Start		\$0.00	\$448,768.12	\$448,768.12	#Div/0!
		J28	Law Enforcement	Lease Vehicles	Plainville Law Enforcement Vehicles		\$8,877.39	\$8,877.39	\$0.00	0.00%
			Obj Class Totals:				\$3,052,835.78	\$3,907,735.01	\$854,899.23	28.00%
		KK	EQUIPMENT PURCHASE							
		K07	Office Furnishings	Gaming Equipment	4 Kobetron--\$1.5K/machine 2 Electronic Fingerprint Machine and Software--\$22K/machine ID Checker--\$1.6K Various--\$2K		\$8,400.00	\$53,444.00	\$45,044.00	536.24%
				Office Equipment	Configuration and build-out of IEB space due to increased staffing		\$0.00	\$15,000.00	\$15,000.00	#Div/0!
			Obj Class Totals:				\$8,400.00	\$68,444.00	\$60,044.00	714.81%
		UU	IT Non-Payroll Expenses							

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
	MGC Regulatory Costs									
		5000	Investigations and Enforcement Bureau							
		U02	Telecommunications Services - Voice		Mobile Devices	Wifi Cards for Staff \$50/month	\$12,000.00	\$12,000.00	\$0.00	0.00%
			Obj Class Totals:				\$12,000.00	\$12,000.00	\$0.00	0.00%
			Division/Bureau Totals:				\$5,714,561.32	\$6,969,888.92	\$1,255,327.60	21.97%
		7000	Licensing Division							
		AA	REGULAR EMPLOYEE COMPENSATION							
		A01	Salaries: Inclusive		Employee Compensation	Regular Employee Salaries	\$390,569.51	\$397,674.74	\$7,105.23	1.82%
			Obj Class Totals:				\$390,569.51	\$397,674.74	\$7,105.23	1.82%
		BB	REGULAR EMPLOYEE RELATED EXPEN							
		B01	Other Out Of State Travel - INCLUSIVE: AIRFARE, HOTEL, LODGI		Travel	Out-of State Travel Reimbursements	\$7,500.00	\$2,500.00	(\$5,000.00)	-66.67%
		B02	In-State Travel		Travel	MGM Opening/Hiring Events	\$0.00	\$4,000.00	\$4,000.00	#Div/0!
			Obj Class Totals:				\$7,500.00	\$6,500.00	(\$1,000.00)	-13.33%
		DD	PENSION & INSURANCE RELATED EX							
		D09	Fringe Benefit Cost Recoupment		Fringe	Fringe Rate of 34.88%	\$130,931.24	\$138,708.95	\$7,777.71	5.94%
					Taxes	Tax Rate of 1.45%	\$6,527.03	\$5,766.28	(\$760.75)	-11.66%
			Obj Class Totals:				\$137,458.27	\$144,475.23	\$7,016.96	5.10%
		EE	ADMINISTRATIVE EXPENSES							
		E02	Printing Expenses & Supplies		Supplies	Supplies for new employees and temporary operations in Springfield	\$5,000.00	\$10,000.00	\$5,000.00	100.00%
		E06	Postage		Postage	Federal Express Charges	\$1,000.00	\$1,500.00	\$500.00	50.00%
		E41	Out Of State Travel Expen on Behalf of State Employ		Travel Agent	Great Getaways G2E for meetings with Vendors and Licensing of Primaries	\$5,000.00	\$12,000.00	\$7,000.00	140.00%
		EE2	Conference, Training and Registration Fees		Conferences	Conference, Training & Registration.	\$5,000.00	\$5,000.00	\$0.00	0.00%
			Obj Class Totals:				\$16,000.00	\$28,500.00	\$12,500.00	78.13%
		JJ	OPERATIONAL SERVICES							
		J46	Temporary Help Services		Temp Help Services	Temp Help to assist with processing application during MGM opening	\$0.00	\$10,000.00	\$10,000.00	#Div/0!
			Obj Class Totals:				\$0.00	\$10,000.00	\$10,000.00	#Div/0!
		KK	EQUIPMENT PURCHASE							
		K07	Office Furnishings		Equipment Purchases	Equipment for new employees	\$0.00	\$10,000.00	\$10,000.00	#Div/0!
			Obj Class Totals:				\$0.00	\$10,000.00	\$10,000.00	#Div/0!
			Division/Bureau Totals:				\$551,527.78	\$597,149.97	\$45,622.19	8.27%
	MGC Regulatory Costs		Totals:				\$18,484,154.63	\$18,759,583.76	\$275,429.13	1.49%

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
	Indirect									
		2000	MGC	Indirect						
			EE	ADMINISTRATIVE EXPENSES						
			E16	Indirect Cost Recoupment	Indirect Agency Wide	Indirect at 10% of AA, CC, HH, JJ and UU excluding U07	\$1,635,476.20	\$1,659,949.80	\$24,473.60	1.50%
				Obj Class Totals:			\$1,635,476.20	\$1,659,949.80	\$24,473.60	1.50%
				Division/Bureau Totals:			\$1,635,476.20	\$1,659,949.80	\$24,473.60	1.50%
	Indirect			Totals:			\$1,635,476.20	\$1,659,949.80	\$24,473.60	1.50%

Approp	Budget Grouping	Division/ Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
				Research and Responsible Gaming/PHTF						
			1700	Problem Gambling						
		AA		REGULAR EMPLOYEE COMPENSATION						
		A01		Salaries: Inclusive	DPH ISA Salary	DPH ISA Salary	\$90,000.00	\$0.00	(\$90,000.00)	-100.00%
					Employee Compensation	Employee Salaries	\$232,465.30	\$205,317.50	(\$27,147.80)	-11.68%
				Obj Class Totals:			\$322,465.30	\$205,317.50	(\$117,147.80)	-36.33%
		BB		REGULAR EMPLOYEE RELATED EXPEN						
		B01		Other Out Of State Travel - INCLUSIVE: AIRFARE, HOTEL, LODGI	ISA DPH	DPH ISA Travel	\$3,000.00	\$0.00	(\$3,000.00)	-100.00%
					Travel	Out of State Travel	\$3,000.00	\$3,000.00	\$0.00	0.00%
		B02		In-State Travel	Travel	In-State-Travel Reimbursements	\$3,000.00	\$3,000.00	\$0.00	0.00%
				Obj Class Totals:			\$9,000.00	\$6,000.00	(\$3,000.00)	-33.33%
		CC		SPECIAL EMPLOYEES						
		C23		Management, Business Professionals & Admin Services	ISA DPH	DPH ISA 120 day employee	\$20,000.00	\$0.00	(\$20,000.00)	-100.00%
				Obj Class Totals:			\$20,000.00	\$0.00	(\$20,000.00)	-100.00%
		DD		PENSION & INSURANCE RELATED EX						
		D09		Fringe Benefit Cost Recoupment	DPH ISA Fringe rate of 33.5%	DPH ISA Fringe rate of 34.88%	\$30,150.00	\$0.00	(\$30,150.00)	-100.00%
					Fringe	Fringe rate of 34.88%	\$77,875.86	\$71,614.74	(\$6,261.12)	-8.04%
					ISA Taxes	Tax rate of 1.45%	\$1,837.00	\$0.00	(\$1,837.00)	-100.00%
					Taxes	Tax rate of 1.45%	\$3,882.17	\$2,977.10	(\$905.07)	-23.31%
				Obj Class Totals:			\$113,745.03	\$74,591.84	(\$39,153.19)	-34.42%
		EE		ADMINISTRATIVE EXPENSES						
		E01		Office & Administrative Supplies	ISA DPH	ISA DPH Supplies	\$500.00	\$0.00	(\$500.00)	-100.00%
		E16		Indirect Cost Recoupment	ISA DPH	ISA Indirect Charges	\$13,394.00	\$0.00	(\$13,394.00)	-100.00%
		E41		Out Of State Travel Expen on Behalf of State Employ	Travel Agency Fees	Great Getaways	\$0.00	\$4,000.00	\$4,000.00	#Div/0!
		E98		Reimbursement for Traval and Other Expenses for Board Member	Council Travel	Conference Attendance for Council on Compulsive Gambling	\$1,825.00	\$0.00	(\$1,825.00)	-100.00%
		EE2		Conference, Training and Registration Fees	Conferences	Conference, Training & Registration Fees	\$7,000.00	\$4,000.00	(\$3,000.00)	-42.86%
					ISA DPH	DPH ISA Conference Membership and Registration Fees	\$3,000.00	\$0.00	(\$3,000.00)	-100.00%
				Obj Class Totals:			\$25,719.00	\$8,000.00	(\$17,719.00)	-68.89%
		FF		FACILITY OPERATIONAL EXPENSES						
		F16		Library & Teaching Supplies & Materials	Books	Library/reference books	\$500.00	\$500.00	\$0.00	0.00%
				Obj Class Totals:			\$500.00	\$500.00	\$0.00	0.00%
		HH		CONSULTANT SVCS (TO DEPTS)						

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
				Research and Responsible Gaming/PHTF						
			1700	Problem Gambling						
			H09	Attorneys/Legal Services	Crime Analysis	Crime Analyst	\$30,000.00	\$50,000.00	\$20,000.00	66.67%
			H23	Program Coordinators	Branding	GameSense media buys etc. MORE Advertising	\$200,000.00	\$150,000.00	(\$50,000.00)	-25.00%
					Consultants	Cambridge Health Alliance contract costs	\$510,000.00	\$400,000.00	(\$110,000.00)	-21.57%
					Council Members Stipends	Council Members Stipends	\$0.00	\$0.00	\$0.00	#Num!
					Mass Council	Mass Council on Compulsive Gambling including 4 employees to man Game Sense booth at Penn --Staffed 16 hrs per day --VSE --Play My Way --Required by Statute Chapter 194, Section 9	\$580,000.00	\$640,000.00	\$60,000.00	10.34%
					Special Study	Public Health Trust Fund requested study of a sub-population	\$100,000.00	\$100,000.00	\$0.00	0.00%
					GRAC/RDASC/Research Consultants	Bruce Cohen--\$20K Other Consultants on Stipends max of \$20K Peer Review process for research agenda	\$0.00	\$40,000.00	\$40,000.00	#Div/0!
			H98	Reim Trav/Exp For Consultant Services	Council Travel	Mass Council Travel	\$7,500.00	\$0.00	(\$7,500.00)	-100.00%
					Obj Class Totals:		\$1,427,500.00	\$1,380,000.00	(\$47,500.00)	-3.33%
		JJ		OPERATIONAL SERVICES						
			J62	Contracted (Non-employees) Advisory Board or Commission Mem	Council Member Stipends	Council Members Stipends	\$20,000.00	\$0.00	(\$20,000.00)	-100.00%
					Obj Class Totals:		\$20,000.00	\$0.00	(\$20,000.00)	-100.00%
		MM		PURCHASED CLIENT/PROGRAM SVCS						
			M04	Services Purch Support of Human/Social Services for Clients	PPC reimbursements for Play My Way Incentives	PPC reimbursements for Play My Way Incentives	\$25,000.00	\$15,000.00	(\$10,000.00)	-40.00%
					Problem Gambling	Problem Gambling Solutions--Jeff Marotta reviewing applications and consultations	\$15,000.00	\$10,000.00	(\$5,000.00)	-33.33%
					Obj Class Totals:		\$40,000.00	\$25,000.00	(\$15,000.00)	-37.50%
		PP		STATE AID/POL SUB						
			P01	Grants To Public Entities	Data Storage Grant	Final Component of Research Agenda data storage of player data to not-for-profit entity	\$150,000.00	\$75,000.00	(\$75,000.00)	-50.00%
					DPH ISA Strategic Planning Grants	DPH ISA Strategic Planning Grants	\$325,000.00	\$0.00	(\$325,000.00)	-100.00%
					Umass	Magic Core/Optional--Cohort Study	\$1,080,000.00	\$1,200,000.00	\$120,000.00	11.11%
					DPH ISA	DPH ISA for operations and grants from public health trust fund. Balance remaining from \$5M after research agenda is accounted for.	\$0.00	\$1,140,197.00	\$1,140,197.00	#Div/0!

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change	
10500001	Mass. Gaming Commission										
	Research and Responsible Gaming/PHTF										
	1700	Problem Gambling									
	P06	Other Financial Assistance to State Authorities		Umass	Seigma/Umass core--Baseline Study on-going		\$900,000.00	\$800,000.00	(\$100,000.00)	-11.11%	
	Obj Class Totals:							\$2,455,000.00	\$3,215,197.00	\$760,197.00	30.97%
	UU	IT Non-Payroll Expenses									
	U07	Information Technology (IT) Equipment	Play Management	ITRAK	Development of Play Management Software		\$65,000.00	\$65,000.00	\$0.00	0.00%	
				ITRAK	Development of ITRAK and Migration from Current Process		\$0.00	\$10,000.00	\$10,000.00	#Div/0!	
	Obj Class Totals:							\$65,000.00	\$75,000.00	\$10,000.00	15.38%
	Division/Bureau Totals:							\$4,498,929.33	\$4,989,606.34	\$490,677.01	10.91%
	Research and Responsible Gaming/PHTF		Totals:				\$4,498,929.33	\$4,989,606.34	\$490,677.01	10.91%	

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change	
10500001	Mass. Gaming Commission										
				Office of Attorney General and AGO MSP							
			9000	Office of the Attorney General							
				JJ	OPERATIONAL SERVICES						
				J25	Laboratory & Pharmaceutical Services	State Police	AGO State Police OT	\$250,000.00	\$350,000.00	\$100,000.00	40.00%
						State Police	AGO Straight Time Troopers and Payroll Taxes 4 FTEs for FY18	\$222,303.76	\$501,256.98	\$278,953.22	125.48%
						State Police	MSP Staff Costs at AGO for 2 additional troopers for 26 pay periods in FY18 bringing total for the MSP AGO Gaming Unit to 6 FTEs	\$0.00	\$217,160.00	\$217,160.00	#Div/0!
				Obj Class Totals:				\$472,303.76	\$1,068,416.98	\$596,113.22	126.21%
				OO							
				O99		Attorney General	18 FTEs, various percentages of an additional nine (9) supervisor and support positions ~5.5 FTEs, \$500K in office space buildout including \$400K of an approximate \$1M renovation of MSP space, travel, conferences, and investigative costs.	\$1,904,540.60	\$2,600,000.00	\$695,459.40	36.52%
				Obj Class Totals:				\$1,904,540.60	\$2,600,000.00	\$695,459.40	36.52%
			Division/Bureau Totals:					\$2,376,844.36	\$3,668,416.98	\$1,291,572.62	54.34%
			Office of Attorney General and AGO MSP	Totals:				\$2,376,844.36	\$3,668,416.98	\$1,291,572.62	54.34%

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001		Mass. Gaming Commission								
		Alcohol and Beverage Control Commission								
		9001								
		OO								
		O01			ISA with ABCC	Moved to a new unit this year	\$0.00	\$75,000.00	\$75,000.00	#Div/0!
					ISA with ABCC	Was in IEB Moved to a new unit this year	\$75,000.00	\$0.00	(\$75,000.00)	-100.00%
					Obj Class Totals:		\$75,000.00	\$75,000.00	\$0.00	0.00%
					Division/Bureau Totals:		\$75,000.00	\$75,000.00	\$0.00	0.00%
		Alcohol and Beverage Control Commission			Totals:		\$75,000.00	\$75,000.00	\$0.00	0.00%

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
Appropriation Totals							\$27,070,404.52	\$29,152,556.88	\$2,082,152.36	7.69%
10500003	MGC Mass Racing Development and Oversight									
	MGC Regulatory Costs									
	1000	Finance and Administration								
	AA	REGULAR EMPLOYEE COMPENSATION								
	A01	Salaries: Inclusive			Employee Compensation	Admin Employees Salaries	\$24,808.99	\$163,926.80	\$139,117.81	560.76%
	Obj Class Totals:						\$24,808.99	\$163,926.80	\$139,117.81	560.76%
	DD	PENSION & INSURANCE RELATED EX								
	D09	Fringe Benefit Cost Recoupment			Fringe	Fringe Rate of 34.88%	\$8,311.01	\$57,177.67	\$48,866.66	587.97%
					Taxes	Tax Rate of 1.45%	\$414.31	\$2,376.94	\$1,962.63	473.71%
	Obj Class Totals:						\$8,725.32	\$59,554.61	\$50,829.29	582.55%
	Division/Bureau Totals:						\$33,534.31	\$223,481.41	\$189,947.10	566.43%
	1100	Human Resources								
	AA	REGULAR EMPLOYEE COMPENSATION								
	A01	Salaries: Inclusive			Employee Compensation	HR Employees Salaries	\$6,131.76	\$83,782.66	\$77,650.90	1266.37%
						Cost of Living Increases Agency Wide	\$11,066.66	\$0.00	(\$11,066.66)	-100.00%
	A14	Stipends, Bonus Pay & Awards			Bonus incentives	Bonus incentives	\$3,688.89	\$0.00	(\$3,688.89)	-100.00%
	Obj Class Totals:						\$20,887.31	\$83,782.66	\$62,895.35	301.12%
	DD	PENSION & INSURANCE RELATED EX								
	D09	Fringe Benefit Cost Recoupment			Fringe	Fringe Rate of 34.88%	\$2,054.14	\$29,223.39	\$27,169.25	1322.66%
					Taxes	Tax Rate of 1.45%	\$102.40	\$1,214.85	\$1,112.45	1086.38%
	Obj Class Totals:						\$2,156.54	\$30,438.24	\$28,281.70	1311.44%
	Division/Bureau Totals:						\$23,043.85	\$114,220.90	\$91,177.05	395.67%
	1200	Legal								
	AA	REGULAR EMPLOYEE COMPENSATION								
	A01	Salaries: Inclusive			Employee Compensation	Legal Employees Salaries	\$7,590.34	\$36,509.62	\$28,919.28	381.00%
	Obj Class Totals:						\$7,590.34	\$36,509.62	\$28,919.28	381.00%
	DD	PENSION & INSURANCE RELATED EX								
	D09	Fringe Benefit Cost Recoupment			Fringe	Fringe Rate of 34.88%	\$2,542.76	\$12,734.56	\$10,191.80	400.82%
					Taxes	Tax Rate of 1.45%	\$126.76	\$529.39	\$402.63	317.63%
	Obj Class Totals:						\$2,669.52	\$13,263.95	\$10,594.43	396.87%
	Division/Bureau Totals:						\$10,259.86	\$49,773.57	\$39,513.71	385.13%
	1300	Executive Director								
	AA	REGULAR EMPLOYEE COMPENSATION								

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500003	MGC Mass Racing Development and Oversight									
	MGC Regulatory Costs									
	1300	Executive Director								
	A01	Salaries: Inclusive		Employee Compensation	Exec. Dir.	Employees Salaries	\$9,321.15	\$35,911.23	\$26,590.08	285.27%
	Obj Class Totals:						\$9,321.15	\$35,911.23	\$26,590.08	285.27%
	DD	PENSION & INSURANCE RELATED EX								
	D09	Fringe Benefit Cost Recoupment		Fringe		Fringe Rate of 34.88%	\$3,122.59	\$12,525.83	\$9,403.24	301.14%
				Taxes		Tax Rate of 1.45%	\$155.66	\$520.71	\$365.05	234.52%
	Obj Class Totals:						\$3,278.25	\$13,046.54	\$9,768.29	297.97%
	Division/Bureau Totals:						\$12,599.40	\$48,957.77	\$36,358.37	288.57%
	1400	Information Technology								
	AA	REGULAR EMPLOYEE COMPENSATION								
	A01	Salaries: Inclusive		Employee Compensation	IT	Employees Salaries	\$9,735.42	\$34,287.81	\$24,552.39	252.20%
	Obj Class Totals:						\$9,735.42	\$34,287.81	\$24,552.39	252.20%
	DD	PENSION & INSURANCE RELATED EX								
	D09	Fringe Benefit Cost Recoupment		Fringe		Fringe Rate of 34.88%	\$3,261.37	\$11,959.58	\$8,698.21	266.70%
				Taxes		Tax Rate of 1.45%	\$162.58	\$497.17	\$334.59	205.80%
	Obj Class Totals:						\$3,423.95	\$12,456.75	\$9,032.80	263.81%
	Division/Bureau Totals:						\$13,159.37	\$46,744.56	\$33,585.19	255.22%
	1500	Commissioners								
	AA	REGULAR EMPLOYEE COMPENSATION								
	A01	Salaries: Inclusive		Employee Compensation	Commissioners	Employees Salaries	\$30,868.79	\$53,893.50	\$23,024.71	74.59%
	Obj Class Totals:						\$30,868.79	\$53,893.50	\$23,024.71	74.59%
	DD	PENSION & INSURANCE RELATED EX								
	D09	Fringe Benefit Cost Recoupment		Fringe		Fringe Rate of 34.88%	\$10,341.04	\$18,798.05	\$8,457.01	81.78%
				Taxes		Tax Rate of 1.45%	\$515.51	\$781.46	\$265.95	51.59%
	Obj Class Totals:						\$10,856.55	\$19,579.51	\$8,722.96	80.35%
	Division/Bureau Totals:						\$41,725.34	\$73,473.01	\$31,747.67	76.09%
	1800	Communications								
	AA	REGULAR EMPLOYEE COMPENSATION								
	A01	Salaries: Inclusive		Employee Compensation	Communications	Employees Salaries	\$0.00	\$11,272.11	\$11,272.11	#Div/0!
	Obj Class Totals:						\$0.00	\$11,272.11	\$11,272.11	#Div/0!
	DD	PENSION & INSURANCE RELATED EX								
	D09	Fringe Benefit Cost Recoupment		Fringe		Fringe rate of 34.88%	\$0.00	\$3,931.71	\$3,931.71	#Div/0!
				Taxes		Tax rate of 1.45%	\$0.00	\$163.44	\$163.44	#Div/0!
	Obj Class Totals:						\$0.00	\$4,095.15	\$4,095.15	#Div/0!

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500003	MGC Mass Racing Development and Oversight									
	MGC Regulatory Costs									
	1800	Communications								
	Division/Bureau Totals:						\$0.00	\$15,367.26	\$15,367.26	#Div/0!
	3000	Racing Division								
	AA	REGULAR EMPLOYEE COMPENSATION								
	A01	Salaries: Inclusive	Employee Compensation	Regular Employee Salaries			\$280,432.22	\$293,177.00	\$12,744.78	4.54%
	Obj Class Totals:						\$280,432.22	\$293,177.00	\$12,744.78	4.54%
	BB	REGULAR EMPLOYEE RELATED EXPEN								
	B01	Other Out Of State Travel - INCLUSIVE: AIRFARE, HOTEL, LODGI	Travel	Out of State Travel Reimbursement			\$10,000.00	\$10,000.00	\$0.00	0.00%
	B02	In-State Travel	Travel	In State Travel Reimbursement			\$2,000.00	\$2,000.00	\$0.00	0.00%
	Obj Class Totals:						\$12,000.00	\$12,000.00	\$0.00	0.00%
	CC	SPECIAL EMPLOYEES								
	C04	Contracted Seasonal Employees	Seasonals	Seasonal salaries for Plainridge at 35 weeks			\$330,000.00	\$360,000.00	\$30,000.00	9.09%
	Obj Class Totals:						\$330,000.00	\$360,000.00	\$30,000.00	9.09%
	DD	PENSION & INSURANCE RELATED EX								
	D09	Fringe Benefit Cost Recoupment	Fringe	Fringe Rate of 34.88%			\$93,944.79	\$102,260.14	\$8,315.35	8.85%
			Taxes	Tax Rate of 1.45%			\$4,683.22	\$4,251.07	(\$432.15)	-9.23%
			Taxes for Seasonals	Taxes for Seasonals @1.45%			\$5,511.00	\$6,012.00	\$501.00	9.09%
	Obj Class Totals:						\$104,139.01	\$112,523.21	\$8,384.20	8.05%
	EE	ADMINISTRATIVE EXPENSES								
	E01	Office & Administrative Supplies	Supplies	W.B. Mason			\$6,000.00	\$6,000.00	\$0.00	0.00%
	E02	Printing Expenses & Supplies	Printing	Sir Speedy			\$500.00	\$500.00	\$0.00	0.00%
	E12	Subscriptions, Memberships & Licensing Fees	Memberships	AA Dority/Organization of Racing Investigators			\$1,005.00	\$1,005.00	\$0.00	0.00%
			Memberships	Assoc. of Racing Regulators			\$17,005.00	\$18,700.00	\$1,695.00	9.97%
	E13	Advertising Expenses	Public Hearing Notices	Boston Globe			\$1,000.00	\$1,000.00	\$0.00	0.00%
			Public Hearing Notices	Boston Herald			\$700.00	\$700.00	\$0.00	0.00%
			Public Hearing Notices	Dow Jones/Cape Cod Times			\$150.00	\$150.00	\$0.00	0.00%
			Public Hearing Notices	Sun Chronical			\$300.00	\$300.00	\$0.00	0.00%
	E15	Bottled Water	Water	Belmont Springs/DS Waters of America			\$200.00	\$200.00	\$0.00	0.00%
	E41	Out Of State Travel Expen on Behalf of State Employ	Travel Agent	Travel			\$3,000.00	\$3,000.00	\$0.00	0.00%
	EE2	Conference, Training and Registration Fees	Conferences	Assoc. of Racing Comm./Delaware Racing/Thoroughbred Racing			\$3,000.00	\$3,000.00	\$0.00	0.00%

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500003	MGC Mass Racing Development and Oversight									
	MGC Regulatory Costs									
	3000	Racing Division								
		Obj Class Totals:					\$32,860.00	\$34,555.00	\$1,695.00	5.16%
	FF	FACILITY OPERATIONAL EXPENSES								
	F05	Laboratory Supplies	Vet Supplies	Gloves, scrubs etc.		\$2,000.00	\$2,000.00	\$0.00	0.00%	
		Obj Class Totals:					\$2,000.00	\$2,000.00	\$0.00	0.00%
	HH	CONSULTANT SVCS (TO DEPTS)								
	H19	Management Consultants	Hearing Officer	David Murray		\$25,000.00	\$25,000.00	\$0.00	0.00%	
		Obj Class Totals:					\$25,000.00	\$25,000.00	\$0.00	0.00%
	JJ	OPERATIONAL SERVICES								
	J10	Auxiliary Financial Services	Credit Cards	Bank of America credit card terminal fees		\$1,000.00	\$1,000.00	\$0.00	0.00%	
	J25	Laboratory & Pharmaceutical Services	Testing	Health Resources Corp.		\$1,800.00	\$1,800.00	\$0.00	0.00%	
	J28	Law Enforcement		Mass State Police Straight and OT		\$0.00	\$465,000.00	\$465,000.00	#Div/0!	
	JJ1	Legal Support Services	Stenographer	Catuagno Court Reporting		\$6,500.00	\$6,500.00	\$0.00	0.00%	
	JJ2	Auxiliary Services	Autopsies	Trustees of Tufts College		\$22,000.00	\$22,000.00	\$0.00	0.00%	
			Testing Lab	HFL Sports Science		\$7,000.00	\$7,000.00	\$0.00	0.00%	
			Testing Lab	Industrial Laboratories		\$200,000.00	\$312,000.00	\$112,000.00	56.00%	
		Obj Class Totals:					\$238,300.00	\$815,300.00	\$577,000.00	242.13%
	LL	EQUIPMENT LEASE-MAINTAIN/REPAR								
	L26	Printing/Photocopy & Micrographics Equip Rent/Lease	Copier Lease	Canon Financial Solutions		\$1,500.00	\$0.00	(\$1,500.00)	-100.00%	
	L46	Print, Photocopying & Micrograph Equipment Maint/Repair	Maintenance Contract	K & A Industries		\$2,000.00	\$2,000.00	\$0.00	0.00%	
		Obj Class Totals:					\$3,500.00	\$2,000.00	(\$1,500.00)	-42.86%
	MM	PURCHASED CLIENT/PROGRAM SVCS								
	M03	Purchased Human & Social Services For Clients/Non Medical	Hardship Payments	Economic Hardship Payments		\$20,000.00	\$20,000.00	\$0.00	0.00%	
			Legislative Mandate	Eighth Pole		\$80,000.00	\$0.00	(\$80,000.00)	-100.00%	
			Legislative Mandate	Jockey's Guild		\$65,000.00	\$65,000.00	\$0.00	0.00%	
	M04	Services Purch Support of Human/Social Services for Clients	ISA	ISA with DPH Compulsive Gambling		\$70,000.00	\$70,000.00	\$0.00	0.00%	
		Obj Class Totals:					\$235,000.00	\$155,000.00	(\$80,000.00)	-34.04%
	UU	IT Non-Payroll Expenses								
	U02	Telecommunications Services - Voice	Phones	Verizon/AT&T		\$15,000.00	\$15,000.00	\$0.00	0.00%	
	U05	Information Technology (IT) Temp Staff Augmentation Profs	Chrims	Arthur Evans		\$62,500.00	\$16,000.00	(\$46,500.00)	-74.40%	
	U09	Information Technology (IT) Equip Rental Or Lease	Computer Leases	Ontario Investments		\$1,200.00	\$12,000.00	\$10,800.00	900.00%	

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500003	MGC Mass Racing Development and Oversight									
	MGC Regulatory Costs									
	3000	Racing Division								
		Obj Class Totals:					\$78,700.00	\$43,000.00	(\$35,700.00)	-45.36%
		Division/Bureau Totals:					\$1,341,931.23	\$1,854,555.21	\$512,623.98	38.20%
	7000	Licensing Division								
		DD	PENSION & INSURANCE RELATED EX							
		D09	Fringe Benefit Cost Recoupment	Fringe	Fringe Rate of 34.88%		\$0.00	\$1,295.88	\$1,295.88	#Div/0!
				Taxes	Tax Rate of 1.45%		\$0.00	\$53.88	\$53.88	#Div/0!
		Obj Class Totals:					\$0.00	\$1,349.76	\$1,349.76	#Div/0!
		Division/Bureau Totals:					\$0.00	\$1,349.76	\$1,349.76	#Div/0!
	MGC Regulatory Costs	Totals:					\$1,476,253.36	\$2,427,923.45	\$951,670.09	64.47%

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change	
10500003	MGC Mass Racing Development and Oversight			Indirect							
		2000	MGC Indirect								
			EE	ADMINISTRATIVE EXPENSES							
			E16	Indirect Cost Recoupment	Indirect Agency Wide	Indirect at 10% of AA, CC, HH, JJ and UU excluding U07	\$0.00	\$163,398.45	\$163,398.45	#Div/0!	
			Obj Class Totals:					\$0.00	\$163,398.45	\$163,398.45	#Div/0!
			Division/Bureau Totals:					\$0.00	\$163,398.45	\$163,398.45	#Div/0!
	Indirect		Totals:					\$0.00	\$163,398.45	\$163,398.45	#Div/0!

Approp	Budget Grouping	Division/Bureau	Object Class	Object_name	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500003	MGC Mass Racing Development and Oversight									
Appropriation Totals							\$1,476,253.36	\$2,591,321.90	\$1,115,068.54	75.53%

Next Year Budget By Object Class for Commission

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
			MGC Regulatory Costs							
		AA	REGULAR EMPLOYEE COMPENSATION							
		A01	Salaries: Inclusive	1000	Employee Compensation	Salaries	\$500,089.89	\$364,080.20	(\$136,009.69)	-27.20%
				1100	Employee Compensation	Employee Salaries	\$233,446.08	\$157,680.34	(\$75,765.74)	-32.46%
				1100	Raises	2.0% COLA/Bonus Incentives Agency Wide	\$127,272.43	\$121,971.16	(\$5,301.27)	-4.17%
				1200	Employee Compensation	Employee Salaries	\$496,797.94	\$479,248.37	(\$17,549.57)	-3.53%
				1300	Employee Compensation	Employee Salaries	\$378,640.38	\$589,524.27	\$210,883.89	55.70%
				1400	Employee Compensation	Employee Salaries	\$563,295.91	\$560,397.81	(\$2,898.10)	-0.51%
				1500	Employee Compensation	Employee Compensation	\$884,653.65	\$558,769.76	(\$325,883.89)	-36.84%
				1600	Employee Compensation	Employee Salaries	\$192,279.28	\$187,317.58	(\$4,961.70)	-2.58%
				1800	Employee Compensation	Regular Salaries	\$209,210.02	\$197,428.90	(\$11,781.12)	-5.63%
				1900	Employee Compensation	Regular Employees	\$314,594.66	\$313,488.00	(\$1,106.66)	-0.35%
				5000	Employee Compensation	Regular Salaries	\$1,717,026.32	\$2,012,550.36	\$295,524.04	17.21%
				7000	Employee Compensation	Regular Employee Salaries	\$390,569.51	\$397,674.74	\$7,105.23	1.82%
		A08	Overtime Pay	5000	Overtime	Overtime for Gaming Agents.	\$0.00	\$10,000.00	\$10,000.00	#Div/0!
			Obj Class Totals:				\$6,007,876.07	\$5,950,131.49	(\$57,744.58)	-0.96%
		BB	REGULAR EMPLOYEE RELATED EXPEN							
		B01	Other Out Of State Travel - INCLUSIVE: AIRFARE, HOTEL, LODGI	1000	Travel	Out of State Travel	\$0.00	\$2,000.00	\$2,000.00	#Div/0!
				1200	Travel	Out of State Travel and Training	\$2,500.00	\$5,000.00	\$2,500.00	100.00%
				1300	Travel	Two conferences Out of State	\$6,000.00	\$6,000.00	\$0.00	0.00%
				1400	Travel	Out of State Travel G2E/Gartner	\$6,000.00	\$4,000.00	(\$2,000.00)	-33.33%
				1500	Travel Reimbursements	Travel Reimbursements --In State (6 Commission Meetings a Year, Site Visits) --Out of Pocket Out of State Expenses	\$10,000.00	\$10,000.00	\$0.00	0.00%
				1600	Travel	Other Out of State Travel-Inclusive Airfare, Hotel, Lodging --Las Vegas Gaming Conference G2E	\$3,000.00	\$1,000.00	(\$2,000.00)	-66.67%

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
	MGC Regulatory Costs									
		B01	Other Out Of State Travel - INCLUSIVE: AIRFARE, HOTEL, LODGI	5000	Travel	Out of state travel reimbursements for gaming enforcement agents and non-state police staff	\$15,000.00	\$15,000.00	\$0.00	0.00%
				7000	Travel	Out-of State Travel Reimbursements	\$7,500.00	\$2,500.00	(\$5,000.00)	-66.67%
		B02	In-State Travel	1000	Travel	In-State Travel	\$2,000.00	\$1,000.00	(\$1,000.00)	-50.00%
				1100	Travel	In State Travel	\$1,000.00	\$1,000.00	\$0.00	0.00%
				1200	Travel	In State Travel	\$2,000.00	\$2,000.00	\$0.00	0.00%
				1300	Travel	In-State Mileage and Rental Cars	\$2,000.00	\$2,000.00	\$0.00	0.00%
				1400	Travel	In-state travel	\$3,000.00	\$2,000.00	(\$1,000.00)	-33.33%
				1600	Travel	In-state Travel AOC as well as site visits of licensees	\$2,000.00	\$3,000.00	\$1,000.00	50.00%
				1800	Travel Reimbursement	In-State Travel Reimbursement	\$3,900.00	\$3,900.00	\$0.00	0.00%
				1900	In State Travel Reimbursement	In-State Travel Reimbursement and Out of State --Visits to Other Licensee Sites	\$0.00	\$4,000.00	\$4,000.00	#Div/0!
				5000	Travel	In-state-travel reimbursements for gaming enforcement agents and non-state police staff	\$4,000.00	\$8,000.00	\$4,000.00	100.00%
				7000	Travel	MGM Opening/Hiring Events	\$0.00	\$4,000.00	\$4,000.00	#Div/0!
		B05	Conference, Training, Registration and Membership Dues and L	1200	Professional Licenses	Professional and Bar Licenses	\$2,000.00	\$2,000.00	\$0.00	0.00%
			Obj Class Totals:				\$71,900.00	\$78,400.00	\$6,500.00	9.04%
		CC	SPECIAL EMPLOYEES							
		C04	Contracted Seasonal Employees	1600	Interns		\$6,862.80	\$0.00	(\$6,862.80)	-100.00%
		C23	Management, Business Professionals & Admin Services	5000	Contracted Employees	Contracted Investigators	\$100,000.00	\$0.00	(\$100,000.00)	-100.00%
			Obj Class Totals:				\$106,862.80	\$0.00	(\$106,862.80)	-100.00%
		DD	PENSION & INSURANCE RELATED EX							
		D09	Fringe Benefit Cost Recoupment	1000	Fringe	Fringe rate of 34.88%	\$167,530.11	\$126,991.17	(\$40,538.94)	-24.20%
				1000	Taxes	Tax rate of 1.45%	\$8,351.50	\$5,279.16	(\$3,072.34)	-36.79%
				1100	Fringe	Fringe rate of 34.88%	\$78,204.44	\$54,998.90	(\$23,205.54)	-29.67%
				1100	Payroll Taxes & Fringe on Raises	Payroll Taxes & Fringe on Raises	\$56,180.53	\$44,312.12	(\$11,868.41)	-21.13%
				1100	Taxes	Tax rate of 1.45%	\$3,898.55	\$2,286.36	(\$1,612.19)	-41.35%
				1200	Fringe	Fringe rate of 34.88%	\$157,246.64	\$167,161.83	\$9,915.19	6.31%
				1200	Taxes	Tax rate of 1.45%	\$8,296.53	\$6,949.10	(\$1,347.43)	-16.24%
				1300	Fringe	Fringe rate of 34.88%	\$126,844.53	\$211,446.64	\$84,602.11	66.70%
				1300	Taxes	Tax rate of 1.45%	\$6,323.29	\$2,727.53	(\$3,595.76)	-56.87%
				1400	Fringe	Fringe rate of 34.88%	\$188,704.13	\$195,466.76	\$6,762.63	3.58%

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
	MGC Regulatory Costs									
		D09	Fringe Benefit Cost Recoupment	1400	Taxes	Tax rate of 1.45%	\$9,407.04	\$8,125.77	(\$1,281.27)	-13.62%
				1500	Fringe	Fringe Rate of 34.88%	\$296,358.97	\$194,898.89	(\$101,460.08)	-34.24%
				1500	Taxes	Tax rate of 1.45%	\$14,773.72	\$8,102.16	(\$6,671.56)	-45.16%
				1600	Fringe	Fringe rate of 34.88%	\$65,875.10	\$65,336.37	(\$538.73)	-0.82%
				1600	Taxes	Tax rate of 1.45%	\$3,283.92	\$2,716.10	(\$567.82)	-17.29%
				1800	Fringe	Fringe rate of 34.88%	\$70,085.36	\$68,863.20	(\$1,222.16)	-1.74%
				1800	Taxes	Tax rate of 1.45%	\$3,493.81	\$2,862.72	(\$631.09)	-18.06%
				1900	Fringe	Fringe Rate of 34.88%	\$105,389.21	\$109,344.61	\$3,955.40	3.75%
				1900	Taxes	Tax rate of 1.45%	\$5,253.73	\$4,545.58	(\$708.15)	-13.48%
				5000	Fringe	Fringe Rate of 34.88% on AA	\$577,716.32	\$701,977.57	\$124,261.25	21.51%
				5000	Taxes	Tax rate of 1.45% on AA	\$28,799.60	\$29,181.98	\$382.38	1.33%
				5000	Taxes	Tax Rate of 1.45% on Contracted Staff	\$4,783.30	\$0.00	(\$4,783.30)	-100.00%
				7000	Fringe	Fringe Rate of 34.88%	\$130,931.24	\$138,708.95	\$7,777.71	5.94%
				7000	Taxes	Tax Rate of 1.45%	\$6,527.03	\$5,766.28	(\$760.75)	-11.66%
		D15	Workers' Compensation Chargebacks	1100	Worker's Comp Chargeback	Worker's Comp Chargeback	\$49,000.00	\$50,000.00	\$1,000.00	2.04%
			Obj Class Totals:				\$2,173,258.60	\$2,208,049.76	\$34,791.16	1.60%
		EE	ADMINISTRATIVE EXPENSES							
		E01	Office & Administrative Supplies	1000	Supplies	Adoni Spring Water	\$5,000.00	\$2,500.00	(\$2,500.00)	-50.00%
				1000	Supplies	Cam Office Supplies	\$10,000.00	\$10,000.00	\$0.00	0.00%
				1000	Supplies	W.B. Mason	\$25,000.00	\$25,000.00	\$0.00	0.00%
				1200	Supplies	Office Supplies	\$5,000.00	\$5,000.00	\$0.00	0.00%
				5000	Supplies	Supplies	\$5,000.00	\$5,000.00	\$0.00	0.00%
		E02	Printing Expenses & Supplies	1000	Printing	Sir Speedy	\$3,950.00	\$3,950.00	\$0.00	0.00%
				1600	Printing	Flyer printing/Workforce Development	\$2,000.00	\$10,000.00	\$8,000.00	400.00%
				1800	Printing	Printing	\$6,100.00	\$6,100.00	\$0.00	0.00%
				7000	Supplies	Supplies for new employees and temporary operations in Springfield	\$5,000.00	\$10,000.00	\$5,000.00	100.00%
		E05	Postage Chargeback	1000	Postage	ITD PAD Chargeback for postal Services	\$2,600.00	\$2,664.00	\$64.00	2.46%
		E06	Postage	1000	Postage	Postage for Ashburton Mail Room	\$2,400.00	\$2,400.00	\$0.00	0.00%
				1000	Postage	Postage for Pitney Bowes, Fed Ex, UPS	\$1,500.00	\$1,500.00	\$0.00	0.00%
				7000	Postage	Federal Express Charges	\$1,000.00	\$1,500.00	\$500.00	50.00%
		E12	Subscriptions, Memberships & Licensing Fees	1100	Subscriptions	Subscriptions, Memberships & Licensing Fees SHRM, NEHRA, The Partnership	\$2,000.00	\$2,000.00	\$0.00	0.00%
				1200	Subscriptions	Subscriptions and Memberships Westlaw ABA	\$5,000.00	\$7,000.00	\$2,000.00	40.00%
				1500	Subscriptions	Trade Journals	\$3,000.00	\$3,000.00	\$0.00	0.00%

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
	MGC Regulatory Costs									
		E12	Subscriptions, Memberships & Licensing Fees	1600	Administrative Expenses	Marketing Sponsorships of Diversity and Opportunity Events --Best Corp (Workforce Event) --Colette Phillips Get Connected (Series of Diversity Events) --Dudley Square Sponsorship --Target Springfield Events	\$25,000.00	\$25,000.00	\$0.00	0.00%
				1800	Subscriptions	Subscriptions, Licensing, Memberships	\$25,000.00	\$25,000.00	\$0.00	0.00%
				1900	Subscriptions/Memberships	Instatrac subscription	\$0.00	\$5,000.00	\$5,000.00	#Div/0!
				5000	Subscriptions	Lexis Nexis,Hire Authority, Nat.Student Loan Increase of \$500/month for GOLD Subscription Service	\$49,000.00	\$55,000.00	\$6,000.00	12.24%
		E13	Advertising Expenses	1200	Reg Advertising	Advertising of Regs and Meetings	\$5,000.00	\$5,000.00	\$0.00	0.00%
		E15	Bottled Water	1000	Water	Quench	\$500.00	\$684.00	\$184.00	36.80%
		E18	State Single Audit Chargeback	1000	FY 17 Chargeback Single State Audit	Chargeback	\$250.00	\$300.00	\$50.00	20.00%
		E19	Fees, Fines, Licenses, Permits & Chargebacks	1000	Fees, Fines, Licensed, Chargebakcs	EZ Pass	\$0.00	\$300.00	\$300.00	#Div/0!
				1100	Licenses	Fees, Fines, Licenses, Permits & Chargebacks for HRCMS and HRD	\$2,653.00	\$2,653.00	\$0.00	0.00%
		E20	Motor Vehicle Chargeback	1000	OVM	Motorized Vehicle Chargeback--Leases of ford fusion and ford escape	\$12,689.64	\$12,689.64	\$0.00	0.00%
		E22	Temp Use Space/Confer-Incidental Includes Reservation Fees	1000	Laz Parking	Parking at 33 Arch St. 13 spaces	\$70,200.00	\$54,000.00	(\$16,200.00)	-23.08%
				1500	75-101 Parking Garage	Parking 75-101	\$28,200.00	\$28,200.00	\$0.00	0.00%
				1500	Meeting Space	Temporary Space \$1.2/mtg @ 6mtgs	\$7,500.00	\$7,500.00	\$0.00	0.00%
				1600	Conferences	Access Opportunity Meetings	\$7,000.00	\$7,000.00	\$0.00	0.00%
				1900	Conferences and Incidentals	Gaming Policy Advisory Committee	\$0.00	\$6,000.00	\$6,000.00	#Div/0!
		E30	Credit Card Purchases	1000	Credit Card	Credit Card Incidental Purchases	\$0.00	\$500.00	\$500.00	#Div/0!
				1300	Credit Card	Credit Card Purchases	\$15,000.00	\$15,000.00	\$0.00	0.00%
				1500	Credit Card	Allowable Credit Card Expenses	\$12,500.00	\$12,500.00	\$0.00	0.00%
				5000	Credit Card	Credit Card Purchases	\$15,000.00	\$15,000.00	\$0.00	0.00%
		E41	Out Of State Travel Expen on Behalf of State Employ	1000	Travel	Travel Agency Fees	\$0.00	\$5,000.00	\$5,000.00	#Div/0!
				1200	Travel	Conference/Trainings	\$10,000.00	\$10,000.00	\$0.00	0.00%
				1400	Travel	Travel Agent Expenses	\$6,000.00	\$6,000.00	\$0.00	0.00%
				1600	Travel	Travel Agent	\$1,000.00	\$2,000.00	\$1,000.00	100.00%
				5000	Travel Agent	Travel Agent for Trainings and Investigations	\$100,000.00	\$100,000.00	\$0.00	0.00%

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
			MGC Regulatory Costs							
		E41	Out Of State Travel Expen on Behalf of State Employ	7000	Travel Agent	Great Getaways G2E for meetings with Vendors and Licensing of Primaries	\$5,000.00	\$12,000.00	\$7,000.00	140.00%
		E56	Secretariat Central Services Chargeback	1400	IT Support	ANF Chargeback for IT services (Help Desk Charges \$659.79 per desktop)	\$52,783.00	\$52,783.00	\$0.00	0.00%
		EE2	Conference, Training and Registration Fees	1000	Conference Registrations	Registration Fees	\$0.00	\$5,000.00	\$5,000.00	#Div/0!
				1100	Training	Conference, Training and Registration Fees Career Development and Training •Diversity training for additional staff •Management Training •Business writing class for all new gaming agents •Senior MGT lunch and learns sessions (Betty Hoffman, on	\$3,000.00	\$13,000.00	\$10,000.00	333.33%
				1100	ISA with EOHHS	EOHHS Professional Development (MasSP Trainings)	\$0.00	\$12,000.00	\$12,000.00	#Div/0!
				1300	Gaming Forum	Gaming Forum TBD	\$10,000.00	\$10,000.00	\$0.00	0.00%
				1500	Registration Fees	Conference/Trainings	\$5,000.00	\$5,000.00	\$0.00	0.00%
				5000	Registrations	Training/Conference Registration Fees.	\$25,000.00	\$30,000.00	\$5,000.00	20.00%
				7000	Conferences	Conference, Training & Registration.	\$5,000.00	\$5,000.00	\$0.00	0.00%
		EE9	Employee Recognition Chargeback	1100	Employee Morale	Employee Recognition Program	\$10,000.00	\$5,000.00	(\$5,000.00)	-50.00%
			Obj Class Totals:				\$592,825.64	\$647,723.64	\$54,898.00	9.26%
	GG		ENERGY COSTS AND SPACE RENTAL							
		G01	Space Rental	1000	Office Lease	101 Federal St. 12 months	\$1,161,267.18	\$1,182,473.94	\$21,206.76	1.83%
				1000	Rent	Umass Office Rent	\$0.00	\$2,540.00	\$2,540.00	#Div/0!
				1400	Data Center	Markley Data Center Costs (Rack Space \$10.8K, Electricity \$13.2K, and Fiber \$4K)	\$28,080.00	\$28,080.00	\$0.00	0.00%
		G03	Electricity	1000	Electricity	101 Federal St. 12 months	\$32,635.44	\$32,635.44	\$0.00	0.00%
		G05	Fuel For Vehicles	1000		Wex Bank/Gulf	\$0.00	\$1,500.00	\$1,500.00	#Div/0!
			Obj Class Totals:				\$1,221,982.62	\$1,247,229.38	\$25,246.76	2.07%
	HH		CONSULTANT SVCS (TO DEPTS)							
		H09	Attorneys/Legal Services	1000	Insurance	Comprehensive Insurance Policy	\$125,000.00	\$86,450.00	(\$38,550.00)	-30.84%
				1100	Worker's Comp	Workers Comp Litigation Fees	\$5,000.00	\$5,000.00	\$0.00	0.00%
				1200	Litigation Defense	Outside Counsel Litigation Defense	\$400,000.00	\$400,000.00	\$0.00	0.00%
				1200	Litigation Defense	Outside Counsel Review of PRR	\$31,600.00	\$0.00	(\$31,600.00)	-100.00%
				1200	Outside Counsel	General Practice, Regulations, Laws, etc.	\$176,003.14	\$80,000.00	(\$96,003.14)	-54.55%
				1200	Outside Counsel	Labor Employment Law	\$20,000.00	\$20,000.00	\$0.00	0.00%
		H19	Management Consultants	1000		CPA Firm for Annual Audits consistent with Generally Accepted Auditing Standards	\$0.00	\$38,550.00	\$38,550.00	#Div/0!
				1200	Hearing Officer	Hearing Officer	\$32,000.00	\$32,000.00	\$0.00	0.00%

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
	MGC Regulatory Costs									
		H19	Management Consultants	1300	Gaming Consultant	Gaming Consultant for Legal, and General Matters	\$180,000.00	\$0.00	(\$180,000.00)	-100.00%
				1300	Strategic Consultant	General Consultant needs for OPM, Commissioners or Executive Director	\$20,000.00	\$40,000.00	\$20,000.00	100.00%
				1300	Tribal Consultant	Gaming Consultant for Tribal Matters	\$60,000.00	\$0.00	(\$60,000.00)	-100.00%
				1500	Consultants Reviews	Consultants	\$50,000.00	\$0.00	(\$50,000.00)	-100.00%
				1600	Consultants	MCCTI Statewide WF Coordinator	\$50,000.00	\$0.00	(\$50,000.00)	-100.00%
				1900	Construction Consultants	Construction, Economic Development, Planning, Design, etc consultants	\$50,000.00	\$0.00	(\$50,000.00)	-100.00%
		HH3	Media Design, Editorial and Communication	1600	Consultants Media Design	Women in Construction Outreach	\$100,000.00	\$0.00	(\$100,000.00)	-100.00%
				1800	Streaming	Pyxis Streaming & Production of Public Meetings	\$0.00	\$0.00	\$0.00	#Num!
				1800	Website Design	Marketing & Website Design	\$25,000.00	\$25,000.00	\$0.00	0.00%
			Obj Class Totals:				\$1,324,603.14	\$727,000.00	(\$597,603.14)	-45.12%
	JJ		OPERATIONAL SERVICES							
		J01	Accreditation Review Costs	5000	Temp Services		\$7,500.00	\$0.00	(\$7,500.00)	-100.00%
		J25	Laboratory & Pharmaceutical Services	5000	Finger Prints State Police	Chargeback for Finger Print Costs for Licenses @ \$50/set and ~4.5K prints	\$175,000.00	\$175,000.00	\$0.00	0.00%
				5000	Plainville Police Salaries	Plainville Police Salaries	\$271,120.15	\$273,000.00	\$1,879.85	0.69%
				5000	State Police	MGC Salaries for MGC Investigations and Background Unit 1DLT 1LT 6 TRP 4 TDY TRPs June 2018 \$9,024.17	\$889,331.94	\$969,003.97	\$79,672.03	8.96%
				5000	State Police	MGC State Police Troopers Plainville Straight Time and Payroll Taxes	\$1,088,506.30	\$1,283,085.53	\$194,579.23	17.88%
				5000	State Police OT & Travel	MGC OT and Travel for Investigations and Plainville Troopers	\$612,500.00	\$750,000.00	\$137,500.00	22.45%
				5000	State Police	MSP Staff Costs at MGM 19 FTEs coming on at different times: LT--1/1/18 Start Sergeants--5/1/18 Start Troopers--5/1/18 Start	\$0.00	\$448,768.12	\$448,768.12	#Div/0!
		J28	Law Enforcement	5000	Lease Vehicles	Plainville Law Enforcement Vehicles	\$8,877.39	\$8,877.39	\$0.00	0.00%
		J33	Photographic & Micrographic Services	1500	Stenographer	Court Reports and Stenography \$2.1K/mtg	\$54,600.00	\$54,600.00	\$0.00	0.00%
		J46	Temporary Help Services	7000	Temp Help Services	Temp Help to assist with processing application during MGM opening	\$0.00	\$10,000.00	\$10,000.00	#Div/0!
		JJ1	Legal Support Services	1200	Litigation Defense	Target Litigation	\$10,000.00	\$0.00	(\$10,000.00)	-100.00%
				1200		Offsite Storage	\$0.00	\$2,500.00	\$2,500.00	#Div/0!

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
			MGC Regulatory Costs							
		JJ1	Legal Support Services	1900	Stenographers	4 GPAC meetings 8 Local Community mitigation advisory meetings	\$10,000.00	\$0.00	(\$10,000.00)	-100.00%
		JJ2	Auxiliary Services	1000	Courier	USA Couriers	\$500.00	\$200.00	(\$300.00)	-60.00%
				1000	Shredding	ProShred	\$1,500.00	\$750.00	(\$750.00)	-50.00%
				1100	EAP	Crisis Management EAP program	\$2,000.00	\$2,000.00	\$0.00	0.00%
				1100	HR Investigations	HR Investigations	\$15,000.00	\$10,000.00	(\$5,000.00)	-33.33%
				1100	Testing	The Hire Authority	\$2,750.00	\$5,000.00	\$2,250.00	81.82%
				1800	Streaming	Streaming & Production of Public Meetings	\$30,000.00	\$30,000.00	\$0.00	0.00%
			Obj Class Totals:				\$3,179,185.78	\$4,022,785.01	\$843,599.23	26.54%
		KK	EQUIPMENT PURCHASE							
		K07	Office Furnishings	5000	Gaming Equipment	4 Kobetron--\$1.5K/machine 2 Electronic Fingerprint Machine and Software--\$22K/machine ID Checker--\$1.6K Various--\$2K	\$8,400.00	\$53,444.00	\$45,044.00	536.24%
				5000	Office Equipment	Configuration and build-out of IEB space due to increased staffing	\$0.00	\$15,000.00	\$15,000.00	#Div/0!
				7000	Equipment Purchases	Equipment for new employees	\$0.00	\$10,000.00	\$10,000.00	#Div/0!
			Obj Class Totals:				\$8,400.00	\$78,444.00	\$70,044.00	833.86%
		LL	EQUIPMENT LEASE-MAINTAIN/REPAR							
		L24	Motorized Vehicle Equipment Rental or Lease	1000	Rental Cars	Enterprise Car Rental	\$2,500.00	\$500.00	(\$2,000.00)	-80.00%
		L25	Office Equipment Rental or Lease	1000	Printing	Pitney Bowes	\$200.00	\$532.80	\$332.80	166.40%
		L26	Printing/Photocopy & Micrographics Equip Rent/Lease	1000	Copier	Canon Financial Services Recurring Payment of \$5.4K for 13th floor Recurring Payment of \$4.8K IEB Per Click costs of \$2.5K	\$7,500.00	\$12,738.00	\$5,238.00	69.84%
		L46	Print, Photocopying & Micrograph Equipment Maint/Repair	1000	Copier	Canon USA/Maintenance & Repair	\$3,000.00	\$3,000.00	\$0.00	0.00%
				1000	Xerox Leases	Xerox Leases Recurring Payments of \$11.1K for 3 machines Per Click costs of \$4.2K (avg of this year)	\$16,483.80	\$15,336.00	(\$1,147.80)	-6.96%
			Obj Class Totals:				\$29,683.80	\$32,106.80	\$2,423.00	8.16%
		NN	INFRASTRUCTURE:							
		N50	Non-Major Facility Infrastructure Maintenance and Repair	1000	Repairs	Office/Building Repairs	\$0.00	\$1,000.00	\$1,000.00	#Div/0!
			Obj Class Totals:				\$0.00	\$1,000.00	\$1,000.00	#Div/0!
		PP	STATE AID/POL SUB							

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change	
10500001	Mass. Gaming Commission										
	MGC Regulatory Costs										
		P01	Grants To Public Entities	1600	Grants	Worforce Development and Diversity Grants --Women In construction Outreach --WF Coordinator Community Colleges --Gaming Training Schools --Regional WF Collaborations	\$125,000.00	\$150,000.00	\$25,000.00	20.00%	
		Obj Class Totals:						\$125,000.00	\$150,000.00	\$25,000.00	20.00%
		<i>UU</i>	<i>IT Non-Payroll Expenses</i>								
		U01	Telecommunications Services Data	1400	Plainridge IT	VPN Accounts	\$8,100.00	\$8,100.00	\$0.00	0.00%	
				1400	Plainridge Video	Video Circuit for Boston & Plainville for Surveillance and CMS	\$96,124.00	\$76,500.00	(\$19,624.00)	-20.42%	
		U02	Telecommunications Services - Voice	1400	Cable	Comcast Internet (Gaming Lab) and Cable Service (Meeting Rooms)	\$4,800.00	\$4,800.00	\$0.00	0.00%	
				1400	Cellular Service	Cell Phone Service	\$64,985.00	\$65,985.00	\$1,000.00	1.54%	
				1400	Phone Lines	Conference Bridge Lines	\$1,980.00	\$1,980.00	\$0.00	0.00%	
				1400	Phone Lines	DSCI phone services	\$9,000.00	\$9,000.00	\$0.00	0.00%	
				1400	Phone Lines	MCI Fax Line	\$480.00	\$500.00	\$20.00	4.17%	
				1400	Phone Lines	Windstream WAN for Data Connection \$1.5K/month	\$18,000.00	\$18,000.00	\$0.00	0.00%	
				1400	Phone Lines	Measured Business Lines	\$6,540.00	\$6,550.00	\$10.00	0.15%	
				5000	Mobile Devices	Wifi Cards for Staff \$50/month	\$12,000.00	\$12,000.00	\$0.00	0.00%	
		U04	Information Technology Chargeback	1400	Internet	MAGNET (Internet Access -2x50Mbps @ \$3,686/month, 1x20Mbps @ \$3138/month, 1x0.06units @ \$105.30/month)	\$127,384.00	\$118,454.00	(\$8,930.00)	-7.01%	
				1400	IT Support	ANF Chargeback for Space at Chelsea and Springfield	\$89,000.00	\$89,000.00	\$0.00	0.00%	
				1400	OSC Chargeback	MMARS Chargeback	\$10,636.00	\$10,000.00	(\$636.00)	-5.98%	
		U05	Information Technology (IT) Temp Staff Augmentation Profs	1400	CMS	CMS - IGT Intelligen	\$2,262,544.68	\$2,262,544.68	\$0.00	0.00%	
				1400	Consultant	IT Consultants Gartner	\$42,900.00	\$30,000.00	(\$12,900.00)	-30.07%	
				1400	Consulting	IT Consulting Support @ \$100/hr (Advizex and Soltrix) \$25K for GLI Testing	\$50,000.00	\$75,000.00	\$25,000.00	50.00%	
				1400	LMS	Licensing System Continual Upgrades to Phase 1 and Phase 2 Development	\$500,000.00	\$500,000.00	\$0.00	0.00%	
				1400	Training	Technical Training	\$10,000.00	\$10,000.00	\$0.00	0.00%	
				1400	Training	User Training - EMC System Training	\$10,000.00	\$0.00	(\$10,000.00)	-100.00%	
		U06	Information Technology (IT) Cabling	1400	Phone	FTG Phone lines maintenance etc.	\$15,000.00	\$14,000.00	(\$1,000.00)	-6.67%	
		U07	Information Technology (IT) Equipment	1400	Hardware	Gaming Technology Laboratory Equipment	\$5,000.00	\$5,000.00	\$0.00	0.00%	
				1400	Maintenance	VMWare Mainteance	\$19,185.00	\$21,000.00	\$1,815.00	9.46%	
				1400	Miscellaneous	Miscellaneous Equipment--Equipment for new troopers and gaming agents	\$20,000.00	\$30,000.00	\$10,000.00	50.00%	

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change	
10500001	Mass. Gaming Commission										
	MGC Regulatory Costs										
		U07	Information Technology (IT) Equipment	1400	Printers	Printers @\$250/printer	\$2,500.00	\$2,000.00	(\$500.00)	-20.00%	
				1400	Servers	Servers and Storage	\$50,000.00	\$40,000.00	(\$10,000.00)	-20.00%	
				1400	Software	Adobe, Sharepoint, Office 365, Project, Vizio, Dragon, Winzip	\$50,000.00	\$50,000.00	\$0.00	0.00%	
				1400	Software	CodeGuard MGC Website Backup Service	\$1,764.00	\$2,000.00	\$236.00	13.38%	
				1400	Software	Kobitron - GLI Testing Platform	\$1,500.00	\$1,500.00	\$0.00	0.00%	
				1400	Software	Prezi Software	\$3,180.00	\$3,300.00	\$120.00	3.77%	
		U09	Information Technology (IT) Equip Rental Or Lease	1400	Leases	HP Leases	\$89,714.00	\$89,500.00	(\$214.00)	-0.24%	
				1400	Mobile Devices	Mobile Device Management (@ \$3.95/year/unit)	\$4,029.00	\$4,000.00	(\$29.00)	-0.72%	
		U10	Information Tech (IT) Equipment Maintenance & Repair	1000	Cable	Cable/Comcast	\$1,900.00	\$4,500.00	\$2,600.00	136.84%	
				1400	Maintenace		\$2,980.00	\$0.00	(\$2,980.00)	-100.00%	
				1400	Maintenance	Aruba Maintenance	\$925.50	\$1,000.00	\$74.50	8.05%	
				1400	Maintenance	EMC Maintenance	\$50,000.00	\$50,000.00	\$0.00	0.00%	
				1400	Maintenance	Printer Maintenance	\$425.00	\$500.00	\$75.00	17.65%	
		Obj Class Totals:						\$3,642,576.18	\$3,616,713.68	(\$25,862.50)	-0.71%
	MGC Regulatory Costs	Totals:						\$18,484,154.63	\$18,759,583.76	\$275,429.13	1.49%

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
	Indirect									
		EE	ADMINISTRATIVE EXPENSES							
		E16	Indirect Cost Recoupment	2000	Indirect Agency Wide	Indirect at 10% of AA, CC, HH, JJ and UU excluding U07	\$1,635,476.20	\$1,659,949.80	\$24,473.60	1.50%
			Obj Class Totals:				\$1,635,476.20	\$1,659,949.80	\$24,473.60	1.50%
	Indirect		Totals:				\$1,635,476.20	\$1,659,949.80	\$24,473.60	1.50%

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
			Research and Responsible Gaming/PHTF							
		AA	REGULAR EMPLOYEE COMPENSATION							
		A01	Salaries: Inclusive	1700	DPH ISA Salary	DPH ISA Salary	\$90,000.00	\$0.00	(\$90,000.00)	-100.00%
				1700	Employee Compensation	Employee Salaries	\$232,465.30	\$205,317.50	(\$27,147.80)	-11.68%
			Obj Class Totals:				\$322,465.30	\$205,317.50	(\$117,147.80)	-36.33%
		BB	REGULAR EMPLOYEE RELATED EXPEN							
		B01	Other Out Of State Travel - INCLUSIVE: AIRFARE, HOTEL, LODGI	1700	ISA DPH	DPH ISA Travel	\$3,000.00	\$0.00	(\$3,000.00)	-100.00%
				1700	Travel	Out of State Travel	\$3,000.00	\$3,000.00	\$0.00	0.00%
		B02	In-State Travel	1700	Travel	In-State-Travel Reimbursements	\$3,000.00	\$3,000.00	\$0.00	0.00%
			Obj Class Totals:				\$9,000.00	\$6,000.00	(\$3,000.00)	-33.33%
		CC	SPECIAL EMPLOYEES							
		C23	Management, Business Professionals & Admin Services	1700	ISA DPH	DPH ISA 120 day employee	\$20,000.00	\$0.00	(\$20,000.00)	-100.00%
			Obj Class Totals:				\$20,000.00	\$0.00	(\$20,000.00)	-100.00%
		DD	PENSION & INSURANCE RELATED EX							
		D09	Fringe Benefit Cost Recoupment	1700	DPH ISA Fringe rate of 33.5%	DPH ISA Fringe rate of 34.88%	\$30,150.00	\$0.00	(\$30,150.00)	-100.00%
				1700	Fringe	Fringe rate of 34.88%	\$77,875.86	\$71,614.74	(\$6,261.12)	-8.04%
				1700	ISA Taxes	Tax rate of 1.45%	\$1,837.00	\$0.00	(\$1,837.00)	-100.00%
				1700	Taxes	Tax rate of 1.45%	\$3,882.17	\$2,977.10	(\$905.07)	-23.31%
			Obj Class Totals:				\$113,745.03	\$74,591.84	(\$39,153.19)	-34.42%
		EE	ADMINISTRATIVE EXPENSES							
		E01	Office & Administrative Supplies	1700	ISA DPH	ISA DPH Supplies	\$500.00	\$0.00	(\$500.00)	-100.00%
		E16	Indirect Cost Recoupment	1700	ISA DPH	ISA Indirect Charges	\$13,394.00	\$0.00	(\$13,394.00)	-100.00%
		E41	Out Of State Travel Expen on Behalf of State Employ	1700	Travel Agency Fees	Great Getaways	\$0.00	\$4,000.00	\$4,000.00	#Div/0!
		E98	Reimbursement for Traval and Other Expenses for Board Member	1700	Council Travel	Conference Attendance for Council on Compulsive Gambling	\$1,825.00	\$0.00	(\$1,825.00)	-100.00%
		EE2	Conference, Training and Registration Fees	1700	Conferences	Conference, Training & Registration Fees	\$7,000.00	\$4,000.00	(\$3,000.00)	-42.86%
				1700	ISA DPH	DPH ISA Conference Membership and Registration Fees	\$3,000.00	\$0.00	(\$3,000.00)	-100.00%
			Obj Class Totals:				\$25,719.00	\$8,000.00	(\$17,719.00)	-68.89%
		FF	FACILITY OPERATIONAL EXPENSES							
		F16	Library & Teaching Supplies & Materials	1700	Books	Library/reference books	\$500.00	\$500.00	\$0.00	0.00%
			Obj Class Totals:				\$500.00	\$500.00	\$0.00	0.00%
		HH	CONSULTANT SVCS (TO DEPTS)							
		H09	Attorneys/Legal Services	1700	Crime Analysis	Crime Analyst	\$30,000.00	\$50,000.00	\$20,000.00	66.67%

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
			Research and Responsible Gaming/PHTF							
		H23	Program Coordinators	1700	Branding	GameSense media buys etc. MORE Advertising	\$200,000.00	\$150,000.00	(\$50,000.00)	-25.00%
				1700	Consultants	Cambridge Health Alliance contract costs	\$510,000.00	\$400,000.00	(\$110,000.00)	-21.57%
				1700	Council Members Stipends	Council Members Stipends	\$0.00	\$0.00	\$0.00	#Num!
				1700	Mass Council	Mass Council on Compulsive Gambling including 4 employees to man Game Sense booth at Penn --Staffed 16 hrs per day --VSE --Play My Way --Required by Statute Chapter 194, Section 9	\$580,000.00	\$640,000.00	\$60,000.00	10.34%
				1700	Special Study	Public Health Trust Fund requested study of a sub-population	\$100,000.00	\$100,000.00	\$0.00	0.00%
				1700	GRAC/RDASC/Research Consultants	Bruce Cohen--\$20K Other Consultants on Stipends max of \$20K Peer Review process for research agenda	\$0.00	\$40,000.00	\$40,000.00	#Div/0!
		H98	Reim Trav/Exp For Consultant Services	1700	Council Travel	Mass Council Travel	\$7,500.00	\$0.00	(\$7,500.00)	-100.00%
			Obj Class Totals:				\$1,427,500.00	\$1,380,000.00	(\$47,500.00)	-3.33%
		JJ	OPERATIONAL SERVICES							
		J62	Contracted (Non-employees) Advisory Board or Commission Mem	1700	Council Member Stipends	Council Members Stipends	\$20,000.00	\$0.00	(\$20,000.00)	-100.00%
			Obj Class Totals:				\$20,000.00	\$0.00	(\$20,000.00)	-100.00%
		MM	PURCHASED CLIENT/PROGRAM SVCS							
		M04	Services Purch Support of Human/Social Services for Clients	1700	PPC reimbursements for Play My Way Incentives	PPC reimbursements for Play My Way Incentives	\$25,000.00	\$15,000.00	(\$10,000.00)	-40.00%
				1700	Problem Gambling	Problem Gambling Solutions--Jeff Marotta reviewing applications and consultations	\$15,000.00	\$10,000.00	(\$5,000.00)	-33.33%
			Obj Class Totals:				\$40,000.00	\$25,000.00	(\$15,000.00)	-37.50%
		PP	STATE AID/POL SUB							
		P01	Grants To Public Entities	1700	Data Storage Grant	Final Component of Research Agenda data storage of player data to not-for-profit entity	\$150,000.00	\$75,000.00	(\$75,000.00)	-50.00%
				1700	DPH ISA Strategic Planning Grants	DPH ISA Strategic Planning Grants	\$325,000.00	\$0.00	(\$325,000.00)	-100.00%
				1700	Umass	Magic Core/Optional--Cohort Study	\$1,080,000.00	\$1,200,000.00	\$120,000.00	11.11%
				1700	DPH ISA	DPH ISA for operations and grants from public health trust fund. Balance remaining from \$5M after research agenda is accounted for.	\$0.00	\$1,140,197.00	\$1,140,197.00	#Div/0!
		P06	Other Financial Assistance to State Authorities	1700	Umass	Seigma/Umass core--Baseline Study on-going	\$900,000.00	\$800,000.00	(\$100,000.00)	-11.11%

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
	Research and Responsible Gaming/PHTF									
			Obj Class Totals:				\$2,455,000.00	\$3,215,197.00	\$760,197.00	30.97%
		UU	IT Non-Payroll Expenses							
		U07	Information Technology (IT) Equipment	1700	Play Management	Development of Play Management Software	\$65,000.00	\$65,000.00	\$0.00	0.00%
				1700	ITRAK	Development of ITRAK and Migration from Current Process	\$0.00	\$10,000.00	\$10,000.00	#Div/0!
			Obj Class Totals:				\$65,000.00	\$75,000.00	\$10,000.00	15.38%
	Research and Responsible Gaming/PHTF		Totals:				\$4,498,929.33	\$4,989,606.34	\$490,677.01	10.91%

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change	
10500001	Mass. Gaming Commission										
			Office of Attorney General and AGO MSP								
		JJ	OPERATIONAL SERVICES								
		J25	Laboratory & Pharmaceutical Services	9000	State Police	AGO State Police OT	\$250,000.00	\$350,000.00	\$100,000.00	40.00%	
				9000	State Police	AGO Straight Time Troopers and Payroll Taxes 4 FTEs for FY18	\$222,303.76	\$501,256.98	\$278,953.22	125.48%	
				9000	State Police	MSP Staff Costs at AGO for 2 additional troopers for 26 pay periods in FY18 bringing total for the MSP AGO Gaming Unit to 6 FTEs	\$0.00	\$217,160.00	\$217,160.00	#Div/0!	
			Obj Class Totals:					\$472,303.76	\$1,068,416.98	\$596,113.22	126.21%
		OO									
		O99		9000	Attorney General	18 FTEs, various percentages of an additional nine (9) supervisor and support positions ~5.5 FTEs, \$500K in office space buildout including \$400K of an approximate \$1M renovation of MSP space, travel, conferences, and investigative costs.	\$1,904,540.60	\$2,600,000.00	\$695,459.40	36.52%	
			Obj Class Totals:					\$1,904,540.60	\$2,600,000.00	\$695,459.40	36.52%
			Office of Attorney General and AGO MSP	Totals:			\$2,376,844.36	\$3,668,416.98	\$1,291,572.62	54.34%	

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change	
10500001	Mass. Gaming Commission										
	Alcohol and Beverage Control Commission										
		00									
		001		9001	ISA with ABCC	Moved to a new unit this year	\$0.00	\$75,000.00	\$75,000.00	#Div/0!	
				9001	ISA with ABCC	Was in IEB Moved to a new unit this year	\$75,000.00	\$0.00	(\$75,000.00)	-100.00%	
		Obj Class Totals:						\$75,000.00	\$75,000.00	\$0.00	0.00%
	Alcohol and Beverage Control Commission	Totals:						\$75,000.00	\$75,000.00	\$0.00	0.00%

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500001	Mass. Gaming Commission									
Appropriation Totals							\$27,070,404.52	\$29,152,556.88	\$2,082,152.36	7.69%
10500003	MGC Mass Racing Development and Oversight									
	MGC Regulatory Costs									
	AA		REGULAR EMPLOYEE COMPENSATION							
	A01		Salaries: Inclusive	1000	Employee Compensation	Admin Employees Salaries	\$24,808.99	\$163,926.80	\$139,117.81	560.76%
				1100	Employee Compensation	HR Employees Salaries	\$6,131.76	\$83,782.66	\$77,650.90	1266.37%
				1100	Cost of Living Increases Agency Wide	Cost of Living Increases Agency Wide	\$11,066.66	\$0.00	(\$11,066.66)	-100.00%
				1200	Employee Compensation	Legal Employees Salaries	\$7,590.34	\$36,509.62	\$28,919.28	381.00%
				1300	Employee Compensation	Exec. Dir. Employees Salaries	\$9,321.15	\$35,911.23	\$26,590.08	285.27%
				1400	Employee Compensation	IT Employees Salaries	\$9,735.42	\$34,287.81	\$24,552.39	252.20%
				1500	Employee Compensation	Commissioners Employees Salaries	\$30,868.79	\$53,893.50	\$23,024.71	74.59%
				1800	Employee Compensation	Communications Employees Salaries	\$0.00	\$11,272.11	\$11,272.11	#Div/0!
				3000	Employee Compensation	Regular Employee Salaries	\$280,432.22	\$293,177.00	\$12,744.78	4.54%
	A14		Stipends, Bonus Pay & Awards	1100	Bonus incentives	Bonus incentives	\$3,688.89	\$0.00	(\$3,688.89)	-100.00%
			Obj Class Totals:				\$383,644.22	\$712,760.73	\$329,116.51	85.79%
	BB		REGULAR EMPLOYEE RELATED EXPEN							
	B01		Other Out Of State Travel - INCLUSIVE: AIRFARE, HOTEL, LODGI	3000	Travel	Out of State Travel Reimbursement	\$10,000.00	\$10,000.00	\$0.00	0.00%
	B02		In-State Travel	3000	Travel	In State Travel Reimbursement	\$2,000.00	\$2,000.00	\$0.00	0.00%
			Obj Class Totals:				\$12,000.00	\$12,000.00	\$0.00	0.00%
	CC		SPECIAL EMPLOYEES							
	C04		Contracted Seasonal Employees	3000	Seasonals	Seasonal salaries for Plainridge at 35 weeks	\$330,000.00	\$360,000.00	\$30,000.00	9.09%
			Obj Class Totals:				\$330,000.00	\$360,000.00	\$30,000.00	9.09%
	DD		PENSION & INSURANCE RELATED EX							
	D09		Fringe Benefit Cost Recoupment	1000	Fringe	Fringe Rate of 34.88%	\$8,311.01	\$57,177.67	\$48,866.66	587.97%
				1000	Taxes	Tax Rate of 1.45%	\$414.31	\$2,376.94	\$1,962.63	473.71%
				1100	Fringe	Fringe Rate of 34.88%	\$2,054.14	\$29,223.39	\$27,169.25	1322.66%
				1100	Taxes	Tax Rate of 1.45%	\$102.40	\$1,214.85	\$1,112.45	1086.38%
				1200	Fringe	Fringe Rate of 34.88%	\$2,542.76	\$12,734.56	\$10,191.80	400.82%
				1200	Taxes	Tax Rate of 1.45%	\$126.76	\$529.39	\$402.63	317.63%
				1300	Fringe	Fringe Rate of 34.88%	\$3,122.59	\$12,525.83	\$9,403.24	301.14%

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500003	MGC Mass Racing Development and Oversight									
	MGC Regulatory Costs									
	D09		Fringe Benefit Cost Recoupment	1300	Taxes	Tax Rate of 1.45%	\$155.66	\$520.71	\$365.05	234.52%
				1400	Fringe	Fringe Rate of 34.88%	\$3,261.37	\$11,959.58	\$8,698.21	266.70%
				1400	Taxes	Tax Rate of 1.45%	\$162.58	\$497.17	\$334.59	205.80%
				1500	Fringe	Fringe Rate of 34.88%	\$10,341.04	\$18,798.05	\$8,457.01	81.78%
				1500	Taxes	Tax Rate of 1.45%	\$515.51	\$781.46	\$265.95	51.59%
				1800	Fringe	Fringe rate of 34.88%	\$0.00	\$3,931.71	\$3,931.71	#Div/0!
				1800	Taxes	Tax rate of 1.45%	\$0.00	\$163.44	\$163.44	#Div/0!
				3000	Fringe	Fringe Rate of 34.88%	\$93,944.79	\$102,260.14	\$8,315.35	8.85%
				3000	Taxes	Tax Rate of 1.45%	\$4,683.22	\$4,251.07	(\$432.15)	-9.23%
				3000	Taxes for Seasonals	Taxes for Seasonals @1.45%	\$5,511.00	\$6,012.00	\$501.00	9.09%
				7000	Fringe	Fringe Rate of 34.88%	\$0.00	\$1,295.88	\$1,295.88	#Div/0!
				7000	Taxes	Tax Rate of 1.45%	\$0.00	\$53.88	\$53.88	#Div/0!
			Obj Class Totals:				\$135,249.14	\$266,307.72	\$131,058.58	96.90%
	EE	ADMINISTRATIVE EXPENSES								
	E01		Office & Administrative Supplies	3000	Supplies	W.B. Mason	\$6,000.00	\$6,000.00	\$0.00	0.00%
	E02		Printing Expenses & Supplies	3000	Printing	Sir Speedy	\$500.00	\$500.00	\$0.00	0.00%
	E12		Subscriptions, Memberships & Licensing Fees	3000	Memberships	AA Dority/Organization of Racing Investigators	\$1,005.00	\$1,005.00	\$0.00	0.00%
				3000	Memberships	Assoc. of Racing Regulators	\$17,005.00	\$18,700.00	\$1,695.00	9.97%
	E13		Advertising Expenses	3000	Public Hearing Notices	Boston Globe	\$1,000.00	\$1,000.00	\$0.00	0.00%
				3000	Public Hearing Notices	Boston Herald	\$700.00	\$700.00	\$0.00	0.00%
				3000	Public Hearing Notices	Dow Jones/Cape Cod Times	\$150.00	\$150.00	\$0.00	0.00%
				3000	Public Hearing Notices	Sun Chronical	\$300.00	\$300.00	\$0.00	0.00%
	E15		Bottled Water	3000	Water	Belmont Springs/DS Waters of America	\$200.00	\$200.00	\$0.00	0.00%
	E41		Out Of State Travel Expen on Behalf of State Employ	3000	Travel Agent	Travel	\$3,000.00	\$3,000.00	\$0.00	0.00%
	EE2		Conference, Training and Registration Fees	3000	Conferences	Assoc. of Racing Comm./Delaware Racing/Thoroughbred Racing	\$3,000.00	\$3,000.00	\$0.00	0.00%
			Obj Class Totals:				\$32,860.00	\$34,555.00	\$1,695.00	5.16%
	FF	FACILITY OPERATIONAL EXPENSES								
	F05		Laboratory Supplies	3000	Vet Supplies	Gloves, scrubs etc.	\$2,000.00	\$2,000.00	\$0.00	0.00%
			Obj Class Totals:				\$2,000.00	\$2,000.00	\$0.00	0.00%
	HH	CONSULTANT SVCS (TO DEPTS)								
	H19		Management Consultants	3000	Hearing Officer	David Murray	\$25,000.00	\$25,000.00	\$0.00	0.00%
			Obj Class Totals:				\$25,000.00	\$25,000.00	\$0.00	0.00%

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change	
10500003	MGC Mass Racing Development and Oversight										
	MGC Regulatory Costs										
		JJ	OPERATIONAL SERVICES								
		J10	Auxiliary Financial Services	3000	Credit Cards	Bank of America credit card terminal fees	\$1,000.00	\$1,000.00	\$0.00	0.00%	
		J25	Laboratory & Pharmaceutical Services	3000	Testing	Health Resources Corp.	\$1,800.00	\$1,800.00	\$0.00	0.00%	
		J28	Law Enforcement	3000		Mass State Police Straight and OT	\$0.00	\$465,000.00	\$465,000.00	#Div/0!	
		JJ1	Legal Support Services	3000	Stenographer	Catugno Court Reporting	\$6,500.00	\$6,500.00	\$0.00	0.00%	
		JJ2	Auxiliary Services	3000	Autopsies	Trustees of Tufts College	\$22,000.00	\$22,000.00	\$0.00	0.00%	
				3000	Testing Lab	HFL Sports Science	\$7,000.00	\$7,000.00	\$0.00	0.00%	
				3000	Testing Lab	Industrial Laboratories	\$200,000.00	\$312,000.00	\$112,000.00	56.00%	
		Obj Class Totals:					\$238,300.00	\$815,300.00	\$577,000.00	242.13%	
		LL	EQUIPMENT LEASE-MAINTAIN/REPAR								
		L26	Printing/Photocopy & Micrographics Equip Rent/Lease	3000	Copier Lease	Canon Financial Solutions	\$1,500.00	\$0.00	(\$1,500.00)	-100.00%	
		L46	Print, Photocopying & Micrograph Equipment Maint/Repair	3000	Maintenance Contract	K & A Industries	\$2,000.00	\$2,000.00	\$0.00	0.00%	
		Obj Class Totals:					\$3,500.00	\$2,000.00	(\$1,500.00)	-42.86%	
		MM	PURCHASED CLIENT/PROGRAM SVCS								
		M03	Purchased Human & Social Services For Clients/Non Medical	3000	Hardship Payments	Economic Hardship Payments	\$20,000.00	\$20,000.00	\$0.00	0.00%	
				3000	Legislative Mandate	Eighth Pole	\$80,000.00	\$0.00	(\$80,000.00)	-100.00%	
				3000	Legislative Mandate	Jockey's Guild	\$65,000.00	\$65,000.00	\$0.00	0.00%	
		M04	Services Purch Support of Human/Social Services for Clients	3000	ISA	ISA with DPH Compulsive Gambling	\$70,000.00	\$70,000.00	\$0.00	0.00%	
		Obj Class Totals:					\$235,000.00	\$155,000.00	(\$80,000.00)	-34.04%	
		UU	IT Non-Payroll Expenses								
		U02	Telecommunications Services - Voice	3000	Phones	Verizon/AT&T	\$15,000.00	\$15,000.00	\$0.00	0.00%	
		U05	Information Technology (IT) Temp Staff Augmentation Profs	3000	Chrims	Arthur Evans	\$62,500.00	\$16,000.00	(\$46,500.00)	-74.40%	
		U09	Information Technology (IT) Equip Rental Or Lease	3000	Computer Leases	Ontario Investments	\$1,200.00	\$12,000.00	\$10,800.00	900.00%	
		Obj Class Totals:					\$78,700.00	\$43,000.00	(\$35,700.00)	-45.36%	
	MGC Regulatory Costs	Totals:					\$1,476,253.36	\$2,427,923.45	\$951,670.09	64.47%	

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500003	MGC Mass Racing Development and Oversight									
	Indirect									
		EE	ADMINISTRATIVE EXPENSES							
		E16	Indirect Cost Recoupment	2000	Indirect Agency Wide	Indirect at 10% of AA, CC, HH, JJ and UU excluding U07	\$0.00	\$163,398.45	\$163,398.45	#Div/0!
			Obj Class Totals:				\$0.00	\$163,398.45	\$163,398.45	#Div/0!
	Indirect		Totals:				\$0.00	\$163,398.45	\$163,398.45	#Div/0!

Approp	Budget Grouping	Obj Class	Object_name	Unit	Item Short Name	New Description	Current Year Amount	Next Year Amount	Variance	Percent Change
10500003	MGC Mass Racing Development and Oversight									
Appropriation Totals							\$1,476,253.36	\$2,591,321.90	\$1,115,068.54	75.53%



June 21, 2017

Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA 02110

Re: FY2018 Budget

Dear Chairman Crosby and Members of the Commission:

MGM Springfield commends the Commission for its open and transparent process in formulating its budget for fiscal year 2018 (FY2018), including the presentation by Staff at the June 8, 2017 Public Meeting and multiple briefings for the licensees. The Commission's staff has provided information regarding its planned spending and the needed revenue to support the Commission's statutory responsibilities as well as details regarding the reduction of certain expenses. Nevertheless, the overall FY2018 budget does have significant increases over spending in FY2017. This increase is due primarily to funding requests from the Office of the Attorney General, including the cost for the Attorney General's Gaming Enforcement Division ("Division") and the costs associated with members of the Massachusetts State Police assigned to the Division. Alone, the Division and associated State Police cost rose almost 54% in a single year and, when compared with other increases, account for over 62% of the Commission's total budget increase for FY2018. This sizable increase and the fact that the Division's proposed budget now exceeds the \$3 million cap established by the Legislature require further scrutiny by the Commission.

MGM Springfield
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Springfield, MA 01144
413-273-5000

At the outset, MGM Springfield wants to emphasize that it respects the Attorney General's statutory mandate under the Gaming Act, as well as the Office's important consumer protection and criminal prosecutorial objectives more broadly. MGM Springfield's request for this review and reduction where appropriate in no way questions the discretion of either the Attorney General's Office or the State Police to deploy their resources or exercise their jurisdiction over criminal investigations. Rather, MGM Springfield requests that the Commission ensure that all costs it intends to assess on its licensees be properly authorized under statute as regulatory fees. Otherwise, such costs are an unlawful tax on the industry.

The Division's Funding

Under the Gaming Act, the Division of Gaming Enforcement was created in the Office of the Attorney General under the supervision of a Director. See G.L. 12, § 11M. The Director, with the approval of the Attorney General, is authorized to appoint and remove expert, clerical or other assistants as the Division may require. The Gaming Act also requires the Colonel of the State Police to establish a gaming enforcement unit ("GEU") within the Department of State Police. G.L. c. 22C, § 70. Members of the State Police assigned to the GEU can then be assigned to both (i) the Gaming Commission's Investigation and Enforcement Bureau ("IEB") and (ii) the Division.

The Division has very specific responsibilities:

The division shall enforce criminal violations of chapter 23K which shall include, but not be limited to: (1) investigating and prosecuting allegations of criminal activity related to or impacting the operation of gaming establishments or games; (2) receiving and taking appropriate action on referrals for criminal prosecution from the commission or any other law enforcement body; (3) providing assistance, upon request, to the commission in the consideration and promulgation of rules and regulations; (4) ensuring that there shall be no duplication of duties and responsibilities between the division and the commission; and (5) recommending persons to be

placed on a list of excluded persons to be maintained by the commission.

G.L c. c. 12, §11M(c).

There is also a clear statutory procedure for the recovery of costs associated with the Division, including time spent by GEU Troopers assigned to the Division:

Officers and employees of the gaming enforcement unit in the department of state police who are assigned to the division shall record their time and submit their total hours to the director of gaming enforcement. The division shall submit a request for reimbursement to the commission and the commission shall reimburse the department of state police.

The division shall submit quarterly requests to the commission for expenses associated with the operation of the division and the commission shall reimburse the division for such expenses; provided, however, that the commission shall not approve such a request if the request would exceed an annual reimbursement of \$3,000,000.

Id.

Under section 11M(c), funding for the Division is statutorily limited by 3 factors: (i) the cost must be related to the Division's statutory functions; (ii) the costs are reimbursable and must be submitted to the Commission by the Division; and (iii) reimbursements are capped at \$3 million annually. *Id.* Like many aspects of the Gaming Act, the funding for the Division, by statutory design, is to mitigate any impact that the additional functions outlined in section 11M(c) may have on the Attorney General's Office and to compensate the Division for some very specific functions and services it may provide to the Commission. Moreover, the statute's reimbursable design recognizes the uncertain nature and impossibility to plan for criminal investigatory work which may ebb and flow throughout the year.

The Division's Proposed Budget

For FY2018 the Division has posed a budget of \$3,668,416.98. This is an increase of \$1,291,572.62 over its FY2017 budget. According to the breakdown by the Massachusetts Gaming Commission, the Division's budget includes:

- \$350,000 for State Police Overtime;
- \$501,256.98 for State Police Straight Time;
- \$217,160.00 for 2 Additional State Troopers for 1/2 Year; and
- \$2,600,000 for the Division.

Included in the Division's \$2.6 million budget are the salaries for 18 fulltime employees plus the partial salaries for 9 additional supervisors and support positions for the Division; \$500,000 for an office buildout including \$400,000 of a million dollar renovation of State Police space as well as "travel, conferences, and investigative costs." *See June 8, 2017 Memorandum to the Massachusetts Gaming Commission from Edward Bedrosian and Derek Lennon, re: Fiscal Year 2018 Initial Budget Recommendation, Budget Detail at page 20.*

Concerns with Division's Budget

The Division's budget warrants scrutiny because of the size of the overall increase over last fiscal year, failure to stay within the statutory cap and inclusion of costs that are not reasonable and/or necessary to meet the Division's section 11M(c)'s mandates. Moreover, the Division and the Commission's practice of "forward funding" the Division is contrary to the authority granted to the Commission to reimburse the costs of the Division quarterly.

Annually, the Division's budget is capped at \$3 million dollars. Section 11M(c) of Chapter 12 first grants the Division the legal authority to seek reimbursement of State Police time worked and provides the Commission with the corresponding legal authority to then reimburse the State Police directly. Although these costs are incurred as a result of the Division's work, the State

Police pays the salaries and benefits of GEU Troopers assigned to the Division. Importantly, the State Police itself cannot seek reimbursement for those Troopers. Next, the statute requires the Division to submit a request, quarterly, for expenses “associated with the operation of the Division” and requires the Commission to reject a request, “if that request would exceed an annual reimbursement of \$3 million.” *Id.* Only the Division is authorized to submit requests for reimbursement for expenses including the time spent by GEU Troopers. The position that the \$3 million cap is exclusive of the costs of the members of the GEU assigned to the Division is inconsistent with the clear policy intent allowing the Division, not the State Police, to seek reimbursement of these cost. The use of the State Police as an investigative resource to carry out the responsibilities of the Division is a clear “expense associated with the operation of the Division” subject to the mechanics and cap contained in the statute.

Interpretation of Section 11M(c) to the contrary exposes the licensees to potentially unlimited increases for the duration of their licenses. The risk of future increases is real. The Division’s proposed budget has exceeded the cap prior to the opening of the two category 1 licensees, which will represent almost 85% of the gaming market.

In the face of such increases, without due process or other recourse, licensees could be in the unenviable position of recurring determinations of whether to challenge very impactful financial assessments from the chief law enforcement agency charged with investigation and prosecutions of criminal conduct in their industry. This potential tension and conflict is addressed by the Legislature’s imposition of a cap on reimbursements for these expenses, effectively establishing a fixed, annual Legislative authorization and eliminating the potential unlimited authority of the Division to raise revenue for criminal investigations outside the auspices of any Legislative or other oversight. By comparison, other functions within the Office of the Attorney General that are funded through an assessment but have no statutory cap have a corresponding annual appropriation setting annual limits on the assessment. *See* G.L. c. 12, §§ 11E and 11F and Acts 2016 c. 133, line items 0810–0014 and 0810–0201.¹

¹ The Attorney General’s FY18 Budget (Both the final House and Senate version) has an appropriation line item of \$449,364.00 for the Division that is reimbursable to the General

Finally, the Legislature's \$3 million cap provided certainty to the licensees in making a business decision to compete for licenses in Massachusetts. Unlimited and uncertain regulatory fees and expenses have a chilling effect on investment, ultimately making the Massachusetts gaming establishments less competitive in an increasingly competitive market which includes neighboring states that have lower cost regulatory structures, if any at all. Higher costs of doing business can result in fewer jobs and less revenue to the Commonwealth.

Relief Requested

First, the Commission should reject any proposed budget or reimbursement in excess of \$3 million.

Second, the Commission should audit and reduce the Division's budget to eliminate expenses unauthorized by section 11M(c). While additional review and detail is necessary, some expenses that are disclosed are not reasonable in light of section 11M(c)'s limited scope. A perfect example is \$500,000 in office space renovations. Capital improvements are not authorized in section 11M(c) and are not directly connected to the investigative functions the Division must perform under the Act. Moreover, the inclusion of costs associated with a state capital investment is simply not reasonable as a regulatory fee. *See Easthampton Savings Bank v. City of Springfield*, 470 Mass. 284, 297 (2014) (with regard to the amount of the fee, the critical question is whether the "fees are reasonably designed to compensate an entity for its anticipated regulatory expenses."). Such expenses should be charged to the Attorney General's operating budget, supported by taxes and appropriated by the Legislature.

While little detail of Division's budget is provided, there are other potential expenses that may push the bounds of reasonableness considering the narrow function of the Division as set forth in section 11M(c). This includes a surprisingly high number of supervisors and support staff – nine – for a Division of 18, as well as costs for "travel" and "conferences." Understanding the details around the Division's budget is also necessary to ensure there is "no

Fund through the assessment which is assumed to be included in the Division's proposal to the Commission. *See* H.3601, line item 0810-1204 and S. 2076, line item 0810-1204.

duplication of duties and responsibilities between the division and the commission” as expressly required by Section 11M(c). Additional details will also provide the Division an opportunity to report on the other key mandates of section 11M(c), such as (i) the number of referrals for criminal prosecution from the Commission, (ii) any assistance given in the promulgation of regulations and (iii) how many individuals have been referred by the Division to be placed on the list of excluded persons. *Id.* Accordingly, the Commission should audit all of the expenses contained in account 10500001-099 and provide the licensees and the Division clear direction of what can and cannot be included in any request for reimbursement of the Division’s expenses.²

Finally, the Division’s anticipated budget should be removed from the assessment and resubmitted based on actual expenses for the four quarters of FY2018. As set forth above, no one can predict the need for criminal investigations for violations of Chapter 23K that may vary from quarter to quarter and year to year subject to the statutory cap. This is especially true in a fiscal year that will precede the opening of the first, category 1 gaming establishment – the stated reason for the Division’s increase. The Division should be required submit a request for reimbursement for the Division’s actual expenses, including for the time spent by the State Police assigned to the Division, on September 30, 2017 and thereafter on: December 31, 2017; March 31, 2018 and June 30, 2018. The reimbursement process ensures that the licenses only pay for actual expenditures in compliance with section 11M(c)’s requirements and allows the Division to adjust its spending on actual need.

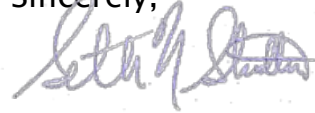
² To be clear, MGM Springfield does not seek the disclosure to the Commission, or public, any records that would be considered investigatory in nature and therefore exempt from public disclosure. *See* G.L. c. 4, § 7, cls. 26(f). The Division is capable of providing basic budget information without any prejudice to effective law enforcement, including similar data that the Gaming Commission has provided regarding salaries and expenses of its operations. Disclosure of government salaries and documents that show the efficiencies of government entities have long been recognized as public record. In fact, recent amendments to the Massachusetts Public Records Law specifically requires that all Massachusetts agencies "provide on a searchable website electronic copies, accessible in a commonly available electronic format. . . . (vii) agency budgets.") Mass. Gen. L. c. 66 §19(b). Moreover, the Courts have long recognized that the "public has an interest in knowing whether public servants are carrying out their duties in an efficient and law-abiding manner." *Attorney General v. Collector of Lynn*, 377 Mass. 151 (1979) (tax delinquent records must be open to inspection pursuant to Mass. Gen. L. c. 66 § 10.)

Conclusion

The Supreme Judicial Court has found that regulatory fees share common traits that distinguish them from taxes: (1) they are charged in exchange for a particular government service which benefits the party paying the fee in a manner not shared by other members of society . . . (2) and they are collected, not to raise revenues, but to compensate the governmental entity providing the services for its expenses.” *See Emerson College v. Boston*, 391 Mass. 415, 424–425 (1984). There is little doubt in the Attorney General’s broad statutory authority to investigate criminal activity involving gaming. Indeed, this function has been carried out by the Office and funded by taxpayers well before funding was available through the assessment. *See* List of Sample Attorney General Press Releases attached as Exhibit A. Chapter 23K nevertheless added a regulatory fee to supplement this work and ensure that the Attorney General’s Office was compensated for *new* responsibilities under the Gaming Act. The Legislature funded these responsibilities through a regulatory fee as opposed to using tax revenue and an annual appropriation. As such, use of this funding is limited by statute and case law. This funding (i) must be reasonable, (ii) can only be charged in exchange for the functions enumerated in section 11M(c), (iii) must be to the benefit of the licensees and (iv) and must only compensate the Division for its work. A fee that falls outside of these criteria is simply a tax, which the Commission cannot and should not impose.

The Commission has a duty to ensure any assessment on behalf of the Division (a) meets the aforementioned legal standards; (b) does not exceed the statutory cap contained in Section 11M(c); and (c) is for the recovery of actual reimbursed costs.

Sincerely,

A handwritten signature in blue ink, appearing to read "Seth N. Stratton". The signature is fluid and cursive, with the first name "Seth" being the most prominent.

Seth N. Stratton

Vice President & Legal Counsel

cc: Edward Bedrosian, Esq., Massachusetts Gaming Commission (by email)
Patrick Hanley, Esq., Massachusetts Attorney General's Office (by email)
Jed Nosal, Esq., Brown Rudnick LLP (by email)
Jacqui Krum, Esq., Wynn Boston Harbor (by email)

Attachment A

Sample of Attorney General Press Releases 2011–2013

2011 Press releases re: internet café operating illegal slot parlor (Fall River & Fairhaven)

<http://www.mass.gov/ago/news-and-updates/press-releases/2011/2011-10-27-pelletier-internet-cafe.html>

<http://www.mass.gov/ago/news-and-updates/press-releases/2011/2011-12-13-leos-place-arraignments.html>

2011 Press release re: internet café operating illegal slot parlor (Chicopee)

<http://www.mass.gov/ago/news-and-updates/press-releases/2011/2011-11-10-sheldon-megliola-indictments.html>

2011 Press release re: AG issues regulations banning illegal gambling

<http://www.mass.gov/ago/news-and-updates/press-releases/2011/ag-issues-regulations-banning-illegal-gambling.html>

2012 Press releases re: internet café operating illegal slot parlor (Fall River & Fairhaven)

<http://www.mass.gov/ago/news-and-updates/press-releases/2012/2012-07-25-teradyne-internet-cafes-payment.html>

<http://www.mass.gov/ago/news-and-updates/press-releases/2012/2012-08-31-leos-place-plea-sentencing.html>

2012 Press releases re: internet café operating illegal slot parlor (Chicopee)

<http://www.mass.gov/ago/news-and-updates/press-releases/2012/2012-01-04-cafenos-arraignment.html>

<http://www.mass.gov/ago/news-and-updates/press-releases/2012/2012-03-29-cafenos-indictments.html>

<http://www.mass.gov/ago/news-and-updates/press-releases/2012/internet-cafe-sued-for-illegal-gambling.html>

<http://www.mass.gov/ago/news-and-updates/press-releases/2012/2012-06-26-chicopee-owner-order.html>

2013 Press releases re: internet café operating illegal slot parlor (Chicopee)

<http://www.mass.gov/ago/news-and-updates/press-releases/2013/2013-06-07-cafenos-plea.html>

<http://www.mass.gov/ago/news-and-updates/press-releases/2013/2013-09-09-megliola-plea.html>

<http://www.mass.gov/ago/news-and-updates/press-releases/2013/2013-05-07-kelley-symmes-indictment.html>

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THE COMMONWEALTH OF MASSACHUSETTS
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ATTORNEY GENERAL

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June 21, 2017

Stephen Crosby, Chair
Massachusetts Gaming Commission
101 Federal Street, 23rd Floor
Boston, MA 02110

Re: Attorney General's Division of Gaming Enforcement

Dear Chairman Crosby:

As we prepare for the opening of MGM Springfield next year, and for Wynn Boston Harbor in 2019, the Attorney General's Office is working quickly to build our capacity to investigate criminal activity and enforce the laws relative to expanded gaming, illegal gambling, public corruption, money laundering, and other related offenses. We are committed to meeting this public charge without further burdening the taxpayers. Consequently, we write to respond to MGM Springfield's letter advocating for a budget reduction and audit of the Attorney General's Gaming Enforcement Division (hereinafter "Division").

In advance of your FY-18 budget hearings, the Division Chief informed your Executive Director that the Division anticipated expenses of \$2,200,000, an increase of \$300,000, or 15.7%, over FY-17. Meeting our statutory commitments to safeguard local communities and the public from any criminal activities within and surrounding these new gaming enterprises requires significant advance preparation and familiarity. Our requested increase is needed to meet an increased volume of work, including new referrals from the Commission, and to continue necessary preparations for casino openings in the coming two years. In order to house the increase in staff required under G.L. c. 12, § 11M, we also included a one-time assessment of \$400,000 to make renovations to existing space, our most economical option when compared with leasing new Division offices. The total budget for FY-18 of \$2.6M falls well within the statutory cap of \$3,000,000 set forth in G.L. c. 12, § 11M.

MGM advances the argument that the Division's statutory cap of \$3,000,000 is, in fact the *combined* cap for the Division *and* the Gaming Enforcement Unit of the Massachusetts State Police. This position is unsupported by the language of the Gaming Act.

The third paragraph of G.L. c. 12, § 11M(c), sets forth the payment mechanism for reimbursement of State Police assigned to the Division.

Officers and employees of the gaming enforcement unit in the department of state police who are assigned to the division shall record their time and submit their total hours to the director of gaming enforcement. The division shall submit a request for reimbursement to the commission and ***the commission shall reimburse the department of state police.***

The fourth paragraph of G.L. c. 12, § 11M(c), sets forth how costs of AGO personnel and costs associated with the Division are to be reimbursed.

The division shall submit quarterly requests to the commission for expenses associated with the operation of the division and ***the commission shall reimburse the division for such expenses***; provided, however, that the commission shall not approve such a request if the request would exceed an annual reimbursement of \$3,000,000.

The plain language of the statute makes it clear that capped reimbursements to the Division are entirely distinct from the reimbursements to the State Police. That, however, does not mean that they are unchecked. They are overseen by the Division Chief and the Commander of the Attorney General's State Police Detective Unit. Through the present date, assessments on the licensees provide reimbursement for only two State Police personnel assigned to the Division, out of the four troopers assigned. For the upcoming fiscal year, the Attorney General has asked the State Police to assign four additional personnel to the Division. This additional request is reasonable and necessary to conduct the work of a statewide division conducting investigations relating to three casino projects and numerous illegal gambling operations in disparate areas of the state.

As the Attorney General testified on her first day in office, gaming accountability is a priority for this administration. Although we welcome the opportunity to explain our budget, we oppose any effort, in contravention of the Gaming Act, to shift the costs of enforcement from the licensees to the taxpayers. We urge the Commission to approve our proposed budget so that the Division may continue its important work.

Sincerely,



Mary Strother
First Assistant Attorney General

cc: Massachusetts Gaming Commissioners
Col. Richard D. McKeon, State Police
Edward Bedrosian, Executive Director, Massachusetts Gaming Commission
Seth N. Stratton, Vice President & Legal Counsel, MGM Springfield
Jed Nosal, Brown Rudnick
Jacqui Krum, Senior Vice President & General Counsel, Wynn Resorts Development



Legal Division

SMALL BUSINESS IMPACT STATEMENT

The Massachusetts Gaming Commission (“Commission”) hereby files this small business impact statement in accordance with G.L. c.30A, §2 relative to the proposed amendments in **205 CMR 3.00: Harness Horse Racing**; notice of which was filed this day with the Secretary of the Commonwealth. These amendments were developed as part of the process of promulgating regulations governing horse racing in the Commonwealth. The amendments describe veterinary practices, set up conditions that allow for the use of therapeutic medications, reduce penalties for multiple medication violations, changes the Furosemide dosage to 500 mg, expands criteria for out of competition testing, and allows judges to use environmental contaminants and substances of human use as possibilities for mitigating circumstances in disciplinary actions. These amendments bring the regulations into conformance with national standards from the Association of Racing Commissioners International (“ARCI”). These regulations are largely governed by G.L. c. 128A § 9.

The Commission has identified the following groups that may be impacted by these amendments: licensed owners, trainers and Veterinarians. In accordance with G.L. c.30A, §2, the Commission offers the following responses:

1. Estimate of the number of small businesses subject to the proposed regulation:

There are approximately 325 licenses issued annually for the identified groups above, however, a very small percentage would be classified as a small business.

2. State the projected reporting, recordkeeping and other administrative costs required for compliance with the proposed regulation:

There are no additional projected reporting, recordkeeping or administrative costs created by these regulations that would affect small businesses. To bring the regulations into conformance with national standards, the Commission is adopting the ARCI standards.

3. State the appropriateness of performance standards versus design standards:

The amendments implicate a performance standard. To bring the regulations into conformance with national standards, the Commission is adopting the ARCI standards.



Massachusetts Gaming Commission

4. Identify regulations of the promulgating agency, or of another agency or department of the commonwealth, which may duplicate or conflict with the proposed regulation:

There are no conflicting regulations in 205 CMR, and the Commission is unaware of any conflicting or duplicating regulations of any other agency or department of the Commonwealth.

5. State whether the proposed regulation is likely to deter or encourage the formation of new businesses in the commonwealth:

The proposed amendments are not likely to deter or encourage the formation of new businesses in the Commonwealth.

Massachusetts Gaming Commission
By:

Cecelia M. Porché
Paralegal
Legal Division

Dated: _____



Massachusetts Gaming Commission

3.27: Veterinary Practices

~~(1) Veterinarians under Authority of Official Veterinarian. Veterinarians licensed by the Commission and practicing at any location under the jurisdiction of the Commission are under the authority of the official veterinarian and the judges. The official veterinarian shall recommend to the judges or the Commission the discipline that may be imposed upon a veterinarian who violates 205 CMR 3.00.~~

~~(2) Treatment Restrictions.~~

~~(a) Only licensed trainers, licensed owners, or their designees shall be permitted to authorize veterinary medical treatment of horses under their care, custody and control at locations under the jurisdiction of the Commission.~~

~~(b) Except as otherwise provided by 205 CMR 3.27(2), no person other than a veterinarian licensed to practice veterinary medicine in this jurisdiction and licensed by the Commission may administer a prescription or controlled medication, drug, or chemical to a horse at any location under the jurisdiction of the Commission.~~

~~(c) 205 CMR 3.27(2) does not apply to the administration of the following substances except in approved quantitative levels, if any, present in post race samples or as they may interfere with post race testing:~~

~~1. A recognized non injectable nutritional supplement or other substance approved by the official veterinarian;~~

~~2. A non injectable substance on the direction or by prescription of a licensed veterinarian; or~~

~~3. A non injectable non prescription medication or substance.~~

~~(d) No person shall possess a hypodermic needle, syringe capable of accepting a needle or injectable of any kind on association grounds, unless otherwise approved by the Commission. At any location under the jurisdiction of the Commission, veterinarians may use only one time disposable syringe and needle, and shall dispose of both in a manner approved by the Commission. If a person has a medical condition which makes it necessary to have a syringe at any location under the jurisdiction of the Commission, that person may request permission of the judges and/or the Commission in writing, furnish a letter from a licensed physician explaining why it is necessary for the person to possess a syringe, and must comply with any conditions and restrictions set by the judges and/or the Commission.~~

~~(e) Practicing veterinarians shall not have contact with an entered horse within 24 hours before the scheduled post time of the race in which the horse is scheduled to compete except for the administration of furosemide under the guidelines set forth in 205 CMR 3.29(6), unless approved by the official veterinarian or his or her designee. Any unauthorized contact may result in the horse being scratched and may result in further disciplinary action by the judges.~~

~~(f) Any horse entered for racing must be present on the grounds prior to the scheduled furosemide administration time, or prior to the time prescribed to be present in the race paddock for the race entered.~~

~~(3) Veterinarians' Reports.~~

~~(a) Every veterinarian licensed by the Massachusetts Gaming Commission shall keep a written record of his or her practice when performed on the premises of a facility under the jurisdiction of the Commission which shall disclose:~~

~~1. the name of the horse;~~

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~~2. the type of treatment prescribed for and medicine administered to the horse;~~

~~3. the date of such treatment.~~

~~(b) Every licensed Veterinarian shall produce such written records when requested by an official of the Massachusetts Gaming Commission.~~

1. Veterinarians under the Authority of the Official Veterinarian

Veterinarians licensed by the Commission and practicing at any location under the jurisdiction of the Commission are under the authority of the official veterinarian and the stewards. The official veterinarian shall recommend to the stewards or the Commission the discipline that may be imposed upon a veterinarian who violates the rules.

2. Appropriate Role of Veterinarians

The following limitations apply to drug treatments of horses that are engaged in activities, including training, related to competing in pari-mutuel racing in the jurisdiction:

(a) No drug may be administered except in the context of a valid veterinarian-client-patient relationship between an attending veterinarian, the horse owner (who may be represented by the trainer or other agent) and the horse. The owner is not required by this section to follow the veterinarian's instructions, but no drug may be administered without a veterinarian having examined the horse and provided the treatment recommendation. Such relationship requires the following:

(i) The veterinarian, with the consent of the owner, has accepted responsibility for making medical judgments about the health of the horse;

(ii) The veterinarian has sufficient knowledge of the horse to make a preliminary diagnosis of the medical condition of the horse;

(iii) The veterinarian has performed an examination of the horse and is acquainted with the keeping and care of the horse;

(iv) The veterinarian is available to evaluate and oversee treatment outcomes or has made appropriate arrangements for continuing care and treatment;

(v) The relationship is maintained by veterinary visits as needed; and;

(vi) The veterinary judgments of the veterinarian are independent and are not dictated by the trainer or owner of the horse.

(b) No prescription drug may be administered except as prescribed by an attending veterinarian.

(c) The trainer and veterinarian are both responsible to ensure compliance with these limitations on drug treatments of horses, except the medical judgment to recommend a drug treatment or to prescribe a drug is the responsibility of the veterinarian and the decision to proceed with a drug treatment that has been so recommended is the responsibility of the horse owner (who may be represented by the trainer or other agent).

3. Treatment Restrictions

(a) Only licensed trainers, licensed owners or their designees shall be permitted to authorize veterinary medical treatment of horses under their care, custody and control at ocations under the jurisdiction of the Commission.

(b) Except as otherwise provided by this section, no person other than a veterinarian licensed to practice veterinary medicine in this jurisdiction and licensed by the Commission may

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administer a prescription or controlled medication, drug, chemical or other substance (including any medication, drug, chemical or other substance by injection) to a horse at any location under the jurisdiction of the Commission.

(c) This section does not apply to the administration of the following substances except in approved quantitative levels, if any, present in post-race samples or as they may interfere with post-race testing:

(i) A recognized non-injectable nutritional supplement or other substance approved by the official veterinarian;

(ii) A non-injectable substance on the direction or by prescription of a licensed veterinarian; or

(iii) A non-injectable non-prescription medication or substance.

(d) No person shall possess a hypodermic needle, syringe capable of accepting a needle or injectable of any kind on association grounds, unless otherwise approved by the Commission. At any location under the jurisdiction of the Commission, veterinarians may use only one-time disposable syringe and needle, and shall dispose of both in a manner approved by the Commission. If a person has a medical condition which makes it necessary to have a syringe at any location under the jurisdiction of the Commission, that person may request permission of the stewards and/or the Commission in writing, furnish a letter from a licensed physician explaining why it is necessary for the person to possess a syringe, and must comply with any conditions and restrictions set by the stewards and/or the Commission.

(e) Practicing veterinarians shall not have contact with an entered horse within 24 hours before the scheduled post time of the race in which the horse is scheduled to compete except for the administration of furosemide under the guidelines set forth in 205 CMR unless approved by the official veterinarian. Any unauthorized contact may result in the horse being scratched from the race in which it was scheduled to compete and may result in further disciplinary action by the judges.

(f) Any horse entered for racing must be present on the grounds prior to the scheduled furosemide administration time or one hour prior to first post time, whichever is earlier.

4. Veterinarians' Reports

(a) Every veterinarian who treats a racehorse at any location under the jurisdiction of the Commission shall, in writing on the medication report form prescribed by the Commission, report to the official veterinarian or other commission designee at the racetrack where the horse is entered to run or as otherwise specified by the Commission, the name of the horse treated, any medication, drug, substance or procedure administered or prescribed, the name of the trainer of the horse, the date and time of treatment and any other information requested by the official veterinarian.

(b) The medication report form shall be signed by the practicing veterinarian.

(c) The medication report form must be filed by the treating veterinarian not later than post time of the race for which the horse is entered. Any such report is confidential and its content shall not be disclosed except in the course of an investigation of a possible violation of the Commission's regulations or in a proceeding before the stewards or the Commission, or to the trainer or owner of record at the time of treatment.

(d) A timely and accurate filing of a medication report form that is consistent with the analytical results of a positive test may be used as a mitigating factor in determining the nature and extent, if any, of a rules violation.

3.28: Prohibited Practices

The following are considered prohibited practices:

(1) The possession or use of a drug, substance or medication on the premises of a facility under the jurisdiction of the Commission for which:

(a) a recognized analytical method has not been developed to detect and confirm the administration of such substance; or

(b) the use of which may endanger the health and welfare of the horse or endanger the safety of the driver; or

(c) the use of which may adversely affect the integrity of racing; or,

(d) no generally accepted use in equine care exists.

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~~3.28— continued~~

~~(2) The possession or use of a drug, substance, or medication on the premises of a facility under the jurisdiction of the Commission that has not been approved by the United States Food and Drug Administration (FDA) for any use in (human or animal) is forbidden without prior permission of the official veterinarian or his or her designee.~~

~~(3) The possession and/or use of the following substances or of blood-doping agents, including but not limited to those listed in 205 CMR 3.28(3)(a) through (j), on the premises of a facility under the jurisdiction of the Commission is forbidden:~~

- ~~(a) Aminoimidazole carboxamide ribonucleotide (AICAR) (b) Cobra venom or derivatives thereof~~
- ~~(c) Darbepoetin~~
- ~~(d) Equine Growth Hormone~~
- ~~(e) Erythropoietin (EPO) (f) Hemopure~~
- ~~(g) myo-Inositol Triphosphosphate (ITPP) (h) Oxyglobin~~
- ~~(i) Snail venoms or derivatives thereof~~
- ~~(j) Thymosin beta~~

~~(4) The use of Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy shall not be permitted unless the following conditions are met:~~

- ~~(a) Any treated horse shall not be permitted to race or qualify for a minimum of ten days following treatment;~~
- ~~(b) The use of Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy machines shall be limited to veterinarians licensed to practice by the Commission using registered and approved machines;~~
- ~~(c) Any Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy machines on the association grounds must be registered with and approved by the official veterinarian or his or her designee before use.~~
- ~~(d) All Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy treatments must be reported within one day to the official veterinarian or his or her designee on the prescribed form. The horse shall be added to a list of ineligible horses.~~
- ~~(e) Any person participating in the use of ESWT and/or the possession of ESWT machines in violation of 205 CMR 3.28(4) shall be considered to have committed a Prohibited Practice and is subject to a Class A Penalty.~~

~~(5) The use of a nasogastric tube (a tube longer than six inches) for the administration of any substance within 24 hours prior to the post time of the race in which the horse is entered is prohibited without the prior permission of the official veterinarian or his or her designee.~~

~~1. No person may possess or use a drug, substance or medication on the premises of a facility under the jurisdiction of the Commission for which~~

~~(a) a recognized analytical method has not been developed to detect and confirm the administration of such substance; or~~

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- (b) the use of which may endanger the health and welfare of the horse or endanger the safety of the driver; or
- (c) the use of which may adversely affect the integrity of racing; or,
- (d) no generally-accepted use in equine care exists.

2. Prohibited Substances and Methods:

- (a) The substances and methods listed in the annexed Prohibited List may not be used at any place or time, and may not be possessed on the premises of a racing or training facility under the jurisdiction of the Commission, except as a restricted therapeutic use.
- (b) Restricted Therapeutic Use. A limited number of medication on the Prohibited List shall be exempted when the administration occurs in compliance with the annexed Required Conditions for Restricted Therapeutic Use:
 - (i) Report When Sampled means the administration of the substance must be reported to the commission when the horse is next sampled, if the horse is sampled within 24 hours after the administration;
 - (ii) Pre-File Treatment Plan means that if the commission where the horse is located requires the filing of treatment plans, then a treatment plan for the substance must be filed by the time of administration in a manner approved by such commission;
 - (iii) Written Approval from Commission means the commission has granted written approval of a written treatment plan before the administration of the substance;
 - (iv) Emergency Use (report) means the substance had to be administered due to an acute emergency involving the life or health of the horse, provided the emergency use is reported to the commission as soon as practicable after the treatment occurs;
 - (v) Prescribed by Veterinarian means the substance has been prescribed by an attending veterinarian, in compliance with ARCI 011-010 Veterinary Practices, and recorded in the veterinary records in the manner required by the commission;
 - (vi) Report Treatment means the treatment must be reported to the commission by the trainer at the time of administration to provide the commission with information for the Veterinarian's List. The trainer may delegate this responsibility to the treating veterinarian, who shall make the report when so designated; and
 - (vii) Other Limitations means additional requirements that apply, such as a substance may be used in only fillies or mares or a horse that is administered a substance shall be reported immediately to the commission and placed on the Veterinarian's List for a specific minimum period of time. The use of the substance must comply with other applicable rules of the Commission.
- (c) No person shall at any time administer any other doping agent to a horse except pursuant to a valid therapeutic, evidence-based treatment plan.
 - (i) Other doping agent means a substance that is not listed in the annexed Prohibited List, has a pharmacologic potential to alter materially the performance of a horse, has no generally accepted medical use in the horse when treated, and is:
 - (A) capable at any time of causing an action or effect, or both, within one or more of the blood, cardiovascular, digestive, endocrine, immune, musculoskeletal, nervous, reproductive, respiratory, or urinary mammalian body systems; including but not limited to endocrine secretions and their synthetic counterparts, masking agents, oxygen carriers, and agents that directly or indirectly affect or manipulate gene expression; but

(B) not a substance that is considered to have no effect on the physiology of a horse except to improve nutrition or treat or prevent infections or parasite infestations.

(ii) The commission may publish advisory warnings that certain substances or administrations may constitute a violation of this rule.

(iii) Therapeutic, evidence-based treatment plan means a planned course of treatment written and prescribed by an attending veterinarian before the horse is treated that:

(A) describes the medical need of the horse for the treatment, the evidence-based scientific or clinical justification for using the doping agent, and a determination that recognized therapeutic alternates do not exist; and

(B) complies with ARCI 011-010 Veterinary Practices, meets the standards of veterinary practice of the jurisdiction, and is developed in good faith to treat a medical need of the horse.

(iv) Such plans shall not authorize the possession of a doping agent on the premises of a racing or training facility under the jurisdiction of the commission.

3. The possession and/or use of the following substances or of blood doping agents, including but not limited to those listed below, on the premises of a facility under the jurisdiction of the Commission is forbidden:

(a) Aminoimidazole carboxamide ribonucleotide (AICAR)

(b) Darbepoetin

(c) Equine Growth Hormone

(d) Erythropoietin

(e) Hemopure ®

(f) Myo-Inositol Trispyrophosphate (ITPP)

(g) Oxyglobin®

(h) Thymosin beta

(i) Venoms or derivatives thereof

(j) Thymosin beta

4. The use of Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy shall not be permitted unless the following conditions are met:

(a) Any Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy machine, whether in operating condition or not, must be registered with and approved by the Commission or its designee before such machine is brought to or possessed on any racetrack or training center within the jurisdiction of the commission;

(b) The use of Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy within the jurisdiction:

(i) shall be limited to veterinarians licensed to practice by the commission;

(ii) may only be performed with machines that are:
registered and approved for use by the commission; and

(iii) used at a previously-disclosed location that is approved by the commission
must be reported within 24-hours prior to treatment on the prescribed form to the official
veterinarian.

(c) Any treated horse shall not be permitted to race or breeze for a minimum of 10 days following treatment;

(a) Any horse treated with Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy shall be added to a list of ineligible horses. This list shall be kept in the race office and accessible to the jockeys and/or their agents during normal business hours and be made available to other regulatory jurisdictions.

(b) A horse that receives any such treatment without full compliance with this section and similar rules in any other jurisdiction in which the horse was treated shall be placed on the Steward's List.

(c) Any person participating in the use of ESWT and/or the possession of ESWT machines in violation of this rule shall be considered to have committed a Prohibited Practice and is subject to a Class A Penalty.

5. The use of a nasogastric tube (a tube longer than six inches) for the administration of any substance within 24 hours prior to the post time of the race in which the horse is entered is prohibited without the prior permission of the official veterinarian or his/her designee.

3.28.01

Annex I Prohibited Substances and Prohibited Methods

Prohibited Substances

All substances in the categories below shall be strictly prohibited unless otherwise provided in accordance with 205 CMR 4.0. Any reference to substances in this section does not alter the requirements for testing concentrations in race day samples.

Nothing in this list shall alter the requirements of post-race testing.

(a) NON-APPROVED SUBSTANCES

Any pharmacologic substance that is not approved by any governmental regulatory health authority for human or veterinary use within the jurisdiction is prohibited. This prohibition includes drugs under pre-clinical or clinical development, discontinued drugs, and designer drugs (a synthetic analog of a drug that has been altered in a manner that may reduce its detection); but does not include vitamins, herbs and supplements for nutritional purposes that do not contain any other prohibited substance, or the administration of a substance with the prior approval of the commission in a clinical trial for which an FDA or similar exemption has been obtained.

(b) ANABOLIC AGENTS

Anabolic agents are prohibited.

1. Anabolic Androgenic Steroids (AAS)

1.1. Exogenous AAS, including:

1-androstenediol (5 α -androst-1-ene-3 β ,17 β -diol); 1-androstenedione (5 α - androst-1-ene-3,17-dione); bolandiol (estr-4-ene-3 β ,17 β -diol); bolasterone; boldenone; boldione (androsta-1,4-diene-3,17-dione); calusterone; clostebol; danazol ([1,2]oxazolo[4',5':2,3]pregna-4-en-20-yn-17 α -ol); dehydrochlormethyltestosterone (4-chloro-17 β -hydroxy-17 α -methylandrosta-1,4-dien-3-one); desoxymethyltestosterone (17 α -methyl-5 α -androst-2-en-17 β -ol); drostanolone; ethylestrenol (19-norpregna-4-en-17 α -ol); fluoxymesterone; formebolone; furazabol (17 α -methyl[1,2,5]oxadiazolo[3',4':2,3]-5 α -androstan-17 β -ol); gestrinone; 4-hydroxytestosterone (4,17 β -dihydroxyandrost-4-en-3-one); mestanolone; mesterolone; metandienone (17 β -hydroxy-17 α -methylandrosta-1,4-dien-3-one); metenolone; methandriol; methasterone (17 β -hydroxy-2 α ,17 α -dimethyl-5 α -androstan-3-one); methyldienolone (17 β -hydroxy-17 α -methylestra-4,9-dien-3-one); methyl-1-testosterone (17 β -hydroxy-17 α -methyl-5 α -androst-1-en-3-one); methylnortestosterone (17 β -hydroxy-17 α -methylestr-4-en-3-one); methyltestosterone; metribolone (methyltrienolone, 17 β -hydroxy-17 α -methylestra-4,9,11-trien-3-one); mibolerone; nandrolone; 19-norandrostenedione (estr-4-ene-3,17-dione); norboletone; norclostebol; norethandrolone; oxabolone; oxandrolone; oxymesterone; oxymetholone; prostanazol (17 β -[(tetrahydropyran-2-yl)oxy]-1'H-pyrazolo[3,4:2,3]-5 α - androstane); quinbolone; stanozolol; stenbolone; 1-testosterone (17 β -hydroxy-5 α -androst-1-en-3-one); tetrahydrogestrinone (17 β -hydroxy-18 α -homo-19-nor-17 α -pregna-4,9,11-trien-3-one); trenbolone (17 β -hydroxyestr-4,9,11-trien-3-one); and other substances with a similar chemical structure or similar biological effect(s).

1.2. Endogenous AAS or their synthetic esters when administered exogenously:

androstenediol (androst-5-ene-3 β ,17 β -diol); androstenedione (androst-4-ene-3,17-dione); dihydrotestosterone (17 β -hydroxy-5 α -androstan-3-one); prasterone (dehydroepiandrosterone, DHEA, 3 β -hydroxyandrost-5-en-17-one); testosterone; and their metabolites and isomers, including but not limited to: 5 α -androstane-3 α ,17 α -diol; 5 α -androstane-3 α ,17 β -diol; 5 α -androstane-3 β ,17 α -diol; 5 α -androstane-3 β ,17 β -diol; 5 β -androstane-3 α ,17 β -diol, androst-4-ene-3 α ,17 α -diol; androst-4-ene-3 α ,17 β -diol; androst-4-ene-3 β ,17 α -diol; androst-5-ene-3 α ,17 α -diol; androst-5-ene-3 α ,17 β -diol; androst-5-ene-3 β ,17 α -diol; 4-androstenediol (androst-4-ene-3 β ,17 β -diol); 5-androstenedione (androst-5-ene-3,17-dione); androsterone (3 β -hydroxy-5 α -androstan-17-one); epi-dihydrotestosterone; epitestosterone; etiocholanolone; 7 α -hydroxy-DHEA; 7 β -hydroxy-DHEA; 7-keto-DHEA; 19-norandrosterone; 19-noretiocholanolone.

(c) Other Anabolic Agents, including but not limited to:

Clenbuterol, selective androgen receptor modulators (SARMs e.g., andarine and ostarine), ractopamine, tibolone, zeranol, zilpaterol.

(d) PEPTIDE HORMONES, GROWTH FACTORS AND RELATED SUBSTANCES

The following substances, and other substances with similar chemical structure or similar biological effect(s), are prohibited:

1. Erythropoietin-Receptor agonists:

Erythropoiesis-Stimulating Agents (ESAs) including, e.g., darbepoetin (dEPO); erythropoietins (EPO); EPO-Fc; EPO-mimetic peptides (EMP), e.g., CNTO 530 and peginesatide; and methoxypolyethylene glycol-epoetin beta (CERA); and Non-erythropoietic EPO-Receptor agonists, e.g., ARA-290, asialo EPO and carbamylated EPO;

2. Hypoxia-inducible factor (HIF) stabilizers, e.g., cobalt (when found in excess of regulatory authority limits) and roxadustat (FG-4592); and HIF activators, (e.g., argon, xenon);

3. Chorionic Gonadotropin (CG) and Luteinizing Hormone (LH) and their releasing factors, in males;

4. Corticotrophins and their releasing factors;

5. Growth Hormone (GH) and its releasing factors including Growth Hormone Releasing Hormone (GHRH) and its analogues, e.g., CJC-1295, sermorelin and tesamorelin; Growth Hormone Secretagogues (GHS), e.g., ghrelin and ghrelin mimetics, e.g., anamorelin and ipamorelin; and GH-Releasing Peptides (GHRPs), e.g., alexamorelin, GHRP-6, hexarelin and pralmorelin (GHRP-2);

6. Venoms and toxins including but not limited to venoms and toxins from sources such as snails, snakes, frogs, and bees as well as their synthetic analogues such as ziconotide.

7. In addition, the following growth factors are prohibited:

Fibroblast Growth Factors (FGFs), Hepatocyte Growth Factor (HGF), Insulin-like Growth Factor-1 (IGF-1) and its analogues, Mechano Growth Factors (MGFs), Platelet-Derived Growth Factor (PDGF), Vascular-Endothelial Growth Factor (VEGF) and any other growth factor affecting muscle, tendon or ligament protein synthesis/degradation, vascularization, energy utilization, regenerative capacity or fiber type switching.

(e) BETA-2 AGONISTS

All beta-2 agonists, including all optical isomers (i.e. d- and l-) where relevant, are prohibited.

(f) HORMONE AND METABOLIC MODULATORS

The following are prohibited:

1. Aromatase inhibitors, including but not limited to: aminoglutethimide, anastrozole, androsta-1,4,6-triene-3,17-dione (androstatrienedione), 4-androstene-3,6,17 trione (6-oxo), exemestane, formestane, letrozole, testolactone;

2. Selective estrogen receptor modulators (SERMs), including but not limited to: raloxifene, tamoxifen, toremifene;

3. Other anti-estrogenic substances, including but not limited to: clomiphene, cyclofenil, fulvestrant;

4. Agents modifying myostatin function(s), including but not limited to: myostatin inhibitors;

5. Metabolic modulators:

5.1. Activators of the AMP-activated protein kinase (AMPK), e.g., AICAR, and Peroxisome Proliferator Activated Receptor δ (PPAR δ) agonists (e.g., GW 1516);

5.2 Insulins;

5.3 Trimetazidine; and

5.4. Thyroxine and thyroid modulators/hormones, including but not limited to those containing T4 (tetraiodothyronine/thyroxine), T3 (triiodothyronine), or combinations thereof.

(g). DIURETICS AND OTHER MASKING AGENTS

The following diuretics and masking agents are prohibited, as are other substances with similar chemical structure or similar biological effect(s): acetazolamide, amiloride, bumetanide, canrenone, chlorthalidone, desmopressin, etacrynic acid, indapamide, metolazone, plasma expanders (e.g. glycerol; intravenous administration of albumin, dextran, hydroxyethyl starch and mannitol), probenecid, spironolactone, thiazides (e.g. bendroflumethiazide, chlorothiazide, hydrochlorothiazide), torsemide, triamterene, and vasopressin receptor antagonists or vaptans (e.g., tolvaptan).

Furosemide and trichlormethiazide may be administered only in a manner permitted by other rules of the commission.

PROHIBITED METHODS

(a). MANIPULATION OF BLOOD AND BLOOD COMPONENTS

The following are prohibited:

1. The administration or reintroduction of any quantity of autologous, allogenic (homologous) or heterologous blood or red blood cell products of any origin into the circulatory system.

2. Artificially enhancing the uptake, transport or delivery of oxygen, including, but not limited to, perfluorochemicals, efaproxiral (RSR13) and modified hemoglobin products (e.g. hemoglobin-based blood substitutes, microencapsulated hemoglobin products), excluding supplemental oxygen.

3. Any form of intravascular manipulation of the blood or blood components by physical or chemical means.

(b). CHEMICAL AND PHYSICAL MANIPULATION

Tampering, or attempting to tamper, in order to alter the integrity and validity of samples collected by the commission, is prohibited. These methods include but are not limited to urine substitution or adulteration (e.g., proteases).

(c). GENE DOPING

The following, with the potential to enhance sport performance, are prohibited:

1. The transfer of polymers of nucleic acids or nucleic acid analogues.

2. The use of normal or genetically modified hematopoietic cells.

Required Conditions for Restricted Therapeutic Use							
Prohibited Substance	Report When Sampled	Pre-File Treatment Plan	Written Approval from Commission	Emergency Use (report)	Prescribed by Veterinarian	Report Treatment	Other Limitations
Adrenocorticotrophic Hormone (ACTH)		x			x		
Albuterol					x		
Altrenogest					x		fillies/mares only
Autologous Conditioned Plasma (IRAP)	x				x		
Blood Replacements	x			x	x		
Boldenone		x			x	x	6 month Vet List
Clenbuterol		x			x		
Chorionic Gonadotropin		x	x-1		x	x	60 day Vet List
Furosemide	x				x		
Luteinizing Hormone		x	x-1		x	x	60 day Vet List
Mesenchymal Stem Cells	x				x	x	
Nandrolone		x			x	x	6 month Vet List
Nucleic Polymer Transfers		x	x		x	x	
Platelet Rich Plasma (PRP)	x				x		
Stanozolol		x			x	x	6 month Vet List
S0 (not FDA-approved)			x-2		x		
Testosterone		x			x	x	6 month Vet List
Thyroxine (T4)		x	x-3		x		
Trichlormethiazide	x				x		
Other Diuretics	x			x	x		

x-1: The approved treatment plan must show a specific treatment of a specific individual horse for an undescended testicle condition.

x-2: The approved treatment plan must show: (A) the substance has a generally accepted veterinary use; (B) the treatment provides a significant health benefit for the horse; (C) there is no reasonable therapeutic alternative; and (D) the use of the substance is highly unlikely to produce any additional enhancement of performance beyond what might be anticipated by a return to the horse's normal state of health, not exceeding the level of performance of the horse prior to the onset of the horse's medical condition.

x-3: The approved treatment plan must show: (A) the thyroxine is prescribed to a specific individual horse for a specific period of time; (B) the diagnosis and basis for prescribing such drug, the dosage, and the estimated last administration date; and (C) that any container of such drug on licensed premises shall be labeled with the foregoing information and contain no more thyroxine than for the treatment of the specific individual horse, as prescribed.

3.29: Medications and Prohibited Substances

(1) Aggravating and Mitigating Factors. Upon a finding of a violation of 205 CMR 3.29, the judges shall consider the classification level of the violation as listed at the time of the violation in the Uniform Classification Guidelines for Foreign Substances as promulgated by the Association of Racing Commissioners International (ARCI) and impose penalties and disciplinary measures consistent with the recommendations contained therein. The judges shall also consult with the official veterinarian, laboratory director or other individuals to determine the seriousness of the laboratory finding or the medication violation. All medication and drug violations shall be investigated and reviewed on a case by case basis. Extenuating factors include, but are not limited to:

- The past record of the trainer, veterinarian and owner in drug cases;
- The potential of the drug(s) to influence a horse's racing performance;
- The legal availability of the drug;
- Whether there is reason to believe the responsible party knew of the administration of the drug or intentionally administered the drug;
- The steps taken by the trainer to safeguard the horse;

- (f) The probability of environmental contamination or inadvertent exposure due to human drug use;
 - (g) The purse of the race;
 - (h) Whether the drug found was one for which the horse was receiving a treatment as determined by the Medication Report Form;
 - (i) Whether there was any suspicious betting pattern in the race, and;
 - (j) Whether the licensed trainer was acting under the advice of a licensed veterinarian.
- As a result of the investigation, there may be mitigating circumstances for which a lesser or no penalty is appropriate for the licensee and aggravating factors, which may increase the penalty beyond the minimum.

(2) Penalties.

(a) In issuing penalties against individuals found guilty of medication and drug violations a regulatory distinction shall be made between the detection of therapeutic medications used routinely to treat racehorses and those drugs that have no reason to be found at any concentration in the test sample on race day.

(b) If a licensed veterinarian is administering or prescribing a drug not listed in the ARCI Uniform Classification Guidelines for Foreign Substances, the identity of the drug shall be forwarded to the official veterinarian to be forwarded to the Racing Medication and Testing Consortium for classification.

(c) Any drug or metabolite thereof found to be presenting a pre- or post-race sample which is not classified in the version of the ARCI Uniform Classification Guidelines for Foreign Substances in effect at the time of the violation shall be assumed to be a ARCI Class 1 Drug and the trainer and owner shall be subject to those penalties as set forth in schedule "A" therein unless satisfactorily demonstrated otherwise by the Racing Medication and Testing Consortium, with a penalty category assigned.

(d) Any licensee of the Commission, including veterinarians, found to be responsible for the improper or intentional administration of any drug resulting in a positive test may, after proper notice and hearing, be subject to the same penalties set forth for the licensed trainer. (e) Procedures shall be established to ensure that a licensed trainer is not able to benefit financially during the period for which the individual has been suspended. This includes, but is not limited to, ensuring that horses are not transferred to licensed family members.

2. Multiple Medication Violations (MMV)

A trainer who receives a penalty for a medication violation based upon a horse testing positive for a Class 1-5 medication with Penalty Class A-C, as provided in the most recent version of the ARCI Uniform Classification Guidelines for Foreign Substances, or similar state regulatory guidelines, shall be assigned points as follows:

<u>Penalty Class</u>	<u>Points If Controlled Therapeutic Substance</u>	<u>Points If Non-Controlled Substance</u>
<u>Class A</u>	<u>N/A</u>	<u>6</u>
<u>Class B</u>	<u>2</u>	<u>4</u>
<u>Class C</u>	<u>½ for first violation with an additional ½ point for</u>	<u>1 for first violation with an additional ½ point for</u>

	<u>each additional violation within 365 days¹</u>	<u>each additional violation within 365 days</u>
<u>Class D</u>	<u>0</u>	<u>0</u>

If the Stewards or Commission determine that the violation is due to environmental contamination, they may assign lesser or no points against the trainer based upon the specific facts of the case.

(a) The points assigned to a medication violation by the Stewards or Commission ruling shall be included in the ARCI official database. The ARCI shall record points consistent with Section 13(a) including when appropriate, a designation that points have been suspended for the medication violation. Points assigned by such regulatory ruling shall reflect, in the case of multiple positive tests as described in paragraph (d), whether they constitute a single violation. The Stewards' or Commission Ruling shall be posted on the official website of the Commission and within the official database of the Association of Racing Commissioners International. If an appeal is pending, that fact shall be noted in such Ruling. No points shall be applied until a final adjudication of the enforcement of any such violation.

(b) A trainer's cumulative points for violations in all racing jurisdictions shall be maintained by the ARCI. Once all appeals are waived or exhausted, the points shall immediately become part of the trainer's official ARCI record and shall be considered by the Commission in its determination to subject the trainer to the mandatory enhanced penalties by the Stewards or Commission as provided in this regulation.

(c) Multiple positive tests for the same medication incurred by a trainer prior to delivery of official notice by the commission may be treated as a single violation. In the case of a positive test indicating multiple substances found in a single post-race sample, the Stewards may treat each substance found as an individual violation for which points will be assigned, depending upon the facts and circumstances of the case.

(d) The official ARCI record shall be used to advise the Stewards or Commission of a trainer's past record of violations and cumulative points. Nothing in this administrative regulation shall be construed to confer upon a licensed trainer the right to appeal a violation for which all remedies have been exhausted or for which the appeal time has expired as provided by applicable law.

(e) The Stewards or Commission shall consider all points for violations in all racing jurisdictions as contained in the trainer's official ARCI record when determining whether the mandatory enhancements provided in this regulation shall be imposed.

(f) In addition to the penalty for the underlying offense, the following enhancements shall be imposed upon a licensed trainer based upon the cumulative points contained in his/her official ARCI record:

<u>Points</u>	<u>Suspension in days</u>
<u>5-5.5</u>	<u>15 to 30</u>

¹ Points for NSAID violations only apply when the primary threshold of the NSAID is exceeded. Points are not to be separately assigned for a stacking violation.

<u>6-8.5</u>	<u>30 to 60</u>
<u>9-10.5</u>	<u>90 to 180</u>
<u>11 or more</u>	<u>180 to 360</u>

MMV penalties are not a substitute for the current penalty system and are intended to be an additional uniform penalty when the licensee:

- (i) Has had more than one medication violation for the relevant time period, and
- (ii) Exceeds the permissible number of points.

The Stewards and Commission shall consider aggravating and mitigating circumstances, including the trainer's prior record for medication violations, when determining the appropriate penalty for the underlying offense. The MMP is intended to be a separate and additional penalty for a pattern of violations.

- (i) The suspension periods as provided in Section 13(g) shall run consecutive to any suspension imposed for the underlying offense.
- (ii) The Stewards' or Commission Ruling shall distinguish between the penalty for the underlying offense and any enhancement based upon a Stewards or Commission review of the trainer's cumulative points and regulatory record, which may be considered an aggravating factor in a case.
- (iii) Points shall expire as follows:

<u>Penalty Classification</u>	<u>Time to Expire</u>
<u>A</u>	<u>3 years</u>
<u>B</u>	<u>2 years</u>
<u>C</u>	<u>1 year</u>

In the case of a medication violation that results in a suspension, any points assessed expire on the anniversary date of the date the suspension is completed.

~~(2) Penalties:~~

- ~~(a) In issuing penalties against individuals found guilty of medication and drug violations a regulatory distinction shall be made between the detection of therapeutic medications used routinely to treat racehorses and those drugs that have no reason to be found at any concentration in the test sample on race day.~~
- ~~(b) If a licensed veterinarian is administering or prescribing a drug not listed in the ARCI Uniform Classification Guidelines for Foreign Substances, the identity of the drug shall be forwarded to the official veterinarian to be forwarded to the Racing Medication and Testing Consortium for classification.~~
- ~~(c) Any drug or metabolite thereof found to be presenting a pre or post race sample which is not classified in the version of the ARCI Uniform Classification Guidelines for Foreign Substances in effect at the time of the violation shall be assumed to be a ARCI Class 1 Drug and the trainer and owner shall be subject to those penalties as set forth in schedule "A" therein unless satisfactorily demonstrated otherwise by the Racing Medication and Testing Consortium, with a penalty category assigned.~~
- ~~(d) Any licensee of the Commission, including veterinarians, found to be responsible for~~

~~the improper or intentional administration of any drug resulting in a positive test may, after proper notice and hearing, be subject to the same penalties set forth for the licensed trainer. (e) Procedures shall be established to ensure that a licensed trainer is not able to benefit financially during the period for which the individual has been suspended. This includes, but is not limited to, ensuring that horses are not transferred to licensed family members.~~

~~(f) Multiple Medication Violations (MMV):~~

~~1. A trainer who receives a penalty for a medication violation based upon a horse testing positive for a Class 1-5 medication with Penalty Class A-D, as provided in the version of the ARCI Uniform Classification Guidelines for Foreign Substances in effect at the time of the violation, shall be assigned points based upon the medication's ARCI Penalty Guideline as follows:~~

Class	Points If Controlled Therapeutic Substance	Points If Non-controlled Substance
Class A²	N/A	6
Class B	2	4
Class C	1	2
Class D	½	1

~~2. The points assigned to a medication violation shall be included in the Judges' ruling. Such ruling shall determine, in the case of multiple positive tests as described in 205 CMR 3.29(2)(f)4., whether they shall thereafter constitute a single violation. The Judges' ruling shall be posted on the official website of the Association of Racing Commissioners International. If an appeal is pending, that fact shall be noted in such ruling. No points shall be applied until a final adjudication of the enforcement of any such violation.~~

~~3. A trainer's cumulative points for violations in all racing jurisdictions shall be maintained and certified by the Association of Racing Commissioners International. Once all appeals are waived or exhausted, the points shall immediately become part of the trainer's official ARCI record and shall then subject the trainer to the mandatory enhanced penalties by the Judges or Commission as provided in 205 CMR 3.29(2)(f).~~

~~4. Multiple positive tests for the same medication incurred by a licensed trainer prior to delivery of official notice by the Commission may be treated as a single violation.~~

~~5. The official ARCI record shall constitute prima facie evidence of a licensed trainer's past record of violations and cumulative points. Nothing in 205 CMR 3.29(2)(f) shall be construed to confer upon a licensed trainer the right to appeal a violation for which all remedies have been exhausted or for which the appeal time has expired as provided by applicable law.~~

~~6. The Judges or Commission shall include all points for violations in all racing jurisdictions as contained in the trainer's official ARCI record when determining whether the mandatory enhancements provided in 205 CMR 3.29(2)(f) shall be imposed.~~

²~~Except for Class 1 and 2 environmental contaminants, e.g., cocaine which shall be determined by the Judges based upon the facts of the case.~~

~~7. In addition to the penalty for the underlying offense, the following enhancements shall be imposed upon a licensed trainer based upon the cumulative points contained in his or her official ARCI record:~~

Points	Suspension in Days
3-5.5	30
6-8.5	60
9-10.5	180
11 or more	360

~~MMV's are not a substitute for the current penalty system outlined in 205 CMR 3.29(2)(a) through (d) and are intended to be an additional uniform penalty when the licensed trainer:~~

- ~~a. Has more than one violation for the relevant time period, and~~
- ~~b. Exceeds the permissible number of points.~~

~~8. The suspension periods as provided above, shall run consecutive to any suspension imposed for the underlying offense.~~

~~9. The Judges' ruling shall distinguish between the penalty for the underlying offense and the enhancement based upon the licensed trainer's cumulative points.~~

~~10. Any trainer who has received a medication violation may petition the ARCI to expunge the points received for the violation for the purpose of the MMV system only. The points shall be expunged as follows:~~

Penalty Classification	Time to Expungement
A	Permanent
B	3 years
C	2 years
D	1 year

(3) Medication Restrictions.

(a) A finding by the commission approved laboratory of a prohibited drug, chemical or other substance in a test specimen of a horse is prima facie evidence that the prohibited drug, chemical or other substance was administered to the horse and, in the case of a post-race test, was present in the horse's body while it was participating in a race. Prohibited substances include:

1. Drugs or medications for which no acceptable threshold concentration has been established;
2. Controlled therapeutic medications in excess of established threshold concentrations or administration within the restricted time period as set forth in the version of the ARCI Controlled Therapeutic Medication Schedule in effect at the time of the violation;
3. Substances present in the horse in excess of concentrations at which such substances could occur naturally; and

4. Substances foreign to a horse at concentrations that cause interference with testing procedures.

(b) Except as otherwise provided by 205 CMR 3.00, a person may not administer or cause to be administered by any means to a horse a prohibited drug, medication, chemical or other substance, including any restricted medication pursuant to 205 CMR 3.00 during the 24-hour period before post time for the race in which the horse is entered.

(4) Medical Labeling.

(a) No person on association grounds where horses are lodged or kept, excluding licensed veterinarians, shall have in or upon association grounds which that person occupies or has the right to occupy, or in that person's personal property or effects or vehicle in that person's care, custody or control, a drug, medication, chemical, foreign substance or other substance that is prohibited in a horse on a race day unless the product is labeled in accordance with 205 CMR 3.29(4).

(b) Any drug or medication which is used or kept on association grounds and which, by federal or state law, requires a prescription must have been validly prescribed by a duly licensed veterinarian, and in compliance with the applicable state statutes. All such allowable medications must have a prescription label which is securely attached and clearly ascribed to show the following:

1. The name of the product;
2. The name, address and telephone number of the veterinarian prescribing or dispensing the product;
3. The name of each patient (horse) for whom the product is intended/prescribed;
4. The dose, dosage, duration of treatment and expiration date of the prescribed/dispensed product; and
5. The name of the person (trainer) to whom the product was dispensed.

(5) Non-steroidal Anti-inflammatory Drugs (NSAIDs). The use of one of three approved NSAIDs shall be permitted under the following conditions:

(a) Not to exceed the following permitted serum or plasma threshold concentrations which are consistent with administration by a single intravenous injection at least 24 hours before the post time for the race in which the horse is entered:

1. Phenylbutazone. two micrograms per milliliter;
2. Flunixin. 20 nanograms per milliliter;
3. Ketoprofen. two nanograms per milliliter.

(b) These or any other NSAID are prohibited to be administered within the 24 hours before post time for the race in which the horse is entered.

(c) The presence of more than one of the three approved NSAIDs, in the post-race serum or plasma sample is not permitted.

1. A finding of phenylbutazone below a concentration of .5 microgram per milliliter of blood serum or plasma shall not constitute a violation of 205 CMR 3.29(5).
2. A finding of flunixin below a concentration of three nanograms per milliliter of blood serum or plasma shall not constitute a violation of 205 CMR 3.29(5).

(d) The use of all but one of the approved NSAIDs shall be discontinued at least 48 hours before the post time for the race in which the horse is entered.

(e) The presence of any unapproved NSAID in the post-race serum or plasma sample is not permitted.

(6) Furosemide.

(a) In order for a horse to be placed on the Furosemide List the following process must be followed.

1. After the horse's licensed trainer and licensed veterinarian determine that it would be in the horse's best interests to race with furosemide the official veterinarian or his or her designee shall be notified using the prescribed form, that the horse is to be put on the Furosemide List.
2. The form must be received by the official veterinarian or his or her designee by the time of entry.
3. A horse placed on the official Furosemide List must remain on that list unless the licensed trainer and licensed veterinarian submit a written request to remove the horse from the list. The request must be made to the official veterinarian or his or her designee, on the proper form, no later than the time of entry.
4. After a horse has been removed from the Furosemide List, the horse may not be placed back on the list for a period of 60 calendar days unless it is determined to be detrimental to the welfare of the horse, in consultation with the official veterinarian. If a horse is removed from the official Furosemide List a second time in a 365-day period, the horse may not be placed back on the list for a period of 90 calendar days.
5. Furosemide shall only be administered on association grounds.
6. Furosemide shall be the only authorized bleeder medication.
7. The use of furosemide shall not be permitted in two year olds.

(b) The use of furosemide shall be permitted under the following circumstances on association grounds where a detention barn is not utilized:

1. Furosemide shall be administered by single intravenous injection no less than four hours prior to post time for the race for which the horse is entered.
2. The furosemide dosage administered shall not exceed ~~250~~500 mg. nor be less than 150 mg.
3. After treatment, the horse shall be required by the Commission to remain in the proximity of its stall in the care, custody and control of its trainer or the trainer's designated representative under general association and/or Commission security surveillance until called to the saddling paddock.

(c) Test results must show a detectable concentration of the drug in the post-race serum, plasma or urine sample.

1. The specific gravity of post-race urine samples may be measured to ensure that samples are sufficiently concentrated for proper chemical analysis. The specific gravity shall not be below 1.010. If the specific gravity of the urine is found to be below 1.010 or if a urine sample is unavailable for testing, quantitation of furosemide in serum or plasma shall be performed;
2. Quantitation of furosemide in serum or plasma shall be performed when the specific gravity of the corresponding urine sample is not measured or if measured below 1.010.

Concentrations may not exceed 100 nanograms of furosemide per milliliter of serum or plasma.

(d) A horse which has been placed on the Furosemide List in another jurisdiction pursuant to 205 CMR 3.00 shall be placed on the Furosemide List in this jurisdiction. A notation on the horse's electronic eligibility certificate of such shall suffice as evidence of being on a Furosemide List in another jurisdiction.

(7) Bleeder List.

(a) The official veterinarian shall maintain a Bleeder List of all horses, which have demonstrated external evidence of exercise induced pulmonary hemorrhage from one or both nostrils during or after a race or workout as observed by the official veterinarian.

(b) Every confirmed bleeder, regardless of age, shall be placed on the Bleeder List and be ineligible to race for the minimum following time periods:

1. First incident - 14 days;
2. Second incident - 30 days;
3. Third incident - 180 days;
4. Fourth incident - barred for racing lifetime.

(c) For the purposes of counting the number of days a horse is ineligible to run, the day the horse bled externally is the first day of the recovery period.

(d) The voluntary administration of furosemide without an external bleeding incident shall not subject the horse to the initial period of ineligibility as defined by 205 CMR 3.29(7). (e) A horse which has been placed on a Bleeder List in another jurisdiction pursuant to rules similar to 205 CMR 3.29(7) shall be placed on a Bleeder List in this jurisdiction.

(8) Androgenic-anabolic Steroids (AAS).

(a) No AAS shall be permitted in test samples collected from racing horses except for residues of the major metabolite of nandrolone, and the naturally occurring substances boldenone and testosterone at concentrations less than the indicated thresholds.

(b) Concentrations of these AAS shall not exceed the following plasma or serum thresholds for unchanged (i.e. not conjugated) substance or urine threshold concentrations for total (i.e., free drug or metabolite and drug or metabolite liberated from its conjugates):

1. Boldenone: 15 ng/ml of total boldenone in urine of male horses other than geldings, or 25 pg/ml of boldenone in plasma or serum of all horses regardless of sex;
2. Nandrolone: 1 ng/ml of total nandrolone in urine for fillies, mares, and geldings, or 45 ng/ml (as 5 α -estrane-3 β , 17 α -diol) in urine, in male horses other than geldings, or 25 pg/ml of nandrolone in plasma or serum for geldings, fillies, and mares.

3. Testosterone:

- a. In Geldings. 20 ng/ml total testosterone in urine, or 25 pg/ml of testosterone in plasma or serum;
- b. In Fillies and Mares. 55 ng/ml total testosterone in urine, or 25 pg/ml of testosterone in plasma or serum.

(c) Any other anabolic steroids are prohibited in racing horses.

(d) Post-race urine samples must have the sex of the horse identified to the laboratory.

(9) Alkalinizing Substances. The use of agents that elevate the horse's TCO₂ or Base excess level above those existing naturally in the untreated horse at normal physiological concentrations is prohibited. The following levels also apply to blood gas analysis:

(a) The regulatory threshold for TCO₂ is 37.0 millimoles per liter of plasma/serum or a base excess level of 10.0 millimoles, and;

(b) The decision level to be used for the regulation of TCO₂ is 37.0 millimoles per liter of plasma/serum plus the measurement uncertainty of the laboratory analyzing the sample or a base excess level of 10.4 millimoles per liter of plasma/serum.

3.30: Out of Competition Testing for Blood and/or Gene Doping Agents

(1) Out-of-competition testing authorized. The commission may at a reasonable time on any date take blood, urine or other biologic samples as authorized by commission rules from a horse to enhance the ability of the commission to enforce its medication and antidoping rules, e.g., the Prohibited List pursuant to ARCI-011-015. The commission shall own such samples. This rule authorizes only the collection and testing of samples and does not independently make impermissible the administration to or presence in any horse of any drug or other substance. A race day prohibition or restriction of a substance by a commission rule is not applicable to an out-of-competition test unless there is an attempt to race the horse in a manner that violates such rule.

(2) Horses eligible to be tested. Any horse that has been engaging in activities related to competing in horse racing in the jurisdiction may be tested. This includes without limitation any horses that are training outside the jurisdiction to participate in racing in the jurisdiction and all horses that are training in the jurisdiction, but excludes weanlings, yearlings and horses no longer engaged in horse racing (e.g., retired broodmares).

(a) A horse is presumed eligible for out-of-competition testing if:

(i) It is on the grounds at a racetrack or training center under the jurisdiction of the commission;

(ii) It is under the care or control of a trainer licensed by the commission;

(iii) It is owned by an owner licensed by the commission;

(iv) It is entered or nominated to race at a premises licensed by the commission;

(v) It has raced within the previous 12 months at a premises licensed by the commission; or

(vi) It is nominated to a program based on racing in the jurisdiction, including without limitation a state thoroughbred development, breeder's award fund, or standardbred state sires stakes.

(b) Such presumptions are conclusive in the absence of evidence that a horse is not engaged in activities related to competing in horse racing in the jurisdiction.

(3) Selection of horses to be tested.

(a) Horses shall be selected for sampling by a commission Veterinarian, Executive Director, Equine Medical Director, Steward or Presiding Judge or a designee of any of the foregoing.

(b) Horses may be selected to be tested at random, for cause, or as otherwise determined in the discretion of the commission.

(c) Collectors shall for suspicion-less collections of samples abide by a plan that has been approved by a supervisor not in the field and identifies specific horses or provides neutral and objective criteria to follow in the field to determine which horses to sample. Such a supervisor may consider input from persons in the field during the operation of the plan and select additional horses to be sampled.

(4) Cooperation with the commission

(a) Licensees of the commission are required to cooperate and comply fully with the

provisions of this rule.

(b) Persons who apply for and are granted a trainer or owner license shall be deemed to have given their consent for access at such premises as their horse may be found for the purpose of commission representatives collecting out of competition samples. Licensees shall take any steps necessary to authorize access by commission representatives at such premises.

(c) No other person shall knowingly interfere with or obstruct a sampling.

(5) General procedure for collecting samples

(a) Samples shall be taken under the supervision and direction of a person who is employed or designated by the commission. All blood samples shall be collected by a veterinarian licensed in the state where the sample is collected, or by a veterinary technician who is acting under appropriate supervision of the veterinarian.

(b) Upon request of a representative of the commission, the trainer, owner, or their specified designee shall provide the location of their horses eligible for out of competition testing.

(c) The commission need not provide advance notice before arriving at any location, whether or not licensed by the commission, to collect samples.

(d) The trainer, owner, or their specified designee shall cooperate with the person who takes samples for the commission, which cooperation shall include without limitation:

(i) Assist in the immediate location and identification of the horse;

(ii) Make the horse available as soon as practical upon arrival of the person who is responsible for collecting the samples;

(iii) Provide a stall or other safe location to collect the samples;

(iv) Assist the person who is collecting samples in properly procuring the samples; and

(v) Witness the taking of samples including sealing of sample collection containers.

(e) The management and employees of a licensed racetrack or training facility at which a horse may be located shall cooperate fully with a person who is authorized to take samples. The person who collects samples for the commission may require that the collection be done at a specified location on such premises.

(f) The commission, if requested and in its sole discretion, may permit the trainer, owner, or their specified designee to present a horse that is located in the jurisdiction, but not at a racetrack or training center licensed by the commission, to be sampled at a time and location designated by the commission.

(6) Procedure for collecting samples from horses located outside the jurisdiction

(a) The commission may arrange for the sampling of an out-of-state horse by the racing commission or other designated person in the jurisdiction where the horse is located. Such racing commission or other designated person shall follow the relevant provisions of this rule, including paragraph (a) of subdivision five of this rule.

(b) The test results shall be made available, for its regulatory use, to each jurisdiction

that has participated in the process of collecting any out-of-competition sample, subject to any restrictions on public disclosure of test results that apply to the commission that selected the horse for sampling.

(c) The commission, if requested and in its sole discretion, may permit the trainer or owner instead to transport the horse into its jurisdiction for sampling at a time and place designated by the commission.

(7) Additional procedures

(a) The person who takes samples for the commission shall provide identification and disclose the purpose of the sampling to the trainer or designated attendant of the horse.

(b) A written protocol for the collection of samples shall be made generally available.

(c) An owner or trainer does not consent to a search of the premises by making a horse that is not located at a racetrack or training center available for sampling.

(d) If the trainer or other custodian of a selected horse refuses or declines to make the horse available for sampling and the managing owner has previously provided the commission with a means for the commission to give immediate notification to the managing owner in such situation, then the commission shall attempt to notify the managing owner and the eligibility of the horse shall be preserved if the managing owner is able to make the horse available for immediate sampling. The commission is not required to make repeated attempts to notify the managing owner.

(e) The chain of custody record for the sample (including a split sample where appropriate) shall be maintained and made available to the trainer, owner, or their designee when a complaint results from an out-of-competition test.

(8) Analysis of collected samples

(a) The commission may have out-of-competition samples tested to produce information that may enhance the ability of the commission to enforce its medication and anti-doping rules.

(b) Split sample rules and procedures for post-race testing shall apply to out of competition testing.

(c) The commission may use any remaining sample for research and investigation.

(9) Penalties for non-cooperation

(a) Willful failure to make a horse available for sampling or other willfully deceptive acts or interference in the sampling process shall carry a minimum penalty of a one year license suspension and referral to the commission in addition to any other authorized penalties.

(b) A selected horse that is not made available for out-of-competition sampling shall be placed on the Steward's List. The horse shall remain on the Steward's List for a minimum of 180 days unless the owner can establish extraordinary mitigating circumstances.

(c) A selected horse that is presumed eligible for out-of-competition testing shall be placed on the Steward's list and be ineligible to race in the jurisdiction for 180 days if the horse is not sampled because the trainer, owner or their designee

asserts that the horse is not engaged in activities related to competing in horse racing in the jurisdiction. This restriction shall not apply if the trainer, owner or their designee instead permits voluntarily an immediate collection of such samples from the horse.

3.31: Physical Inspection of Horses

(1) Assessment of Racing Condition.

- (a) Every horse entered to participate in an official race shall be subjected to a veterinary inspection prior to starting in the race for which it is entered.
- (b) The inspection shall be conducted by the official veterinarian or the racing veterinarian.
- (c) The assessment of a horse's racing condition shall include:
 - 1. Proper identification of each horse inspected;
 - 2. Clinical observation of each horse in motion during a warm-up mile, during the post parade, during the running of the race, and following the race until the horse has exited the race track;
 - 3. Visual inspection of the entire horse and assessment of overall condition; and,
 - 4. Any other inspection deemed necessary by the official veterinarian and/or the racing veterinarian including but not limited to manual palpation and/or manipulation of the limbs.
- (d) The official veterinarian shall maintain a permanent, continuing health and racing soundness record of each horse inspected.
- (e) The official veterinarian is authorized access to any and all horses housed on the association grounds regardless of entry status.
- (f) If, prior to starting, a horse is determined to be unfit for competition, the official veterinarian and/or the racing veterinarian will recommend to the judges the horse be scratched.
- (g) Horses scratched upon the recommendation of the official veterinarian and/or the racing veterinarian are to be placed on the Veterinarians' List.

(2) Veterinarian's List.

- (a) The official veterinarian shall maintain the Veterinarian's List of all horses which are determined to be unfit to compete in a race due to illness, physical distress, unsoundness, infirmity or any other medical condition. Horses so listed are ineligible to enter to race in any jurisdiction until released by an official veterinarian or racing veterinarian.
- (b) A horse may be removed from the Veterinarian's List when, in the opinion of the official veterinarian, the condition which caused the horse to be placed on the Veterinarian's List is resolved and the horse's status is returned to that of racing soundness.
- (c) Horses working to be released from the Veterinarian's List are to be in compliance with 205 CMR 3.00 and are to be subjected to post-work biologic sample collection for laboratory confirmation or compliance. Violations may result in penalties consistent with 205 CMR 3.29(1).
- (d) Horses may be released from the Veterinarian's List only by authorization of the official veterinarian.
- (e) Horses having generated a "positive" post race test for an RCI Class I or II substance shall be required to generate a negative test at the expense of the current owner prior to being entered for the first start following the positive test.

3.32: Testing

(1) Reporting to the Test Barn.

- (a) The official winning horse and any other horse ordered by the Commission and/or the judges shall be taken to the test barn to have blood and urine samples taken at the direction of the official veterinarian.
- (b) Random or extra testing may be required by the judges or the Commission at any time on any horse on association grounds.
- (c) Unless otherwise directed by the judges or the official veterinarian, a horse that is selected for testing must be taken directly to the test barn.
- (d) A security guard shall monitor access to the test barn area during and immediately following each racing performance. All persons who wish to enter the test barn area must be a minimum of 16 years of age, be currently licensed by the Commission, display their Commission identification badge and have a legitimate reason for being in the test barn area.
- (e) The owner, trainer or his or her groom or other authorized representative shall be present in the testing enclosure when a saliva, urine or other specimen is taken from his or her horse and shall remain until the sample tag is attached to the specimen container. Said tag shall be signed by the owner, trainer or their representative as witnesses to the taking of the specimen.
- (f) Willful failure to be present at or a refusal to allow the taking of any such specimen or refusal to sign the specimen tag to the taking of a specimen, or any act or threat to impede or prevent or otherwise interfere therewith, shall subject the person or person guilty thereof to immediate suspension by the judges of the meeting and the matter shall be referred to the Commission for such further penalty as in its discretion it may determine.

(2) Testing of Claimed Horses.

- (a) In the event a horse is claimed, and has been designated for a post race test said claimed horse shall be brought to the State Testing Area by the previous owner, trainer, or agent, and said owner, trainer or agent shall remain with this horse in the testing area until a urine specimen or other sample or test is received from the horse, and said previous owner, trainer or agent shall sign all necessary documents.
- (b) Should the analysis of a post race blood, urine or saliva specimen taken from a claimed horse result in a post-race positive test, the claimant's trainer shall be promptly notified by the judges and the claimant shall have the option to void said claim. An election to void a claim shall be submitted in writing to the judges by the claimant or his or her trainer.

(3) Split Samples.

- (a) Split samples shall be secured and made available for further testing in accordance with the following procedures:
 - 1. A split sample shall be secured in the test barn under the same manner as the portion of the specimen acquired for shipment to a primary laboratory until such time as specimens are packed and secured for shipment to the primary laboratory. Split samples shall then be transferred to a freezer at a secure location approved by the Commission.
 - 2. A freezer for storage of split samples shall be opened only for depositing or removing split samples, for inventory, or for checking the condition of samples. A log shall be maintained that shall be used each time a split sample freezer is opened to specify each person in attendance, the purpose for opening the freezer, identification of split samples deposited or removed, the date and time the freezer was opened, and the time the freezer was closed.

3. Any evidence of a malfunction of a split sample freezer or samples that are not in a frozen condition during storage shall be documented in the log and immediately reported to the official veterinarian or a designated Commission representative.

(b) A trainer or owner of a horse having been notified that a written report from a primary laboratory states that a prohibited substance has been found in a specimen obtained pursuant to 205 CMR 3.00 may request that a split sample corresponding to the portion of the specimen tested by the primary laboratory be sent to another [referee] laboratory approved by the Commission. The request must be made in writing and delivered to the judges not later than three business days after the trainer of the horse receives written notice of the findings of the primary laboratory. Any split sample so requested must be shipped within an additional 48 hours.

(c) The owner or trainer requesting testing of a split sample shall be responsible for the cost of shipping and testing. Failure of the owner, trainer or designee to appear at the time and place designated by the official veterinarian shall constitute a waiver of all rights to split sample testing. Prior to shipment, the Commission shall confirm the referee laboratory's willingness to simultaneously provide the testing requested, the laboratory's willingness to send results to both the person requesting the testing and the Commission, and arrangements for payment satisfactory to the referee laboratory.

(d) Prior to opening the split sample freezer, the Commission shall provide a split sample chain of custody verification form that shall provide a place for recording the following information and such other information as the official veterinarian may require. The form shall be fully completed during the retrieval, packaging, and shipment of the split sample. The split sample chain of custody form requirements are:

1. The date and time the sample is removed from the split sample freezer;
2. The sample number;
3. The address where the split sample is to be sent;
4. The name of the carrier and the address where the sample is to be taken for shipment;
5. Verification of retrieval of the split sample from the freezer;
6. Verification of each specific step of the split sample packaging in accordance with the recommended procedure;
7. Verification of the address of the referee laboratory on the split sample package;
8. Verification of the condition of the split sample package immediately prior to transfer of custody to the carrier; and
9. The date and time custody of the sample is transferred to the carrier.

(e) A split sample shall be removed from the split sample freezer by a Commission representative in the presence of a representative of the horsemen's association.

(f) The owner, trainer or designee shall pack the split sample for shipment in the presence of the representative of the Commission, in accordance with the packaging procedures recommended by the Commission. A form shall be signed by both the horsemen's representative and the Commission representative to confirm the packaging of the split sample. The exterior of the package shall be secured and identified with initialed tape, evidence tape or other means to prevent tampering with the package.

(g) The package containing the split sample shall be transported in a manner prescribed by the commission to the location where custody is transferred to the delivery carrier charged with delivery of the package to the Commission-approved laboratory selected by the owner or trainer.

(h) The owner, trainer or designee and the Commission representative shall inspect the package containing the split sample immediately prior to transfer to the delivery carrier to verify that the package is intact and has not been tampered with.

(i) The split sample chain of custody verification form shall be completed and signed by the representatives of the Commission and the owner or trainer. A Commission representative shall keep the original and provide a copy for the owner or trainer.

(j) If the split sample does not arrive at the referee laboratory because of an act of God or other condition beyond the control of the Commission, the findings in the original sample shall serve as prima facie evidence of any medication violation.

(4) Frozen Samples. The commission has the authority to direct the official laboratory to retain and preserve by freezing samples for future analysis. The fact that purse money has been distributed prior to the issuance of a laboratory report from the future analysis of a frozen sample shall not be deemed a finding that no drug substance prohibited by 205 CMR 3.00 has been administered.

(5) Suspicious Substances. The representatives of the Commission may take for analysis samples of any medicine or other materials suspected of containing improper medication or drugs which could affect the racing conditions of a horse in a race, which may be found in the stable area or elsewhere on the track or in the possession of any person connected with racing on such tracks.

3.33: Postmortem Examinations

- (1) The Commission may require a postmortem examination of any horse that dies or is euthanized on association grounds.
- (2) The Commission may require a postmortem examination of any horse that dies or is euthanized at recognized training facilities within this jurisdiction.
- (3) If a postmortem examination is to be conducted, the Commission shall take possession of the horse upon death for postmortem examination. All shoes shall be left on the horse.
- (4) If a postmortem examination is to be conducted, the Commission or its representative shall collect blood, urine, bodily fluids, or other biologic specimens immediately, if possible before euthanization. The Commission may submit blood, urine, bodily fluids, or other biologic specimens collected during a postmortem examination for analysis. The presence of a prohibited substance in a specimen collected during the postmortem examination may constitute a violation.
- (5) All licensees shall be required to comply with postmortem examination requirements as a condition of licensure. In proceeding with a postmortem examination the Commission or its designee shall coordinate with the owner or the owner's authorized agent to determine and address any insurance requirements.

3.34 Environmental Contaminants and Substances of Human Use

- (1) Environmental contaminants are either endogenous to the horse or can arise from plants traditionally grazed or harvested as equine feed or are present in equine feed because of contamination during the cultivation, processing, treatment, storage or transportation phases.
- (2) Substances of human use and addiction may be found in the horse due to its close association with humans.
- (3) If the preponderance of evidence presented in the hearing shows that a positive test is the result of environmental contamination, including inadvertent exposure due to human drug use, or dietary intake, or is endogenous to the horse, those factors should be considered in mitigation of any disciplinary action taken against the affected trainer. Disciplinary action shall only be taken if test sample results exceed the regulatory thresholds in the most recent version of the ARCI Endogenous, Dietary, or Environmental Substances Schedule.
- (4) The identification and adoption of these uniform thresholds for certain substances shall not preclude an individual jurisdiction from maintaining thresholds for substances not on this list which predate the adoption of this regulation in such jurisdiction.

REGULATORY AUTHORITY

205 CMR 3.00: M.G.L. c.
128A, § 9.



Legal Division

SMALL BUSINESS IMPACT STATEMENT

The Massachusetts Gaming Commission (“Commission”) hereby files this small business impact statement in accordance with G.L. c.30A, §2 relative to the proposed amendments in **205 CMR 4.00: Rules of Horse Racing**; notice of which was filed this day with the Secretary of the Commonwealth. These amendments were developed as part of the process of promulgating regulations governing horse racing in the Commonwealth. The amendments describe veterinary practices, set up conditions that allow for the use of therapeutic medications, reduce penalties for multiple medication violations, expands criteria for out of competition testing, and allows judges to use environmental contaminants and substances of human use as possibilities for mitigating circumstances in disciplinary actions. These amendments bring the regulations into conformance with national standards from the Association of Racing Commissioners International (“ARCI”). These regulations are largely governed by G.L. c. 128A § 9.

The Commission has identified the following groups that may be impacted by these amendments: licensed owners, trainers and Veterinarians. In accordance with G.L. c.30A, §2, the Commission offers the following responses:

1. Estimate of the number of small businesses subject to the proposed regulation:

There are approximately 400 licenses issued annually for the identified groups above, however, a very small percentage would be classified as a small business.

2. State the projected reporting, recordkeeping and other administrative costs required for compliance with the proposed regulation:

There are no additional projected reporting, recordkeeping or administrative costs created by these regulations that would affect small businesses. To bring the regulations into conformance with national standards, the Commission is adopting the ARCI standards.

3. State the appropriateness of performance standards versus design standards:

The amendments implicate a performance standard. To bring the regulations into conformance with national standards, the Commission is adopting the ARCI standards.



Massachusetts Gaming Commission

4. Identify regulations of the promulgating agency, or of another agency or department of the commonwealth, which may duplicate or conflict with the proposed regulation:

There are no conflicting regulations in 205 CMR, and the Commission is unaware of any conflicting or duplicating regulations of any other agency or department of the Commonwealth.

5. State whether the proposed regulation is likely to deter or encourage the formation of new businesses in the commonwealth:

The proposed amendments are not likely to deter or encourage the formation of new businesses in the Commonwealth.

Massachusetts Gaming Commission
By:

Cecelia M. Porché
Paralegal
Legal Division

Dated: _____



Massachusetts Gaming Commission

4.50: Veterinary Practices

~~(1) Veterinarians Under Authority of Official Veterinarian. Veterinarians licensed by the Commission and practicing at any location under the jurisdiction of the Commission are under the authority of the official veterinarian and the stewards. The official veterinarian shall recommend to the stewards or the Commission the discipline that may be imposed upon a veterinarian who violates 205 CMR 4.00.~~

~~(2) Treatment Restrictions.~~

~~(a) Only licensed trainers, licensed owners, or their designees shall be permitted to authorize veterinary medical treatment of horses under their care, custody and control at locations under the jurisdiction of the Commission.~~

~~(b) Except as otherwise provided by 205 CMR 4.50(2), no person other than a veterinarian~~

~~licensed to practice veterinary medicine in this jurisdiction and licensed by the Commission may administer a prescription or controlled medication, drug, or chemical to a horse at any location under the jurisdiction of the Commission.~~

~~(c) 205 CMR 4.50(2) does not apply to the administration of the following substances~~

~~except in approved quantitative levels, if any, present in post race samples or as they may interfere with post race testing:~~

~~1. A recognized non-injectable nutritional supplement or other substance approved by the official veterinarian;~~

~~2. A non-injectable substance on the direction or by prescription of a licensed veterinarian; or~~

~~3. A non-injectable non-prescription medication or substance.~~

~~(d) No person shall possess a hypodermic needle, syringe capable of accepting a needle or injectable of any kind on association grounds, unless otherwise approved by the Commission. At any location under the jurisdiction of the Commission, veterinarians may use only one time disposable syringe and needle, and shall dispose of both in a manner approved by the Commission. If a person has a medical condition which makes it necessary to have a syringe at any location under the jurisdiction of the Commission, that person may request permission of the stewards and/or the Commission in writing, furnish a letter from a licensed physician explaining why it is necessary for the person to possess a syringe, and must comply with any conditions and restrictions set by the stewards and/or the Commission.~~

~~(e) Practicing veterinarians shall not have contact with an entered horse within 24 hours before the scheduled post time of the race in which the horse is scheduled to compete except for the administration of furosemide under the guidelines set forth in 205 CMR 4.52(6), unless approved by the official veterinarian or his or her designee. Any unauthorized contact may result in the horse being scratched and may result in further disciplinary action by the stewards.~~

~~(f) Any horse entered for racing must be present on the grounds prior to the scheduled furosemide administration time, or one hour prior to first post time, whichever is earlier.~~

~~(3) Veterinarians' Reports.~~

~~(a) Every veterinarian who treats a racehorse at any location under the jurisdiction of the Commission shall, in writing on the Medication Report Form prescribed by the Commission, report to the official veterinarian or other commission designee at the racetrack where the horse is entered to run or as otherwise specified by the commission, the name of the horse treated, any medication, drug, substance, or procedure administered or prescribed, the name of the trainer of the horse, the date and time of treatment and any other information requested by the official veterinarian.~~

~~(b) The Medication Report Form shall be signed by the practicing veterinarian.~~

~~(c) The Medication Report Form must be filed by the treating veterinarian not later than noon the day following treatment. Any such report is confidential and its content shall not be disclosed except in the course of an investigation of a possible violation of 205 CMR 4.00 or in a proceeding before the stewards or the Commission, or to the trainer or owner of record at the time of treatment.~~

~~(d) A timely and accurate filing of a Medication Report Form that is consistent with the analytical results of a positive test may be used as a mitigating factor in determining the nature and extent, if any, of a rules violation.~~

1. Veterinarians under the Authority of the Official Veterinarian
Veterinarians licensed by the Commission and practicing at any location under the jurisdiction of the Commission are under the authority of the official veterinarian and the stewards. The official veterinarian shall recommend to the stewards or the Commission the discipline that may be imposed upon a veterinarian who violates the rules.

2. Appropriate Role of Veterinarians

The following limitations apply to drug treatments of horses that are engaged in activities, including training, related to competing in pari-mutual racing in the jurisdiction:

(a) No drug may be administered except in the context of a valid veterinarian-client-patient relationship between an attending veterinarian, the horse owner (who may be represented by the trainer or other agent) and the horse. The owner is not required by this section to follow the veterinarian's instructions, but no drug may be administered without a veterinarian having examined the horse and provided the treatment recommendation. Such relationship requires the following:

(i) The veterinarian, with the consent of the owner, has accepted responsibility for making medical judgments about the health of the horse;

(ii) The veterinarian has sufficient knowledge of the horse to make a preliminary diagnosis of the medical condition of the horse;

(iii) The veterinarian has performed an examination of the horse and is acquainted with the keeping and care of the horse;

(iv) The veterinarian is available to evaluate and oversee treatment outcomes or has made appropriate arrangements for continuing care and treatment;

(v) The relationship is maintained by veterinary visits as needed; and

(vi) The veterinary judgments of the veterinarian are independent and are not dictated by the trainer or owner of the horse.

(b) No prescription drug may be administered except as prescribed by an attending veterinarian.

(c) The trainer and veterinarian are both responsible to ensure compliance with these limitations on drug treatments of horses, except the medical judgment to recommend a drug treatment or to prescribe a drug is the responsibility of the veterinarian and the decision to proceed with a drug treatment that has been so recommended is the responsibility of the horse owner (who may be represented by the trainer or other agent).

3. Treatment Restrictions

(a) Only licensed trainers, licensed owners or their designees shall be permitted to authorize veterinary medical treatment of horses under their care, custody and control at locations under the jurisdiction of the Commission.

(b) Except as otherwise provided by this section, no person other than a veterinarian licensed to practice veterinary medicine in this jurisdiction and licensed by the Commission may administer a prescription or controlled medication, drug, chemical or other substance (including any medication, drug,

chemical or other substance by injection) to a horse at any location under the jurisdiction of the Commission.

(c) This section does not apply to the administration of the following substances except in approved quantitative levels, if any, present in post-race samples or as they may interfere with post-race testing:

(i) A recognized non-injectable nutritional supplement or other substance approved by the official veterinarian;

(ii) A non-injectable substance on the direction or by prescription of a licensed veterinarian; or

(iii) A non-injectable non-prescription medication or substance.

(d) No person shall possess a hypodermic needle, syringe capable of accepting a needle or injectable of any kind on association grounds, unless otherwise approved by the Commission. At any location under the jurisdiction of the Commission, veterinarians may use only one-time disposable syringe and needle, and shall dispose of both in a manner approved by the Commission. If a person has a medical condition which makes it necessary to have a syringe at any location under the jurisdiction of the Commission, that person may request permission of the stewards and/or the Commission in writing, furnish a letter from a licensed physician explaining why it is necessary for the person to possess a syringe, and must comply with any conditions and restrictions set by the stewards and/or the Commission.

(e) Practicing veterinarians shall not have contact with an entered horse within 24 hours before the scheduled post time of the race in which the horse is scheduled to compete except for the administration of furosemide under the guidelines set forth in 205 CMR 4.52 (6) unless approved by the official veterinarian. Any unauthorized contact may result in the horse being scratched from the race in which it was scheduled to compete and may result in further disciplinary action by the stewards.

(f) Any horse entered for racing must be present on the grounds prior to the scheduled furosemide administration time or one hour prior to first post time whichever is earlier.

4. Veterinarians' Reports

(a) Every veterinarian who treats a racehorse at any location under the jurisdiction of the Commission shall, in writing on the medication report form prescribed by the Commission, report to the official veterinarian or other commission designee at the racetrack where the horse is entered to run or as otherwise specified by the Commission, the name of the horse treated, any medication, drug, substance or procedure administered or prescribed, the name of the trainer of the horse, the date and time of treatment and any other information requested by the official veterinarian.

(b) The medication report form shall be signed by the practicing veterinarian.

(c) The medication report form must be filed by the treating veterinarian not later than post time of the race for which the horse is entered. Any such report is confidential and its content shall not be disclosed except in the course of an investigation of a possible violation of the Commission's regulations or in a proceeding before the stewards or the Commission, or to the trainer or owner of record at the time of treatment.

(d) A timely and accurate filing of a medication report form that is consistent with the analytical results of a positive test may be used as a mitigating factor in determining the nature and extent, if any, of a rules violation.

4.51: Prohibited Practices

~~The following are considered prohibited practices:~~

~~(1) The possession or use of a drug, substance or medication on the premises of a facility under the jurisdiction of the Commission for which:~~

- ~~(a) a recognized analytical method has not been developed to detect and confirm the administration of such substance; or~~
- ~~(b) the use of which may endanger the health and welfare of the horse or endanger the safety of the rider; or~~
- ~~(c) the use of which may adversely affect the integrity of racing; or~~
- ~~(d) no generally accepted use in equine care exists.~~

~~(2) The possession or use of a drug, substance, or medication on the premises of a facility under the jurisdiction of the Commission that has not been approved by the United States Food and Drug Administration (FDA) for any use in (human or animal) is forbidden without prior permission of the official veterinarian or his or her designee.~~

~~(3) The possession and/or use of the following substances or of blood doping agents, including but not limited to those listed in 205 CMR 4.51(3)(a) through (j), on the premises of a facility under the jurisdiction of the Commission is forbidden:~~

- ~~(a) Aminoimidazole carboxamide ribonucleotide (AICAR)~~
- ~~(b) Cobra venom or derivatives thereof~~
- ~~(c) Darbe poetin~~
- ~~(d) Equine Growth Hormone~~
- ~~(e) Erythropoietin (EPO)~~
- ~~(f) Hemopure~~
- ~~(g) myo Inositol Tripyrophosphate (ITPP)~~
- ~~(h) Oxyglobin~~
- ~~(i) Snake venoms or derivatives thereof~~
- ~~(j) Thymosin beta~~

~~(4) The use of Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy shall not be permitted unless the following conditions are met:~~

- ~~(a) Any treated horse shall not be permitted to race or breeze for a minimum of ten days following treatment;~~
- ~~(b) The use of Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy machines shall be limited to veterinarians licensed to practice by the Commission using registered and approved machines;~~
- ~~(c) Any Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy machines on the association grounds must be registered with and approved by the official veterinarian or his or her designee before use.~~

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~~(d) All Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy treatments must be reported within one day to the official veterinarian or his or her designee on the prescribed form. The horse shall be added to a list of ineligible horses.~~

~~(e) Any person participating in the use of ESWT and/or the possession of ESWT machines in violation of 205 CMR 4.00 shall be considered to have committed a Prohibited Practice and is subject to a Class A Penalty.~~

~~(5) The use of a nasogastric tube (a tube longer than six inches) for the administration of any substance within 24 hours prior to the post time of the race in which the horse is entered is prohibited without the prior permission of the official veterinarian or his or her designee.~~

1. No person may possess or use a drug, substance or medication on the premises of a facility under the jurisdiction of the Commission for which

(a) a recognized analytical method has not been developed to detect and confirm the administration of such substance; or

(b) the use of which may endanger the health and welfare of the horse or endanger the safety of the rider; or

(c) the use of which may adversely affect the integrity of racing; or,

(d) no generally-accepted use in equine care exists.

2. Prohibited Substances and Methods:

(a) The substances and methods listed in the annexed Prohibited List may not be used at any place or time, and may not be possessed on the premises of a racing or training facility under the jurisdiction of the Commission, except as a restricted therapeutic use.

(b) Restricted Therapeutic Use. A limited number of medication on the Prohibited List shall be exempted when the administration occurs in compliance with the annexed Required Conditions for Restricted Therapeutic Use:

(i) Report When Sampled means the administration of the substance must be reported to the commission when the horse is next sampled, if the horse is sampled within 24 hours after the administration;

(ii) Pre-File Treatment Plan means that if the commission where the horse is located requires the filing of treatment plans, then a treatment plan for the substance must be filed by the time of administration in a manner approved by such commission;

(iii) Written Approval from Commission means the commission has granted written approval of a written treatment plan before the administration of the substance;

(iv) Emergency Use (report) means the substance had to be administered due to an acute emergency involving the life or health of the horse, provided the emergency use is reported to the commission as soon as practicable after the treatment occurs;

(v) Prescribed by Veterinarian means the substance has been prescribed by an attending veterinarian, in compliance with ARCI 011-010 Veterinary Practices, and recorded in the veterinary records in the manner required by the commission;

(vi) Report Treatment means the treatment must be reported to the commission by the trainer at the time of administration to provide the commission with information for the Veterinarian's List. The trainer may delegate this responsibility to the treating veterinarian, who shall make the report when so designated; and

(vii) Other Limitations means additional requirements that apply, such as a substance may be used in only fillies or mares or a horse that is administered a substance shall be reported immediately to the commission and placed on the Veterinarian's List for a specific minimum period of time. The use of the substance must comply with other applicable rules of the Commission.

(c) No person shall at any time administer any other doping agent to a horse except pursuant to a valid therapeutic, evidence-based treatment plan.

(i) Other doping agent means a substance that is not listed in the annexed Prohibited List, has a pharmacologic potential to alter materially the performance of a horse, has no generally accepted medical use in the horse when treated, and is:

(A) capable at any time of causing an action or effect, or both, within one or more of the blood, cardiovascular, digestive, endocrine, immune, musculoskeletal, nervous, reproductive, respiratory, or urinary mammalian body systems; including but not limited to endocrine

secretions and their synthetic counterparts, masking agents, oxygen carriers, and agents that directly or indirectly affect or manipulate gene expression; but

(B) not a substance that is considered to have no effect on the physiology of a horse except to improve nutrition or treat or prevent infections or parasite infestations.

(ii) The commission may publish advisory warnings that certain substances or administrations may constitute a violation of this rule.

(iii) Therapeutic, evidence-based treatment plan means a planned course of treatment written and prescribed by an attending veterinarian before the horse is treated that:

(A) describes the medical need of the horse for the treatment, the evidence-based scientific or clinical justification for using the doping agent, and a determination that recognized therapeutic alternates do not exist; and

(B) complies with ARCI 011-010 Veterinary Practices, meets the standards of veterinary practice of the jurisdiction, and is developed in good faith to treat a medical need of the horse.

(iv) Such plans shall not authorize the possession of a doping agent on the premises of a racing or training facility under the jurisdiction of the commission.

3. The possession and/or use of the following substances or of blood doping agents, including but not limited to those listed below, on the premises of a facility under the jurisdiction of the Commission is forbidden:

(a) Aminoimidazole carboxamide ribonucleotide (AICAR)

(b) Darbepoetin

(c) Equine Growth Hormone

(d) Erythropoietin

(e) Hemopure ®

(f) Myo-Inositol Trispyrophosphate (ITPP)

(g) Oxyglobin®

(h) Thymosin beta

(i) Venoms or derivatives thereof

(j) Thymosin beta

4. The use of Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy shall not be permitted unless the following conditions are met:

(a) Any Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy machine, whether in operating condition or not, must be registered with and approved by the Commission or its designee before such machine is brought to or possessed on any racetrack or training center within the jurisdiction of the commission;

(b) The use of Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy within the jurisdiction:

(i) shall be limited to veterinarians licensed to practice by the commission;

(ii) may only be performed with machines that are:
registered and approved for use by the commission; and

(iii) used at a previously-disclosed location that is approved by the commission
must be reported within 24-hours prior to treatment on the prescribed form to the official veterinarian.

(c) Any treated horse shall not be permitted to race or breeze for a minimum of 10 days following treatment;

(d) Any horse treated with Extracorporeal Shock Wave Therapy or Radial Pulse Wave Therapy shall be added to a list of ineligible horses. This list shall be kept in the race office and accessible to the jockeys and/or their agents during normal business hours and be made available to other regulatory jurisdictions.

(e) A horse that receives any such treatment without full compliance with this section and similar rules in any other jurisdiction in which the horse was treated shall be placed on the Steward's List.

(f) Any person participating in the use of ESWT and/or the possession of ESWT machines in violation of this rule shall be considered to have committed a Prohibited Practice and is subject to a Class A Penalty.

5. The use of a nasogastric tube (a tube longer than six inches) for the administration of any substance within 24 hours prior to the post time of the race in which the horse is entered is prohibited without the prior permission of the official veterinarian or his/her designee.

4.51.01

Annex I
Prohibited Substances and Prohibited Methods

Prohibited Substances

(1). All substances in the categories below shall be strictly prohibited unless otherwise provided in accordance with 205 CMR 4.0. Any reference to substances in this section does not alter the requirements for testing concentrations in race day samples.

(2). Nothing in this list shall alter the requirements of post-race testing.

(3). NON-APPROVED SUBSTANCES

Any pharmacologic substance that is not approved by any governmental regulatory health authority for human or veterinary use within the jurisdiction is prohibited. This prohibition includes drugs under pre-clinical or clinical development, discontinued drugs, and designer drugs (a synthetic analog of a drug that has been altered in a manner that may reduce its detection); but does not include vitamins, herbs and supplements for nutritional purposes that do not contain any other prohibited substance, or the administration of a substance with the prior approval of the commission in a clinical trial for which an FDA or similar exemption has been obtained.

(4). ANABOLIC AGENTS

Anabolic agents are prohibited.

1. Anabolic Androgenic Steroids (AAS)

1.1. Exogenous AAS, including:

1-androstenediol (5 α -androst-1-ene-3 β ,17 β -diol); 1-androstenedione (5 α - androst-1-ene-3,17-dione); bolandiol (estr-4-ene-3 β ,17 β -diol); bolasterone; boldenone; boldione (androsta-1,4-diene-3,17-dione); calusterone; clostebol; danazol ([1,2]oxazolo[4',5':2,3]pregna-4-en-20-yn-17 α -ol); dehydrochlormethyltestosterone (4-chloro-17 β -hydroxy-17 α -methylandrosta-1,4-dien-3-one); desoxymethyltestosterone (17 α -methyl-5 α -androst-2-en-17 β -ol); drostanolone; ethylestrenol (19-norpregna-4-en-17 α -ol); fluoxymesterone; formebolone; furazabol (17 α -methyl[1,2,5]oxadiazolo[3',4':2,3]-5 α -androst-17 β -ol); gestrinone; 4-hydroxytestosterone (4,17 β -dihydroxyandrost-4-en-3-one); mestanolone; mesterolone; metandienone (17 β -hydroxy-17 α -methylandrosta-1,4-dien-3-one); metenolone; methandriol; methasterone (17 β -hydroxy-2 α ,17 α -dimethyl-5 α -androst-3-one); methyldienolone (17 β -hydroxy-17 α -methylestra-4,9-dien-3-one); methyl-1-testosterone (17 β -hydroxy-17 α -methyl-5 α -androst-1-en-3-one); methylnortestosterone (17 β -hydroxy-17 α -methylestr-4-en-3-one); methyltestosterone; metribolone (methyltrienolone, 17 β -hydroxy-17 α -methylestra-4,9,11-trien-3-one); mibolerone; nandrolone; 19-norandrostenedione (estr-4-ene-3,17-dione); norboletone; norclostebol; norethandrolone; oxabolone; oxandrolone; oxymesterone; oxymetholone; prostanazol (17 β -[(tetrahydropyran-2-yl)oxy]-1'H-pyrazolo[3,4:2,3]-5 α - androstane); quinbolone; stanozolol; stenbolone; 1-testosterone (17 β -hydroxy-5 α -androst-1-en-3-one); tetrahydrogestrinone (17-hydroxy-18 α -homo-19-nor-17 α -pregna-4,9,11-trien-3-one); trenbolone (17 β -hydroxyestr-4,9,11-trien-3-one); and other substances with a similar chemical structure or similar biological effect(s).

5. ENDOGENOUS-AAS OR THEIR SYNTHETIC ESTERS WHEN ADMINISTERED EXOGENOUSLY:

androstenediol (androst-5-ene-3 β ,17 β -diol); androstenedione (androst-4-ene-3,17-dione); dihydrotestosterone (17 β -hydroxy-5 α -androst-3-one); prasterone (dehydroepiandrosterone, DHEA, 3 β -hydroxyandrost-5-en-17-one); testosterone; and their metabolites and isomers, including but not limited to: 5 α -androstane-3 α ,17 α -diol; 5 α -androstane-3 α ,17 β -diol; 5 α -androstane-3 β ,17 α -diol; 5 α -androstane-3 β ,17 β -diol; 5 β -androstane-3 α ,17 β -diol; androst-4-ene-3 α ,17 α -diol; androst-4-ene-3 α ,17 β -diol; androst-4-ene-3 β ,17 α -diol; androst-5-ene-3 α ,17 α -diol; androst-5-ene-3 α ,17 β -diol; androst-5-ene-3 β ,17 α -diol; 4-androstenediol (androst-4-ene-3 β ,17 β -diol); 5-androstenedione (androst-5-ene-3,17-dione); androsterone (3 β -hydroxy-5 α -

androstan-17-one); epi-dihydrotestosterone; epitestosterone; etiocholanolone; 7 α -hydroxy-DHEA ; 7 β -hydroxy-DHEA; 7-keto-DHEA; 19-norandrosterone; 19-noretiocholanolone.

(6). OTHER ANABOLIC AGENTS, INCLUDING BUT NOT LIMITED TO: Clenbuterol, selective androgen receptor modulators (SARMs e.g., andarine and ostarine), ractopamine, tibolone, zeranol, zilpaterol.

(7). PEPTIDE HORMONES, GROWTH FACTORS AND RELATED SUBSTANCES
The following substances, and other substances with similar chemical structure or similar biological effect(s), are prohibited:

1. Erythropoietin-Receptor agonists:

1.1 Erythropoiesis-Stimulating Agents (ESAs) including, e.g., darbepoetin (dEPO); erythropoietins (EPO); EPO-Fc; EPO-mimetic peptides (EMP), e.g., CNTO 530 and peginesatide; and methoxypolyethylene glycol-epoetin beta (CERA); and

1.2 Non-erythropoietic EPO-Receptor agonists, e.g., ARA-290, asialo EPO and carbamylated EPO;

2. Hypoxia-inducible factor (HIF) stabilizers, e.g., cobalt (when found in excess of regulatory authority limits) and roxadustat (FG-4592); and HIF activators, (e.g., argon, xenon);

3. Chorionic Gonadotropin (CG) and Luteinizing Hormone (LH) and their releasing factors, in males;

4. Corticotrophins and their releasing factors;

5. Growth Hormone (GH) and its releasing factors including Growth Hormone Releasing Hormone (GHRH) and its analogues, e.g., CJC-1295, sermorelin and tesamorelin; Growth Hormone Secretagogues (GHS), e.g., ghrelin and ghrelin mimetics, e.g., anamorelin and ipamorelin; and GH-Releasing Peptides (GHRPs), e.g., alexamorelin, GHRP-6, hexarelin and pralmorelin (GHRP-2);

6. Venoms and toxins including but not limited to venoms and toxins from sources such as snails, snakes, frogs, and bees as well as their synthetic analogues such as ziconotide.

7. In addition, the following growth factors are prohibited:

1.1. Fibroblast Growth Factors (FGFs), Hepatocyte Growth Factor (HGF), Insulin-like Growth Factor-1 (IGF-1) and its analogues, Mechano Growth Factors (MGFs), Platelet-Derived Growth Factor (PDGF), Vascular-Endothelial Growth Factor (VEGF) and any other growth factor affecting muscle, tendon or ligament protein synthesis/degradation, vascularization, energy utilization, regenerative capacity or fiber type switching.

(8). BETA-2 AGONISTS

All beta-2 agonists, including all optical isomers (i.e. *d*- and *l*-) where relevant, are prohibited.

(9). HORMONE AND METABOLIC MODULATORS

The following are prohibited:

1. Aromatase inhibitors, including but not limited to: aminoglutethimide, anastrozole, androsta-1,4,6-triene-3,17-dione (androstatrienedione), 4-androstene-3,6,17 trione (6-oxo), exemestane, formestane, letrozole, testolactone;

2. Selective estrogen receptor modulators (SERMs), including but not limited to: raloxifene, tamoxifen, toremifene;

3. Other anti-estrogenic substances, including but not limited to: clomiphene, cyclofenil, fulvestrant;

4. Agents modifying myostatin function(s), including but not limited to: myostatin inhibitors;

5. Metabolic modulators:

5.1. Activators of the AMP-activated protein kinase (AMPK), e.g., AICAR, and Peroxisome Proliferator Activated Receptor δ (PPAR δ) agonists (e.g., GW 1516);

5.2. Insulins;

5.3. Trimetazidine; and

5.4. Thyroxine and thyroid modulators/hormones, including but not limited to those containing T4 (tetraiodothyronine/thyroxine), T3 (triiodothyronine), or combinations thereof.

(10). DIURETICS AND OTHER MASKING AGENTS

1.1 The following diuretics and masking agents are prohibited, as are other substances with similar chemical structure or similar biological effect(s): acetazolamide, amiloride, bumetanide, canrenone, chlorthalidone, desmopressin, etacrynic acid, indapamide, metolazone, plasma

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expanders (e.g. glycerol; intravenous administration of albumin, dextran, hydroxyethyl starch and mannitol), probenecid, spironolactone, thiazides (e.g. bendroflumethiazide, chlorothiazide, hydrochlorothiazide), torsemide, triamterene, and vasopressin receptor antagonists or vaptans (e.g., tolvaptan).

1.2 Furosemide and trichlormethiazide may be administered only in a manner permitted by other rules of the commission.

PROHIBITED METHODS

(1) MANIPULATION OF BLOOD AND BLOOD COMPONENTS

The following are prohibited:

1. The administration or reintroduction of any quantity of autologous, allogenic (homologous) or heterologous blood or red blood cell products of any origin into the circulatory system.
2. Artificially enhancing the uptake, transport or delivery of oxygen, including, but not limited to, perfluorochemicals, efaproxiral (RSR13) and modified hemoglobin products (e.g. hemoglobin-based blood substitutes, microencapsulated hemoglobin products), excluding supplemental oxygen.
3. Any form of intravascular manipulation of the blood or blood components by physical or chemical means.

(2) CHEMICAL AND PHYSICAL MANIPULATION

Tampering, or attempting to tamper, in order to alter the integrity and validity of samples collected by the commission, is prohibited. These methods include but are not limited to urine substitution or adulteration (e.g., proteases).

(3) GENE DOPING

The following, with the potential to enhance sport performance, are prohibited:

1. The transfer of polymers of nucleic acids or nucleic acid analogues.
2. The use of normal or genetically modified hematopoietic cells.

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Required Conditions for Restricted Therapeutic Use							
Prohibited Substance	Report When Sampled	Pre-File Treatment Plan	Written Approval from Commission	Emergency Use (report)	Prescribed by Veterinarian	Report Treatment	Other Limitations
Adrenocorticotrophic Hormone (ACTH)		x			x		
Albuterol					x		
Altrenogest					x		fillies/mares only
Autologous Conditioned Plasma (IRAP)	x				x		
Blood Replacements	x			x	x		
Boldenone		x			x	x	6 month Vet List
Clenbuterol		x			x		
Chorionic Gonadotropin		x	x-1		x	x	60 day Vet List
Furosemide	x				x		
Luteinizing Hormone		x	x-1		x	x	60 day Vet List
Mesenchymal Stem Cells	x				x	x	
Nandrolone		x			x	x	6 month Vet List
Nucleic Polymer Transfers		x	x		x	x	
Platelet Rich Plasma (PRP)	x				x		
Stanozolol		x			x	x	6 month Vet List
S0 (not FDA-approved)			x-2		x		
Testosterone		x			x	x	6 month Vet List
Thyroxine (T4)		x	x-3		x		
Trichlormethiazide	x				x		
Other Diuretics	x			x	x		

x-1: The approved treatment plan must show a specific treatment of a specific individual horse for an undescended testicle condition.

x-2: The approved treatment plan must show: (A) the substance has a generally accepted veterinary use; (B) the treatment provides a significant health benefit for the horse; (C) there is no reasonable therapeutic alternative; and (D) the use of the substance is highly unlikely to produce any additional enhancement of performance beyond what might be anticipated by a return to the horse's normal state of health, not exceeding the level of performance of the horse prior to the onset of the horse's medical condition.

x-3: The approved treatment plan must show: (A) the thyroxine is prescribed to a specific individual horse for a specific period of time; (B) the diagnosis and basis for prescribing such drug, the dosage, and the estimated last administration date; and (C) that any container of such drug on licensed premises shall be labeled with the foregoing information and contain no more thyroxine than for the treatment of the specific individual horse, as prescribed.

4.52: Medications and Prohibited Substances

(1) Aggravating and Mitigating Factors. Upon a finding of a violation of 205 CMR 4.50 through 4.53, the stewards shall consider the classification level of the violation as listed at the time of the violation in the Uniform Classification Guidelines for Foreign Substances as promulgated by the Association of Racing Commissioners International (ARCI) and impose penalties and disciplinary measures consistent with the recommendations contained therein. The stewards may consult with the official veterinarian, laboratory director or other individuals to determine the seriousness of the laboratory finding or the medication violation. All medication and drug violations shall be investigated and reviewed on a case by case basis. Extenuating factors include, but are not limited to:

- (a) The past record of the trainer, veterinarian and owner in drug cases;
- (b) The potential of the drug(s) to influence a horse's racing performance;
- (c) The legal availability of the drug;
- (d) Whether there is reason to believe the responsible party knew of the administration of the drug or intentionally administered the drug;
- (e) The steps taken by the trainer to safeguard the horse;
- (f) The probability of environmental contamination or inadvertent exposure due to human drug use;
- (g) The purse of the race;
- (h) Whether the drug found was one for which the horse was receiving a treatment as determined by the Medication Report Form;
- (i) Whether there was any suspicious betting pattern in the race; and
- (j) Whether the licensed trainer was acting under the advice of a licensed veterinarian.

As a result of the investigation, there may be mitigating circumstances for which a lesser or no penalty is appropriate for the licensee and aggravating factors, which may increase the penalty beyond the minimum.

(2) Penalties

(a) In issuing penalties against individuals found guilty of medication and drug violations a regulatory distinction shall be made between the detection of therapeutic medications used routinely to treat racehorses and those drugs that have no reason to be found at any concentration in the test sample on race day.

(b) If a licensed veterinarian is administering or prescribing a drug not listed in the ARCI Uniform Classification Guidelines for Foreign Substances, the identity of the drug shall be forwarded to the official veterinarian to be forwarded to the Racing Medication and Testing Consortium for classification.

(c) Any drug or metabolite thereof found to be presenting a pre- or post-race sample which is not classified in the version of the ARCI Uniform Classification Guidelines for Foreign Substances in effect at the time of the violation shall be assumed to be a ARCI Class 1 Drug and the trainer and owner shall be subject to those penalties as set forth in schedule "A" therein unless satisfactorily demonstrated otherwise by the Racing Medication and Testing Consortium, with a penalty category assigned.

(d) Any licensee of the Commission, including veterinarians, found to be responsible for the improper or intentional administration of any drug resulting in a positive test may, after proper notice and hearing, be subject to the same penalties set forth for the licensed trainer.

(e) Procedures shall be established to ensure that a licensed trainer is not able to benefit financially during the period for which the individual has been suspended. This includes, but is not limited to, ensuring that horses are not transferred to licensed family members.

~~(f) Multiple Medication Violations (MMV):~~

~~1. A trainer who receives a penalty for a medication violation based upon a horse testing positive for a Class 1-5 medication with Penalty Class A-D, as provided in the version of the ARCI Uniform Classification Guidelines for Foreign Substances in effect at the time of the violation, shall be assigned points based upon the medication's ARCI Penalty Guideline as follows:~~

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Class	Points If Controlled Therapeutic Substance	Points If Non-controlled Substance
Class A [†]	N/A	6
Class B	2	4
Class C	1	2
Class D	½	1

2. The points assigned to a medication violation shall be included in the Stewards' ruling. Such ruling shall determine, in the case of multiple positive tests as described in 205 CMR 4.52(2)(f) 4, whether they shall thereafter constitute a single violation. The Stewards' ruling shall be posted on the official website of the Association of Racing Commissioners International. If an appeal is pending, that fact shall be noted in such ruling. No points shall be applied until a final adjudication of the enforcement of any such violation.

3. A trainer's cumulative points for violations in all racing jurisdictions shall be maintained and certified by the Association of Racing Commissioners International. Once all appeals are waived or exhausted, the points shall immediately become part of the trainer's official ARCI record and shall then subject the trainer to the mandatory enhanced penalties by the Stewards or Commission as provided in 205 CMR 4.52(2)(f).

4. Multiple positive tests for the same medication incurred by a trainer prior to delivery of official notice by the Commission may be treated as a single violation.

5. The official ARCI record shall constitute prima facie evidence of a licensed trainer's past record of violations and cumulative points. Nothing in 205 CMR 4.52(2)(f) shall be construed to confer upon a licensed trainer the right to appeal a violation for which all remedies have been exhausted or for which the appeal time has expired as provided by applicable law.

6. The Stewards or Commission shall include all points for violations in all racing jurisdictions as contained in the trainer's official ARCI record when determining whether the mandatory enhancements provided in 205 CMR 4.52(2)(f) shall be imposed.

7. In addition to the penalty for the underlying offense, the following enhancements shall be imposed upon a licensed trainer based upon the cumulative points contained in his or her official ARCI record:

Points	Suspension in Days
3-5.5	30
6-8.5	60
9-10.5	180
11 or more	360

MMV's are not a substitute for the current penalty system set forth in 205 CMR 4.52(2)(a) through (d) and are intended to be an additional uniform penalty when the licensed trainer:

4.52: continued

a. Has more than one violation for the relevant time period; and b. Exceeds the permissible number of points.

8. The suspension periods as provided above, shall run consecutive to any suspension imposed for the underlying offense.

9. The Stewards' ruling shall distinguish between the penalty for the underlying offense and the enhancement based upon the licensed trainer's cumulative points.

10. Any trainer who has received a medication violation may petition the ARCI to expunge the points received for the violation for the purpose of the MMV system only. The points shall be expunged as follows:

Penalty Classification	Time to Expungement
A	Permanent
B	3 years

<u>C</u>	<u>2 years</u>
<u>D</u>	<u>1 year</u>

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3. Multiple Medication Violations (MMV)

(a) A trainer who receives a penalty for a medication violation based upon a horse testing positive for a Class 1-5 medication with Penalty Class A-C, as provided in the most recent version of the ARCI Uniform Classification Guidelines for Foreign Substances, or similar state regulatory guidelines, shall be assigned points as follows:

<u>Penalty Class</u>	<u>Points If Controlled Therapeutic Substance</u>	<u>Points If Non-Controlled Substance</u>
<u>Class A</u>	<u>N/A</u>	<u>6</u>
<u>Class B</u>	<u>2</u>	<u>4</u>
<u>Class C</u>	<u>½ for first violation with an additional ½ point for each additional violation within 365 days¹</u>	<u>1 for first violation with an additional ½ point for each additional violation within 365 days</u>
<u>Class D</u>	<u>0</u>	<u>0</u>

¹Points for NSAID violations only apply when the primary threshold of the NSAID is exceeded. Points are not to be separately assigned for a stacking violation.

If the Stewards or Commission determine that the violation is due to environmental contamination, they may assign lesser or no points against the trainer based upon the specific facts of the case.

(b) The points assigned to a medication violation by the Stewards or Commission ruling shall be included in the ARCI official database. The ARCI shall record points consistent with Section 13(a) including when appropriate, a designation that points have been suspended for the medication violation. Points assigned by such regulatory ruling shall reflect, in the case of multiple positive tests as described in paragraph (d), whether they constitute a single violation. The Stewards' or Commission Ruling shall be posted on the official website of the Commission and within the official database of the Association of Racing Commissioners International. If an appeal is pending, that fact shall be noted in such Ruling. No points shall be applied until a final adjudication of the enforcement of any such violation.

(c) A trainer's cumulative points for violations in all racing jurisdictions shall be maintained by the ARCI. Once all appeals are waived or exhausted, the points shall immediately become part of the trainer's official ARCI record and shall be considered by the Commission in its determination to subject the trainer to the mandatory enhanced penalties by the Stewards or Commission as provided in this regulation.

(d) Multiple positive tests for the same medication incurred by a trainer prior to delivery of official notice by the commission may be treated as a single violation. In the case of a positive test indicating multiple substances found in a single post-race sample, the Stewards may treat each substance found as an individual violation for which points will be assigned, depending upon the facts and circumstances of the case.

(e) The official ARCI record shall be used to advise the Stewards or Commission of a trainer's past record of violations and cumulative points. Nothing in this administrative regulation shall be construed to confer upon a licensed trainer the right to appeal a violation for which all remedies have been exhausted or for which the appeal time has expired as provided by applicable law.

(f) The Stewards or Commission shall consider all points for violations in all racing jurisdictions as contained in the trainer's official ARCI record when determining whether the mandatory enhancements provided in this regulation shall be imposed.

(g) In addition to the penalty for the underlying offense, the following enhancements shall be imposed upon a licensed trainer based upon the cumulative points contained in his/her official ARCI record:

<u>Points</u>	<u>Suspension in days</u>
<u>5-5.5</u>	<u>15 to 30</u>
<u>6-8.5</u>	<u>30 to 60</u>
<u>9-10.5</u>	<u>90 to 180</u>
<u>11 or more</u>	<u>180 to 360</u>

MMV penalties are not a substitute for the current penalty system and are intended to be an additional uniform penalty when the licensee:

(i) Has had more than one medication violation for the relevant time period, and

(ii) Exceeds the permissible number of points.

(h)The Stewards and Commission shall consider aggravating and mitigating circumstances, including the trainer's prior record for medication violations, when determining the appropriate penalty for the underlying offense. The MMP is intended to be a separate and additional penalty for a pattern of violations.

(i)The suspension periods as provided in Section 13(g) shall run consecutive to any suspension imposed for the underlying offense.

(j)The Stewards' or Commission Ruling shall distinguish between the penalty for the underlying offense and any enhancement based upon a Stewards or Commission review of the trainer's cumulative points and regulatory record, which may be considered an aggravating factor in a case.

(k)Points shall expire as follows:

<u>Penalty Classification</u>	<u>Time to Expire</u>
<u>A</u>	<u>3 years</u>
<u>B</u>	<u>2 years</u>
<u>C</u>	<u>1 year</u>

(l)In the case of a medication violation that results in a suspension, any points assessed expire on the anniversary date of the date the suspension is completed.

(3) Medication Restrictions.

(a) A finding by the commission approved laboratory of a prohibited drug, chemical or other substance in a test specimen of a horse is prima facie evidence that the prohibited drug, chemical or other substance was administered to the horse and, in the case of a post-race test, was present in the horse's body while it was participating in a race. Prohibited substances include:

1. Drugs or medications for which no acceptable threshold concentration has been established;
2. Controlled therapeutic medications in excess of established threshold concentrations or administration within the restricted time period as set forth in the version of the ARCI Controlled Therapeutic Medication Schedule in effect at the time of the violation;
3. Substances present in the horse in excess of concentrations at which such substances could occur naturally; and
4. Substances foreign to a horse at concentrations that cause interference with testing procedures.

(b) Except as otherwise provided by 205 CMR 4.00, a person may not administer or cause to be administered by any means to a horse a prohibited drug, medication, chemical or other substance, including any restricted medication pursuant to 205 CMR 4.00 during the 24-hour period before post time for the race in which the horse is entered.

(4) Medical Labeling.

(a) No person on association grounds where horses are lodged or kept, excluding licensed veterinarians, shall have in or upon association grounds which that person occupies or has the right to occupy, or in that person's personal property or effects or vehicle in that person's care, custody or control, a drug, medication, chemical, foreign substance or other substance that is prohibited in a horse on a race day unless the product is labeled in accordance with 205 CMR 4.52(4).

(b) Any drug or medication which is used or kept on association grounds and which, by federal or state law, requires a prescription must have been validly prescribed by a duly licensed veterinarian, and in compliance with the applicable state statutes. All such allowable medications must have a prescription label which is securely attached and clearly ascribed to show the following:

1. The name of the product;

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2. The name, address and telephone number of the veterinarian prescribing or dispensing the product;
3. The name of each patient (horse) for whom the product is intended/prescribed;
4. The dose, dosage, duration of treatment and expiration date of the prescribed/dispensed product; and
5. The name of the person (trainer) to whom the product was dispensed.

5. Non-steroidal Anti-inflammatory Drugs (NSAIDs).

(a) The use of one of three approved NSAIDs shall be permitted under the following conditions:

1. Not to exceed the following permitted serum or plasma threshold concentrations which are consistent with administration by a single intravenous injection at least 24 hours before the post time for the race in which the horse is entered:
 2. Phenylbutazone - two micrograms per milliliter;
 3. Flunixin - 20 nanograms per milliliter;
 4. Ketoprofen - two nanograms per milliliter.
- b. These or any other NSAID are prohibited to be administered within the 24 hours before post time for the race in which the horse is entered.
- c. The presence of more than one of the three approved NSAIDs, in the post-race serum or plasma sample is not permitted.
- d. A finding of phenylbutazone below a concentration of .5 microgram per milliliter of blood serum or plasma shall not constitute a violation of 205 CMR 4.52(5).
- e. A finding of flunixin below a concentration of three nanograms per milliliter of blood serum or plasma shall not constitute a violation of 205 CMR 4.52(5).
- f. The use of all but one of the approved NSAIDs shall be discontinued at least 48 hours before the post time for the race in which the horse is entered.
- (g) The presence of any unapproved NSAID in the post-race serum or plasma sample is not permitted.

(6) Furosemide.

(a) In order for a horse to be placed on the Furosemide List the following process must be followed.

1. After the horse's licensed trainer and licensed veterinarian determine that it would be in the horse's best interests to race with furosemide the official veterinarian or his or her designee shall be notified using the prescribed form, that the horse is to be put on the Furosemide List.
2. The form must be received by the official veterinarian or his or her designee by the time of entry.
3. A horse placed on the official Furosemide List must remain on that list unless the licensed trainer and licensed veterinarian submit a written request to remove the horse from the list. The request must be made to the official veterinarian or his or her designee, on the proper form, no later than the time of entry.
4. After a horse has been removed from the Furosemide List, the horse may not be placed back on the list for a period of 60 calendar days unless it is determined to be detrimental to the welfare of the horse, in consultation with the official veterinarian. If a horse is removed from the official Furosemide List a second time in a 365-day period, the horse may not be placed back on the list for a period of 90 calendar days.
5. Furosemide shall only be administered on association grounds.
6. Furosemide shall be the only authorized bleeder medication

(b) The use of furosemide shall be permitted under the following circumstances on association grounds where a detention barn is not utilized:

1. Furosemide shall be administered by single intravenous injection no less than four hours prior to post time for the race for which the horse is entered.
2. The furosemide dosage administered shall not exceed 500 mg. nor be less than 150 mg.
3. After treatment, the horse shall be required by the Commission to remain in the proximity of its stall in the care, custody and control of its trainer or the trainer's designated representative under general association and/or Commission security surveillance until called to the saddling paddock.

(c) Test results must show a detectable concentration of the drug in the post-race serum, plasma or urine sample.

1. The specific gravity of post-race urine samples may be measured to ensure that samples are sufficiently concentrated for proper chemical analysis. The specific gravity shall not be below 1.010;

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2. Quantitation of furosemide in serum or plasma may be performed. Concentrations may not exceed 100 nanograms of furosemide per milliliter of serum or plasma.

d. A horse that has been placed on a Furosemide List in another jurisdiction pursuant to rules similar to 205 CMR 4.52(6) shall be placed on a Furosemide List in this jurisdiction. A notation on the horse's foal papers of such shall suffice as evidence of being on a Furosemide List in another jurisdiction.

(7) Bleeder List.

(a) The official veterinarian shall maintain a Bleeder List of all horses, which have demonstrated external evidence of exercise induced pulmonary hemorrhage from one or both nostrils during or after a race or workout as observed by the official veterinarian.

(b) Every confirmed bleeder, regardless of age, shall be placed on the Bleeder List and be ineligible to race for the following minimum time periods:

1. First incident - 14 days;
2. Second incident - 30 days;
3. Third incident - 180 days;
4. Fourth incident - barred for racing lifetime.

(c) For the purposes of counting the number of days a horse is ineligible to run, the day the horse bled externally is the first day of the recovery period.

(d) The voluntary administration of furosemide without an external bleeding incident shall not subject the horse to the initial period of ineligibility as defined by 205 CMR 4.52(7). (e) A horse which has been placed on a Bleeder List in another jurisdiction pursuant to rules similar to 205 CMR 4.52(7) shall be placed on a Bleeder List in this jurisdiction.

(8) Androgenic-anabolic Steroids (AAS).

(a) No AAS shall be permitted in test samples collected from racing horses except for residues of the major metabolite of nandrolone, and the naturally occurring substances boldenone and testosterone at concentrations less than the indicated thresholds.

(b) Concentrations of these AAS shall not exceed the following plasma or serum thresholds for unchanged (i.e. not conjugated) substance or urine threshold concentrations for total (i.e., free drug or metabolite and drug or metabolite liberated from its conjugates):

1. Boldenone. 15 ng/ml of total boldenone in urine of male horses other than geldings, or 25 pg/ml of boldenone in plasma or serum of all horses regardless of sex;
2. Nandrolone. 1 ng/ml of total nandrolone in urine for fillies, mares and geldings or 45 ng/ml (as 5 α -estrane-3 β , 17 α -diol) in urine in male horses other than geldings, or 25 pg/ml of nandrolone in plasma or serum for geldings, fillies, and mares.
3. Testosterone.

a. In Geldings. 20 ng/ml total testosterone in urine or 25 pg/ml of testosterone in plasma or serum;

b. In Fillies and Mares. 55 ng/ml total testosterone in urine, or 25 pg/ml of testosterone in plasma or serum.

(c) Any other anabolic steroids are prohibited in racing horses.

(d) Post-race urine samples must have the sex of the horse identified to the laboratory.

(9) Alkalinizing Substances. The use of agents that elevate the horse's TCO₂ or base excess level above those existing naturally in the untreated horse at normal physiological concentrations is prohibited. The following levels also apply to blood gas analysis:

(a) The regulatory threshold for TCO₂ is 37.0 millimoles per liter of plasma/serum or a base excess level of 10.0 millimoles, and;

(b) The decision level to be used for the regulation of TCO₂ is 37.0 millimoles per liter of plasma/serum plus the measurement uncertainty of the laboratory analyzing the sample, or a base excess level of 10.4 millimoles per liter of plasma/serum.

4.53: Out of Competition Testing for Blood and/or Gene Doping Agents

~~(1)(1) Any horse on the grounds at a racetrack or training center under the jurisdiction of the commission; or under the care or control of trainer or owner licensed by the commission is subject to testing for blood and/or gene doping agents without advance notice.~~

~~(2) Horses to be tested may be selected at random, with probable cause, or as determined by the commission;~~

~~(3) The official veterinarian, or any licensed veterinarian or licensed veterinary technician authorized by the commission, may at any time, take a urine, blood or hair sample from a horse for this purpose.~~

~~(4) Prohibited substances, practices and procedures are defined as:~~

~~(a) Blood doping agents including, but not limited to Erythropoietin (EPO), Darbepoetin, Oxyglobin, Hemopure, Aranesp or any substance that abnormally enhances the oxygenation of body tissues.~~

~~(b) Gene doping agents or the non-therapeutic use of genes, genetic elements, and/or cells that have the capacity to enhance athletic performance or produce analgesia.~~

~~(5) Cooperation with the official veterinarian, or his or her designee, includes assisting in the immediate location and identification of the horse selected and providing a stall or safe location to collect the samples.~~

~~(6) Split samples for out of competition testing will be collected as per 205 CMR 4.55(3). Out-of-competition testing authorized. The commission may at a reasonable time on any date take blood, urine or other biologic samples as authorized by commission rules from a horse to enhance the ability of the commission to enforce its medication and anti-doping rules, e.g., the Prohibited List pursuant to ARCI-011-015. The commission shall own such samples. This rule authorizes only the collection and testing of samples and does not independently make impermissible the administration to or presence in any horse of any drug or other substance. A race day prohibition or restriction of a substance by a commission rule is not applicable to an out-of-competition test unless there is an attempt to race the horse in a manner that violates such rule.~~

~~(2)Horses eligible to be tested. Any horse that has been engaging in activities related to competing in horse racing in the jurisdiction may be tested. This includes without limitation any horses that are training outside the jurisdiction to participate in racing in the jurisdiction and all horses that are training in the jurisdiction, but excludes weanlings, yearlings and horses no longer engaged in horse racing (e.g., retired broodmares).~~

~~(3)A horse is presumed eligible for out-of-competition testing if:~~

~~(a) It is on the grounds at a racetrack or training center under the jurisdiction of the commission;~~

~~(b) It is under the care or control of a trainer licensed by the commission;~~

~~(c)It is owned by an owner licensed by the commission;~~

~~(d) It is entered or nominated to race at a premises licensed by the commission;~~

~~(e)It has raced within the previous 12 months at a premises licensed by the commission; or~~

~~(f)It is nominated to a program based on racing in the jurisdiction, including without limitation a state thoroughbred development, breeder's award fund, or standardbred state sires stakes.~~

~~(4) Such presumptions are conclusive in the absence of evidence that a horse is not engaged in activities related to competing in horse racing in the jurisdiction.~~

~~(5)Selection of horses to be tested.~~

~~(a)Horses shall be selected for sampling by a commission Veterinarian, Executive Director, Equine Medical Director, Steward or Presiding Judge or a designee of any of the foregoing.~~

~~(b)Horses may be selected to be tested at random, for cause, or as otherwise determined in the discretion of the commission.~~

~~(c)collectors shall for suspicion-less collections of samples abide by a plan that has been approved by a supervisor not in the field and identifies specific horses or provides neutral and objective criteria to follow in the field to determine which horses to sample. Such a supervisor may consider input from persons in the field during the operation of the plan and select additional horses to be sampled.~~

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(6) Cooperation with the commission

(a) Licensees of the commission are required to cooperate and comply fully with the provisions of this rule.

(b) Persons who apply for and are granted a trainer or owner license shall be deemed to have given their consent for access at such premises as their horse may be found for the purpose of commission representatives collecting out-of-competition samples. Licensees shall take any steps necessary to authorize access by commission representatives at such premises.

(c) No other person shall knowingly interfere with or obstruct a sampling.

(7) General procedure for collecting samples

(a) Samples shall be taken under the supervision and direction of a person who is employed or designated by the commission. All blood samples shall be collected by a veterinarian licensed in the state where the sample is collected, or by a veterinary technician who is acting under appropriate supervision of the veterinarian.

(b) Upon request of a representative of the commission, the trainer, owner, or their specified designee shall provide the location of their horses eligible for out-of-competition testing.

(c) The commission need not provide advance notice before arriving at any location, whether or not licensed by the commission, to collect samples.

(d) The trainer, owner, or their specified designee shall cooperate with the person who takes samples for the commission, which cooperation shall include without limitation:

(i) Assist in the immediate location and identification of the horse;

(ii) Make the horse available as soon as practical upon arrival of the person who is responsible for collecting the samples;

(iii) Provide a stall or other safe location to collect the samples;

(iv) Assist the person who is collecting samples in properly procuring the samples; and

(v) Witness the taking of samples including sealing of sample collection containers.

(vi) The management and employees of a licensed racetrack or training facility at which a horse may be located shall cooperate fully with a person who is authorized to take samples. The person who collects samples for the commission may require that the collection be done at a specified location on such premises.

(vii) The commission, if requested and in its sole discretion, may permit the trainer, owner, or their specified designee to present a horse that is located in the jurisdiction, but not at a racetrack or training center licensed by the commission, to be sampled at a time and location designated by the commission.

(8) Procedure for collecting samples from horses located outside the jurisdiction

a. The commission may arrange for the sampling of an out-of-state horse by the racing commission or other designated person in the jurisdiction where the horse is located. Such racing commission or other designated person shall follow the relevant provisions of this rule, including paragraph (a) of subdivision five of this rule.

b. The test results shall be made available, for its regulatory use, to each jurisdiction that has participated in the process of collecting any out-of-competition sample, subject to any restrictions on public disclosure of test results that apply to the commission that selected the horse for sampling.

c. The commission, if requested and in its sole discretion, may permit the trainer or owner instead to transport the horse into its jurisdiction for sampling at a time and place designated by the commission.

(9) Additional procedures

a. The person who takes samples for the commission shall provide identification and disclose the purpose of the sampling to the trainer or designated attendant of the horse.

b. A written protocol for the collection of samples shall be made generally available.

c. An owner or trainer does not consent to a search of the premises by making a horse that is not located at a racetrack or training center available for sampling.

d. If the trainer or other custodian of a selected horse refuses or declines to make the horse available for sampling and the managing owner has previously provided the commission with a means for the commission to give immediate notification to the managing owner in such situation, then the commission shall attempt to notify the managing owner and the eligibility of the horse shall be preserved if the managing owner is able to make the horse available for

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immediate sampling. The commission is not required to make repeated attempts to notify the managing owner.

e. The chain of custody record for the sample (including a split sample where appropriate) shall be maintained and made available to the trainer, owner, or their designee when a complaint results from an out-of-competition test.

(10) Analysis of collected samples

a. The commission may have out-of-competition samples tested to produce information that may enhance the ability of the commission to enforce its medication and anti-doping rules.

b. Split sample rules and procedures for post-race testing shall apply to out-of-competition testing.

c. The commission may use any remaining sample for research and investigation.

(11) Penalties for non-cooperation

a. Willful failure to make a horse available for sampling or other willfully deceptive acts or interference in the sampling process shall carry a minimum penalty of a one year license suspension and referral to the commission in addition to any other authorized penalties.

b. A selected horse that is not made available for out-of-competition sampling shall be placed on the Steward's List. The horse shall remain on the Steward's List for a minimum of 180 days unless the owner can establish extraordinary mitigating circumstances.

c. A selected horse that is presumed eligible for out-of-competition testing shall be placed on the Steward's list and be ineligible to race in the jurisdiction for 180 days if the horse is not sampled because the trainer, owner or their designee asserts that the horse is not engaged in activities related to competing in horse racing in the jurisdiction. This restriction shall not apply if the trainer, owner or their designee instead permits voluntarily an immediate collection of such samples from the horse.

4.58 Environmental Contaminants and Substances of Human Use

(1) Environmental contaminants are either endogenous to the horse or can arise from plants traditionally grazed or harvested as equine feed or are present in equine feed because of contamination during the cultivation, processing, treatment, storage or transportation phases.

(2) Substances of human use and addiction may be found in the horse due to its close association with humans.

(3) If the preponderance of evidence presented in the hearing shows that a positive test is the result of environmental contamination, including inadvertent exposure due to human drug use, or dietary intake, or is endogenous to the horse, those factors should be considered in mitigation of any disciplinary action taken against the affected trainer. Disciplinary action shall only be taken if test sample results exceed the regulatory thresholds in the most recent version of the ARCI Endogenous, Dietary, or Environmental Substances Schedule.

(4) The identification and adoption of these uniform thresholds for certain substances shall not preclude an individual jurisdiction from maintaining thresholds for substances not on this list which predate the adoption of this regulation in such jurisdiction.



Legal Division

Amended Small Business Impact Statement

The Massachusetts Gaming Commission (“Commission”) hereby files this amended small business impact statement in accordance with G.L. c.30A, §5 relative to the proposed amendments in **205 CMR 136.00: Sale and Distribution of Alcoholic Beverages at Gaming Establishments**, for which a public hearing was held on June 15, 2017. These amendments were developed as part of the process of promulgating regulations governing the operation of gaming establishments in the Commonwealth. The amendments eliminate the requirement to list on a gaming beverage license the names and contact information for managers or other principals. These regulations are largely governed by G.L. c.23K, §§4 and 26.

These amendments apply directly to gaming licensees. Accordingly, these amendments are unlikely to have an impact on small businesses.

In accordance with G.L. c.30A, §5, the Commission offers the following responses on whether any of the following methods of reducing the impact of the proposed regulation on small businesses would hinder achievement of the purpose of the proposed regulation:

1. Establishing less stringent compliance or reporting requirements for small businesses:

As a general matter, no small businesses will be impacted by these regulations. Accordingly, there are no less stringent compliance or reporting requirements for small businesses.

2. Establishing less stringent schedules or deadlines for compliance or reporting requirements for small businesses:

There are no schedules or deadlines for compliance or reporting requirements for small businesses created by these regulations.

3. Consolidating or simplifying compliance or reporting requirements for small businesses:

There are no compliance or reporting requirements for small businesses.

4. Establishing performance standards for small businesses to replace design or operational standards required in the proposed regulation:



Massachusetts Gaming Commission

There are no performance standards for small businesses to replace design or operational standards required in the proposed regulation.

5. An analysis of whether the proposed regulation is likely to deter or encourage the formation of new businesses in the Commonwealth:

These amendments apply directly to gaming licensees and therefore are not likely to deter or encourage the formation of new businesses in the Commonwealth.

6. Minimizing adverse impact on small businesses by using alternative regulatory methods:

These regulations do not create any adverse impact on small businesses.

Massachusetts Gaming Commission
By:

Cecelia M. Porché
Paralegal
Legal Division

Dated: _____



Massachusetts Gaming Commission

205 CMR: MASSACHUSETTS GAMING COMMISSION
205 CMR 136.00: SALE AND DISTRIBUTION OF ALCOHOLIC BEVERAGES AT
GAMING ESTABLISHMENTS

136.08: Form of the Gaming Beverage License

(2) Licensed Area Addendum. As part of the Gaming Beverage License, the commission shall issue a licensed area addendum for each licensed area approved pursuant to 205 CMR 136.03(4). Each licensed area addendum shall contain the following:

(j) ~~The identity and contact information for all managers or other principal representatives.~~



Legal Division

Amended Small Business Impact Statement

The Massachusetts Gaming Commission (“Commission”) hereby files this amended small business impact statement in accordance with G.L. c.30A, §5 relative to the proposed amendments in **205 CMR 143.00: Gaming Devices and Electronic Gaming Equipment**, for which a public hearing was held on June 15, 2017. These amendments were developed as part of the process of promulgating regulations governing the operation of gaming establishments in the Commonwealth. The amendments set forth the requirements for a gaming licensee to transfer a progressive jackpot. These regulations are largely governed by G.L. c.23K, §§ 4 and 5.

These amendments apply directly to gaming licensees. Accordingly, these amendments are unlikely to have an impact on small businesses.

In accordance with G.L. c.30A, §5, the Commission offers the following responses on whether any of the following methods of reducing the impact of the proposed regulation on small businesses would hinder achievement of the purpose of the proposed regulation:

1. Establishing less stringent compliance or reporting requirements for small businesses:

As a general matter, no small businesses will be impacted by these regulations. Accordingly, there are no less stringent compliance or reporting requirements for small businesses.

2. Establishing less stringent schedules or deadlines for compliance or reporting requirements for small businesses:

There are no schedules or deadlines for compliance or reporting requirements for small businesses created by these regulations.

3. Consolidating or simplifying compliance or reporting requirements for small businesses:

There are no compliance or reporting requirements for small businesses.

4. Establishing performance standards for small businesses to replace design or operational standards required in the proposed regulation:

There are no performance standards for small businesses to replace design or operational standards required in the proposed regulation.



Massachusetts Gaming Commission

5. An analysis of whether the proposed regulation is likely to deter or encourage the formation of new businesses in the Commonwealth:

These amendments apply directly to gaming licensees and therefore are not likely to deter or encourage the formation of new businesses in the Commonwealth.

6. Minimizing adverse impact on small businesses by using alternative regulatory methods:

These regulations do not create any adverse impact on small businesses.

Massachusetts Gaming Commission
By:

Cecelia M. Porché
Paralegal
Legal Division

Dated: _____



Massachusetts Gaming Commission

205 CMR: MASSACHUSETTS GAMING COMMISSION
205 CMR 143.00: GAMING DEVICES AND ELECTRONIC GAMING EQUIPMENT

143.02: Progressive gaming devices

(e) Delete in section 2.5.14 the words “local Internal Control procedures” and add the following: “following requirements: A gaming licensee may transfer a progressive jackpot amount on a stand-alone slot machine or a local area progressive with a common progressive meter, from the gaming area provided the gaming licensee receives written approval from the IEB prior to the transfer, and the accrued amount minus the seed amount of the progressive jackpot is:

- (1) Transferred in its entirety; and
- (2) Transferred to one of the following:
 - (a) The progressive meter for a slot machine with the same or similar probability of winning the progressive jackpot, the same or lower wager requirement to be eligible to win the progressive jackpot, and the same type of progressive jackpot (cash, annuity, annuity/cash option or a combination/alternate jackpot) as the slot machine from which the jackpot is being transferred; or
 - (b) The progressive meters of two or more slot machines, provided that each slot machine to which the jackpot is transferred individually satisfies the requirements of 205 CMR 143.02(e)(2)(a).

Further, notice of intent to transfer the progressive jackpot, which shall be subject to approval by the IEB, shall be conspicuously displayed on the front of each applicable slot machine for at least 10 days in advance of the transfer.



Legal Division

Amended Small Business Impact Statement

The Massachusetts Gaming Commission (“Commission”) hereby files this amended small business impact statement in accordance with G.L. c.30A, §5 relative to the proposed amendments in the following regulations, for which a public hearing was held on June 15, 2017.

- **205 CMR 143.00: Gaming Devices and Electronic Gaming Equipment.** The amendments adopt the GLI-11, version 3.0, by reference (including skill based gaming standards) with MA specific modifications.
- **205 CMR 138.56: Uniform Standards of Accounting Procedures and Internal Controls.** The amendments require a gaming licensee to ensure that the taxation provisions of the commission’s regulations are incorporated into its internal control procedures, and acknowledges the aggregate reporting of slot machine winnings provisions recently adopted by the IRS.
- **205 CMR 139.04: Continuing Disclosure and Reporting Obligations of Gaming Licensees.** The amendments require reports to be filed with the Commission pertaining to slot machines in a gaming establishment.

These amendments were developed as part of the process of promulgating regulations governing the operation of gaming establishments in the Commonwealth. These regulations are largely governed by G.L. c.23K, §§4(37), 5, and 25(d). These amendments apply directly to gaming licensees and gaming device vendors. To the extent that a gaming device vendor is a small business, small businesses may be impacted. In accordance with G.L. c.30A, §5, the Commission offers the following responses on whether any of the following methods of reducing the impact of the proposed regulation on small businesses would hinder achievement of the purpose of the proposed regulation:

1. Establishing less stringent compliance or reporting requirements for small businesses:

A very small percentage of gaming device vendors, if any, would be considered a small business. There are no less compliance or reporting requirements for small businesses. The Commission is adopting a widely recognized uniform standard so establishing different requirements for small businesses would be inappropriate.

2. Establishing less stringent schedules or deadlines for compliance or reporting requirements for small businesses:

There are no schedules or deadlines for compliance or reporting requirements for small businesses created by these regulations.



Massachusetts Gaming Commission

3. Consolidating or simplifying compliance or reporting requirements for small businesses:

The Commission is adopting a widely recognized uniform standard so establishing different requirements for small businesses would be inappropriate.

4. Establishing performance standards for small businesses to replace design or operational standards required in the proposed regulation:

These regulations are largely performance based standards that provide flexibility for businesses to design new products. In any event, the Commission is adopting a widely recognized uniform standard so establishing different requirements for small businesses would be inappropriate.

5. An analysis of whether the proposed regulation is likely to deter or encourage the formation of new businesses in the Commonwealth:

The proposed amendments to the regulations are likely to encourage the formation of new businesses in the Commonwealth. By allowing skill-based games the Commission may encourage the formation of new businesses by expressly allowing a developing form of gaming in casinos in the Commonwealth.

6. Minimizing adverse impact on small businesses by using alternative regulatory methods:

These regulations do not create any adverse impact on small businesses. The Commission is adopting a widely recognized uniform standard so establishing alternative regulatory methods is contrary to the whole purpose of adopting these standards.

Massachusetts Gaming Commission
By:

Cecelia M. Porché
Paralegal
Legal Division

Dated: _____

205 CMR: MASSACHUSETTS GAMING COMMISSION
205 CMR 143.00: GAMING DEVICES AND ELECTRONIC GAMING EQUIPMENT

143.01: Standards for Gaming Devices

(1) A gaming licensee and gaming device vendor shall comply with and the commission adopts and incorporates by reference *Gaming Laboratories International, LLC Standard GLI-11: Gaming Devices in Casinos*, version ~~2-1~~ 3.0, released ~~August 25, 2011~~ September 21, 2016, subject to the following amendments:

- (a) Delete section 1.1.1 and replace with the following: “The following sets forth the technical standards for electronic gaming devices as identified in 205 CMR 144.01(2).
- (b) Delete section 1.1.2.
- (c) Delete section 1.2.
- (d) ~~Delete section 1.4.~~ Delete section 1.3.3 and replace with: “This GLI technical standard is adopted in whole subject to the modifications described in 205 CMR 143.01. The standard and modifications should at all times be read in conjunction with 205 CMR and the standards referenced in section 1.4.1 so as to create a harmonious regulatory framework.”
- (e) Add the following after section 2.3.2: “2.3.3 Game integrity. The gaming licensee shall develop and submit to the IEB and the commission’s gaming lab for approval a preventive maintenance program for the care and upkeep of any such mechanical pieces or any physical moving parts and/or any physical parts of any slot machine, or player interaction devices, that may affect the outcome of any game to ensure the integrity of the outcomes. The IEB may require any such part to be replaced.”
- (f) Delete the last sentence of section 3.6.1 and replace with: “If a cryptographic RNG is used, it shall comply with section 3.6.2.”
- (g) Delete section 4.6.6.
- (h) ~~(e)~~ Replace in section ~~3.4.1~~ 4.8.1 “seventy-five percent (75%)” with “eighty percent (80%)”.
- (i) ~~(f)~~ Add the following after the first paragraph of section ~~3.4.1~~ 4.8.1: “The calculation of minimum payout percentage excludes the cash equivalent value of any merchandise or other thing of value that cannot be converted into cash by the gaming establishment licensee, but may include the acquisition cost to the gaming licensee of the merchandise or other thing of value. The calculation shall include the value of promotional gaming credit (i.e.- “free play”).”
- (j) Add the following after the first sentence in section 4.8.1(a): “If necessary to ensure the fairness of the game to patrons, the Commission may require a gaming vendor to submit a device for testing to determine whether it meets the requirements of section 4.8.1 when using average or counter-optimal methods of play in addition to, or in lieu of, an optimal method of play.”

- (k) ~~(g)~~ Replace in section ~~3.4.1~~ 4.8.1(b) “75%” with “80%”.
- (l) Add the following after section 4.8.1(b): “(c) Games of pure skill and/or games that do not utilize an RNG are not required to achieve a minimum theoretical payout percentage.”
- (m) ~~(h)~~ Replace in section 3.10.1(f) “seventy five percent (75%)” with “eighty percent (80%)”.
- (n) Delete section 4.16.1 and replace with the following: “For games of chance, the gaming device shall cease play, display an appropriate message, and require attendant intervention to resolve player payment for the payment of winnings of \$1200 or more from a single *game cycle*. For a *game with skill*, the gaming device shall cease play, display an appropriate message, and require attendant intervention to resolve player payment for the payment of winnings of \$1200 or more from a single *gaming session*. In determining whether winnings equal or exceed the \$1,200 threshold, the amount of winnings shall not be reduced by the amount wagered. It is permissible to provide a mechanism to accrue taxable winnings to a separate meter, however, this meter must not support any direct wagers. See also M.G.L. c.62B, §2, 26 CFR §1.6041-10, and GLI-13, section 2.4.2.”
- (o) Add the following after the first paragraph of section 4.20.1: “For purposes of independent testing in accordance with 205 CMR 144.00, the gaming device manufacturer shall determine in the first instance, subject to the acceptance of the independent test laboratory, whether a gaming device qualifies as a *game with skill*, a game of pure chance, or a game of pure skill. Such determination shall be subject to review and reclassification by the commission.”
- (p) Replace in section 4.20.3 “75%” with “80%”.
- (q) Add the following to section 5.4.1(k): “provided, however, no slot machine intended for use at a gaming establishment in Massachusetts may accept debit cards, credit cards, or government-issued electronic benefits transfer cards for purposes of purchasing any form of gaming value;”
- (r) Add the following in Glossary of Key Terms in the definition of *Player Interaction Device* after the term “camera systems”: “smartphones, keypads, gamepads, audio sensors, motion sensors, image sensors, image displays, infrared emitters and detectors, accelerometers.”
- (s) Delete section 4.4.1(v) and replace with the following: “Signage indicating that a “malfunction voids all pays” or some equivalent verbiage shall be clearly displayed ~~and permanently affixed to~~ on the exterior of the slot machine ~~and not be readily removable at all times~~. For purposes of 205 CMR, a malfunction shall be an event in which a slot machine:
- (1) In some way performs contrary to a rule or other language describing the performance or payout of the game exhibited on the exterior display of the slot machine or contained in the rules section of the slot machine; or

- (2) In some way performs contrary to the manufacturer design or operational specifications; or
- (3) In some way performs contrary to the requirements of 205 CMR including the specifications contained in the certification for the slot machine issued in accordance with 205 CMR 144.00.”

(2) For purposes of M.G.L. c. 23K and 205 CMR the term slot machine as defined by M.G.L. c. 23K, § 2 shall not include automatic amusement devices as defined by M.G.L. c. 140, § 177A(2). ~~For clarification, as a general matter, the distinction between a slot machine and an automatic amusement device is that unlike an automatic amusement device a slot machine is capable of paying out a cash prize, and/or the value of the merchandise being offered is, over \$1000.~~

(3) For purposes of M.G.L. c. 23K and 205 CMR a slot machine that has multiple gaming positions, as defined by M.G.L. c. 23K, § 2, shall be considered a single slot machine. Provided, however, a Category 2 licensee shall not have more than 1,500 gaming positions available for play at any one time.

(4) All slot machines and other electronic gaming devices shall be capable of providing the commission with a near real-time stream of data, other than personally identifiable information, in the communication format specified by the commission in 205 CMR 143.16(1) directly from each slot machine ~~of~~ or electronic gaming device. Such data shall be provided for purposes of computing and reconciling daily tax obligations as provided in 205 CMR, for purposes of investigating patron disputes filed in accordance with 205 CMR 134.19: *Disciplinary Action*, and for purposes of maintaining general oversight of a gaming establishment. The commission is not obligated to monitor or review the data on an ongoing basis. If communications between the slot machine and the commission's central monitoring system fails, the slot machine shall not continue to operate unless it records all required data from the applicable communication protocol since losing the connection, up to seven days, and send the data directly to the commission as soon as the connection is reestablished. If the connection is not reestablished within 24 hours due to a problem stemming from the gaming establishment's systems, then any slot machine affected shall cease operation until the connection is reestablished.

205 CMR: MASSACHUSETTS GAMING COMMISSION
205 CMR 138.00: UNIFORM STANDARDS OF ACCOUNTING PROCEDURES AND
INTERNAL CONTROLS

138.56: Attendant Paid Jackpots and Credit Meter Payouts

The system of internal controls submitted by a gaming licensee in accordance with 205 CMR 138.02 shall include policies and procedures governing the payment of jackpots and credit meter payouts if and when the payment is not automatically disbursed from a slot machine or electronic gaming device in the form of a gaming voucher. Such procedure shall at a minimum address the provisions of 205 CMR 143.01(1)(n) and, if the gaming licensee elects to do so, incorporate provisions outlining the process to be followed for the aggregate reporting of slot machine winnings as allowed by 26 CFR §1.6041-10(g).

DRAFT

205 CMR: MASSACHUSETTS GAMING COMMISSION
205 CMR 139.00: CONTINUING DISCLOSURE AND REPORTING OBLIGATIONS OF
GAMING LICENSEES

139.04: Reports and Information to Be Filed with the Commission

(15) Analysis reports which, by each slot machine/electronic gaming device, compare actual payout percentages by month to theoretical payout percentages as established in accordance with 205 CMR 143.01(1). See GLI 13, section 3.4.2(d).

(16) A daily meter-cash comparison report and export file, in a format prescribed by the commission, submitted after appropriate financial meter or accounting adjustments have been made, which contains the following information relative to each slot machine in use in the gaming establishment: the location of the slot machine, the state identification number, the venue identification number, the gross gaming revenue figure, the total cash in the bill validator stacker. See GLI 13, section 3.4.2(f).

(17) A daily gaming day summary report, in a format prescribed by the commission, submitted after appropriate financial meter or accounting adjustments have been made, which contains the following information relative to each slot machine in use in the gaming establishment: the location of the slot machine, the state identification number, the venue identification number, total cash wagered, total cash won, total promotional gaming credits played, the gross gaming revenue figure. See GLI 13, section 3.4.2(f).



25 CMR 143.00 Gaming Devices and Electronic Gaming Equipment

Category	Section	Quote From Standards	Scientific Games Feedback
Standards for Gaming Devices	143.01 (1)(e)	<u>(e) Add the following after section 2.3.2: "2.3.3 Game integrity. The gaming licensee shall develop and submit to the IEB and the commission's gaming lab for approval a preventive maintenance program for the care and upkeep of any such mechanical pieces or any physical moving parts and/or any physical parts of any slot machine, or player interaction devices, that may affect the outcome of any game to ensure the integrity of the outcomes. The IEB may require any such part to be replaced."</u>	<i>Please explain the goal of this program. Are the IC's intended to be interim ICs for gaming device components? Please clarify as to if the IEB/Commission expects separate IC's for each piece/part even if they're the same for 2 different devices.</i>
Skill Games	143.01 (1)(j)	<u>(j) Add the following after the first sentence in section 4.8.1(a): "If necessary to ensure the fairness of the game to patrons, the Commission may require a gaming vendor to submit a device for testing to determine whether it meets the requirements of section 4.8.1 when using average or counter-optimal methods of play in addition to, or in lieu of, an optimal method of play."</u>	<i>SG recommends removing this addition to 4.8.1(a) as it does not clearly define how or when alternative play methods must be employed during testing. If removal is not an option, please clarify as to when "average or counter-optimal methods of play" would be used to evaluate RTP.</i>
Standards for Gaming Devices	143.01 (1)(m)	(m) (h) Replace in section 3.10.1(f) "seventy-five percent (75%)" with "eighty percent (80%)".	<i>The prior (h) requirement appears to have been completely removed. Assuming consistent numbering, this would change the new requirement listed as "(n)" to "(m)" and renumber all subsequent requirements accordingly.</i>
Standards for Gaming Devices	143.01 (1)(n)	<u>(n) Delete section 4.16.1 and replace with the following: "For games of chance, the gaming device shall cease play, display an appropriate message, and require attendant intervention to resolve player payment for the payment of winnings of \$1200 or more from a single game cycle. For a game with skill, the gaming device shall cease play, display an appropriate message, and require attendant intervention to resolve player payment for the payment of winnings of \$1200 or more from a single gaming session. In determining whether winnings equal or exceed the \$1,200 threshold, the amount of winnings shall not be reduced by the amount wagered. It is permissible to provide a mechanism to accrue taxable winnings to a separate meter, however, this meter must not support any direct wagers. See also M.G.L. c.62B, §2, 26 CFR §1.6041-10, and GLI-13, section 2.4.2."</u>	<p><i>As written, this could be interpreted to require that the game cease play immediately upon accruing winnings of \$1200 or more in a session, thus potentially interrupting a player's winning effort.</i></p> <p><i>Given that some skill game sessions may include one or more rounds/events during which winnings are accrued to be paid upon completion of all rounds/events, this requirement should accommodate such functionality.</i></p> <p><i>In addition to the prior renumbering recommendation, we suggest the following change to maintain continuity for games with skill:</i></p> <p><i>"...For a game with skill, the gaming device shall cease play, display an appropriate message, and upon completion of the active game session, require attendant intervention to resolve player payment for the payment of winnings of \$1200 or more from a single gaming session. ..."</i></p>



25 CMR 143.00 Gaming Devices and Electronic Gaming Equipment

Category	Section	Quote From Standards	Scientific Games Feedback
			Further, please clarify "Gaming Session" as used in the language in yellow. Is the State adopting the GII definition of "Gaming Session?" Please provide an example of this requirement.
Player Interaction Devices	143.01 (1)(r)	<u>(r) Add the following in Glossary of Key Terms in the definition of Player Interaction Device after the term "camera systems": "smartphones, keypads, gamepads, audio sensors, motion sensors, image sensors, image displays, infrared emitters and detectors, accelerometers,".</u>	SG recommends conditioning these additions on whether or not they're used to affect the outcome of the game, as is done with electromechanical button panels in the existing standard.
Malfunction	143.01 (1)(s)	<u>(s) Delete section 4.4.1(v) and replace with the following: "Signage indicating that a "malfunction voids all pays" or some equivalent verbiage shall be clearly displayed and permanently affixed to the exterior of the slot machine and not be readily removable. For purposes of 205 CMR, a malfunction shall be an event in which a slot machine:</u>	Please confirm that displaying this message on screen at all times is sufficient to meet the "permanently affixed" requirement. This is the method commonly used and ensures that the "signage" cannot be removed.
Attendant Paid Jackpots	138.56	<u>...of a gaming voucher. Such procedure shall at a minimum address the provisions of 205 CMR 143.01(1)(n) and, if the gaming licensee elects to do so, incorporate provisions outlining the process to be followed for the aggregate reporting of slot machine winnings as allowed by 26 CFR §1.6041-10(g).</u>	Consistent with the prior comment for 143.01 (m) and (n), and assuming renumbering will occur, we recommend changing this requirement to reference 143.01(1)(m).

143.01: Standards for Gaming Devices (1)(e)

(e) Add the following after section 2.3.2: “2.3.3 Game integrity. The gaming licensee shall develop and submit to the IEB and the commission’s gaming lab for approval a preventive maintenance program for the care and upkeep of any such mechanical pieces or any physical moving parts and/or any physical parts of any slot machine, or player interaction devices, **that may affect the outcome of any game** to ensure the integrity of the outcomes. The IEB may require any such part to be replaced.”

PPC Comment: The highlighted terminology is not applicable

“...that may affect the outcome of the game...” The RNG (random number generator) is the only thing that affects the outcome of the game, and we cannot PM (preventative maintenance) that.

For REEL games we can PM the reel baskets and controls that "display" the outcome of the game, but again, these do not "affect the outcome of the game."

For VIDEO reels and VIDEO Poker, there are not items that we can PM that will "affect the outcome of the game" for the same reasons as above.

We can maintain the monitor, button panels, CPU cooling fans, etc., but that is all that the PM program would entail.

143.01: Standards for Gaming Devices (3) & (4)

(3) For purposes of M.G.L. c. 23K and 205 CMR **a slot machine that has multiple gaming positions**, as defined by M.G.L. c. 23K, § 2, shall be considered a single slot machine. Provided, however, a Category 2 licensee shall not have more than 1,500 gaming positions available for play at any one time.

(4) **All slot machines and other electronic gaming devices** shall be capable of providing the commission with a near real-time stream of data, other than personally identifiable information, in the communication format specified by the commission in 205 CMR 143.16(1) **directly from each slot machine of or electronic gaming device.**

PPC Comment: Although the existing text is not in red font (i.e., subject to change), PPC notes that the following clarification should be considered:

(3) only states “Slot Machine” with “Multiple Gaming Positions”, while (4) states “Slot Machine and other Electronic Gaming Devices” (denoting Electronic Table Games specifically) – for clarity, and since there are no “Slot Machines” with multiple gaming positions, (3) should contain the same language as (4) stating: “Slot Machines and other electronic gaming devices with multiple gaming positions”

205 CMR: MASSACHUSETTS GAMING COMMISSION
205 CMR 134.00: LICENSING AND REGISTRATION OF EMPLOYEES, VENDORS,
JUNKET ENTERPRISES AND REPRESENTATIVES, AND LABOR ORGANIZATIONS

134.04: Vendors

(4) Gaming Vendor Qualifier.

(b) Gaming Vendors-primary. The following persons shall be designated as gaming vendor-primary qualifiers:

1. If the gaming vendor-primary is a sole proprietor: The owner.
2. If the gaming vendor-primary is a corporation:
 - a. Each officer;
 - b. Each inside director ~~and those outside directors serving on the audit or compliance committees;~~
 - c. Any person owning more than 5% of the common stock of a company applying for licensure as a gaming vendor-primary as provided by 205 CMR 134.04(1)(a), or a holding, intermediary or subsidiary company of such company;
 - d. ~~Any person who will act as a sales representative or regularly engage in the solicitation of business from a licensed gaming establishment~~ [RESERVED];
 - e. In the judgment of the Division of Licensing after consultation with the Bureau any person with significant and substantial responsibility for the applicant's business under the jurisdiction of the commission.

(c) Gaming Vendors-secondary.

1. If the gaming vendor-secondary applicant is a sole proprietor, the Owner shall be designated as a qualifier.
2. If the gaming vendor-secondary applicant is a corporation, limited liability corporation, limited partnership, or partnership:
 - a. Each Officer, Member, Partner or functional equivalent ~~w~~ expected to exercise operational control over the business under the jurisdiction of the commission shall be designated as a qualifier;
 - b. ~~Any person who will act as a sales representative or regularly engage in the solicitation of business from a licensed gaming establishment shall be designated as a qualifier~~ [RESERVED];
 - c. Any person owning more than 5% of the common stock of a company applying for licensure as a gaming vendor-secondary shall be designated as a qualifier;
 - d. In the judgment of the Division of Licensing after consultation with the Bureau any person with significant and substantial responsibility for the applicant's business under the jurisdiction of the commission shall be designated as a qualifier;
 - e. The Division of Licensing after consultation with the Bureau may designate any person owning more than 5% of the common stock of a holding or intermediary company of an applicant for licensure as a gaming vendor-secondary as a qualifier.

f. The Division of Licensing after consultation with the Bureau may designate any inside director ~~or any outside director or its functional equivalent serving on the audit or compliance committees~~ as a qualifier.

134.18: Duties of Applicants and Licensees

(5) Notification of changes by Non-Gaming Vendors. Each non-gaming vendor registrant shall have a continuing duty to notify the commission, in writing, of the name, residence address, social security number, and date of birth of each relevant person within ten (10) days of the occurrence of the following:

- (a) Any denial, suspension or revocation by a government agency of a license, registration, certification, permit or approval held by or applied for by the vendor or any qualifying individual; **and,**
- (b) Any indictment, charge or criminal conviction of the vendor or any qualifying individual;
- ~~(c) The sales representative(s) or other person(s) who solicit(s) business from a gaming licensee; and~~
- ~~(d) Any person authorized to sign any agreement with the gaming licensee on behalf of the vendor.~~

No Documents



TO: Stephen Crosby, Gayle Cameron, Lloyd Macdonald*, Bruce Stebbins and Enrique Zuniga

CC: Edward R. Bedrosian

FROM: Catherine Blue, John Ziemba, Derek Lennon, Jill Griffin, Joe Delaney and Mary Thurlow ("Review Team")

DATE: June 19, 2017

RE: 2017 Community Mitigation Fund Application Review

This memorandum provides an analysis of the applications for funding under the different components of the 2017 Community Mitigation Fund ("2017 CMF"): Specific Impact Grants, Transportation Planning Grants, Tribal Gaming Technical Assistance Grant, and Reserves. The Commission previously reviewed the Workforce Development Applications on June 14, 2017.

The Community Mitigation Review Team ("Review Team") reviewed the applications to ensure the applications are in compliance with the 2017 Guidelines. The Review Team also received input from the Massachusetts Department of Transportation ("MassDOT"). As part of this review process, copies of the applications were sent to the licensees for their review and comment. Telephone conferences or in-person meetings were held between the applicants and the Review Team. Additional information requests were submitted to the applicants attached to this memorandum as **Exhibit A** and numerous meetings were held by the Review Team to ensure a thorough review process. The Review Team also considered comments that the Commission received after it issued a request for public comments on such applications. Those public comments are attached as **Exhibit B**.

For a brief background, in December 2016, the Commission established the Guidelines for the 2017 Community Mitigation Fund. In order to access funding from the 2017 CMF, communities and any other eligible entities were required to submit an application documenting the community's/governmental entity's anticipated mitigation need. On February 10, 2017, the Commission received the 2017 applications that were filed timely by February 1, 2017. **Exhibit C** is the brief memorandum which accompanied the applications distributed on February 10th to the Commission. This has been updated to include the application made by Springfield regarding an extension of the Valet Service as discussed at the March 16, 2017 meeting.

*Commissioner Macdonald participated as a member of the Review Team



Massachusetts Gaming Commission

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The following chart shows the overall recommendations of the Review Team as compared to the overall anticipated spending targets in the 2017 Guidelines and the funding requests received by the deadline:

	Guidelines Targeted Spending	Applications	Recommendation of Review Team
Specific Impact^{1*}	\$2,000,000.00	\$1,980,585.08	\$355,273.00
Transportation Planning (\$150,000 per application)	\$800,000.00	\$1,200,000.00	\$1,060,000.00
Workforce Development (\$200,000 max per Region)	\$400,000.00	\$592,531.03	\$571,833.03
Tribal Gaming Technical Assistance	\$200,000.00	\$200,000.00	\$200,000.00
Totals:	<u>\$3,400,000.00</u>	<u>\$3,973,116.11</u>	<u>\$2,187,106.03</u>

RESERVES	Reserve Amount	Applications	Recommendation of Review Team
Boston	\$100,000.00	\$100,000.00	\$100,000.00
Plainville	\$100,000.00	\$98,397.92	\$98,397.92
Somerville	<u>\$100,000.00</u>	<u>\$100,000.00</u>	<u>\$100,000.00</u>
Total:	\$300,000.00	\$298,397.92	\$298,397.92
Total Funding Round	<u>\$3,700,000.00</u>	<u>\$4,271,514.03</u>	<u>\$2,485,503.95</u>

RECOMMENDATIONS OF THE REVIEW TEAM

To effectuate a consistent and efficient system to analyze the applications, the Review Team utilized the review criteria specified in the 2017 Guidelines.

1. A demonstration that the impact is being caused by the proposed gaming facility;
2. The significance of the impact to be remedied;
3. The potential for the proposed mitigation measure to address the impact;
4. The feasibility and reasonableness of the proposed mitigation measure;
5. The demonstration that any program to assist non-governmental entities is for a demonstrated public purpose and not for the benefit or maintenance of a private party;
6. The significance of any matching funds for planning efforts or workforce development pilot program activities;
7. Any demonstration of regional benefits from a mitigation award;

¹ *While the Commission established a \$3.4 million target for overall awards in the 2017 Fund, there is no specified target for specific impact applications in the 2017 Guidelines. The \$2,000,000 reflects the balance remaining after the other application categories have been subtracted from the total. The Guidelines specify that no more than \$500,000 Category 2 operational impacts may be funded unless otherwise determined by the Commission. (Please note that these calculations do not include the reserve funding as that has already been awarded.)

8. A demonstration that other funds from host or surrounding community agreements are not available to fund the proposed mitigation measure; and
9. A demonstration that such mitigation measure is not already required to be completed by the licensee pursuant to any regulatory requirements or pursuant to any agreements between such licensee and applicant.

The evaluation criteria is highlighted to indicate the Review Team’s determination of compliance with the Guidelines

Meets Criteria	Review Team not Unanimous/Concerns Identified	Does not meet Criteria

SPECIFIC IMPACT APPLICATIONS GRANTS (Maximum \$400,000)		
Community	Requested Amount	Review Team Proposal
Attleboro	\$400,000.00	0
Everett*	\$400,000.00	\$150,000.00
Lynn	\$400,000.00	0
Norfolk County DA	\$74,031.60	\$25,000.00
Plainville – Fire Truck*	\$148,750.00	\$148,750.00
Springfield – Focus TV	\$400,000.00	Hold
Springfield –Valet Program	\$157,803.00	\$31,523.00
Total:	\$1,980,584.60	\$355,273.00

***Not unanimous**

Attleboro Specific Impact

The City of Attleboro seeks funding to assist in the design and construction of a combined Fire, EMS and Police dispatch center to help offset police and fire service calls that may be attributable to the operation of Plainridge Casino.

Licensee Response: "With regards to the request made by the City of Attleboro, we do not believe we are in the best position to opine on the necessity of a new dispatch center, and we therefore defer to the judgment of others who have more relevant experience in such matters."

Application Update: Since the submittal of its application, Attleboro has revised the estimated cost of the proposed dispatch center to approximately \$503,000 from the initial estimate of \$2.4 million. As explained in its response letter: "...after further investigation and consultations with outside vendors, staff from the Fire and Police Departments now feel that (1) an existing office can easily be converted into a dedicated breakroom, (2) existing bathrooms are in close proximity to the proposed dispatch room; (3) the existing HVAC may only need less expensive upgrades to serve the proposed dispatch room and (4) some of the existing equipment can be transferred and used at the new Joint Dispatch Center."

<p>1. A demonstration that the impact is being caused by the gaming facility / Mitigate operational impacts for Category 2 that either have occurred or are occurring as of the February 1, 2017 application date</p>	
<p>Attleboro's application stated that "we find it plausible that the city's increased calls for service, as well as several crime offense categories, may be due to the neighboring Plainridge Casino in Plainville. It is also our belief that certain calls for service categories, most notably motor vehicle accidents and domestic-related service calls, will continue to grow significantly in the future and that a combined dispatch center is needed for more efficient operation and handling of increased call volume."</p> <p>The application also noted an increase in motor vehicle accidents in 2016 compared to 2015² and 2014. However, the application also noted a <u>decrease</u> in motor vehicle stops in 2016 and 2015 from 2014.</p> <p>In a letter to Attleboro following the conference call between Attleboro and the Review Team, Attleboro was asked about the data that it used to demonstrate that the impact asserted (increase in crime effecting Attleboro) is being caused by the Plainridge Park casino. The letter stated, "[a]s of this date, some of the traffic and other impacts are still being assessed. As noted in Attleboro's application, much of the data included in the Christopher Bruce study indicated that '...overall crime was down across all of the communities impacted by the Plainridge Casino between July 1st 2015 and December 31st 2015 when compared to previous years.'"</p> <p>The letter also stated that "[i]n addition to these statistics, an independent traffic analysis conducted by Vanasse & Associates, Inc. relating to the impact of the Plainridge Park facility noted that '...we have concluded that the measured impact of the Project on traffic volumes, trip patterns, motor vehicle crash trends, traffic operations (levels of service, motorist delays and vehicle queuing) and emergency vehicle response times has been relatively minor, with operating conditions at the</p>	

² Plainridge Park opened June 24, 2015

monitored intersections found to be similar to or improved over the conditions that were documented as a part of the 2015 Baseline Study.”³

Although Attleboro in its response letter did not provide any additional statistics about the number of calls that are directly related to the Plainridge Park Casino, Attleboro quoted Christopher Bruce, who noted that the “presence of the casino also does seem related in increases in the types of call for service that one would expect to increase with extra traffic and people in the area, including traffic collisions, lost property, and citizen complaints of traffic problems.” Attleboro also quoted the Christopher Bruce study in regard to potential other calls for service that are either likely or possibly connected to Plainridge Park (e.g. credit card fraud, identity theft).

The Review Team asked Christopher Bruce to review the Attleboro application. He stated that “[i]n general, I’m not comfortable at this stage trying to translate my analysis of changes into economic impact. Even if Plainridge Park has a causal relationship to some of the incident types mentioned in the memo—including traffic collisions and complaints—it likely isn’t responsible for ALL of the increase. In general, aside from the things that may be attributed to Plainridge Park, total crime has decreased—quite significantly—in Attleboro during the 18 months since Plainridge Park opened.

Overall, I think it’s too soon for this request. It hasn’t been long enough since PPC opened to establish any consistent trends. Only now are we getting enough statewide data to look at comparison communities for the first year of operations, and there won’t be comparison data on traffic collisions until the fall.”

As a result of the above and the lack of any additional statistics from Attleboro regarding calls for service and connections to Plainridge Park Casino, the Review Team was not convinced that the Attleboro application sufficiently demonstrates that the claimed impact is being caused by the gaming facility.

2. The significance of the impact to be remedied

Attleboro did not provide or, as of yet given the status of the data, was unable to provide any estimate regarding the local resources that have been required because of Plainridge Park related calls. In response to being asked to estimate the percentage of Plainridge Park related calls to overall calls, Attleboro did not provide an estimate but referred back to the original application. **For these reasons and reasons specified under #1 above, the Review Team was unable to determine that the claimed impacts are significant enough to justify the requested mitigation.**

3. The potential for the proposed mitigation measure to address the impact

In its application, Attleboro noted that “[t]he City believes that using Community Mitigation Funds towards the creation of a Fire/Police combined dispatch center will help mitigate the impact from the construction of the Plainridge Casino.” It further noted that the combined dispatch center could potentially “reduce the response time from a call being initiated and resources being dispatched by 33 percent.”

The Review Team does not contest that a combined dispatch center could help Attleboro

³ We do note that the study found at http://www.plainridgeparkcasino.com/-/media/Plainridge/pdfs/Final%20Plainridge%20Park%20Casino_Post%20Opening%20Traffic%20Monitoring%20Program%20010417.ashx?la=en did not include Attleboro, but included three communities that are geographically proximate to the Plainridge Park facility. The report also included a summary of crashes with a number of intersections. The VAI report also did note that Plainridge Park’s traffic count exceeded expectations.

use resources to more efficiently respond to Plainridge Park Casino related calls and other non-Plainridge related calls.	
4. The feasibility and reasonableness of the proposed mitigation measure	
<p>Compared to the estimated \$2.4 million cost of the combined dispatch center in Attleboro's original submittal, the new estimate of \$503,000 is likely more readily achievable. Attleboro, in its response to the Review Team, noted that it would fund the difference between any Community Mitigation Fund grant and the cost of the dispatch center. It also noted a relatively quick implementation schedule with the beginning of construction on November 1, 2017 and a January 31, 2018 operational date for the facility.</p> <p>Although Attleboro included new information demonstrating the feasibility of the combined dispatch center, the Review Team remains unconvinced about the reasonableness of the proposed mitigation measure. Specifically, pursuant to M.G.L. c. 23K, § 61, the Commission is required to "expend monies in the fund to assist... surrounding communities in offsetting costs related to the ...operation of" a casino." Both the Commission and the Review Team have stated that although it is hoped and anticipated that grant funds can have positive effects in addition to offsetting costs, the funds are not specifically designed for general municipal expenditures. In this regard, the letter to Attleboro stated that "[g]iven the current state of statistical evidence related to crime levels and Plainridge Park incidents, what are the City's thoughts on why the 2017 Community Mitigation Funds should fund approximately 80% of the cost of a dispatch center (using the new \$500,000 cost)." While Attleboro responded that nothing in M.G.L. c. 23K, § 61 limits the use of mitigation funds to a certain percentage of construction costs, the Review Team is unconvinced about the reasonableness of the proposed mitigation measure, which would likely extensively be used for non-casino related calls.</p>	
5. The demonstration that any program to assist non-governmental entities is for a demonstrated public purpose and not for the benefit or maintenance of a private party	N/A
6. The significance of any matching funds for planning efforts or workforce development pilot program activities	N/A
7. Any demonstration of regional benefits from a mitigation award	
<p>There is some regional benefit from this proposal. As was stated in its application, "[a]ny call that is for Fire or EMS or a joint response by Police, Fire and Rescue will be transferred to the Secondary Public Safety Answering Point..." This is the only reference to a regional use in its application.</p>	
8. A demonstration that other funds from host or surrounding community agreements are not available to fund the proposed mitigation measure / Is it an unanticipated impact not funded under host or surrounding community agreements or impacts that are the responsibility of others?	
<p>Attleboro has an agreement with Springfield Gaming and Redevelopment, LLC to cover "tangible and verifiable incremental costs and expenses of police, fire and other aid rendered by Attleboro public employees resulting directly from the operation of Plainridge." The Review Team believes that this provision of Attleboro's surrounding community agreement may have applicability if Attleboro can demonstrate such tangible and verifiable incremental costs resulting directly from the operation of Plainridge Park. However, such provision would unlikely provide the basis for funding of a dispatch center but instead could help reimburse Attleboro for some costs.</p>	
9. A demonstration that such mitigation measure is not already required to be completed by the licensee pursuant to any regulatory requirements or pursuant to any agreements	N/A

between such licensee and applicant.	
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Review Team Evaluation/Recommendation: Overall, the Review Team determined that because the Plainridge Park Casino is just completing its second year of operations that it was too early to ascertain the impact Attleboro's dispatch center was experiencing directly as a result of the casino. The Review Team does note that Attleboro's \$100,000 Community Mitigation Reserve remains unexpended. As more data becomes available potentially demonstrating the facility's impact on Attleboro, this reserve could be potentially used to defray a portion of a dispatch center, or for other approaches to help Attleboro offset costs related to the facility. As the Commission is aware, the use of the Reserve still must be consistent with M.G.L. c. 23K, § 61 and must be approved by the Commission. However, the Reserve may be utilized at any time throughout the year as it is not constrained by the statutory February 1 application date.

Everett Specific Impact

Everett is requesting funds to “be used to help build, operate and maintain a bike sharing service in Everett that would provide alternative mobility to Everett residents and workers.”

Licensee Response: “Wynn Boston Harbor supports the City of Everett's effort to increase transit access to its residents by establishing a bike sharing network with connectivity to both the Orange and Silver Lines. We will be installing a bike sharing station at our facility and are investing heavily in bike and pedestrian accommodations throughout the region.”

MassDOT: *MassDOT supports the request of mitigation funds in the amount of \$400,000 to be used to help build, operate and maintain a bike sharing service in Everett that would provide alternative mobility to Everett residents and workers. This request is especially timely given MGC’s recent grant to the city of Everett in studying the feasibility of extending the Northern Strand Community Trail onto the Wynn site with additional plans of extending the path over the Mystic River to connect to the regional off-road pathway system.*

Everett is also planning on enhancing access to the casino by providing raised separated bicycle lanes on Route 99. The request for additional funding regarding a bus-only lane on route 99 is also supported. However, MassDOT wants to express its concerns about the safety issues that may arise during Wynn’s construction work as well as the construction on Route 16. If Everett intends to pursue this project before the casino construction is completed, the City should make sure they have an understanding of the implications that construction will have on cyclists and be able to identify safe paths to transit. They will also need a mechanism to convey this information to cyclists. This may require signage to indicate when it may be best to ride on sidewalks. It may also warrant rethinking the Wellington Station location and alternately having a bike share location at Malden Station, where the Northern Strand can provide safe access.

<p>1. A demonstration that the impact is being caused by the gaming facility / Mitigate impacts related to the construction of Category 1 gaming facilities that have occurred or are occurring as of February 1, 2017</p>	
<p>The City of Everett has proposed increasing bike share stations throughout Everett to lessen the construction related traffic impacts along Broadway. Everett has determined that there are limited alternatives for reducing the traffic flow. Everett notes that the congestion and lane closures due to repairs and upgrades to Broadway made to date will become even more pronounced during full reconstruction of lower Broadway over the next two years. Everett approached the MBTA about providing additional bus service to Sullivan Square or Wellington Circle during the construction period. However, the MBTA is unable to provide additional bus service on a temporary basis.</p>	
<p>2. The significance of the impact to be remedied</p>	
<p>Although major reconstruction along the lower Broadway corridor in Everett has yet to commence (due to begin no earlier than September 2017), Everett notes that “[s]ince final planning, engineering, and preliminary construction have begun on the Wynn site, the City has experienced significantly more congestion along Broadway than was initially anticipated.” Citing impacts from the construction of the site access road and utility upgrades, lane closures have been necessary during daytime hours. Everett notes that during these periods, travel times along the corridor often match or exceed those during morning hour.</p>	
<p>Although Everett does not include any statistical evidence of such impacts, the Review</p>	

Team has no reason to doubt Everett’s assertions; as such impacts have been experienced by Commission staff during its visits to the facility. Commission staff notes that the construction activity and associated impacts to date have been constrained in duration and severity in comparison to the potential impacts that may occur during major reconstruction activities.

3. The potential for the proposed mitigation measure to address the impact

Everett states that “[a] bike sharing program would help to mitigate some of the congestion along Broadway by providing alternative transit access from Everett to nearby Orange Line stations at Sullivan Square and Wellington, supplementing the existing MBTA bus service....” Everett further notes that the bike sharing system may attract residents that typically drive to Boston. It also notes that “[i]n 2016, the Hubway system provided 1.27 million trips from its 185 stations, and Everett would propose to add up to 10 new stations.”

Both MassDOT and the Review Team questioned whether the proposed mitigation measure may result in hazards to bicyclists. MassDOT suggested that “[i]f *Everett intends to pursue this project before the casino construction is completed, the City should make sure they have an understanding of the implications that construction will have on cyclists and be able to identify safe paths to transit. They will also need a mechanism to convey this information to cyclists. This may require signage to indicate when it may be best to ride on sidewalks. It may also warrant rethinking the Wellington Station location and alternately having a bike share location at Malden Station, where the Northern Strand can provide safe access.*”

Everett responded that “[a] bike share service would enable cyclists to detour off lower Broadway onto Bow Street away from the construction area.” The applicant believes that this may be a safer solution and may take vehicles away from the roadway construction area. In addition to the bike share stations in Everett, the system would serve a regional benefit by having bike share stations located at MBTA stations. Everett argues that users of the bike share system may be able to avoid construction areas by accessing nearby MBTA stations in Malden, Medford, and Chelsea.

4. The feasibility and reasonableness of the proposed mitigation measure

The City believes that a bike share system can be implemented in the City of Everett as early as late Summer 2017 and has been actively exploring additional funding to support the bike share program. It has been working with MAPC to facilitate the program. **The Review Team has no reason to doubt Everett’s belief that it could put in place a bike sharing system within a relatively short period of time. Everett will continue to need to determine how to pay for operational costs of the bike share program. The Review Team does note that it is unclear if the original scope of the request is still achievable. In the City’s response letter, the City provided a new capital and operating budget that covers only 5 stations, instead of the 10 proposed in the initial application.**

In regard to the reasonableness of the mitigation, the Review Team questions whether potentially adding more bicyclists to this impacted area is the most reasonable response to the congestion concerns. Such concern is shared by MassDOT. The Review Team agrees that the Wynn construction team needs to prioritize the safety of bicyclists during the construction period and that the measures to promote safety would also apply to the new bicyclists that potentially would commute through the impacted area. Everett notes that a bike sharing program may help some commuters bypass the impacted Broadway corridor by allowing them to connect more easily with other transit connections in Chelsea and Medford. Everett also states that because of the inability to add temporary bus service, the bike sharing program is the only currently available option to mitigate additional congestion.

<p>The Review Team also questioned the breadth of the proposed mitigation. The City highlighted several bike sharing stations that may connect to transit stations (Wellington station, Chelsea Silver Line station), thus improving last mile access to other places in Everett including the Wynn Boston Harbor casino once construction is completed. With the 10 bike sharing stations proposed in the initial application, “the bike sharing program would provide coverage to the entire City of Everett with no resident living more than ¼ mile from a bike share station.” This goal is certainly a laudable one to improve connectivity for Everett residents. However, the purpose of the application is to mitigate construction related traffic along Broadway during the construction period. Much of the benefit of a bike sharing system inures to the general benefit of Everett and other citizens that do not plan to commute through construction related areas.</p> <p>The Review Team agrees that an operational Wynn casino would benefit from increased access to this transit alternative. However such purpose is more directly related to those funded under the Commission’s transportation planning grants, which help communities prepare for potential operating period transportation concerns [versus construction impacts covered by Specific Impact Grant]. The Review Team does recognize that as currently constituted such transportation grants cannot be used for capital expenditures and only can be used for planning activities. Everett has already submitted its request for a \$150,000 planning grant as part of the 2017 Fund.</p>	
5. The demonstration that any program to assist non-governmental entities is for a demonstrated public purpose and not for the benefit or maintenance of a private party	N/A
6. The significance of any matching funds for planning efforts or workforce development pilot program activities	N/A
7. Any demonstration of regional benefits from a mitigation award	
<p>Many of the primary locations for all the bike share stations in this application would be in Everett. However, Everett indicated the intent to put a bike sharing station in Chelsea and Medford, and has indicated its plan to work with Malden.</p> <p>Given the potential connectivity to transit stations, the Review Team agrees that the proposed mitigation measure would have a regional benefit. By providing further connections to transit, the bike share program would help expand transportation choices for the entire region.</p>	
8. A demonstration that other funds from host or surrounding community agreements are not available to fund the proposed mitigation measure / Is it an unanticipated impact not funded under host or surrounding community agreements or impacts that are the responsibility of others?	
<p>Everett in its Host Community Agreement is entitled to receive in June 2017: “(c) Twelve Million Five Hundred Thousand Dollars (\$12,500,000) on or before the second anniversary of the initial payment.”</p> <p>Everett notes that “[t]he Host Community Agreement, executed in the summer of 2012, does not fully anticipate the level of traffic congestion”, that the HCA did not anticipate the emphasis on mode share that resulted from the MEPA Certificate and the Section 61 Findings, and that at the time of the HCA’s signing the City was not as focused on implementing the state’s Complete Streets framework.</p> <p>While the Review Team understands and does not disagree that the specific impacts were not fully anticipated during the crafting of the Host Community Agreement for the reasons</p>	

<p>specified by the City, the Review Team notes the availability of the \$12,500,000 for capital projects. It also notes that Everett’s initial funding request is for the capital costs of a bike sharing program. In Everett’s letter response to questions of the Review Team, Everett noted that it could alternatively allocate \$300,000 to capital costs and \$100,000 to annual operating costs. The Review Team is basing its review on the initial application for \$400,000 in capital costs.</p>	
<p>9. A demonstration that such mitigation measure is not already required to be completed by the licensee pursuant to any regulatory requirements or pursuant to any agreements between such licensee and applicant</p>	
<p>Wynn is required pursuant to its MEPA certificate to sponsor at least one bike share station at its facility.</p>	

Review Team Evaluation/Recommendation: The Review Team did not reach a consensus on whether a bike sharing system should be recommended for funding at this time. Important concerns remain about whether the proposed mitigation measure may cause further safety concerns for bicyclists, whether the benefit of the mitigation measure is closely related to the construction of the casino or instead is a general community improvement, whether the original proposal of 10 stations is achievable given operating costs, and whether this expenditure is more appropriately made out of the HCA payments. Further, it is likely that the Community Mitigation Fund may be used, in future years, for more than just transportation planning costs. The bike share program could be the subject of a future transportation funding request, weighed against other projects in the region.

Although the Review Team has such concerns, it recognizes that Everett has few other available options to address the congestion concerns along the Broadway corridor in the near future. The Review Team also acknowledges the potential future connectivity benefits to the Wynn Boston Casino and for regional commuters. If the Commission believes that funding now is advisable, the Review Team does not recommend full funding. Instead, the Review Team believes that a reasonable maximum grant would be \$150,000. This amount is the current maximum for other transportation planning grants. The Review Team does recognize that funding of capital costs are not eligible activities under transportation planning grants. However, this request serves a similar purpose of transportation planning grants to improve transportation options over the long term.

Lynn Specific Impact

The City of Lynn is seeking funding to alleviate traffic by creating a left-hand turn into the ferry entrance for commuters traveling south on Route 1A. The city is also actively seeking to operate the Lynn ferry this summer. The city also would like synchronize the traffic lights on Routes 107 to alleviate congestion and add stops on the Rockport/Newburyport Commuter Rail Line.

Licensee Response: “Wynn Boston Harbor supports the City of Lynn's efforts to create a robust multi-modal transit system through expanded ferry service and added commuter rail stations. Through our own experience, we recognize that responsible growth must include accessibility to public transit.”

MassDOT: MassDOT supports the request of the City of Lynn in the amount of \$400,000 for congestion mitigation; however, we recommend that the following be addressed prior to granting the funds: Although not a surrounding community, Lynn could be the source of both temporary and permanent workforce in the form of construction and casino employees traveling to and from the casino. In the application, the City of Lynn has identified a number of projects that would benefit overall transportation; we recommend that one or two projects be selected for implementation based on the amount requested. These projects should preferably be directly tied to mobility related to traveling to and from the casino. Preliminary cost estimates and a schedule for implementation should also be provided.

<p>1. A demonstration that the impact is being caused by the proposed gaming facility / Mitigate impacts related to the construction of Category 1 gaming facilities that have occurred or are occurring as of February 1, 2017.</p>	
<p>The City of Lynn is seeking funding to alleviate traffic by creating a left-hand turn into the ferry entrance for commuters traveling south on Route 1A. The city is also actively seeking to operate the Lynn ferry this summer. The city also would like synchronize the traffic lights on Routes 107 to alleviate congestion and add stops on the Rockport/Newburyport Commuter Rail Line. If awarded funding, the City of Lynn would consult with the state to determine the best manner to expend these funds to lessen traffic and maximize the economic development in Lynn.</p> <p>Last year, the Commission authorized Lynn to utilize its \$100,000 Community Mitigation Fund Reserve to study such options. The current application would provide additional funding to pursue such options.</p> <p>The Review Team letter to the City of Lynn stated that “[a] Specific Impact application may be used ‘only to mitigate impacts that either have occurred or are occurring as of the application date’ from the construction.” The letter asked Lynn to explain how each of the potential projects in Lynn’s application meets this guideline.</p> <p>In response, Lynn stated that “[s]ince the commencement of construction of the Wynn casino, the Department of Public Works has observed an increase in traffic on the Route 107 and Route 1A.” It noted that “Lynn is a blue collar City which employs a high percentage of laborers and tradesmen as compared to other municipalities in the Commonwealth.” Lynn was unable to obtain information on the number of workers from the Lynn area.</p> <p>In the Review Team letter, the Review Team stated that it would contact the Wynn Boston Harbor team to seek such information. Wynn Boston Harbor responded that 30 of the workers that have worked on the project since construction began in 2016 reside or did reside in Lynn. The Review</p>	

Team does note that some other workers may not reside in Lynn but may commute through Lynn. However, around the February 1 timeframe, the number of construction workers on site daily was approximately 300-700. It is likely that only a small percentage of such comprise these other workers.

Commission staff also indicated that construction worker shifts begin at 7 a.m. Workers generally need to arrive on the site prior to that time. Thus, these workers are commuting before the 7-9 a.m. traffic peak. Further, shifts end at 3:30. Thus, workers can sometimes avoid the most significant congested periods in the afternoon commute.

Given this, the Review Team was not convinced that the increased congestion observed on Route 107 and Route 1A by the Lynn Department of Public Works can satisfactorily be tied to the construction of the Wynn Boston Harbor Casino. While the Review Team was not convinced regarding the significance of the construction related traffic, both last year’s Review Team and the Commission recognize the potential impacts of an operational Wynn Boston Harbor casino on Lynn roads. However, the purpose to this category of grants, Specific Impact Grants, is for impacts that relate to the construction of Category 1 gaming facilities that have occurred or are occurring as of February 1, 2017.

2. The significance of the impact to be remedied / A demonstration that the impact is being caused by the proposed gaming facility

For the reasons stated above, the Review Team was not convinced regarding the significance of the construction related traffic.

3. The potential for the proposed mitigation measure to address the impact

In MassDOT’s comment letter on the Lynn application, MassDOT stated that *“the City of Lynn has identified a number of projects that would benefit overall transportation; we recommend that one or two projects be selected for implementation based on the amount requested.”*

Lynn’s application included a number of potential uses for the funding but stated that it would need to consult with state officials how best to utilize such funding. Thus, although the Review Team understands Lynn’s overall effort “to alleviate the significant traffic issues facing [the] City,” the Review Team is not certain which mitigation option is the most feasible and beneficial option to helping achieve this goal.

4. The feasibility and reasonableness of the proposed mitigation measure

In its letter, the Review Team raised questions regarding the reasonableness of the proposed mitigation measures. For example, the Review Team letter stated that “[g]iven that the Wynn Boston Harbor facility is not yet operational and given that construction workers may be unlikely to use the potential Lynn ferry service to Boston to commute to the Everett construction location, what is the direct or indirect connection between the mitigation request and the gaming facility.” Lynn answered that a ferry would help remove vehicles from congested roads. As noted above, it is unclear to the Review Team how much construction workers are contributing to such congestion. Further, the letter stated that “[g]iven that there are no current plans to serve the Wynn Boston Harbor facility through a commuter rail station, can you please provide further information how the potential expansion of Rockport/Newburyport commuter rail locations in Lynn is related to the construction of the gaming facility.” The City responded that workers could potentially walk from North Station, a fifteen minute distance away and that discussions are underway to upgrade the General Electric Commuter Rail Station. Recent press accounts indicate progress in determining the funding for such an upgrade. However, it is

<p>unclear to the Review Team that such an upgrade could be completed during the Wynn Boston Harbor construction period and what funding needs remain.</p> <p>The City also described plans for significant improvements to Route 107. However, again it is unclear if the financing, permitting, and construction of such improvements are achievable during the Wynn Boston Harbor construction period.</p> <p>Lynn notes that “the Lynn Ferry Service, the Route 107 connector, and construction of a new commuter rail station at the General Electric site exceed several hundreds of thousands of dollars. These initial studies are a pre-requisite to the actual successful completion of any future project. No federal, state, or municipal monies would be expended on such comprehensive projects absent detailed and thorough studies regarding the feasibility of such projects.”</p> <p>Lynn’s answer in this regard speaks more to its potential need for transportation planning funds to allow it to determine how best to address potential future traffic when the Wynn Boston Harbor facility is operational versus construction related traffic.</p>	
5. The demonstration that any program to assist non-governmental entities is for a demonstrated public purpose and not for the benefit or maintenance of a private party	N/A
6. The significance of any matching funds for planning efforts or workforce development pilot program activities	N/A
7. Any demonstration of regional benefits from a mitigation award	
<p>Lynn’s application did not specifically stress the importance of regional benefits from any award. However, since the subjects of its requests are transportation projects that could benefit the region, the Review Team understands the regional benefit of Lynn’s requests.</p>	
8. A demonstration that other funds from host or surrounding community agreements are not available to fund the proposed mitigation measure	
<p>Lynn has a Neighboring Community Agreement that states “it is unlikely that the City will suffer significant and adverse impacts as a result of the construction or operation of the Project.” Wynn agreed to meet with the City of Lynn to consider the mitigation of any such impacts directly attributable to its Project. However, no funding has been allocated in such agreement to pay for transportation.</p> <p>Planning funds are sought for mitigation not currently required under MEPA nor detailed in the agreement with Wynn.</p>	
9. A demonstration that such mitigation measure is not already required to be completed by the licensee pursuant to any regulatory requirements or pursuant to any agreements between such licensee and applicant	
<p>Planning funds are sought for mitigation not currently required under MEPA nor detailed in the Wynn agreement.</p>	

Review Team Recommendation/Evaluation: Lynn references a need for further transportation planning funds beyond the Reserve funds already allocated by the Commission. However, it is the opinion of the Review Team that the Specific Impact grant criteria are not met by Lynn’s applications for the foregoing reasons. The Review Team recommends that the City look to its current Reserve and transportation planning grant funds for transportation planning needs, in addition to any funds available through other agencies for transportation needs.

Norfolk County District Attorney

The Norfolk District Attorney is requesting funds to pay for one-half of the annual salary of an Assistant District Attorney at Wrentham District Court including the comptroller mandated fringe and indirect costs associated with the salary. This Assistant District Attorney would be in charge of all criminal cases arising from the Plainridge Park Casino. The application also requests one-half of the annual salary of one Victim Witness Advocate at the Wrentham District Court and tracking all facility related crimes.

Licensee Response: “We do not have clear insight into the requests made by the Norfolk District Attorney’s office for additional staff, although we are generally supportive of law enforcement and certainly recognize the need for efficient and effective criminal prosecution.”

<p>1. A demonstration that the impact is being caused by the proposed gaming facility / Mitigate impacts related to the construction of Category 1 gaming facilities that have occurred or are occurring as of February 1, 2017</p>	
<p>The application notes that “[p]rosecutors in the Wrentham District Court, which covers the towns of Plainville, Foxborough, Wrentham, Franklin, Walpole, Millis, Medway and Norfolk, have seen a rise in the number of criminal cases stemming from the Plainridge Park Casino.” The Norfolk County D.A.’s office noted that “[t]he negative impact is similar to the impact seen by other similar venues attracting a large number of people.” However, the exact breadth of the impact on cases at this time is not yet ascertained. Indeed, a purpose of the grant is to develop a system to properly track cases.</p> <p>Although the significance of the impact is not yet ascertained, it is clear that the Norfolk County D.A.’s Office has been impacted by the operations of the Plainridge Park Casino, as some additional cases have resulted from the facility.</p> <p>The Review Team notes that the Expanded Gaming Act anticipates that District Attorney’s offices may be impacted by the operations of gaming facilities. M.G.L. c. 23K, sec. 61 states that “[t]he commission shall administer the [community mitigation] fund and, without further appropriation, shall expend monies in the fund to assist ...in offsetting costs related to the construction and operation of a gaming establishment including, but not limited to, ...public safety, including the <u>office of the county district attorney.</u>” (underlining added)</p>	
<p>2. The significance of the impact to be remedied</p>	
<p>It is unclear how significant the impact is to be remedied. Indeed, the purpose of this funding would be to enable the Norfolk County D.A.’s office to more effectively track the cases resulting from the Plainridge Park facility. In response to a question from the Review Team about the number of Plainridge Park related cases handled by the Office, the Office provided a spreadsheet containing a small sampling of cases that involved the Plainridge Park Casino. The spreadsheet contained a description of 14 cases. This sampling compares to the number of cases handled by a Superior Court Assistant District Attorney, who may handle fewer than 40 cases a year according to the Office, a District Court Assistant District Attorney, who may handle hundreds of cases annually, and the Office which prosecutes 20,000 cases annually in the District Court. In response to a request for further information, Christopher Bruce, an independent consultant providing crime analytical services to the Commission, noted that “Plainridge Park ITSELF generates some activity that would affect the DA’s office. The GEU reported 45 arrests during its first year of operations, and all of</p>	

<p>these would have fallen on the Norfolk DA's office." Mr. Bruce noted that overall he doesn't have data on prosecutions and that "[d]ata on arrests is an imperfect indicator of the number of cases that actually go to prosecution."</p>	
<p>3. The potential for the proposed mitigation measure to address the impact</p>	
<p>The Norfolk County D.A.'s Office stated that "[t]he Norfolk District Attorney's Office is seeking the funding in order to identify and track these differences. The Norfolk District Attorney's Office codes cases according to type of crime and certain other factors, but does not routinely track the relationship to third party entities. The gist of the grant is to implement such a system to identify this information, and where appropriate use the data to design targeted intervention and education strategies aimed at crime prevention." In order to accomplish this, the Office is requesting funding for the salary of ½ an Assistant District Attorney and ½ of a Victim Witness Advocate. The Office further notes that the purpose of the grant would be "to build into the 40-hour week of these two staff members whose responsibility would be to read each criminal police report that comes into the Wrentham District Court and determine whether it is related in any way to the Plainridge Park Casino."</p> <p>Given that both the Norfolk County D.A.'s Office and the Commission have not yet been able to determine with specificity the number of Plainridge Park related cases that are prosecuted by the District Attorney's Office, the Review Team has insufficient data to determine if the requested resources correspond to the impact.</p>	
<p>4. The feasibility and reasonableness of the proposed mitigation measure</p>	
<p>Instead of allocating funding to cover ½ of the costs of these two Office personnel, the Review Team recommends that Commission staff should work with the Office to determine how best to understand the impact prior to any agreement to pay for such a percentage of District Attorney's Office personnel. Funding could be available to defray the District Attorney's Office's costs in helping to develop a tracking system for Plainridge Park Casino caseloads. While the details of such a system are unknown and the District Attorney's estimated costs are unknown, it is not likely to exceed \$25,000 based on staff experience.</p>	
<p>5. The demonstration that any program to assist non-governmental entities is for a demonstrated public purpose and not for the benefit or maintenance of a private party</p>	<p>N/A</p>
<p>6. The significance of any matching funds for planning efforts or workforce development pilot program activities</p>	<p>N/A</p>
<p>7. Any demonstration of regional benefits from a mitigation award</p>	
<p>The District Attorney's office represents Foxborough, Franklin, Medway, Millis, Norfolk, Plainville, Walpole, and Wrentham.</p>	
<p>8. A demonstration that other funds from host or surrounding community agreements are not available to fund the proposed mitigation measure</p>	
<p>Plainville receives annually a community impact fee. However, no provision is made for the Norfolk County District Attorney's office.</p>	
<p>9. A demonstration that such mitigation measure is not already required to be completed by the licensee pursuant to any regulatory requirements or pursuant to any agreements between such licensee and applicant</p>	
<p>The mitigation measure is not so required.</p>	

Review Team Evaluation/Recommendations: The Review Team recommends funding a study to provide the necessary data to determine the Norfolk County DA's office need for assistance. This study could be conducted by a contract employee or consultant. We recommend that the Commission tentatively allocate no more than \$25,000 for this purpose but hold on a final amount until after Commission staff determines how best to proceed with the District Attorney's Office.

Plainville Specific Impact

Plainville requests funds to cover fire equipment needed as an unanticipated consequence of having a multi-storied parking garage. “There are no relevant sections of the HCA to address this issue due the fact that this is the first gaming facility in the state, as well as the lack of specifications on the parking garage during negotiations, there was an inability to predict and mitigate this in the HCA.” Plainville has determined that it does not have an adequate fire prevention vehicle that could address a fire occurring in the upper levels of the garage.

Licensee Response: “In particular, we are wholly supportive of the requests for funds by the Town of Plainville to acquire additional fire and safety equipment, as the safety and security of our guests is of utmost importance.”

<p>1. A demonstration that the impact is being caused by the proposed gaming facility Mitigate impacts related to the construction of Category 1 gaming facilities that have occurred or are occurring as of February 1, 2017.</p>	<p>N/A</p>
<p>Plainville requests funds to cover fire equipment to address vehicle fires in Plainridge Park’s multi-storied parking garage. Plainville has determined that it does not have an adequate fire prevention vehicle that could address a fire occurring in the upper levels of the garage because it does not have fire apparatus that would fit in the garage.</p> <p>Plainridge Park has the only multi-floor parking garage in the town of Plainville. The town is concerned about the amount of time and resources it would take to appropriately respond to a vehicle fire in an upper floor of the parking garage. Plainville has a much smaller fire staff compared to other communities that have multi-story garages. Plainville notes that “[t]he use of small sized fire truck would greatly reduce the number of fire personnel and additional fire apparatus that would be required to fight a fire.”</p> <p>The Review Team agrees that the potential of vehicle fires at the facility is an operational impact of the Plainridge Park facility.</p>	
<p>2. Mitigate operational impacts for Category 2/ The significance of the impact to be remedied / The potential for the proposed mitigation measure to address the impact /</p>	
<p>In response to an information request from the Review Team, Plainville stated that there is a lack of significant statistical information about the prevalence of car fires in garages. However, it notes that there is a significant danger from such fires and that the danger of property loss can be substantial.</p> <p>In its application, Plainville described the large amounts of staff resources that would be required to fight such a car fire and that the town would need to rely on mutual aid from surrounding communities to handle any car fire in the garage.</p> <p>The Review Team was not unanimous on the significance of the impact. The Review Team does understand the resource constraints that exist and the impact a fire could have on the Town. However, it is impossible to predict how often such a vehicle would be needed to fight such a vehicle fire. Plainville explains that a vehicle fire can sometimes spread very quickly to adjoining vehicles and could impact the facility itself.</p> <p>The Review Team questioned whether such a fire truck would be unique. Plainville responded that larger communities have greater resources to devote to such fires and that this is an innovative method to safely address such fires.</p>	
<p>3. The potential for the proposed mitigation measure to address the impact</p>	

<p>The Review Team notes that both the proposed garage in Springfield and Everett will have fire suppression systems on all floors. Plainridge Park complies with local codes but only has fire suppression systems on the first floor of the garage.</p> <p>The proposed vehicle could also respond to medical emergencies not just car fires in the casino parking garage.</p> <p>The Review Team agrees that proposed mitigation would enable Plainville to more efficiently fight vehicle fires at the facility.</p>	
4. The feasibility and reasonableness of the proposed mitigation measure	
<p>The town of Plainville has identified a company that could construct such smaller sized vehicle. As noted, the Review Team was not unanimous regarding the significance of the mitigation measure, given the unpredictability of how much the vehicle would be used. This lack of predictability impacts a determination of the reasonableness of the proposed mitigation measure. As this vehicle will be rare if not unique, it is difficult for the Review Team to determine the reasonableness of the cost of such equipment. However, if awarded, Plainville would be responsible for following all applicable procurement requirements.</p>	
5. The demonstration that any program to assist non-governmental entities is for a demonstrated public purpose and not for the benefit or maintenance of a private party	N/A
6. The significance of any matching funds for planning efforts or workforce development pilot program activities	N/A
7. Any demonstration of regional benefits from a mitigation award	
<p>The town signified that the smaller sized vehicle would allow the town to fight a vehicle fire in the garage without relying upon mutual aid.</p>	
8. A demonstration that other funds from host or surrounding community agreements are not available to fund the proposed mitigation measure.	
<p>In its application Plainville states, “[t]here is no specific language in the HCA that speaks to the requested items. Due to the unknown of how the facility would operate being the first in the state, no one could have predicted all of the impacts ahead of time to address them in the HCA.”</p>	
9. A demonstration that such mitigation measure is not already required to be completed by the licensee pursuant to any regulatory requirements or pursuant to any agreements between such licensee and applicant	
<p>The town of Plainville stated that “[p]arking garages by code do not require automatic suppression systems unless they are underground or fully enclosed. Plainridge has one enclosed level. This level has a full sprinkler system.”</p>	

Review Team Evaluation/Recommendation: The Review Team was not unanimous regarding a recommendation for funding of a smaller sized fire truck. Although concerns were raised in the Review Team discussions about the infrequency of use of the truck, members also stated the importance of maintaining a safe gaming facility, the impact on Plainville and other towns in the event of a fire or other emergency situation, and the potential for significant damage to the facility in the event of a fire that spreads. The Review Team was in agreement that the smaller sized truck was not being requested to serve other town purposes. However, the

Review Team recognizes that the truck, if funded, could help with some other needs in the town such as providing an additional vehicle to help search for lost or injured people in the large wooded areas in the town.

Springfield Specific Impact - Focus Springfield Community Television: Hold

Springfield is requesting mitigation funds to cover the costs of relocating Focus Springfield, which operates a public access television studio and training facility. The aforesaid will result in a budget shortfall of \$400,000.00.

Licensee’s Response: “MGM Springfield does not intend to require that Focus Springfield vacate the ground floor of 101 State Street prior to the Project Opening. We are currently in discussions with Focus Springfield regarding a new agreement for continued occupancy agreement and do not anticipate the need for Focus Springfield to vacate during FY18.”

Review Team Evaluation/Recommendation: On Friday, June 16th, the Review Team was informed by MGM Springfield that “MGM Springfield does not intend to require that Focus Springfield vacate the ground floor of 101 State Street prior to the Project Opening. We are currently in discussions with Focus Springfield regarding a new agreement for continued occupancy agreement and do not anticipate the need for Focus Springfield to vacate during FY18.”

Due to the importance of this notification, the Review Team needs to do more diligence on the review of this application. The Review Team recommends placing a hold on this application until a further determination is available.

1. Mitigate impacts related to the construction of Category 1 gaming facilities that have occurred or are occurring as of February 1, 2017.	
2. Mitigate operational impacts for Category 2.	N/A
3. Is it an unanticipated impact not funded under host or surrounding community agreements or impacts that are the responsibility of others?	
1. A demonstration that the impact is being caused by the proposed gaming facility	
2. The significance of the impact to be remedied	
3. The potential for the proposed mitigation measure to address the impact	
4. The feasibility and reasonableness of the proposed mitigation measure	
5. The demonstration that any program to assist non-governmental entities is for a demonstrated public purpose and not for the benefit or maintenance of a private party	N/A
6. The significance of any matching funds for planning efforts or workforce development pilot program activities	

7. Any demonstration of regional benefits from a mitigation award	
8. A demonstration that other funds from host or surrounding community agreements are not available to fund the proposed mitigation measure	
9. A demonstration that such mitigation measure is not already required to be completed by the licensee pursuant to any regulatory requirements or pursuant to any agreements between such licensee and applicant	

Springfield Specific Impact – Valet Parking

The City of Springfield on behalf of Caring Health Center and other businesses seeks full funding for the continuation of the valet parking pilot program.

Licensee Response: “It is anticipated that Caring Health parking arrangements will be extended through the end of the year. If construction activities make the current parking situation unavailable, alternative location will be explored to allow for parking arrangements to continue until the opening of the Project.”

<p>1. A demonstration that the impact is being caused by the proposed gaming facility / Mitigate impacts related to the construction of Category 1 gaming facilities that have occurred or are occurring as of February 1, 2017.</p>	
<p>On August 1, 2016, the Commission awarded the city of Springfield \$200,000 in mitigation funds to alleviate parking issues related to MGM Springfield’s construction. The Springfield Parking Authority has been managing the operation of a valet parking service providing businesses located on Main Street in Springfield between Union Street and State Street with parking services to patrons of businesses. Springfield’s initial application for such extension was submitted to allow the program to be extended by 15 months. In its response to a question from the Review Team, Springfield clarified that it requests funding to allow for the continuation of the valet program through the opening of the MGM Springfield facility or the opening of the MGM Springfield garage to the public. With the expected September 2018 opening of MGM Springfield, fifteen months of funding will not be needed to pay for the valet program from the time of the expiration of current funding through this revised date.</p> <p>The need for this mitigation was previously demonstrated. See 2016 Community Mitigation Fund Specific Impact Grant. This impact is currently being remediated.</p>	
<p>2. The significance of the impact to be remedied</p>	
<p>This impact is currently being remediated by a 2016 Specific Impact Grant.</p>	
<p>3. The potential for the proposed mitigation measure to address the impact</p>	
<p>This impact is currently being remediated.</p>	
<p>4. The feasibility and reasonableness of the proposed mitigation measure</p>	
<p>The Review Team focused on the need for additional funding to carry this program through the opening of the MGM Springfield facility or the opening of its garage to the public. The Review Team asked Springfield to provide an updated current budget for the current valet program, a projection when the current funding would expire, and an estimate of the need for further funding. Springfield responded that “[T]he Program costs over the first 90 day period came in at approximately \$46,000.00, which was under the projected roughly \$49,000 budget submitted to the MGC. The budgeted costs for the Program going forward would be about \$43,000.00 per 90 day period, which would exhaust the initial \$200,000.00 grant funds by approximately the middle of March of 2018 “</p>	

<p>The Review Team continued its analysis of likely needed funding based on a review of current invoices.</p> <p>Through 4/30/17, \$43,513.50 was expended. That leaves \$156,586.50 of the original \$200,000. Based on invoices to date, the valet program is averaging \$1,936 per week and SPA is averaging \$500 per week for a total of \$2,436 per week. This works out to \$10,556 per month. $\\$156,586.50/\\$10,556 = 14.83$ months [15 months].</p> <p>15 months of funding under the current grant would then expire by the end of July 2018. Based on this estimate of costs, approximately \$25,000 would be needed for two additional months. (August and September 2018). Springfield additionally asked for one more allocation of funds for printing and mailing worth \$6,523.</p> <p>The Review Team believes such additional outreach to be reasonable and warranted. As such, the Review Team believes that Springfield’s need for the continuation of the program through September 2018 is: <u>$\\$25,000 + \\$6,523 = \\$31,523$</u>.</p>	
5. The demonstration that any program to assist non-governmental entities is for a demonstrated public purpose and not for the benefit or maintenance of a private party	
6. The significance of any matching funds for planning efforts or workforce development pilot program activities	N/A
7. Any demonstration of regional benefits from a mitigation award	N/A
8. A demonstration that other funds from host or surrounding community agreements are not available to fund the proposed mitigation measure	
This is currently funded by a 2016 Specific Impact Grant.	
9. A demonstration that such mitigation measure is not already required to be completed by the licensee pursuant to any regulatory requirements or pursuant to any agreements between such licensee and applicant	
See 2016 Community Mitigation Fund deliberations and memoranda.	

Review Team Recommendation/Evaluation: The Review team recommends that the Commission authorize an additional \$31,523 for the continuation of the Valet Program. Staff will work with the City of Springfield to determine the exact date of the termination of the program.

2017 TRANSPORTATION PLANNING GRANTS (\$150,000)

To effectuate a consistent and efficient system to analyze the applications, the Review Team utilized the review criteria specified in the 2017 Guidelines.

1. The planning projects must be clearly related to addressing transportation issues or impacts directly related to the gaming facility.
2. Required to submit a detailed scope, budget, and timetable for the planning effort prior to funding being awarded
3. Eligible planning projects must have a defined area of issue that will be investigate as well as a clear plan for implementation of results.
4. No application for more than two years for any municipal employee. The CMF will not pay the full cost of any municipal employee
5. Detail on what it will contribute to the planning projects such as in-kind services
6. Consultation with the RPA
7. Transportation Planning Grant funds may be sought to expand a planning project begun with reserve funds or to fund an additional project once the reserves have been exhausted
8. Demonstrates the potential for such transportation project that is the subject of a CMF application to compete for state or federal transportation funds

TRANSPORTATION PLANNING APPLICATIONS		
Community	Requested Amount	Review Team Proposal
Boston	\$150,000	\$150,000
Everett	\$150,000	\$150,000
Lynn	\$150,000	\$100,000
Malden*	\$150,000	\$150,000
Medford	\$150,000	\$60,000
Revere/Saugus	\$150,000	\$150,000
Somerville	\$150,000	\$150,000
West Springfield	\$150,000	\$150,000
Total:	<u>\$1,200,000</u>	<u>\$1,060,000</u>

*Not unanimous

Boston Transportation

The City of Boston is requesting funds to cover costs associated with the engineering and design services for the reconstruction of Sullivan Square/Rutherford Avenue in Charlestown.

Licensee Response: “Wynn Boston Harbor supports the City of Boston's renewed effort to redesign Sullivan Square to ensure it accommodates casino traffic.”

MassDOT: MassDOT supports the City of Boston’s request for \$150,000 to cover costs associated with the engineering and design services for the reconstruction of Sullivan Square/Rutherford Avenue in Charlestown. Alternative designs proposed should maintain and if possible improve bicycle and pedestrian infrastructure throughout the area.

Transportation Criteria	
<p>1. Clearly related to addressing transportation issues or impacts directly related to the gaming facility / The significance of the impact to be remedied /A demonstration that the impact is being caused by the proposed gaming facility / The potential for the proposed mitigation measure to address the impact</p>	
<p>The City of Boston stated that “[a]s provided by the MEPA documentation related to the casino/hotel development, some 70% of the traffic generated by the casino/hotel is expected to go through Sullivan Square. As such, the City is revisiting the prior design for Sullivan Square / Rutherford with the intention of having the final design reasonably accommodates the casino / hotel traffic....So at this juncture, now that the casino/hotel's presence must be considered a given, the City has directed its design consultant to re-examine the options for the design of the roadway project in order to complete a design that will support the requirements of the casino/hotel, amongst other traffic generators, for the long term.”</p> <p>The Review Team strongly agrees that Boston’s review of the design for the Sullivan Square / Rutherford Avenue improvements is clearly related to transportation issues or impacts directly related to the gaming facility. Both the Wynn Boston Harbor improvements to Sullivan Square required under the applicable MEPA Section 61 Findings and a review of Boston’s longer term designs for the area have been significant considerations in the Commission’s ongoing review of the Wynn Boston Harbor project and the license conditions. These conditions include, but are not limited to, a requirement for Wynn Boston Harbor to contribute \$25 million to this project provided it meets the specified conditions.</p>	
<p>2. Submitted a detailed scope, budget, and timetable for the planning effort; Defined area of issue that will be investigated as well as a clear plan for implementation of results/ The feasibility and reasonableness of the proposed mitigation measure</p>	
<p><u>Scope:</u> The Boston Transportation Department has a contract with Tetra Tech, Inc. under which it will provide 25% engineering design services relative to the reconstruction of Sullivan Square/Rutherford Avenue in Charlestown.</p> <p><u>Budget:</u> This contract is for \$3,949,254 with 80% funded by Federal Highway. The City will be required to cover 20%, or \$789,851 of the cost. Under this application, the City requests the granting of \$150,000. This would be in addition to the use of Boston’s \$100,000 Community Mitigation Fund reserve. The total request of \$250,000 would be used to fund a portion of the City's costs under the Tetra Tech, Inc. contract.</p> <p><u>Timetable:</u> As noted by Boston, “[t]he City has determined that the plan will include underpasses at</p>	

Sullivan Square and at Austin Street. With that decision made and announced to the public, our consultant will be going full speed ahead with the design. We anticipate submitting 25% plans by June of 2018 and will complete the design by 2020. The project will be advertised in FFY 2020 and construction will be funded over a five year period of 2020- 2024.”	
3. No more than two years for any municipal employee.	N/A
4. In-kind services / The significance of any matching funds for planning efforts or workforce development pilot program activities	
According to Boston’s application, “[t]his contract is for \$3,949,254 with 80% funded by Federal Highway. The City will be required to cover 20% or \$789,851 of the cost.”	
5. Consultation with the RPA / Any demonstration of regional benefits from a mitigation award	
Boston, MAPC, and the Commission (with others) are participants in the Lower Mystic Regional Working Group, whose work includes extensive analysis of the Sullivan Square redesign.	
6. Expand a planning project begun with reserve funds or to fund an additional project	
Boston anticipates using its reserve fund to assist in this project.	
7. Demonstrates the potential for such transportation project that is the subject of a CMF application to compete for state or federal transportation funds	
In Boston’s Response letter, Boston stated that “[t]he Boston MPO passed a final vote on the new FFY 2018-2022 TIP which approved \$152 Million (2020 dollars) for the construction of the project over a five year period starting in FFY 2020. The new TIP also includes \$8.6 Million for design costs beyond the 25% design.”	N/A
General Criteria	
1. A demonstration that other funds from host or surrounding community agreements are not available to fund the proposed mitigation measure	
<p>Pursuant to Boston’s Surrounding Community Agreement funding has been made available for Sullivan Square Redesign after Wynn Boston Harbor is operational, “Wynn shall be responsible for a payment equal to Twenty Five Million Dollars (\$25,000,000), provided that the Sullivan Square Infrastructure Project (as defined below) is designed, constructed, and permitted to accommodate the traffic impacts of the Project. Wynn shall make the payment to the SSIP Fund (as defined below) in equal annual installments of Two Million Five Hundred Thousand Dollars (\$2,500,000) beginning on the first anniversary of the Opening Date for a term of ten (10) years,…”</p> <p>The Lower Mystic Regional Working Group is evaluating this plan. Wynn’s SSFEIR MEPA Certificate required the creation of a working group to “assess and develop long-term transportation improvement that can support sustainable redevelopment and economic growth in and around Sullivan Square.”</p> <p>Wynn’s mitigation efforts in Sullivan Square and the \$25M obligation are specified in the Commission’s Section 61 findings for this project. These requirements did not require Wynn to provide funding for redesign of Sullivan Square/Rutherford Avenue prior to the opening of the Wynn Boston Harbor project, but did include funding for immediate improvements to Sullivan Square.</p>	
2. A demonstration that such mitigation measure is not already required to be completed by the licensee pursuant to any regulatory requirements or pursuant to any agreements between such licensee and applicant.	

See General Criteria Answer # 1.

Review Team Evaluation/Recommendation: The Review Team recommends that the Commission provide \$250,000 in funding (\$150,000 in transportation planning grant funding and \$100,000 in the use of Boston's reserves for this planning activity.)

Everett Transportation

The City of Everett is requesting funding for the preliminary design and engineering of a bus-only lane on the west side of Broadway/Route 99 from the Everett city line to Route 16/Sweetser Circle.

Licensee Response: “Wynn Boston Harbor supports the City of Everett's effort to increase bus reliability throughout the city. Completing transit plans throughout the city will allow future developments to grow responsibly and in concert with regional plans.”

MassDOT: *MassDOT supports the request of the City of Everett for the amount of \$150,000 towards the design of an exclusive bus lane on Broadway. This work would be consistent with the goals of MassDOT and the MBTA to improve bus service in the area, and specifically with the recommendations of the 2016 Everett Transit Action Plan. Everett should consider using any funding remaining after design to determine if the optimal condition of a bus lane in both directions is possible. Alternatively, the City should explore in more detail the feasibility and benefits of an alternating peak direction bus lane.*

Transportation Criteria	
1. Clearly related to addressing transportation issues or impacts directly related to the gaming facility / The significance of the impact to be remedied / A demonstration that the impact is being caused by the proposed gaming facility / The potential for the proposed mitigation measure to address the impact	
<p>The Wynn project will result in increased traffic on Broadway. While Wynn is performing significant mitigation for this increase in traffic, buses using general use lanes create bottlenecks for automobile traffic as well as causing significant delays to bus traffic. During the environmental permitting of the casino, dedicated bus lanes were not a consideration. However, the recently issued Everett Transit Action Plan identified dedicated bus lanes as a way to improve both bus service and traffic flow on lower Broadway.</p> <p>The Review Team agreed that performing preliminary design of a bus only lane is clearly related to the impacts of the gaming facility and if implemented will result in improved bus and automobile flow through the area.</p>	
2. Submitted a detailed scope, budget, and timetable for the planning effort; Defined area of issue that will be investigated as well as a clear plan for implementation of results/ The feasibility and reasonableness of the proposed mitigation measure	
<p>The application included a well thought out scope of work, which will result in a preliminary design of a bus only lane on lower Broadway. The resultant product will include a cost estimate and as well as a schedule to complete the improvements. The application did not include a time table to complete the preliminary design.</p>	
3. No more than two years for any municipal employee.	N/A
4. In-kind services / The significance of any matching funds for planning efforts or workforce development pilot program activities	
<p>The application did not outline any matching funds or in-kind services. While not included in the application, there will certainly be City of Everett staff time dedicated to this project including the transportation planner as well as financial staff to manage the grant.</p>	

5. Consultation with the RPA / Any demonstration of regional benefits from a mitigation award	
<p>The Everett application stated that “buses traveling along Broadway reach as far north as Linden Square in Malden, Woodlawn in Chelsea, and Malden Center, making the corridor a regionally important one.”</p> <p>The Review Team agrees that the provision of a bus only lane would have a regional effect by allowing the more rapid movement of transit passengers through this corridor.</p>	
6. Expand a planning project begun with reserve funds or to fund an additional project	
<p>This is a new project.</p>	
7. Demonstrates the potential for such transportation project that is the subject of a CMF application to compete for state or federal transportation funds	
<p>The application does not specifically address funding sources for the construction of the project. Given that Broadway is State Route 99, the final project would likely be eligible for federal and/or state funding through the Transportation Improvement Program.</p>	
General Criteria	
3. The demonstration that any program to assist non-governmental entities is for a demonstrated public purpose and not for the benefit or maintenance of a private party	N/A
4. A demonstration that other funds from host or surrounding community agreements are not available to fund the proposed mitigation measure	
<p>The City of Everett’s response to MGC’s question regarding the use of HCA funds stated “Host Community Agreement funding was not anticipated for this use at the time of the HCA execution. The recommendation for a dedicated bus lane on Broadway was first made as part of the Everett Transit Action Plan in 2016, 3 years after the HCA was executed. Additionally, until the resort-casino becomes operational in 2019, the city will receive from Wynn a total of \$30 million designated under the HCA for capital improvements, not including transportation planning.”</p> <p>The Review Team agreed that the HCA payments were for capital projects and not specifically for transportation planning, and that the Transportation Planning Grant funds are an appropriate use for this project.</p>	
5. A demonstration that such mitigation measure is not already required to be completed by the licensee pursuant to any regulatory requirements or pursuant to any agreements between such licensee and applicant.	
<p>A review of the SSFEIR decision, Section 61 findings and Host Community Agreement did not identify this project as part of the required mitigation.</p>	

Review Team Evaluation/Recommendation: The Review Team was unanimous in its support for this application. This is exactly the type of project envisioned for the use of Transportation Planning Funds. There is a clear nexus to the gaming facility and if implemented, the bus lane will help mitigate both traffic congestion as well as the movement of buses through the corridor. Given the importance of mode share for the Wynn project, any effort to improve bus service to the Wynn facility should encourage more use of that service by employees and patrons.

Lynn Transportation

The City of Lynn is requesting funds to be used to fund a cost sharing agreement with the US Army Corp of engineers for Lynn’s dredging navigation improvement project. “The dredging would afford the Ferry Service and other vessels faster and direct deep water access from our Blossom Street terminal to Boston.” Lynn would also use the funds to conduct a study to determine the feasibility and cost of a direct left-hand turn into Blossom Street Ferry Terminal.

Licensee Response: “Wynn Boston Harbor supports the City of Lynn's effort to expand and promote ferry service through the construction of a dedicated left-hand turn lane and establish and fund a cost sharing agreement with the US Army Corps of Engineers. Water transit is a key ingredient to our own development and we hope our service can tie in seamlessly with other regional routes including this one from Lynn.”

MassDOT: MassDOT has reviewed the request of the City of Lynn in the amount of \$150,000 for a cost sharing agreement with the US Army Corps of Engineers for the dredging project to improve ferry navigation. Alternate use of the funding would entail the design and construction of a left turn to facilitate access to the Blossom Ferry Terminal. While both of these projects have merit, we could not specifically tie their benefits to casino related impacts. We recommend that other projects identified in the Specific Mitigation application be given consideration as they would likely be a better fit for this grant.

Transportation Criteria	
<p>1. Clearly related to addressing transportation issues or impacts directly related to the gaming facility / The significance of the impact to be remedied /A demonstration that the impact is being caused by the proposed gaming facility / The potential for the proposed mitigation measure to address the impact</p>	
<p>Lynn indicated in its application that , “[w]e are seeking \$150,000 in funding to be used to fund a cost sharing agreement with the US Army Corp of engineers for our dredging navigation improvement project.” While the transportation planning application specifically asks for assistance with the ferry. Lynn asserts that assistance with the planned ferry would help alleviate traffic concerns along Route 1A and Route 107, which may be impacted by the Wynn Boston Harbor facility.</p> <p>In Lynn’s initial application, Lynn stated that the transportation funding “also may be utilized to study the feasibility and cost of a direct left hand turn into our Blossom Street terminal to Boston.” However, in its letter responding to the Review Team, Lynn stated that “[a]t present, the dredging would likely achieve a commitment from a Ferry provider. Once such a commitment is obtained, the next endeavor would be to create such a left turn lane. However, the benefit of a left turn lane absent a commitment from a ferry provider does not appear to be an optimal use of limited available financial resources.” As such, the left turn lane alternative funding request is not analyzed here.</p> <p>In supporting its request for transportation funding, Lynn noted that “Professor Bluestone of Northeastern University has opined that all efforts should be made by governmental actors to not add a single vehicle to Lynn's roadways. The operation of the ferry service reduces traffic congestion on Route 1 A and Routes 107 by providing an alternative to rush hour traffic into Boston and points south.”...</p> <p>“Route 107 is one of two thoroughfares that lead in a southerly direction to the Wynn site. Even on</p>	

a slow day, Route 107 is congested with traffic to and from the General Electric. In recent months, the Lynn GE plant has made a commitment to Route 107 is one of two thoroughfares that lead in a southerly direction to the Wynn site.

Lynn also states, “[t]he lack of a ferry system last summer has added thousands of vehicles to Lynn’s roadways. The City anticipates that the increase in vehicular traffic will only become greater should Wynn employ construction workers and tradesmen from Lynn and the North Shore.”

The Review Team had questions regarding how closely additional ferry service is related to the gaming facility. MassDOT echoed such concerns when it stated that, “MassDOT has reviewed the request of the City of Lynn in the amount of \$150,000 for a cost sharing agreement with the US Army Corps of Engineers for the dredging project to improve ferry navigation. Alternate use of the funding would entail the design and construction of a left turn to facilitate access to the Blossom Ferry Terminal. While both of these projects have merit, we could not specifically tie their benefits to casino related impacts. We recommend that other projects identified in the Specific Mitigation application be given consideration as they would likely be a better fit for this grant.”

Lynn’s response to these questions did not address a direct relationship between the ferry service and the Wynn Boston Harbor location, but instead focused on the importance of lessening the impact of Wynn’s traffic though all available means, including the ferry service. The Review Team concluded that it is not clear that the proposed ferry service has a sufficient direct relationship for the purpose of meeting this criteria.

2. Submitted a detailed scope, budget, and timetable for the planning effort; Defined area of issue that will be investigated as well as a clear plan for implementation of results/ The feasibility and reasonableness of the proposed mitigation measure

Scope: Lynn has a contract with the Department of the Army to proceed. Lynn has “been working with the United States Army Corp of Engineers (USACE) on a plan that would extend the channel to the Saugus River at the Point of Pines. This action would create a continuous loop into and out of the Harbor and facilitate recreational and commuter water related activity in the Revere/ Saugus/ Lynn area. To date, the federal government has funded over \$100,000 for an initial appraisal of this plan, which was completed in May of 2013. The initial appraisal was the first of four steps, which also includes a feasibility study, design / construction and perpetual maintenance. We are seeking to use the \$100,000 from 2016 and the potential \$100,000 from this round of mitigation funds for the required local match of the feasibility study.”

Lynn has since notified the Commission that MassDOT has provided \$200,000 to operate the ferry this summer. “However, due to shallow waters in the Lynn harbor, the City is cognizant of the fact that dredging will be required in order to operate a Ferry service on a year round basis.”

Budget: “Lynn stated that, [c]urrent estimates for a detailed study are around \$250,000.00. The City is holding last year’s Mitigation funds in reserve pending its applications for Grant funding this year. The City has identified its own funds which could be used to supplement grant funding to complete the dredging studies. Recognizing the importance of this service, Congressman Seth Moulton has earmarked approximately four million dollars for the purchase of a Ferry to be used exclusively in Lynn. However absent the dredging of Lynn Harbor, there exists a real risk that this Ferry could be relocated to a different port City in. the Commonwealth of Massachusetts. Exhibits submitted in Lynn’s response to the Review Team’s showed a \$570,000 cost to the study which includes a \$285,000 non-federal cash match.

Timetable: No completion date of the study was reasonably ascertainable in Lynn’s application.

<p>It is the Review Team’s understanding that the feasibility study could be undertaken very soon once the funding is identified. Subject to Lynn’s ability to fund any costs not covered by any CMF grant, the Review Team agrees that Lynn has submitted a detailed scope, budget, and timetable for the planning effort. Lynn also has a defined area of issue that will be investigated as well as a clear plan for implementation of results.</p>	
<p>3. No more than two years for any municipal employee.</p>	<p>N/A</p>
<p>4. In-kind services / The significance of any matching funds for planning efforts or workforce development pilot program activities</p>	
<p>Lynn stated that “[t]he City has identified its own funds which could be used to supplement grant funding to complete the dredging studies.”</p>	
<p>5. Consultation with the RPA / Any demonstration of regional benefits from a mitigation award</p>	
<p>In Lynn’s response letter, Lynn stated, “[t]he Metropolitan Planning Organization has conducted detailed studies regarding the Route 1A corridor, including the possibility of a left hand turn lane into the City’s Ferry terminal. The Massachusetts Area Planning Council has reviewed the City of Lynn’s Waterfront Master Plan and has also made detailed recommendations regarding how the Lynn Ferry service will ensure that the vision embodied in the Master Plan will come to fruition.” While Lynn’s application highlights the economic and transportation benefits specific to Lynn, the Review Team does not dispute that there may be a regional benefit, as non-Lynn residents likely will use the ferry.</p>	
<p>6. Expand a planning project begun with reserve funds or to fund an additional project</p>	
<p>Lynn is seeking to use the \$100,000 from its 2016 Reserve and \$100,000 from this round of mitigation funds for the local match of the feasibility Study. In 2016, the Commission authorized use of the \$100,000 for “4.2 The Transportation Studies will be limited to (a) a commuter rail study, (b) a Route 107 connection study, (c) a Lynn ferry analysis, (d) studies related to Route 1A/Lynnway; or any other studies that receive prior approval by Commission staff.”</p>	
<p>7. Demonstrates the potential for such transportation project that is the subject of a CMF application to compete for state or federal transportation funds</p>	
<p>Wynn stated that this funding is important to receive funding from the U.S. Army corp. of Engineers. Additionally, Lynn has secured an earmark of approximately \$4 million for the purchase of a ferry.</p>	
<p>General Criteria</p>	
<p>6. The demonstration that any program to assist non-governmental entities is for a demonstrated public purpose and not for the benefit or maintenance of a private party</p>	<p>N/A</p>
<p>7. A demonstration that other funds from host or surrounding community agreements are not available to fund the proposed mitigation measure</p>	
<p>Lynn stated in its application that “[p]lanning funds are sought for mitigation not currently required under MEPA nor detailed in our agreement with Wynn.”</p>	
<p>8. A demonstration that such mitigation measure is not already required to be completed by the licensee pursuant to any regulatory requirements or pursuant to any agreements between such licensee and applicant.</p>	
<p>Lynn stated in its application that “[p]lanning funds are sought for mitigation not currently required under MEPA nor detailed in our agreement with Wynn.”</p>	

Review Team Evaluation/Recommendation: The Review Team was not convinced that the proposed mitigation, the ferry dredging study, is sufficiently directly related to the transportation impacts of the Wynn Boston Harbor casino for the purposes of the 2017 Community Mitigation Guidelines. Although we do not believe that this funding is supportable under this year’s program, Lynn continues to have access to the Commission’s 2016 Reserve Grant, which could be used for the ferry study. Last year, the Commission authorized “the City of Lynn to utilize its \$100,000 reserve for transportation studies, which may include commuter rail studies, a Route 107 connection study, Lynn ferry analysis, and studies related to Route 1A/Lynnway.” Although all uses of community mitigation funds must be for purposes allowed under the statute (“offsetting costs related to the construction and operation of a gaming establishment”), the Commission to date has expressed more flexibility in the use of reserve funds, which have been specifically allocated to each community for each community’s determination of the best casino related use for such funds and when to use such funds.⁴

While the Review Team did not believe that the ferry dredging study is supportable under the 2017 Guidelines, it did agree with the importance of minimizing the impact of Wynn’s related traffic on Lynn’s roads, as articulated by Lynn. In its letter to the Review Team, MassDOT stated that it “recommend[s] that other projects identified in the Specific Mitigation application be given consideration as they would likely be a better fit for this grant.” The Review Team agrees with MassDOT’s recommendation. The transportation related items in Lynn’s Specific Mitigation Impact application are not supportable, in the opinion of the Review Team, because they do not address a construction impact that occurred by February 1, 2017 (the criteria for Specific Impact Grants). However, if there was no \$150,000 limit on each community’s transportation planning grants, it is likely that Lynn would have applied for the transportation planning grant for such transportation items instead of a specific impact grant (which are evaluated under different criteria than transportation planning grants). In essence, much of Lynn’s specific impact application was a transportation planning application. It is the Review Team’s opinion that Lynn’s choice in determining which project should be put in which form should not be the cause of such a disadvantageous result to Lynn – no funding to help ease potential traffic congestion.

In order to help Lynn plan avoid or lessen potential traffic impacts from the Wynn Boston Harbor facility, the Review Team recommends that the Commission authorize an additional \$100,000 for one or two non-ferry related transportation planning studies, subject to the condition that Lynn first consult with MassDOT and Commission staff on how such funds would be best utilized to lessen any casino related impacts on Lynn traffic. Lynn could utilize all \$200,000 (last year’s \$100,000 reserve plus this new \$100,000) on the Route 107 connector study, for example. Or, \$100,000 could be used on the Route 107 connector and no more than \$100,000 could be used on the ferry dredging study. The ultimate use determined by Lynn, after such consultations, would be reported back to the Commission. The costs of each study would need to be determined. Lynn noted in its

⁴ Such determinations are required to be reviewed and approved by the Commission.

response letter that “[c]ost estimates relating to studies which would facilitate the Lynn Ferry service, the Route 107 connector and the construction of a new commuter rail station exceed several hundreds of thousands of the dollars. These initial studies are a pre-requisite to the actual successful completion of any future project.”

Malden Transportation

The city of Malden is requesting funding to complete planning and design work for the full length of Exchange Street from Pleasant Street to Main Street. The total design cost is \$170,720 and Malden will cover the balance remaining. This project has been submitted to the MAPC and is consistent with MassDOT’s “Complete Street” policy.

Licensee Response: “Wynn Boston Harbor supports the City of Malden's effort to create safer pedestrian and bicycle connections for future Wynn guests and employees. The city has begun a significant redevelopment of its downtown which should be considered safe and expanded public access to the Malden Center MBTA station.”

MassDOT: MassDOT supports the request of the City of Malden in the amount of \$150,000 for the planning and design efforts to reconstruct Exchange Street from Pleasant Street to Main Street. As indicated in the application, Malden Center was recognized in the Wynn Casino transportation study as a hub for parking and transport of both casino employees and patrons to the site. As such, the area surrounding Malden Center will see increased multimodal traffic directly related to the Wynn Casino project. The reconstruction project is not only intended to provide better multimodal accommodations but also to address documented safety concerns in the area. The application has adequately documented how the requested funds will be used.

Transportation Criteria	
<p>1. Clearly related to addressing transportation issues or impacts directly related to the gaming facility / The significance of the impact to be remedied /A demonstration that the impact is being caused by the proposed gaming facility / The potential for the proposed mitigation measure to address the impact</p>	<p>The application states that “[t]he City of Malden has a Surrounding Community Agreement with Wynn MA LLC that embraces the use of Malden Center as a ‘transportation hub’ for the Wynn Casino. This includes the running of employee and guest shuttles. The increased use of the Malden Center MBTA station area will increase the number of pedestrian trips to and from the station, cause a significant rise in the amount of motor vehicle traffic, and increase utilization of parking facilities. As a result, the City of Malden is most concerned with developing safer connections for all users coming to the Wynn Casino through Malden. Exchange Street is a primary connection. It is directly linked to the region via the adjacent Malden Center MBTA Station and provides access to local business, multi-family residences, and major parking facilities.”</p> <p>The Review Team agreed that Exchange Street will be used by a portion of the Wynn traffic and pedestrians, but there was some dissent among the group just to what level that would be. The application did not provide any estimates of new automobile and pedestrian traffic expected to use Exchange Street. From reviews of maps and field visits, Exchange Street appears to be more of a local “shopping district” street than a through route for traffic coming to and going from the area. It is a one way street which immediately limits its use by a portion of the traffic. There are numerous stores, restaurants and residential properties, with angled and parallel parking on the street. The entrances to the garages in the area are on Route 60 or on side streets off Route 60. Although these side streets go through to Exchange Street, it appears that most of the regional traffic coming to the area would use Route 60 to access the garages.</p>

<p>Pedestrians traveling from the garages to the Malden Center station would likely use either Exchange Street or Route 60 as their travel route. Both streets have been provided with sidewalks, and intersecting streets have accessible ramps, crosswalks and pedestrian actuated traffic signals. Pedestrian traffic using Exchange Street has to cross Commercial Street to access the T station. While this intersection is a high hazard location, MGC provided a Transportation Planning Grant to Malden in 2016 for a redesign of Malden Center to address pedestrian and bicycle access to the T station.</p> <p>Although concerns were raised that this is not likely a primary travel route, as noted by MassDOT, “the area surrounding Malden Center will see increased multimodal traffic directly related to the Wynn Casino project. The reconstruction project is not only intended to provide better multimodal accommodations but also to address documented safety concerns in the area.”</p> <p>For these reasons, there was not unanimity among the Review Team as to whether this project was sufficiently connected to the casino.</p>	
<p>2. Submitted a detailed scope, budget, and timetable for the planning effort; Defined area of issue that will be investigated as well as a clear plan for implementation of results/ The feasibility and reasonableness of the proposed mitigation measure</p>	
<p>The City of Malden has established a scope, budget and timetable for the project. The Review Team agreed that these are reasonable.</p>	
<p>3. No more than two years for any municipal employee.</p>	<p>N/A</p>
<p>4. In-kind services / The significance of any matching funds for planning efforts or workforce development pilot program activities</p>	
<p>The City of Malden has committed to providing approximately \$21,000 in design costs.</p>	
<p>5. Consultation with the RPA / Any demonstration of regional benefits from a mitigation award</p>	
<p>The City of Malden has consulted with the Metropolitan Area Planning Council in the past on Exchange Street and other local projects. The application does not identify any particular regional benefits.</p>	
<p>6. Expand a planning project begun with reserve funds or to fund an additional project</p>	
<p>This is a new project. Reserve funds were committed to other projects in 2016.</p>	
<p>7. Demonstrates the potential for such transportation project that is the subject of a CMF application to compete for state or federal transportation funds</p>	
<p>The project is being designed under the MassDOT design standards in order to be eligible for Transportation Improvement Program (TIP) funding. The City has submitted a Project Initiation Form to MassDOT and the project was determined to be TIP eligible. Once the project has been designed to the 25% design level, it can then be submitted to the Metropolitan Planning Organization for funding.</p>	

General Criteria	
9. The demonstration that any program to assist non-governmental entities is for a demonstrated public purpose and not for the benefit or maintenance of a private party	N/A
10. A demonstration that other funds from host or surrounding community agreements are not available to fund the proposed mitigation measure	
<p>The City of Malden received two up-front payments from Wynn: the Transportation Hub Payment and the Transitional Road Payment. The Review Team asked Malden how their proposed project relates or does not relate to the use of such funds.</p> <p>Malden responded that the Transitional Road Payment was specifically for roads that connect Malden to Everett. Exchange Street does not connect to Everett. They also responded that the Transportation Hub Payment was to mitigate the use of the Malden Center T station and the operation of casino shuttle facilities. In addition, these funds were designed for physical improvements, not planning studies.</p> <p>The Review Team agreed that these funds did not envision funding the design of roadway and pedestrian improvements.</p>	
11. A demonstration that such mitigation measure is not already required to be completed by the licensee pursuant to any regulatory requirements or pursuant to any agreements between such licensee and applicant.	
<p>There is nothing in the decision on the Environmental Impact Report, Section 61 Findings or Surrounding Community Agreement that require improvements to Exchange Street in Malden.</p>	

Review Team Evaluation/Recommendation: The Review Team believes that the proposed improvements to Exchange Street will improve pedestrian and bicycle safety and better facilitate the movement of traffic through the area. However, there were concerns among some team members that the impacts of the gaming facility were not necessarily the driving factor in moving this project forward.

Medford Transportation

The City of Medford is requesting a total of \$150,000 in transportation planning grants. Medford is requesting year two of a contract transportation planner in an amount of \$60,000. Additionally to assess the land use impacts of the casino’s construction in the Wellington Circle area and the remainder \$60,000 to conduct an engineering feasibility study for a new multi-use path on the southern side of the Mystic River.

Licensee Response: “Wynn Boston Harbor supports the City of Medford's effort to analyze transportation corridors for potential unforeseen impacts and plan mitigation options should any arise. Additionally, a multi-use path on the south side of the Mystic River would provide safe and direct pedestrian and bicycle access to our site from Medford Center provided a crossing is constructed that connects our resort to the other side of the Mystic River.”

MassDOT: MassDOT supports granting mitigation funding for an engineering feasibility study (\$60,000) for a new multi-use path on the southern side of the Mystic River between the Craddock Bridge in Medford Square and the Somerville Line. This path would connect another gap in the regional off-road pathway system along the Mystic River and provide alternative car-free access to the casino site and points south into Boston.

2nd Year of Contract Transportation Planner - On May 25, 2017, the Commission voted to authorize Medford to utilize its 2016 grant for a transportation planner in FY2018 because of delays in hiring a planner. The Commission also authorized Medford to use such funding for a contract employee instead of a municipal employee. As the Commission has already approved the use of the planner, we will not need to apply the below criteria here. Medford asked for \$60,000 for the second year costs of a planner. Last year, the Commission authorized \$60,000 (a proration of the \$80,000 cost of the planner) for the first year of the planner. As the second year is not necessary, the Review Team instead recommends a grant of \$20,000, which represents a full year’s worth of funding for the planner.

Transportation Criteria	
1. Clearly related to addressing transportation issues or impacts directly related to the gaming facility / The significance of the impact to be remedied / A demonstration that the impact is being caused by the proposed gaming facility / The potential for the proposed mitigation measure to address the impact	
<p><u>Land Use Assessment.</u> The City of Medford requested \$30,000 to assess the land use impacts of the casino’s construction in the Wellington Circle area, with particular emphasis on the Wellington Transit station and its immediate environ. This study will include analysis of land use and property ownership, in addition to potential uses and development due to ancillary needs generated by the casino. Potential partnership with the MBTA in development of air rights at Wellington Station will also be assessed.”</p> <p>The Review Team asked Medford to “provide detail as to how the proposed use of funding to assess the land use impacts of the casino construction is transportation planning and not economic development planning. The Guidelines state that ‘[t]he planning projects must be clearly related to addressing transportation issues or impacts directly related to the gaming</p>	

facility.” Medford responded that “[c]onstruction of the casino will have trickle down land use and economic development impacts which in turn will generate additional demands on the already overburdened transportation system. The City needs to study the land use impacts of the casino construction, in-order-to evaluate the additional demands on the transportation system and plan for appropriate mitigation and capacity improvements.”

The Review Team does not believe that the study is clearly related to addressing transportation issues or impacts directly related to the gaming facility. As such, the Review Team does not recommend the land use assessment.

South Medford Connector. The “city is requesting \$60,000 to conduct an engineering feasibility study for a new multi-use path on the southern side of the Mystic River between the Craddock Bridge in Medford Square and the Somerville Line, along the shore of the Mystic River....This pathway would take bicyclists on a safe route circumventing Wellington Circle which has been determined to be an unsafe route for bicyclists. 10,000 people currently live within a half-mile of this proposed path. These residents- a portion of them likely to be Wynn employees – will have direct access to the casino along a safe and accessible biking and walking route.”

The Review Team asked Medford to demonstrate how the Connector is related to the casino even though it is on the opposite side of the Mystic River from the casino and asked whether this connection is dependent upon the construction of the proposed pedestrian / bicyclist bridge across the Mystic River from Somerville. Medford responded that bicyclists may use a series of current and under construction bridges to connect to the casino (Craddock Bridge, Route 16 Bridge, and Woods Memorial Bridge then to Gateway park) or could use the proposed pedestrian / bicyclist bridge, if built.

The Review Team was satisfied that the South Medford connector study is clearly related to addressing transportation issues or impacts directly related to the gaming facility, especially if the pedestrian bridge is built over the Mystic River. Wynn Boston Harbor is currently actively working on the design of this pedestrian bridge. Proceeding with the study now would allow the South Medford Connector project to proceed while answers are determined regarding the pedestrian bridge.

2. Submitted a detailed scope, budget, and timetable for the planning effort; Defined area of issue that will be investigated as well as a clear plan for implementation of results/ The feasibility and reasonableness of the proposed mitigation measure

Land Use Assessment- As to scope, Medford stated that “[t]his study will include analysis of land use and property ownership, in addition to potential uses and development due to ancillary needs generated by the casino.” No detail was provided regarding how the budget was determined. However, Medford stated that “[a]ll funds will be dispersed in compliance with public procurement requirements, with a bid process and contracts.” No timetable was included. The City has not contacted the MBTA in regard to this project as of yet.

South Medford Connector

Medford provided details regarding the scope for the South Medford connector study, which will include documentation of existing conditions survey, route alignment, and preliminary cost estimates for this 1.6 mile path. No detail was provided regarding how the budget was determined. However, Medford stated that “[a]ll funds will be dispersed in compliance with public procurement requirements, with a bid process and contracts.”

No timetable was included. However, the Review Team has no reason to believe why such study could not be completed in a reasonable time, likely within the fiscal year.

3. No more than two years for any municipal employee.	
4. In-kind services / The significance of any matching funds for planning efforts or workforce development pilot program activities	
Medford stated that it would “contribute in kind services in the form of preparation of RFP’s, procurement of consultant services, management of consultants and coordination with the relevant agencies....” It noted that it could not provide an estimate of in-kind services until the full scope of services (i.e. what projects are awarded) is determined.	
5. Consultation with the RPA / Any demonstration of regional benefits from a mitigation award	
<p>Medford has consulted with the MAPC on aspects of its 2017 submission, particularly in relation to the South Medford Connector.</p> <p><u>Land Use Assessment.</u> No detail regarding regional benefits of this project was included.</p> <p><u>South Medford Connector</u> The South Medford Connector project could have strong regional benefits. It is included in the MAPC’s Landline, Regional Green Network and in the DCR 2009 Mystic River Master Plan. Both the City of Somerville and DCR are supportive of this request. As noted by DCR, “[t]his link would connect the expansive network of waterfront paths along the Charles River, Fresh Pond, Alewife Brook and Mystic River.”</p>	
6. Expand a planning project begun with reserve funds or to fund an additional project	
Both the land use assessment and South Medford Connector study are new CMF requests.	
7. Demonstrates the potential for such transportation project that is the subject of a CMF application to compete for state or federal transportation funds	
<p><u>Land Use Assessment.</u> No detail regarding the ability to compete for state or federal funds was provided. As the City has yet to contact the MBTA, it is likely too early to make any such determination.</p> <p><u>South Medford Connector.</u> The City notes that “[u]pon completion of the study, the city anticipates seeking additional funding for engineering design and implementation of the project,” but does not state the source or source of such funding. The City does note DCR’s support.</p>	
General Criteria	
12. The demonstration that any program to assist non-governmental entities is for a demonstrated public purpose and not for the benefit or maintenance of a private party	N/A
13. A demonstration that other funds from host or surrounding community agreements are not available to fund the proposed mitigation measure	
The Medford Surrounding Community Agreement includes payments before opening that are unrelated to the projects contained in this application: funding for the Krystle Campbell Peace Garden.	
14. A demonstration that such mitigation measure is not already required to be completed by the licensee pursuant to any regulatory requirements or pursuant to any agreements between such licensee and applicant.	
These measures are not already required.	

Review Team Evaluation/Recommendation: The Review Team recommends that the Commission provide \$20,000 for the full year's cost of a transportation planner contract employee. We do note that the full \$80,000 (\$60,000 from last year plus \$20,000 in new funding) may not be necessary because Medford may need 60 days to hire the planner.

The Review Team does not recommend funding for the land use assessment because a connection to transportation issues was not sufficiently demonstrated.

The Review Team recommends \$60,000 for the South Medford Connector Study.

Revere/Saugus Transportation

“The City of Revere and Town of Saugus plan to use funds to hire a sub-regional transportation planner for one year. Revere and Saugus would like the funding to pay the salary, benefits and reasonable direct expenses of a qualified and experienced transportation planner. The application noted that “[t]he City and the Town believe the Wynn Casino will bring substantial volumes of new traffic onto the Route 1-Route 99 corridor.”

Licensee Response: “Wynn Boston Harbor supports the Cities of Saugus and Revere’s coordinated efforts to improve the Route 1 corridor.”

MassDOT: MassDOT supports the request of the City of Revere and the Town of Saugus in the amount of \$150,000 for the hiring a transportation planner that would provide services to both municipalities. The transportation planner will help identify and address any unintended impacts associated with the casino traffic and also plan for related induced demand. The transportation planner could also play an important role in the implementation of future recommendations of the Lower Mystic Region Working Group for these municipalities. We support the collaborative efforts of the two municipalities in submitting the application and encourage seeking other funding sources to maintain the position beyond the one year period.

Transportation Criteria	
<p>1. Clearly related to addressing transportation issues or impacts directly related to the gaming facility / The significance of the impact to be remedied /A demonstration that the impact is being caused by the proposed gaming facility / The potential for the proposed mitigation measure to address the impact</p>	
<p>The City of Revere and Town of Saugus plan to use Transportation Planning Grant funds to hire a sub-regional transportation planner for a period of one year. The combined communities seek a \$150,000 2017 Community Mitigation Fund Planning Grant to pay the salary, benefits and reasonable direct expenses of a highly qualified and experienced transportation planner for a one year period.</p> <p>The City of Revere and the Town of Saugus state that “they have long been plagued by the woeful inadequacy of outmoded old Route 1” and that they “believe the Wynn Casino will bring substantial volumes of new traffic onto the Route 1 – Route 99 corridor.”</p> <p>Saugus believes that to a lesser but still significant degree, some casino generated traffic may bypass lower Route 1 exiting the highway onto Walnut Street-Central Street or Main Street-Center Street and on to Winter Street then Ballard Street and then Route 107 as an alternative way to access route 16 towards Everett.</p> <p>Revere states that it “[w]ill be negatively impacted by traffic heading to Route 16 west from Route 1 south and some northeast originated traffic will choose to follow route 107 through the heart of the city to access route 16 west. And of course Revere will undoubtedly see an increase of traffic along already overtaxed route 1A as residents of North Shore coastal communities use that route to connect to route 16 and the Wynn Casino.”</p> <p>The Review Team believes that Saugus and Revere have demonstrated that there are significant casino related traffic issues supporting the engagement of a full time planner for an entire year. The City and the Town “are willing to certify that all work performed under this grant will be solely focused on traffic generation and mitigation issues related to the</p>	

Wynn Casino in nearby Everett.”	
2. Submitted a detailed scope, budget, and timetable for the planning effort; Defined area of issue that will be investigated as well as a clear plan for implementation of results/ The feasibility and reasonableness of the proposed mitigation measure	
<p>“The City of Revere and the Town of Saugus have estimated the contract amount for the Planner by assessing the prior experiences of senior staff at these and other agencies. Senior staff has substantial work experience utilizing consultant services and transportation/engineering firms hired for specific projects. Staff has also had substantial interaction with regional and State transportation planners who occupy positions similar to the qualification level being sought for this position. On the basis of that experience Revere and Saugus are confident that \$150,000 would enable us to contract a well-qualified transportation planner for a one year period. The position will not include any benefits since we anticipate an independent contract consultant will have built that expense into the project pricing.”</p> <p>In regard to scope, the City and the Town submitted a detailed job description for the planner. If the planner is funded, the review team recommends that the Commission condition the grant upon staff review of the scope of the planner to ensure that it relates sufficiently to the casino. However, it is noted that both the City and the Town have agreed to certify that they will only invoice casino related matters.</p> <p>The City and the Town did not submit a timetable for the hiring of the contract planner. However, the review team has not information why a contract planner would not be able to be hired in a reasonable time.</p>	
3. No more than two years for any municipal employee.	
<p>The City and the Town state that, “[b]ecause this effort will need to be sustained as a longer-term strategy, the transportation planner will also need to seek out financial means and support to continue his or her employment in this capacity beyond the initial MGC grant period.</p>	
4. In-kind services / The significance of any matching funds for planning efforts or workforce development pilot program activities	
<p>In their Response letter, Revere and Saugus stated that, “Revere and Saugus will contribute various in-kind services to this effort. These will include office space and equipment, supplies, and access to communication and data systems in each community. Further, the City of Revere's Economic Development Director and the Town of Saugus's Director of Planning and Development will provide in-kind services in the form of their collaborative supervision of, provision of guidance to, and interaction with the shared transportation specialist. Further, the shared Transportation Specialist will be supported with in-kind services provided by other municipal planning staff, the respective Police/Traffic Departments, the respective Planning Boards and other municipal personnel with institutional knowledge of traffic and transportation matters related to the identified impacted roadways.”</p>	
5. Consultation with the RPA / Any demonstration of regional benefits from a mitigation award	
<p>The City and the Town state that, “[i]t will be the transportation planner's responsibility to focus on achievable transportation improvement projects along the highway corridors previously discussed; The planner will need to marshal support among surrounding communities also impacted, identify likely funding sources for such projects, and work to advance individual projects for funding and implementation in the State Transportation Improvement Plan.”</p>	

6. Expand a planning project begun with reserve funds or to fund an additional project	
This is a new use of Community Mitigation funding.	
7. Demonstrates the potential for such transportation project that is the subject of a CMF application to compete for state or federal transportation funds	
The City and the Town state that the planner will help them identify likely funding sources for the subjects of the study and “work to advance individual projects for funding and implementation in the State Transportation Improvement Plan.”	
General Criteria	
1. The demonstration that any program to assist non-governmental entities is for a demonstrated public purpose and not for the benefit or maintenance of a private party	N/A
2. A demonstration that other funds from host or surrounding community agreements are not available to fund the proposed mitigation measure	
Neither Revere nor Saugus has a surrounding community agreement.	
3. A demonstration that such mitigation measure is not already required to be completed by the licensee pursuant to any regulatory requirements or pursuant to any agreements between such licensee and applicant.	
The mitigation measure is not already required.	

Review Team Evaluation/Recommendation: The Review Team recommends that the Commission provide funding for a contract employee to assist the two communities with their transportation planning needs. We recommend that the Commission condition funding upon a certification that all planning costs will be casino related and recommend that funding be contingent upon the approval of the job description for the planner.

The Review Team has previously recommended that the City’s and the Town’s joint application should be reviewed despite the fact that the 2017 Guidelines do not make provision for joint applications. One complication of the joint application that was discussed with the City and the Town is that communities that receive transportation planning grants are required to utilize their \$100,000 reserves for the planning project. We recommend that the Commission require the two communities to determine how they collectively will allocate their individual portions of this \$100,000 reserve.

Somerville Transportation

Somerville seeks funding to mitigate the “intersection of Interstate 93, State Route 28 (Fellsway/McGrath Highway) and State Route 38 (Mystic Avenue In Somerville).” “The City of Somerville proposes to use MGC Transportation Planning funds to initiate a formal planning study of the facility, which would implement a key recommendation of the 2017 RSA. A consultant team would be engaged to conduct public engagement, alternatives analysis and concept design. This step is consistent with the formal project development process used by MassDOT for highway capital projects.”

Licensee Response: “Wynn Boston Harbor supports the City of Somerville's effort to study and plan improvements to the 93/28/38 intersection. Proper planning of this intersection along with coordination of other regional efforts will help guide future growth and potentially plan mitigation of unforeseen impacts should they arise.”

MassDOT: MassDOT recommends funding to mitigate the intersection of Interstate 93, State Route 28 (Fellsway/McGrath Highway) and State Route 38 (Mystic Avenue in Somerville). This area already experiences one of the highest crash rates in the state and the extra volume heading to/from the casino will exacerbate the existing conditions. Upgrades to bicycle and pedestrian infrastructure should also be required in any alternatives study conducted. The applicant should confirm that this intersection is not already part of mitigation associated with the proposed 5 Middlesex Avenue project in Somerville.

Transportation Criteria	
<p>1. Clearly related to addressing transportation issues or impacts directly related to the gaming facility / The significance of the impact to be remedied /A demonstration that the impact is being caused by the proposed gaming facility / The potential for the proposed mitigation measure to address the impact</p>	
<p>Somerville states that “[t]he intersection of Interstate 93, State Route 28 (Fellsway/McGrath Highway) and State Route 38 (Mystic Avenue) in Somerville is located approximately one mile from the Wynn Everett site. The facility is deficient in its current operations, as documented in a formal Road Safety Audit (RSA) produced for MassDOT’s Highway Division in September 2015.</p> <p>In its application Somerville notes that, “in its 2016 Section 61 Finding for Wynn Everett’s MEPA process, found that absent mitigating transportation improvements, the project-related traffic would have detrimental operational and safety impacts on the 93/28/38 intersection.”</p> <p>As noted in the SCA, “the Parties acknowledge and agree that the proximity of the Project to the Assembly Row and Assembly Square developments may result in additional pedestrian and vehicular traffic in Somerville.”</p>	
<p>2. Submitted a detailed scope, budget, and timetable for the planning effort; Defined area of issue that will be investigated as well as a clear plan for implementation of results/ The feasibility and reasonableness of the proposed mitigation measure</p>	
<p><u>Scope:</u> “The City of Somerville proposes to use MGC Transportation Planning funds to initiate a formal planning study of the facility, which would implement a key recommendation of the 2017 RSA.”</p> <p>“Transportation Planning Funds in the amount of \$150,000 will be used to secure contractual consultant services.”</p>	

<p>Budget: The City’s proposal would also effectively leverage a federal highway earmark proposed for design development of the 93 / 28 / 38 intersection complex in Amendment #1 of the Boston Region Metropolitan Planning Organization’s Transportation Improvement Program (TIP). In Somerville’s response letter to the MGC supplemental information request, the following was stated as the budget for the grant funds if they are awarded, “The proposed grant budget of \$150,000 would be conceptually programmed as follows:</p> <ul style="list-style-type: none"> o Existing conditions data assessment- \$10,000 o Public and stakeholder engagement- \$10,000 o Alternatives analysis, including microsimulation modeling- \$30,000 o Conceptual design for roadway geometry, signalization and traffic calming interventions- \$100,000” <p>Timetable: “The City proposes to initiate planning and design work immediately in summer 2017 to best coordinate with several related studies and processes currently underway, including the MassDOT-led “Lower Mystic Regional Working Group” regional planning effort focused on Sullivan Square and surrounding intersections.”</p>	
3. No more than two years for any municipal employee.	N/A
4. In-kind services / The significance of any matching funds for planning efforts or workforce development pilot program activities	
<p>Somerville noted “[t]he City understands that the maximum award amount of \$150,000.00 would likely represent roughly 75% of the required budget for such a study, and we propose to seek additional local funding to match and leverage grant resources.</p>	
5. Consultation with the RPA / Any demonstration of regional benefits from a mitigation award	
<p>The intersection of Routes 93/28 /38 is a major intersection serving the Metro Boston area. Improvements to this intersection would have a significant regional benefit. Additionally Somerville noted that, “[t]he City would inform MAPC about plans for the project and work closely with MAPC's transportation division on all aspects of study work.”</p>	
6. Expand a planning project begun with reserve funds or to fund an additional project	
<p>This is a new project.</p>	
7. Demonstrates the potential for such transportation project that is the subject of a CMF application to compete for state or federal transportation funds	
<p>In its application Somerville highlighted that, “[t]he City’s proposal would also effectively leverage a federal highway earmark proposed for design development of the 93 / 28 / 38 intersection complex in Amendment #1 of the Boston Region Metropolitan Planning Organization’s Transportation Improvement Program (TIP).” “The City’s proposal would also leverage \$2.68 million in federal and state funding programmed in the TIP for construction of initial-phase improvements in Federal Fiscal Year 2020” Further In its response to supplement information Somerville indicated that, “[t]he City is currently in negotiations with Eversource regarding its proposed 115kv electric transmission line, which will run underneath State Route 38 at this location. The City's proposed mitigation program for Eversource includes funding in support of pedestrian and bicycle upgrades in this area. In addition, the City has had preliminary discussions with various private Development interests in the Assembly Square</p>	

area which are likely to provide public-private collaborations to leverage and match grant resources. In the event that these third-party funding sources address other priorities, the City would allocate local funds to reach the target budget for the proposed study work.”	
General Criteria	
4. The demonstration that any program to assist non-governmental entities is for a demonstrated public purpose and not for the benefit or maintenance of a private party	N/A
5. A demonstration that other funds from host or surrounding community agreements are not available to fund the proposed mitigation measure	
<p>According to Somerville’s application and the Surrounding Community Agreement:</p> <p>“The City’s Surrounding Community Agreement calls for Wynn Everett to provide a \$250,000 annual payment for transportation impacts, although the SCA specifies that the purpose is to enable the City to fund staffing and other public safety initiatives related to increased pedestrian and vehicular traffic (see excerpt below)”. This payment will not begin until Wynn Boston Harbor is operational. Therefore, the review team agrees that no Surrounding Community funding is currently available for this purpose.</p> <p>“Wynn has agreed to pay to Somerville an annual payment of Two Hundred Fifty Thousand Dollars (\$250,000.00), which amount shall be due on or before the ninetieth (90th) day following the opening of the Project to the general public and on each annual anniversary thereof. The annual payment shall continue for as long as Wynn, or any parent, subsidiary or related entity, owns, controls or operates a commercial gaming facility at the Project Site. The purpose of this payment is to enable Somerville to fund staffing and other public safety initiatives related to increased pedestrian and vehicular traffic in Somerville and additional costs, if any, incurred in mutual aid responses to the Project.”</p>	
6. A demonstration that such mitigation measure is not already required to be completed by the licensee pursuant to any regulatory requirements or pursuant to any agreements between such licensee and applicant.	
<p>“The City of Somerville’s Surrounding Community Agreement includes reference to the 93/28/38 intersection (see excerpt below), and Wynn Everett agreed to complete all necessary improvements as determined in accordance with the MEPA process. No mitigating transportation improvements were ultimately required under MEPA, although MassDOT asserted in its 2016 Section 61 Finding that absent such improvements, project-related traffic would have detrimental operational and safety impacts on the 93/28/38 intersection.</p> <p>The review team agrees that this mitigation is not currently required.</p>	

Review Team Evaluation/Recommendation: The Review Team believes that Somerville has complied in regard to the scope, budget and timetable as required under the Community Mitigation Fund Guidelines and that his study could provide valuable information relative to a very congested area that potentially could be impacted by the Wynn Boston Harbor Casino.

West Springfield Transportation

The Town of West Springfield is requesting funding to cover costs associated with engineering design services for improvements to the Elm Street (Route 20) corridor from Westfield Street to Park Street. Improvements will be designed to better accommodate casino related traffic as well as incorporate “Complete Streets” elements to improve pedestrian, bicycle and public transit access and safety.

Licensee Response: “

MassDOT: MassDOT supports the request of the City of West Springfield in the amount of \$150,000 for the planning and design efforts to reconstruct Elm Street in the Central Business District between Westfield Street and Park Street. As indicated in the application, West Springfield is expected to see a fair amount of casino traffic traveling through its center and the funds would provide for the design of multimodal accommodations to improve mobility and address safety. The application has provided three engineering quotes for the proposed project and we believe that the quotes are reasonable.

Transportation Criteria	
<p>1. Clearly related to addressing transportation issues or impacts directly related to the gaming facility / The significance of the impact to be remedied /A demonstration that the impact is being caused by the proposed gaming facility / The potential for the proposed mitigation measure to address the impact</p>	
<p>The Draft Environmental Impact Report (DEIR) submitted by MGM indicates that approximately 5% of the traffic from the casino will pass through the project area. West Springfield believes that these impacts are underestimated and that Route 20 is, and will become, a more attractive regional cut through route. They also stated that the original studies focuses only on automobile traffic and did not consider other modes of transportation such as walking and bicycling, and as such should be considered as part of any improvements.</p> <p>The review team agrees that there is a direct traffic impact on the Elm Street corridor as evidenced by MGM’s DEIR. While mitigation was not required as part of the decision on the FEIR, the applicant demonstrated deficiencies related to existing traffic signals, pedestrian access, bicycle access and public transit. West Springfield has adopted a Complete Streets Ordinance to ensure that roadway designs incorporate all users of the roads. At the time of the project approvals, the Complete Streets concept was just starting to be adopted by local communities, so was not particularly addressed in the MGM studies. The review team agreed that evaluating all modes of transportation in developing these improvements is appropriate.</p>	
<p>2. Submitted a detailed scope, budget, and timetable for the planning effort; Defined area of issue that will be investigated as well as a clear plan for implementation of results/ The feasibility and reasonableness of the proposed mitigation measure</p>	
<p>West Springfield developed a detailed scope for the project and received responses from three qualified firms that ranged in price from \$175,000-\$200,000. In its application, the Town committed to advancing to construction projects identified in the study. The time table for the project is approximately 11 months.</p> <p>The review team agreed that scope, budget and time tables for this project seemed</p>	

reasonable.	
3. No more than two years for any municipal employee.	N/A
4. In-kind services / The significance of any matching funds for planning efforts or workforce development pilot program activities	
West Springfield has committed to funding the difference between the grant amount and consultant cost. This ranges from approximately \$25,000-\$50,000 depending on the consultant selected.	
5. Consultation with the RPA / Any demonstration of regional benefits from a mitigation award	
West Springfield has been working with the Pioneer Valley Regional Planning Commission (PVPC) on small scale improvements to the area. In addition, the applicant stated that improvements to the Elm Street will improve traffic flow for Pioneer Valley Transit Authority buses as well as improving general traffic operations, safety and flow along Route 20. The review team agrees that this project will have a regional benefit as Route 20 is a major corridor connection Springfield to points west.	
6. Expand a planning project begun with reserve funds or to fund an additional project	
This is a new project. Reserve funds were used in 2016 on the Memorial Avenue planning project.	
7. Demonstrates the potential for such transportation project that is the subject of a CMF application to compete for state or federal transportation funds	
Two of the consultant proposals do not identify sources of funding for the project. The third proposal uses the MassDOT design standards in order to make the project eligible for federal and state Transportation Improvement Program funding. The result of this question will depend on the selection of the consultant.	
General Criteria	
15. The demonstration that any program to assist non-governmental entities is for a demonstrated public purpose and not for the benefit or maintenance of a private party	N/A
16. A demonstration that other funds from host or surrounding community agreements are not available to fund the proposed mitigation measure	
The only funds available to West Springfield prior to the casino opening were for the design of Memorial Avenue improvements.	
17. A demonstration that such mitigation measure is not already required to be completed by the licensee pursuant to any regulatory requirements or pursuant to any agreements between such licensee and applicant.	
A review of the FEIR decision, the Section 61 Findings and the Surrounding Community Agreement did not identify this project as a required mitigation measure. It appears that the Annual Mitigation Payment could be used to fund the implementation of this design.	

Review Team Evaluation/Recommendation: The Review Team was unanimous in recommending this project for grant funding. The project results from a direct impact of the casino, addresses multi-modal traffic flow and safety and has an appropriate scope and budget.

2017 APPLICATIONS FOR USE OF RESERVE FUNDS

Requests to Use 2015/2016 Reserve Funds		
Community	Requested Amount	Review Team Proposal
Boston	\$100,000.00	\$100,000.00
Plainville	\$98,397.92	\$98,397.92
Somerville	\$100,000.00	\$100,000.00
Total:	\$298,397.92	\$298,397.92

In accordance with the 2017 Guidelines, communities can use reserves to cover impacts that may arise in 2017 or thereafter. They may also use funds for planning, either to determine how to achieve further benefits from a facility or to avoid or minimize any adverse impacts.

Communities that received reserves in 2015 or 2016 must first expend those funds before accessing any Transportation Planning Grant funds. Communities may submit applications for the use of reserves on a rolling basis throughout the year.

BOSTON RESERVE

The City of Boston would like to use its reserve to provide design studies of the Sullivan Square/Rutherford Avenue project. (See also Transportation Planning.)

As noted in the licensee letter: “Wynn Boston Harbor supports the City of Boston's renewed effort to redesign Sullivan Square to ensure it accommodates casino traffic.”

Review Team Evaluation/Recommendations: As noted in Boston’s Transportation Planning Application, the City is anticipating a significant increase in design costs in regarding Sullivan Square. Those initial estimates (2014) for the design costs were \$3,949,254 based on the 2014 Plan when the project was anticipated to cost \$71 million. Due to the current redesign of the Sullivan Square/Rutherford Avenue project the estimated cost is now approximately \$142 Million. As noted in Boston’s response letter “the design costs for such a project can be around 10% of the construction cost.” The City of Boston will need to provide funding for any excess above the 80% of federal participating funding. The federal earmarks have been set up to cover the 25% design costs for this project.

Boston’s Transportation Planning Grant requested the use of the reserve to provide supplemental funding. The Review Team believes that this use Boston’s reserve is compliance with all the terms and conditions set forth in the 2017 Community Mitigation Guidelines.

Plainville Reserve

The town of Plainville would like to use its reserve to purchase public safety items it notes were unanticipated in the Host Community Agreement such as a cardiac monitor, 23 portable radios to replace the old “non-compatible technology” radios and a set of body armor for the Gaming Enforcement Unit Officers at the gaming facility.

Licensee Response: “In particular, we are wholly supportive of the requests for funds by the Town of Plainville to acquire additional fire and safety equipment, as the safety and security of our guests is of utmost importance.”

The town requests the use of \$98,397.92 of its \$100,000 Reserve to purchase public safety items such as such as a cardiac monitor, 23 portable radios to replace the old “non-compatible technology” radios and a set of body armor for the Gaming Enforcement Unit Officers at the gaming facility.

1. Mitigate impacts related to the construction of Category 1 gaming facilities that have occurred or are occurring as of February 1, 2017.	N/A
2. Mitigate operational impacts for Category 2/ The significance of the impact to be remedied / The potential for the proposed mitigation measure to address the impact /	
<p>In Plainville’s application noted that “there has been an increase of 10% in overall ambulance run volume directly attributable to the gaming facility. ... “[T]his has caused an increase in the use of the cardiac monitor on the ambulance that is primarily assigned to the gaming facility....</p> <p>The size and construction of the facility has created an issue for our older portable radios. On average these radios are 15-20 years old. They are utilized by public safety staff at the gaming facility. These older radios due to the older technology in them have issues transmitting and receiving inside the facility with its construction type and electronic infrastructure. This issue is for both Plainville Police and Fire at the facility....</p> <p>“Plainville Police Department lacks a set of body armor for one of its permanently assigned Gaming Enforcement Unit officers. Due to the officer being hired exclusively for the gaming facility, this cost is directly related to the gaming facility.” The Review Team believes that Plainville has demonstrated that the impacts are being caused by the gaming facility for all of these above impacts.</p>	
3. Is it an unanticipated impact not funded under host or surrounding community agreements or impacts that are the responsibility of others? / A demonstration that other funds from host or surrounding community agreements are not available to fund the proposed mitigation measure.	
“There is no specific language in the HCA that speaks to the requested items.”	
4. The feasibility and reasonableness of the proposed mitigation measure	
<p>In its application Plainridge states the following: “[t]he purchase of the cardiac monitor and body armor will be assigned to apparatus and personnel that conduct themselves primarily at the gaming facility.”</p> <p>“Both Police and Fire would retire the older radios and issue the newer ones assuring all members have a radio that will function inside the facility during an emergency”</p> <p>In its response letter Plainridge explained that, “[t]he body armor being requested is designed</p>	

to be donned during an active shooter incident. The requested armor is in addition to the fitted armor that all officers already have and wear while on duty and at the Plainridge Facility. The requested armor is fitted in more general sizes such as small medium and large.” The Review Team agrees that the mitigation requests are reasonable and feasible.	
5. The demonstration that any program to assist non-governmental entities is for a demonstrated public purpose and not for the benefit or maintenance of a private party	N/A
6. The significance of any matching funds for planning efforts or workforce development pilot program activities	
Plainville stated that “[m]aintenance of the requested equipment will be part of the operating budget of both the Fire and Police Departments.”	
7. Any demonstration of regional benefits from a mitigation award	
Plainville stated that “The new radios will allow for interoperability between public safety agencies onsite as well as with our regional partners who may have to respond to Plainridge for various types of incidents.” The Review Team agrees that this demonstrates a regional benefit.	
8. A demonstration that such mitigation measure is not already required to be completed by the licensee pursuant to any regulatory requirements or pursuant to any agreements between such licensee and applicant	
In its application Plainville states, “[t]here is no specific language in the HCA that speaks to the requested items. Due to the unknown of how the facility would operate being the first in the state, no one could have predicted all of the impacts ahead of time to address them in the HCA.”	

Review Team Evaluation/Recommendation: The Review Team recommends that the Commission approve Plainville’s use of \$98,397.92 of its reserve for these public safety related items.

SOMERVILLE RESERVE

The City of Somerville is requesting the use of its \$100,000 reserve funds for contractual consultant services for studies on “transportation, pollution, and air and water quality data. This baseline data will be used by the City to assess and mitigate any future adverse impacts of the Everett gaming facility.”

Licensee Response: “Wynn Boston Harbor supports the City of Somerville's effort to develop baseline transportation, pollution, air and water quality data. This data could be helpful in determining future mitigation improvements.”

Transportation Criteria	
<p>1. Clearly related to addressing transportation issues or impacts directly related to the gaming facility / The significance of the impact to be remedied /A demonstration that the impact is being caused by the proposed gaming facility / The potential for the proposed mitigation measure to address the impact</p>	
<p>Somerville refined its request for reserve dollars in its supplemental response letter to MGC by stating that it will “...focus on baseline data collection for two key areas that are related to its environmental justice legacy; near-highway air pollution and vehicular traffic patterns.”</p> <p>The review team believes that this use of Somerville’s reserve is in compliance with all the terms and conditions set forth in the 2017 Community Mitigation Guidelines. The use of the reserve funds will enable Somerville to establish baselines that can be utilized by Somerville to understand and articulate any impacts that may be caused by the Wynn Boston Harbor casino.</p>	
<p>2. Submitted a detailed scope, budget, and timetable for the planning effort; Defined area of issue that will be investigated as well as a clear plan for implementation of results/ The feasibility and reasonableness of the proposed mitigation measure</p>	
<p><u>Scope:</u> <i>The City proposes to focus on baseline data collection for two key areas that are related to its environmental justice legacy: near-highway air pollution (roughly \$50,000) and vehicular traffic patterns (roughly \$50,000).</i></p> <p><i>The City and its research partners wish to collect winter air pollution data during two consecutive winter seasons to build a longitudinal data record for near-highway pollution conditions. Data collection would be performed by the Tufts Mobile Air Pollution Laboratory.</i></p> <p><i>The City wishes to establish a traffic monitoring program for residential neighborhoods adjacent to 1-93, State Route 28 and State Route 38 to establish baseline data related to vehicular cut-through traffic.”</i></p> <p><u>Budget:</u></p> <p><i>As noted by the City, “[t]he City has not yet prepared a detailed scope and budget for the proposed air pollution research; however, past air quality research projects performed by the Community Assessment for Freeway and Health Exposure (CAFEH) partnership have included budget lines as follows:</i></p> <ol style="list-style-type: none"> <i>1. 3-week monitoring and data processing per site- \$5,000</i> <i>2. 5 sites monitored in the 2017-2018 winter data collection season (\$25,000)</i> <i>3. Repeat monitoring of five study sites in the 2018-2019 winter data collection season (\$25,000.”</i> 	

<p><i>The conceptual scope and budget for traffic monitoring and origin-destination monitoring is summarized as follows:</i></p> <ul style="list-style-type: none"> • Fall 2017: ATR data @ \$6,000; OID data analysis @ \$10,000. • Spring 2018: ATR data @ \$6,000; OID data analysis @ \$10,000. • Fall 2018: ATR data @ \$6,000; OID data analysis @ \$10,000. <p><u>Timetable:</u> The traffic monitoring review is scheduled to conclude by the Fall 2018. The air pollution research shall conclude by the 2018-2019 Winter.</p> <p>The review team believes that Somerville has submitted a detailed scope, budget, and timetable for the planning effort. It also has a defined area of issue that will be investigated as well as a clear plan for implementation of results.</p>	
3. No more than two years for any municipal employee.	N/A
4. In-kind services / The significance of any matching funds for planning efforts or workforce development pilot program activities	
<p>Somerville noted that “it will provide in-kind contributions including staff support and assistance, meeting space, and other logistical support. The City will also fund any portion of the data-collection project that exceeds \$100,000.”</p>	
5. Consultation with the RPA / Any demonstration of regional benefits from a mitigation award	
<p>Somerville noted that, “[t]he City will consult with the MAPC and relevant MAPC studies as needed, as well as the region MPO / CTPS.”</p>	
6. Expand a planning project begun with reserve funds or to fund an additional project	
<p>The proposed baseline study is a new project.</p>	
7. Demonstrates the potential for such transportation project that is the subject of a CMF application to compete for state or federal transportation funds	
<p>No such potential was indicated. However, the review team understands one purpose of the baseline is to allow the City to have data to demonstrate the potential impacts of the Wynn Boston Harbor casino, which may potentially include funding agencies.</p>	
General Criteria	
1. The demonstration that any program to assist non-governmental entities is for a demonstrated public purpose and not for the benefit or maintenance of a private party	N/A
2. A demonstration that other funds from host or surrounding community agreements are not available to fund the proposed mitigation measure	
<p>According to Somerville’s application and the Surrounding Community Agreement:</p> <p>“The City’s Surrounding Community Agreement calls for Wynn Everett to provide a \$250,000 annual payment for transportation impacts, although the SCA specifies that the purpose is to enable the City to fund staffing and other public safety initiatives related to increased pedestrian and vehicular traffic (see excerpt below)”. This payment will not begin until Wynn Boston Harbor is operational. Therefore, the review team agrees that no Surrounding Community funding is currently available for this purpose.</p> <p>“Wynn has agreed to pay to Somerville an annual payment of Two Hundred Fifty Thousand Dollars (\$250,000.00), which amount shall be due on or before the ninetieth (90th) day following the opening of the Project to the general public and on each annual anniversary thereof. The annual</p>	

payment shall continue for as long as Wynn, or any parent, subsidiary or related entity, owns, controls or operates a commercial gaming facility at the Project Site. The purpose of this payment is to enable Somerville to fund staffing and other public safety initiatives related to increased pedestrian and vehicular traffic in Somerville and additional costs, if any, incurred in mutual aid responses to the Project.”

As noted in the SCA, “the Parties acknowledge and agree that the proximity of the Project to the Assembly Row and Assembly Square developments may result in additional pedestrian and vehicular traffic in Somerville.”

3. A demonstration that such mitigation measure is not already required to be completed by the licensee pursuant to any regulatory requirements or pursuant to any agreements between such licensee and applicant.

The Review Team agrees that this mitigation is not currently required.

Review Team Evaluation/Recommendation: The review team believes that Somerville has complied in regard to the scope, budget and timetable as required under the Community Mitigation Fund Guidelines. The review team further believes that the air quality study and traffic baseline study could provide valuable information relative to a very congested area that potentially could be impacted by the Wynn Boston Harbor Casino.

Tribal Gaming Technical Assistance Grant

Community	Requested Amount	Review Team Proposal
SRPEDD	\$200,000	\$200,000

**SOUTHEASTERN REGIONAL PLANNING AND ECONOMIC DEVELOPMENT DISTRICT
("SRPEDD")**

SRPEDD anticipates planning requests for studies to assist communities in geographic proximity to the potential Tribal Gaming facility in Taunton with regard to traffic capacity and operational impacts should the construction of the Tribal Gaming facility move forward.

Pursuant to the Guidelines, “[t]he Commission shall make available no more than \$200,000 in technical assistance funding to assist in the determination of potential impacts that may be experienced by communities in geographic proximity to the potential Tribal Gaming facility in Taunton.”

The guidelines further stated that “[s]uch funding will only be made available, after approval of any application by SRPEDD or a comparable regional entity, if it is determined by the Commission that construction of such gaming facility will likely commence prior to or during Fiscal Year 2018.”

SRPEDD has applied for funding to assist communities in geographic proximity to the potential Tribal Gaming facility in Taunton with regard to traffic capacity and operational impacts should the construction of the Tribal Gaming facility move forward.

Review Team Evaluation/Recommendations: The Review Team would like to propose that \$200,000 be held in reserve for such technical assistance program. In order to activate this reserve, such determination would first need to be made by the Commission. The Review Team recommends that the Commission would review the details of such program at this future date.

Copies of the Community Mitigation Fund Grant Applications can be found at the Massgaming.com website:

<http://massgaming.com/about/2017-community-mitigation-fund/>

The Community Mitigation Fund Grant Applications can also be found in the Commission Packet: <http://massgaming.com/news-events/article/mgc-open-meeting-february-16-2017/>

EXHIBIT A

Supplemental Information Requests and Responses



Massachusetts Gaming Commission



May 12, 2017

Via Email

The Honorable Mayor Kevin J. Dumas
City of Attleboro
City Hall - Government Center
77 Park Street
Attleboro, MA 02703

Barry K. LaCasse, Esq.
Director Office of Budget and Administration
City of Attleboro
City Hall - Government Center
77 Park Street
Attleboro, MA 02703

Re: 2017 Specific Impact Application

Dear Mayor Dumas and Attorney LaCasse:

Thank you and your colleagues for participating in the conference call with the community mitigation review team on May 1st. The community mitigation review team found the meeting to be very informative. As we discussed during the meeting, we are writing to ask you to please provide us with answers to the below questions. In asking these questions, we are mindful of the details of your application and are requesting any further information that is not included in your application.

1. As you indicated in the conference call, Attleboro has found another location which would reduce the amount of the dispatch center to approximately \$500,000. Could you provide further detail regarding the change in the monetary request, location and other related details regarding the proposed new dispatch center?
2. Can you provide further detail regarding the timetable for your project?
3. What, if any, resources/funding will the City of Attleboro contribute to the project including in-kind services?
4. Do you have any further statistics related to the number of the overall calls that are directly related to the Plainville Park Casino?
5. What do you estimate is the percentage of Plainridge related calls compared to the overall number of calls within the same time period?
6. Do you have an estimate of the projected response time savings that would occur as a result of this combined dispatch center?
7. As of this date, some of the traffic and other impacts are still being assessed. As noted in Attleboro's application, much of the data included in the Christopher Bruce study indicated that "...overall crime was down across all of the communities impacted by the Plainridge Casino between July 1st 2015 and December 31st 2015 when compared to



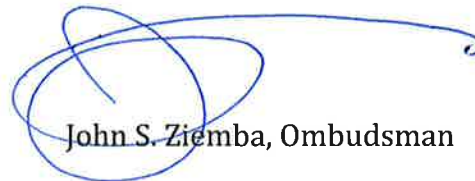
Massachusetts Gaming Commission

previous years.” ... The application noted an increase in motor vehicle accidents in 2016 compared to 2015¹ and 2014. However, the application also noted a decrease in motor vehicle stops in 2016 and 2015 from 2014. In addition to these statistics, an independent traffic analysis conducted by Vanasse & Associates, Inc. relating to the impact of the Plainridge Park facility noted that “...we have concluded that the measured impact of the Project on traffic volumes, trip patterns, motor vehicle crash trends, traffic operations (levels of service, motorist delays and vehicle queuing) and emergency vehicle response times has been relatively minor, with operating conditions at the monitored intersections found to be similar to or improved over the conditions that were documented as a part of the 2015 Baseline Study.”² Given the current state of statistical evidence related to crime levels and Plainridge Park incidents, what are the City’s thoughts on why the 2017 Community Mitigation Fund should fund approximately 80% of the cost of a dispatch center (using the new \$500,000 cost)?

The community mitigation review team would like to present to the Commission its recommendation in June. In order to meet this timetable, the community mitigation review team would greatly appreciate receiving your response by May 25, 2017.

We look forward to reviewing this application with the Commission. Please do not hesitate to contact us with any questions or concerns.

Very truly yours,



John S. Ziemba, Ombudsman

cc: Police Chief Heagney
Fire Chief Lachance
Commissioner Lloyd Macdonald
Catherine Blue, General Counsel
Derek Lennon, C.F.O.
Jill Griffin, Director of Workforce Development
Joseph Delaney, Construction Oversight Manager
Mary Thurlow, Program Manager

¹ Plainridge Park June 24, 2015 opens

² We do note that the study found at <http://www.painridgeparkcasino.com/-/media/Plainridge/pdfs/Final%20Plainridge%20Park%20Casino%20Post%20Opening%20Traffic%20Monitoring%20Program%20010417.ashx?la=en> did not include Attleboro, but included three communities that are geographically proximate to the Plainridge Park facility. The report also included a summary of crashes with a number of intersections. The VAI report also did note that Plainridge Park’s traffic count exceeded expectations.



CITY OF ATTLEBORO, MASSACHUSETTS

OFFICE OF THE MAYOR

GOVERNMENT CENTER

77 PARK STREET

ATTLEBORO, MASSACHUSETTS 02703

PHONE 508-223-2222 (EXT. 3221)

KEVIN J. DUMAS, MAYOR

May 31, 2017

Mary S. Thurlow, Program Manager
Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA 02110

RE: Attleboro Community Mitigation Funds

Dear Ms. Thurlow:

Please find the information below that answer the questions posed in your recent letter:

1. The application was submitted on February 1, 2017, and contained a conceptual cost estimate from Pomroy Associates, LLC, dated January 30, 2017. A copy of this estimate has been attached to this response. As indicated in the opening sentence of that estimate, the location of the proposed joint police/fire dispatch unit was identified as the "existing South Attleboro Fire Station". That proposed location has not changed.

As discussed during our May 1st conference call, staff from both the Fire and Police Departments had continued to refine and improve the build-out options at the South Attleboro Fire Station even after the application was submitted. Through that process, staff was able to modify certain build-out requirements that were assumed in the Pomroy estimate, but that which may no longer apply. For example, the Pomroy estimate assumed the need to construct (1) a new dedicated breakroom area, (2) new, separate bathrooms, (3) separate and dedicated heating, cooling and ventilation systems, and (4) new radios, etc.

However, and after further investigation and consultations with outside vendors, staff from the Fire and Police Departments now feel that (1) an existing office can easily be converted into a dedicated breakroom, (2) existing bathrooms are in close proximity to the proposed dispatch room; (3) the existing HVAC may only need less expensive upgrades to serve the proposed dispatch room and (4) some of the existing equipment can be transferred and used at the new Joint Dispatch Center.

Therefore, staff from the Fire and Police Departments now feel that the following estimates are a better reflection of the costs associated with building the new Joint Dispatch Center at the South Attleboro Fire Station:

a).	HVAC upgrades (i.e., increase BTUs):	\$	40,000.00
b).	New access points for Joint Dispatch Center:	\$	20,000.00
c).	Convert existing office into required breakroom:	\$	15,000.00
d).	Parking Lot modifications:	\$	20,000.00
e).	Furniture and consoles:	\$	58,000.00
f).	Radios/Communications/Antennas/Etc.:	\$	350,000.00
TOTAL ESTIMATE:		\$	503,000.00

2. 6/8/17 Specific Impact Awarded
- 8/1/17 Construction specifications finalized
- 9/1/17 Bids opened
- 10/15/17 Contract awarded
- 11/1/17 Construction begins
- 12/30/17 Construction completed
- 1/31/18 Joint Dispatch Center operational

3. The City is prepared to fund the difference between the Specific Impact Award and the cost of bringing the new Joint Dispatch Center operational.

4. The City's application provides a strong argument that the increase in calls for service relative to traffic accidents the City of Attleboro experienced in 2016 is related to the operation of Plainville Park Casino. See Exhibit 1 of City's application. Moreover, the Christopher Bruce study corroborates the City's argument. In the opening paragraph of his Executive Summary, Christopher Bruce acknowledges that:

“[T]he “presence of the casino also does seem related in increases in the types of call for service that one would expect to increase with extra traffic and people in the area, including traffic collisions, lost property, and citizen complaints of traffic problems.” (emphasis supplied)

Furthermore, the Christopher Bruce study also acknowledges that other calls for services in Attleboro are either “likely” or possibly” related to Plainridge Park. For example, Bruce acknowledges that “[s]ignificant increases in credit card fraud, particularly in....Attleboro...” are “likely to be related to Plainridge Park”, and that “[i]ncreases in ‘con game-style fraud and identity theft in Attleborough (sic)’ are “possibly related to Plainridge Park.”

5. No exact percentage is available. However, and based upon the cited portions of the Bruce study and the arguments set forth in Exhibit 1 of City's application, the City believes that the increase in the number of calls for services is related to Plainridge Park.

6. Combining the Primary Public Safety Answering Point (police) with the Secondary Public Safety Answering Point (fire) will eliminate one (1) of three (3) steps in the call taking procedure. Step one (1): A call is initiated by cellular phone dialing 911. That call is answered by the Mass State Police. Step two (2): The call is transferred to the Primary Public Safety

Answering Point (police). Step three (3): Any call that is for Fire or EMS or a joint response by Police, Fire and Rescue will be transferred to the Secondary Public Safety Answering Point (fire). The elimination of step three will theoretically reduce the response time from a call being initiated and resources being dispatched by 33 percent.

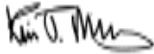
7. There are at least two reasons why it would be appropriate for the 2017 Community Mitigation Fund to be expended to assist with any costs associated with a Joint Dispatch Center in Attleboro:

First, nothing contained in M.G.L. ch. 23K, § 61 limits the use of mitigation funds to a certain percentage of the construction costs. In fact, the language merely requires the commission to “expend monies in the fund to assist...surrounding communities in offsetting costs related to the...operation of a [casino]..including...police, fire and emergency services.” (emphasis supplied)

Second, the City’s application, indeed the Christopher Bruce study, provide a strong argument that the increase in calls for services in the City of Attleboro are related to the operation of Plainville Park Casino. See response #4 above.

In closing, I look forward to speaking with you again in the near future regarding our application.

Regards,



Kevin J. Dumas,
Mayor



May 12, 2017

Via Email

Gina N. Fiandaca, Commissioner
Boston Transportation Department
City of Boston
One City Hall Square, Room 721
Boston, MA 02201

James E. Gillooly, Deputy Commissioner
Boston Transportation Department
City of Boston
One City Hall Square, Room 721
Boston, MA 02201

Re: 2017 Transportation and Use of Reserve Application

Dear Commissioner Fiandaca and Deputy Commissioner Gillooly:

Thank you for meeting with the community mitigation review team recently. It was a pleasure discussing with you the City of Boston's application for community mitigation funds. The community mitigation review team found the meeting to be very useful. As we discussed during the meeting, we are writing to ask you to please provide us with answers to the below questions. In asking these questions, we are mindful of the details of your application and are requesting any further information that is not included in your application.

1. When is it likely that the City will publish its latest cost estimate for the Rutherford Avenue/Sullivan Square project?
2. Please provide further detail regarding the status of pending requests for the Rutherford Avenue/Sullivan Square project through the State's TIP process.
3. How did the City of Boston estimate the amount of consultant service fees?
4. Please provide further detail regarding the anticipated timetable for the Rutherford Avenue/Sullivan Square planning project.
5. Please provide further detail regarding any extension of the Design Agreement between the City of Boston and MassDOT, as it expires June 30, 2017.

The community mitigation review team would like to present to the Commission their recommendation in June. In order to meet this timetable, the community mitigation review team would greatly appreciate receiving your response by May 25, 2017.

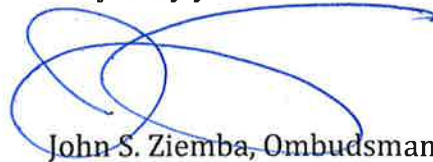


Massachusetts Gaming Commission

Gina N. Fiandaca, Commissioner
James E. Gillooly, Deputy Commissioner
Page 2
May 12, 2017

We look forward to reviewing this application with the Commission. Please do not hesitate to contact us with any questions or concerns.

Very truly yours,



John S. Ziemba, Ombudsman

cc: Commissioner Lloyd Macdonald
Catherine Blue, General Counsel
Derek Lennon, CFO
Jill Griffin, Director of Workforce Development
Joseph Delaney, Construction Oversight Manager
Mary Thurlow, Program Manager



Massachusetts Gaming Commission

101 Federal Street, 12th Floor, Boston, Massachusetts 02110 | TEL 617.979.8400 | FAX 617.725.0258 | www.massgaming.com



BOSTON
TRANSPORTATION
DEPARTMENT

ONE CITY HALL SQUARE • ROOM 721
BOSTON, MASSACHUSETTS 02201
617-635-4680 • FAX 617-635-4295

May 26, 2017

John S. Ziemba, Ombudsman
Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA 02110

Thank you for our recent meeting with you and other Gaming Commission Officials relative to the City of Boston's two grant applications now under your consideration. In this letter we are responding to the five requests for additional information contained in your letter dated May 12, 2017.

1. When is it likely that the City will publish its latest cost estimate for the Rutherford Avenue/Sullivan Square Project?

On May 18th the City held an informational meeting in Charlestown to update the public on the direction in which we are taking the design of the project. We announced that the design will include underpasses at both Sullivan Square and at the intersection of Austin Street and Rutherford. In the meanwhile we have escalated to today's dollars an earlier estimate for a version of the project that also included underpasses. That updated estimate totals \$142 Million.

Now that we have made the fundamental decision to advance the project to 25% design with underpasses, it will take us 8-12 months of design development before we can generate a more detailed construction cost estimate, but we expect it will be close to \$142 Million (2017 dollars).

2. Please provide further detail regarding the status of pending requests for the Rutherford Avenue/Sullivan Square project through the State's TIP process.

On May 25, 2017 the Boston MPO passed a final vote on the new FFY 2018-2022 TIP which approved \$152 Million (2020 dollars) for the construction of the project over a five year period starting in FFY 2020. The new TIP also includes \$8.6 Million for design costs beyond the 25% design.

3. How did the City of Boston estimate the amount of consultant service fees?

Typically, the design costs for such a project can be around 10 % of the construction cost. In the case of the Rutherford/Sullivan Square Project, this would eventually amount to about \$15 Million.

We currently have Tetra Tech, Inc. under contract to complete the 25% design and related environmental documentation. The present contract amount is \$3,949,254 and that amount was approved by MassDOT. However, it was based on the City's 2014 plan which was for a surface streets only plan estimated to cost \$71 Million.

4. Please provide further detail regarding the anticipated timetable for the Rutherford/Sullivan Square planning project.

As mentioned above, the City has determined that the plan will include underpasses at Sullivan Square and at Austin Street. With that decision made and announced to the public, our consultant will be going full speed ahead with the design. We anticipate submitting 25% plans by June of 2018 and will complete the design by 2020. The project will be advertised in FFY 2020 and construction will be funded over a five year period of 2020 – 2024.

5. Please provide further detail regarding any extension of the Design Agreement between the City of Boston and MassDOT, as it expires June 30, 2017.

In 2014 the City and MassDOT entered into a 3 year Design Agreement which is now due to expire on June 30, 2017. This agreement assumed that the plan for Rutherford and Sullivan Square would be based on an all surface streets concept. However, a lot of uncertainty surrounding the suitability of that design concept was generated by the possibility that a casino would be located nearby in Everett. The City has since reassessed the situation and now has determined that the design will be based on an underpass concept. The City has begun discussions with MassDOT concerning the extension of the 25% Design Agreement to now allow sufficient time for us to complete the 25% plans based on the underpass concept versus the surface streets only concept. We expect that this extension will be in place before the current expiration date.

Thank you for giving us the opportunity to clarify our applications relative to these five points. Please let us know if you require any further information.

Sincerely,



Gina N. Fiandaca
Commissioner



May 12, 2017

Via Email

Jay Monty, Transportation Planner
City of Everett
484 Broadway
Everett, MA 02149

Catherine Rollins, Director of Policy
City of Everett
484 Broadway
Everett, MA 02149

Re: 2017 Transportation Mitigation Applications

Dear Mr. Monty and Director Rollins:

Thank you and Attorney Silverstein for meeting with the mitigation fund review team. It was a pleasure discussing Everett's application for community mitigation funds. The review committee found the meeting to be very informative.

2016 Transportation Grant

Everett was awarded a \$150,000 Transportation Grant from the 2016 Community Mitigation Fund. Could you provide the Commission with a brief status of current activities engendered by the award of these funds? If you have provided a description in your quarterly report to the Commission, please feel free to include that information.

2017 Transportation Mitigation Application

As we discussed during the meeting, we are writing to ask you to please provide us with answers to the below questions. In asking these questions, we are mindful of the details of your application and are requesting any further information that is not included in your application.

1. What factors have occurred that have impacted Broadway traffic area that were not anticipated in the Host community Agreement?
2. The application references both the Everett Transit Plan and the work of the Lower Mystic Regional Working Group ("LMRWG"). One option being considered by the LMRWG is an extension of the Silver Line from Chelsea along a right of way adjacent to the Wynn Boston Harbor project site. Should the DOT Silver Line extension be viewed as an alternative that may lessen or eliminate the need of the proposed bus only lane, or should it be viewed as a complimentary project?
3. How would you describe the regional need for this bus lane and the potential to connect with other planned bus projects in the future?



Massachusetts Gaming Commission

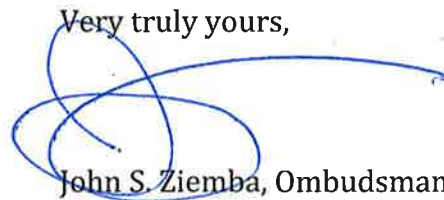
Jay Monty, Transportation Planner
Catherine Rollins, Director of Policy
Page 2
May 12, 2017

4. Has the City considered the feasibility and benefit of an alternating peak direction bus lane?
5. Given the right of way limitations, is it impracticable or is it possible to have a bus lane in both directions?
6. Significant funding is being provided to the City of Everett prior to the Wynn opening through Everett's Host Community Agreement ("HCA"). Was this use anticipated when the HCA was executed? If HCA funds are not anticipated for this purpose, can you please provide a brief and general summary of how Everett is prioritizing the use of such HCA funding?

The community mitigation review team would like to present to the Commission their recommendation in June. In order to meet this timetable, the community mitigation review team would greatly appreciate receiving your response by May 25, 2017.

We look forward to reviewing this application with the Commission. Please do not hesitate to contact us with any questions or concerns.

Very truly yours,



John S. Ziemba, Ombudsman

cc: The Honorable Mayor Carlo DeMaria Jr.
Tony Sousa, Director of Planning and Development
Jonathan Silverstein, Special Counsel
Lloyd Macdonald, Commissioner
Catherine Rollins, Director of Policy
Catherine Blue, General Counsel
Derek Lennon, C.F.O.
Jill Griffin, Director of Workforce Development
Joseph Delaney, Construction Oversight Manager
Mary S. Thurlow, Program Manager



Massachusetts Gaming Commission



City of Everett
Department of Planning and Development
484 Broadway, Room 25
Everett, Massachusetts 02149
(P) 617-394-2245 (F) 617-394-5002

Tony M. Sousa, Executive Director

May 25, 2017

Mr. John S. Ziembra
Ombudsman
Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA 02110

Dear Mr. Ziembra,

Thank you again for meeting with the City regarding the City's application for Community Mitigation Funds to advance the development of a dedicated bus lane on Broadway. We hope that the responses below sufficiently answer the questions you submitted to us on May 12th. Please feel free to contact us if you need any further clarifications.

Question 1: *What factors have occurred that have impacted the Broadway traffic area that were not anticipated in the Host community Agreement?*

Answer: Since the Host Community Agreement was signed, the City has undertaken a full analysis of its transportation system, most notably through the Everett Transit Action Plan which was undertaken by MassDOT and completed in late 2016. The study analyzed the City's demographics, travel patterns and transit demand to develop a long term vision for transportation that would support not only Everett's existing population, but its future growth. The study found that not only is the transit system in Everett currently overburdened, but that the demand for transit will double in the next 25 years. The Lower Broadway corridor was identified as a crucial piece of the transit system, where the bulk of the City's bus services and transit riders converge. In addition, while both Sullivan Square and Wellington are the two primary transit destinations for riders from Everett, travel models suggest that Sullivan Square, due to its connectivity with other routes to job centers in Cambridge and Somerville, will bear the brunt of ridership growth in the coming years. This led to the recommendation that many buses currently destined for Wellington station, would need to be re-routed along Lower Broadway to Sullivan Square.

With these findings in hand, it became increasingly apparent that Lower Broadway will need to be re-envisioned as a transit priority corridor where future upgrades and expansion focus on improving the quality of transit service. The specific recommendation from the Everett Transit Study was for Everett to construct bus-only lanes along Lower Broadway to remove busses from the general stream of traffic, thus allowing for increased transit capacity in the corridor.

Question 2: *Should the DOT Silver Line extension be viewed as an alternative that may lessen or eliminate the need of the proposed bus only lane, or should it be viewed as complimentary?*

Answer: These two projects should be viewed as complimentary for the following reasons:

1. The two projects represent two different directions of travel as well as two different catchment areas for riders trying to reach Boston. The Broadway bus lane would serve the north south corridors of Broadway and Main Street towards Malden, while the Silver Line would serve the east west corridor from East Boston, through Chelsea and the Commercial Triangle neighborhood of Everett.
2. Technical challenges would likely prevent the Silver Line from utilizing the Broadway bus lanes and the Broadway busses from using the Silver Line busway. In order for the two services to share either the bus way or the bus lanes, a connection would need to be created in the vicinity of Sweetser Circle for busses to transfer from the MBTA ROW to Rte 99. This area is currently very constrained, and it is unlikely that such a connection could be constructed. Thus the two routes would combine further south at the Wynn site rather than at Sweetser Circle.
3. The Broadway bus lane as currently envisioned would only operate in the southbound direction. This is primarily due to physical constraints that limit widening the roadway by more than one lane. If the Silver Line were to use Broadway heading northbound, it would be traveling in the general traffic stream and with the added MBTA bus services on Broadway noted earlier.

Question 3: *How would you describe the regional need for this bus lane and the potential to connect with other planned bus projects in the future?*

Answer: As noted earlier, future transit growth that is expected in the next 25 years will require capacity increases in the roadway system. Buses traveling along Broadway reach as far north as Linden Square in Malden, Woodlawn in Chelsea, and Malden Center, making the corridor a regionally important one.

In December 2016, the City of Everett undertook a pilot project that replaced the southbound parking lane on upper Broadway with a dedicated bus lane for 5 hours each morning. The project has received much attention and positive reviews from transit riders and drivers in the corridor. It allowed the City to test the potential of a dedicated bus lane and learn how it might be implemented elsewhere, in particular, along Lower Broadway. Should a similar dedicated lane be constructed on Lower Broadway, it would result in a dedicated bus lane along the entire Broadway corridor within Everett that would drastically reduce travel times and increase the overall capacity of the bus system. Other bus routes that come from Malden, Chelsea and East Boston would also be able to take advantage of a dedicated bus lane on Lower Broadway, reducing their trip times as well.

Question 4: *Has the City considered the feasibility and benefit of an alternating peak direction bus lane?*

Answer: During the summer of 2016 as Wynn was developing its 25% design plans for Broadway, the City, Wynn and MassDOT explored several options for accommodating a designated bus lane on Broadway that could be incorporated into the Wynn designs including a reversible lane. Unfortunately, the MEPA approved design for Broadway includes a center median to accommodate new turn lanes. Because of this, it becomes very difficult to reverse the direction of travel lanes in real-time. The City did study other Cities which had experimented with reversible lanes involving a center median and

found that they had serious safety issues and were not a viable design option for Broadway. Therefore, the only feasible option to create a dedicated bus lane is by utilizing available frontage on the west side of Broadway for a southbound-only lane.

Question 5: *Was this use of HCA funding anticipated when the HCA was executed? If not, can you provide a brief and general summary of how Everett is prioritizing the use of such HCA funding?*

Answer: Host Community Agreement funding was not anticipated for this use at the time of the HCA execution. The recommendation for a dedicated bus lane on Broadway was first made as part of the Everett Transit Action Plan in 2016, 3 years after the HCA was executed. Additionally, until the resort-casino becomes operational in 2019, the city will receive from Wynn a total of \$30 million designated under the HCA for capital improvements, not including transportation planning. The city received the first \$5 million under the agreement last June, expects the next \$12.5 million this June, and then the last pre-operational payment of \$12.5 million in June of 2018. This money will generally be targeted to projects within the city's 5-year Capital Improvement Plan, which have a value of \$35,000 or greater and a useful life of at least 5 years, including infrastructure upgrades and preservation, park improvements, and public safety vehicle replacement, among others.

I hope that the above narrative provides sufficient clarification for the community mitigation review team. If any further information is needed, please do not hesitate to contact me at your earliest convenience. Thank you again for your consideration.

Sincerely,

Tony Sousa, Executive Director

Cc: Mary S. Thurlow, Paralegal
Joseph E Delaney, Construction Project Oversight Manager
Derek Lennon, CFO
Catherine Blue, General Counsel
Catherine Rollins, Policy Director
Mayor Carlo DeMaria



May 12, 2017

Via Email

Jay Monty, Transportation Planner
City of Everett
484 Broadway
Everett, MA 02149

Catherine Rollins, Director of Policy
City of Everett
484 Broadway
Everett, MA 02149

Re: 2017 Specific Mitigation Application

Dear Mr. Monty and Director Rollins:

Thank you and your colleagues for meeting with the mitigation fund review team. It was a pleasure discussing Everett's application for community mitigation funds. The review committee found the meeting to be very informative. As we discussed, the following are questions the review committee would like clarification on regarding your submissions. In asking these questions, we are mindful of the details of your application and are requesting any further information that is not included in your application.

1. The 2017 Community Mitigation Fund is available only to mitigate specific impacts related to the construction of Category 1 gaming facilities that are being experienced or were experienced by February 1. Please detail how the proposed bike share program addresses the impacts caused by such construction activities.
2. Would increased bicycle activity in casino construction zones result from this grant if awarded, pose a safety risk to such bicyclists?
3. The application references a March meeting with businesses and developers regarding yearly contributions to the cost of running the Bike Share program? Could you please provide any update?
4. How will the City cover the operational costs of the Bike Share program? Please provide further detail on Everett's operational costs.
5. The application notes that enhanced bicycle sharing would help alleviate congestion and the importance of "providing the last mile trip from the rapid transit hub to the final destination". While increased use of bicycles continues to be an important goal for the Wynn Boston Harbor transportation plan, is mitigation necessary to remedy a construction period impact?



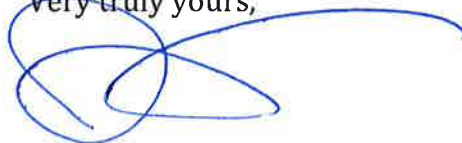
Massachusetts Gaming Commission

Jay Monty, Transportation Planner
Catherine Rollins, Director of Policy
Page 2
May 12, 2017

The community mitigation review team would like to present to the Commission their recommendation in June. In order to meet this timetable, the community mitigation review team would greatly appreciate receiving your response by May 25, 2017.

We look forward to reviewing this application with the Commission. Please do not hesitate to contact us with any questions or concerns.

Very truly yours,



John S. Ziemba, Ombudsman

cc: The Honorable Carlo DeMaria Jr.
Jonathan Silverstein, Special Counsel
Lloyd Macdonald, Commissioner
Catherine Blue, General Counsel
Derek Lennon, C.F.O.
Jill Griffin, Director of Workforce Development
Joseph Delaney, Construction Oversight Manager
Mary S. Thurlow, Program Manager



Massachusetts Gaming Commission



City of Everett
Department of Planning and Development
484 Broadway, Room 25
Everett, Massachusetts 02149
(P) 617-394-2245 (F) 617-394-5002

Tony M. Sousa, Executive Director

May 25, 2017

Mr. John S. Ziemba
Ombudsman
Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA 02110

Dear Mr. Ziemba,

Thank you again for meeting with the City regarding the City's application for Construction Impact Mitigation funds to help implement a city-wide bike sharing system. We hope that the responses below sufficiently answer the questions you submitted to us on May 12th. Please feel free to contact us if you need any further clarifications.

Question 1: *Please detail how the proposed bike share addresses the impacts caused by such construction activities.*

Answer: Since the initial host community agreement was signed, substantial amounts of engineering design and preliminary construction have occurred on the Broadway corridor. From a design perspective, it has become clear that intermittent lane closures will be required for the duration of the roadway reconstruction process. In addition, some of the preconstruction activities, such as the construction of the service road, have also required lane closures and detours and have provided first hand data on the magnitude of impacts the lane closures cause to travel along the corridor, even during the off-peak travel times. Unlike many other roadway corridors in the region, Broadway does not have a "peak" travel period that only occurs during the morning and evening rush hours, but instead, sees sustained heavy traffic throughout most of the day, particularly in the southbound direction. Thus, lane closures during the mid-day period have a disproportionate effect on Everett residents trying to reach employment, schools or shopping in Boston and Cambridge. Earlier in 2017, the City petitioned the MBTA to provide additional bus service to Sullivan and/or Wellington MBTA station to alleviate some of this travel demand on Broadway, but the MBTA was not able to provide additional bus service on a temporary basis.

A bike sharing program would help to mitigate some of the congestion along Broadway by providing alternative transit access from Everett to nearby MBTA Orange Line stations at Sullivan Square and Wellington, supplementing the existing MBTA bus service which operates at reduced service levels, yet is still over-crowded, during the mid-day. It may also attract residents who typically drive to Boston or a

nearby MBTA station, further alleviating traffic congestion during construction. Bike sharing stations currently exist at Sullivan Square and the MBTA has indicated a willingness to allow Everett to install new stations at Wellington to receive riders from Everett. Multiple stations would be located throughout Everett, allowing commuters to ride from their neighborhood of choice, to the MBTA Orange line stations or anywhere in the Boston bike sharing network, which extends as far as Cambridge, Brookline, Dorchester and South Boston.

We believe that providing residents with a bike share system will take some of them out of vehicles and engage them in active transportation, which will mitigate vehicular traffic congestion during the construction period while creating environmental and community health benefits. Each time we can shift mode share away from vehicular traffic, we will create a better overall traffic flow on lower Broadway. Because we do not have subway or light rail access, and cannot partner with the MBTA to temporarily increase bus service at this time, promoting active transportation through bicycling is our only currently viable option.

Based on existing ridership data from Boston's Hubway bike sharing system, a bike sharing system in Everett could offset a significant number of trips on Broadway. In 2016, the Hubway system provided 1.27 million trips from its 185 stations, and Everett would propose to add up to 10 new stations.

Question 2: *Would increased bicycle activity in casino construction zones result from this grant if awarded, pose a safety risk to such bicyclists?*

Answer: Both the City of Everett and Wynn Design and Development have conducted several counts of cyclists along the Broadway corridor during the past two years. Consistently, there are between 75 and 100 bicycles per hour traveling on Broadway during peak travel periods. Most of these cyclists originate from the Northern Strand Community Trail and then utilize Broadway to reach Sullivan Square and Boston. These cyclists have no reasonable alternative route and must be accommodated safely during the construction period of the casino and Lower Broadway. The City is requiring Wynn to provide adequate detour and safety measures to accommodate these cyclists during construction. This will include detouring northbound cyclists onto Bow Street in order to create room for construction and preservation of a bike lane in the southbound direction. Thus, any new cyclists added to the corridor as a result of the bike share, will benefit from the same safety measures provided to the existing bicycle traffic and not be placed in any addition dangers than posed currently.

Comment [A1]: Do we have any more details that could be included here on what these safety measures may entail (e.g. rerouting on Bow Street)?

It is also important to note that the City is working to partner with Malden, Medford and the MBTA in order to pursue the installation of a bike share station at Wellington Station and possibly the new Chelsea Silver Line station. This would allow users of the bike share system to bypass most areas of the casino construction area and still reach the MBTA system. The new Woods Memorial Bridge which connects Everett to Wellington, will be substantially complete by early 2018, when Everett would potentially be opening its bike sharing system. The new bridge includes high quality bicycle facilities connecting from Everett to the Wellington MBTA station and will likely attract many riders who may have otherwise used Broadway to access the Orange Line. The City has had preliminary conversations with the MBTA, which indicated a willingness to pursue a bike share station on their station properties.

Question 3: *Could you please provide any update of the City's meeting with businesses and developers regarding yearly contributions to the cost of running the bike share program?*

Answer: The City held a meeting on May 24th with invited guests from the Everett Chamber of Commerce, Bike to the Sea, Cambridge Health Alliance, Wynn Development, Malden Redevelopment Authority, and the Metropolitan Area Planning Council. Representatives from two bike share companies, Motivate (which operates Boston's Hubway system) and Zagster (which operates bike share systems in Salem and Lexington) provided guests with an overview of their respective systems including costs and opportunities for community involvement. In particular, Cambridge Health Alliance indicated a desire to participate and contribute to funding a bike share station. Wynn Boston is also committed to funding a bike share station in Everett per the conditions negotiated under their MEPA Certificate.

In addition to the meeting on the 24th, the City has spoken individually with several businesses including Nigh Shift Brewing, NBI, Envision Hotel, Schnitzer Steel and BNY Mellon Bank, all of whom offered provisional financial support of a bike sharing system.

Question 4: *How will the City cover the operational costs of the Bike Share program?*

Answer: As proposed in the application, the funding provided through this grant would fund capital and start-up costs of the bike sharing program. Ongoing operational costs would be borne partly by users with the remainder funded by the City and sponsorship agreements with local businesses and developers.

Since the application was submitted, the City asked Motivate, the operator of Hubway, to propose a potential 5-year capital and operating plan as shown below:

Capital Costs (5 stations): \$300,000

Sources:

MGC Grant: \$300,000

Five-year operating costs: \$600,000

Sources:

MGC Grant: \$100,000

User Revenue: \$250,000

Local Sponsorships: \$250,000

It should be noted that in this in this scenario, Motivate has proposed using a \$100,000 portion of the MGC grant award for a portion of the 5-year operating expenses and that no use of City operating funds is proposed. If the MGC felt that the use of the grant funds should be for capital costs only (consistent with the original application), the City would provide this portion of the operating costs and re-allocate the MGC funds towards the capital costs of additional stations.

The projections for user revenue were developed by Motivate to be consistent with ridership over the rest of the Hubway system. Users are charged either a daily, weekly or yearly membership fee which is used to offset operating costs. Because the Hubway system is multi-jurisdictional, and membership is centralized, the dollar amount of user revenues returned to the City of Everett to offset operating costs are negotiated as part of the contract between the City and Motivate. Local sponsorships are available for \$10,000 per station, where a business can display a large advertisement on the kiosk of the station. Larger sponsorship amounts may include branding on the bikes themselves.

The cost breakdown shown above is just one example of a conceptual funding plan for a bike sharing system. Using a bike sharing system other than Hubway/Motivate or adding or subtracting stations could require some amount of re-allocation of the different funding sources to produce a similar magnitude bike sharing system.

Question 5: *While increased bicycle use continues to be an important goal for the Wynn Boston Harbor transportation plan, is mitigation necessary to remedy a construction period impact?*

Answer: Yes, we believe that mitigation is necessary during the construction period to enhance the efficiency of travel for the many who use the lower Broadway corridor on a daily basis. As noted in the response to question 1, the City investigated other means of mitigating the transportation impacts of construction of the Wynn casino. Due to the lack of redundant roadway or transit corridors, and the inability of the MBTA to provide supplemental transit service, it became clear that another option was needed to mitigate congestion and the resulting trips. Heavy congestion deters travelers from making trips, which has a direct impact on businesses and the local economy. It also degrades existing transit services and reduces transit capacity when longer trip times ultimately mean that buses are making fewer trips and thus carrying fewer passengers. The bike share system allows new trips to be made with new infrastructure that is largely unaffected by the roadway construction. Notwithstanding the fact that it will have a long lasting benefit beyond the construction period, it will, without question, replace a portion of the trips lost due to construction related impacts, thus achieving the goal of mitigating this construction period impact.

I hope that the above narrative provides sufficient clarification for the community mitigation review team. If any further information is needed, please do not hesitate to contact us at your earliest convenience. Thank you very much.

Sincerely,

Tony Sousa, Executive Director

Cc: Mary S. Thurlow, Paralegal
Joseph E Delaney, Construction Project Oversight Manager
Derek Lennon, CFO
Catherine Blue, General Counsel
Catherine Rollins, Policy Director
Mayor Carlo DeMaria



May 12, 2017

Via Email

James Marsh, Director
Department of Community Development
Lynn City Hall
8 City Hall Square
Lynn, MA 01901

James Lamanna, City Solicitor
Lynn City Hall
8 City Hall Square
Lynn, MA 01901

Re: 2017 Specific Impact Mitigation Fund Application

Dear Mr. Marsh and Attorney Lamanna:

Thank you for participating in the conference call with the community mitigation review team. The community mitigation review team found the conference call very informative. As we discussed during the meeting, we are writing to ask you to please provide us with answers to the below questions. In asking these questions, we are mindful of the details of your application and are requesting any further information that is not included in your application.

2016 Transportation Grant

Lynn was awarded a \$10,000 Grant from the 2016 Community Mitigation Fund. Could you provide the Commission with a brief status of current activities engendered by the award of these funds? If you have provided a description in your quarterly report to the Commission, please feel free to include that information.

2017 Specific and Transportation Planning Grant Applications

Specific Impact Grant

1. A Specific Impact application may be used “only to mitigate impacts that either have occurred or are occurring as of the application date” from the construction. Could you please explain how each of the potential projects in Lynn’s application meet this Guideline?
 - a. Given that the Wynn Boston Harbor facility is not yet operational and given that construction workers may be unlikely to use the potential Lynn ferry service to



Massachusetts Gaming Commission

- Boston to commute to the Everett construction location, what is the direct or indirect connection between the mitigation request and the gaming facility?
- b. Given that there are no current plans to serve the Wynn Boston Harbor facility through a commuter rail station, can you please provide further information how the potential expansion of Rockport/Newburyport commuter rail locations in Lynn is related to the construction of the gaming facility? The application noted that the City is concerned with the impact of additional traffic from the facility and that all options to reduce the number of vehicles on Lynn's roads should be considered.
 - c. Can you please provide any information regarding the significance of Route 107 as a corridor to serve construction workers commuting to Wynn Boston Harbor?
 - d. Do you have access to information to the approximate number of employees in Lynn used by Suffolk Construction for the Wynn Boston Harbor project? In an effort to help get such information, we will seek information from Wynn Boston Harbor.
 - e. Please describe how this funding request differs from purpose of the grant awarded in 2016

2017 Transportation Planning Grant

2. Can you please briefly explain the current funding need for the potential Lynn ferry? Has the state approved funding for the ferry service for the summer of 2017? What Federal funding is available?
3. In the Guidelines for Transportation Applications, the Commission requests input from local Regional Planning Agencies. Please provide detail regarding this.
4. Please describe how the transportation planning requested for the 2017 year differs from the transportation planning reserve granted in 2016 regarding the left hand turn into the Blossom Street Ferry Terminal.
5. It was explained that the funding being sought would be used for the study of dredging. Please explain what studies are necessary, what ferry studies are completed, and what the overall ferry project cost is. How would the city pay for any costs related to the ferry station? Does the city plan to purchase a ferry or use a ferry service to provide and operate the ferry? Please provide further detail relating to the need to dredge this waterway.
6. Please detail the status of the contract with the Department of the Army.

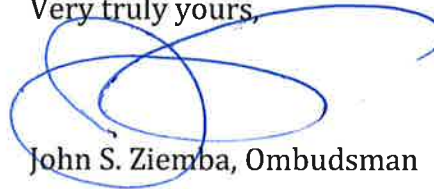


James Marsh, Director
James Lamanna, City Solicitor
Page 3
May 12, 2017

The community mitigation review team would like to present to the Commission their recommendation in June. In order to meet this timetable, the community mitigation review team would greatly appreciate receiving your response by May 25, 2017.

We look forward to working with you on this grant process. Please do not hesitate to contact us with any questions or concerns.

Very truly yours,



John S. Ziemba, Ombudsman

cc: Judith Flanagan Kennedy, Mayor
Commissioner Lloyd Macdonald
Catherine Blue, General Counsel
Derek Lennon, C.F.O.
Jill Griffin, Director of Workforce Development
Joseph E. Delaney, Construction Project Oversight Manager
Mary S. Thurlow, Program Manager



Massachusetts Gaming Commission

101 Federal Street, 12th Floor, Boston, Massachusetts 02110 | TEL 617.979.8400 | FAX 617.725.0258 | www.massgaming.com



Office of Economic & Community Development

City of Lynn, Massachusetts

3 City Hall Square - Room 311 - Lynn, MA 01901

James M. Marsh
Director

Judith Flanagan Kennedy
Mayor

Via Email

May 30, 2017

Massachusetts Gaming Commission
101 Federal Street 12th Floor
Boston, MA 02110

Re: 2017 Specific Impact Mitigation Fund Application Responses

Dear Commissioners:

Please find answers to the questions submitted to the City of Lynn by your Honorable body below. Should you have any additional questions, please don't hesitate to contact us directly.

2016 Transportation Grant

Lynn was awarded a \$100,000 Grant from the 2016 Community Mitigation Fund. Could you provide the Commission with a brief status of current activities engendered by the award of these funds? If you have provided a description in your quarterly report to the Commission, please feel free to include that information.

RESPONSE

The City of Lynn has not yet expended its initial award of \$100,000 from the Community Mitigation Fund. The City has sought estimates for two large scale transportation studies to alleviate its congested roadways. One such study would involve an analysis of the costs and means to dredge Lynn Harbor to facilitate a Ferry service in Lynn. The cost of this study is

estimated at approximately \$250,000.00. The Commonwealth of Massachusetts had contracted with a provider to operate a Ferry service in Lynn from 2013 through 2015. This Ferry service was discontinued in 2016. The City is presently awaiting word as to whether the Ferry service will be included in the Commonwealth's Fiscal 2018 budget that is currently being crafted on Beacon Hill. One obstacle to a year round Ferry service has been the shallow waters in Lynn Harbor. The Army Corps of Engineers would be involved in a project to dredge Lynn harbor to facilitate the operation of a Lynn to Boston Ferry shuttle. However, the next step in proceeding with such a dredging would be to conduct a detailed study as to the best method to dredge Lynn Harbor. A year round Ferry Service would reduce traffic upon Routes 1A and 107 significantly. Recognizing the importance of this service, Congressman Seth Moulton has earmarked approximately four million dollars for the purchase of a Ferry to be used exclusively in Lynn. However absent the dredging of Lynn Harbor, there exists a real risk that this Ferry could be relocated to a different port City in the Commonwealth of Massachusetts.

The City of Lynn is also examining the possibility of constructing a connector from the Beldon Bly Bridge at the Lynn/Saugus line directly to the Route 1/Squire Road Rotary in Revere. Such a connector would offer direct connection to Rote 1 and would eliminate the need to travel the Lynn Marsh Road and Route 60 which is also highly congested. Such a connector would significantly reduce congestion on the North Shore and Lynn. It is undisputed that the only two means to travel to the Wynn site is Route 1A and Route 107. Presumably contractors, employees and visitors would utilize the connector to travel to Route 1 over the Tobin Bridge to arrive at the Everett Casino. Once again, such a study would cost more than the original grant of \$100,000.00. Only upon combining two grants would the City be able to have sufficient funds to conduct these studies which are a necessary pre-requisite to any major construction project.

2017 Specific and Transportation Planning Grant Applications

Specific Impact Grant

1. A Specific Impact application may be used "only to mitigate impacts that either have occurred or are occurring as of the application date" from the construction. Could you please explain how each of the potential projects in Lynn's application meet this Guideline?

RESPONSE

Since the commencement of construction of the Wynn Casino, the Department of Public Works has observed an increase in traffic on the Route 107 and Route 1A. Lynn is a blue collar City which employs a high percentage of laborers and tradesmen as compared to other municipalities in the Commonwealth. The City has contacted several trade unions seeking the number of employees that are working at the Everett site. However, due to privacy issues, these unions have thus far been reluctant to release the addresses of their employees. However, they have indicated that many of the tradesmen

and woman reside in the Greater Lynn area. Lynn will continue to endeavor to obtain supporting documentation.

- a. Given that the Wynn Boston Harbor facility is not yet operational and given that construction workers may be unlikely to use the potential Lynn ferry service to Boston to commute to the Everett construction location, what is the direct or indirect connection between the mitigation request and the gaming facility?

RESPONSE

The City of Lynn has conducted studies which clearly indicate that traffic and transportation issues are the single largest impediments to the redevelopment of the downtown area and the waterfront. Professor Bluestone of Northeastern University has opined that all efforts should be made by governmental actors to not add a single vehicle to Lynn's roadways. The operation of the ferry service reduces traffic congestion on Route 1A and Routes 107 by providing an alternative to rush hour traffic into Boston and points south. Attached to this response are newspaper correspondence detailing how a recent water/sewer line break snarled traffic on Route 1A for several weeks and caused commuters hours of additional commuting time. Given the lack of access to Lynn and points north, such water/sewer issues can snarl traffic and effect the whole North Shore.

The City anticipates that many construction workers and tradesmen from the Lynn area will be employed and are currently employed in the construction of the Wynn facility. These employees will be forced to utilize Lynn roads. The lack of a ferry system last summer has added thousands of vehicles to Lynn's roadways. The City anticipates that the increase in vehicular traffic will only become greater should Wynn employ construction workers and tradesmen from Lynn and the North Shore.

- b. Given that there are no current plans to serve the Wynn Boston Harbor facility through a commuter rail station, can you please provide further information how the potential expansion of Rockport/Newburyport commuter rail locations in Lynn is related to the construction of the gaming facility? The application noted that the City is concerned with the impact of additional traffic from the facility and that all options to reduce the number of vehicles on Lynn's roads should be considered.

RESPONSE

As referenced above, the City continues to explore all options to reduce vehicular traffic particularly during the morning and rush hour commutes. However, the Newburyport/Rockport commuter rail service provides direct access to North Station. North Station is less than a fifteen minute walk to the Wynn location. It is anticipated that construction workers and tradesmen will utilize the commuter rail to travel to and from the construction site. It is also quite possible that Wynn officials will chose to employ charter buses to and from North Station. Partner's Health

which is located in neighboring Charlestown employs such charter buses and vans to transport employees and patients.

Municipal, state and private developers are currently in serious discussions to upgrade the General Electric Commuter Rail Station. This station is approximately fifteen minutes from North Station. Presently Partners Health Care operates a shuttle service from North Station to their Charlestown facility. It is anticipated that the Wynn Casino would operate a similar shuttle service to the Wynn facilitate which is only minutes away from the Partner's site.

- c. Can you please provide any information regarding the significance of Route 107 as a corridor to serve construction workers commuting to Wynn Boston Harbor?

RESPONSE

The City of Lynn is actively seeking funding to construct a connector from Route 107 to the rotary near the Revere Movie Cinema Complex. A dirt roadway has previously been constructed in the 1970s as part of the Route 95 construction and design plans. Route 95 was relocated and this roadway bed was not used. However, the foundation of such a connector is currently in place which would reduce the costs of such a roadway construction considerably. It is anticipated that construction workers and tradesmen (and ultimately patrons of the Report) will utilize Route 107 to gain access to Route 1/Tobin Bridge. Route 60 in Revere is also a congested highway. This proposed 107 connector would eliminate the need for drivers to utilize the Marsh Road and Route 60. Instead, drivers would have a straight thoroughfare directly to the rotary which provides direct access to Route 1. Once on Route 1, drivers would utilize the Tobin Bridge to arrive at the Wynn Casino.

Route 107 is one of two thoroughfares that lead in a southerly direction to the Wynn site. Even on a slow day, Route 107 is congested with traffic to and from the General Electric. In recent months, the Lynn GE plant has made a commitment to expand its workforce. This expanded workforce only serves to worsen the congestion on Route 107. Furthermore, there is presently ongoing repairs to the Beldon Bly Bridge that causes traffic backups toward the Marsh Road. This Bridge is often lifted in the Spring, Summer, and Fall months as commercial fisherman utilize the Saugus River. The proposed 107 connector would serve as a bypass to the Beldon Bly Bridge and General Electric traffic congestion.

Route 107 is a direct connector to both Bell Circle (Sumner and Ted Williams Tunnel) and Route 1 (Tobin Bridge). Congestion on Route 107 will only worsen upon the opening of a new Market Basket which is a short distance to the GE facility.

- d. Do you have access to information to the approximate number of employees in Lynn used by Suffolk Construction for the Wynn Boston Harbor project? In an effort to help get such information, we will seek information from Wynn Boston Harbor.

RESPONSE

Since the commencement of construction of the Wynn Casino, the Department of Public Works has observed an increase in traffic on the Route 107 and Route 1A. Lynn is a blue collar City which employs a high percentage of laborers and tradesmen as compared to other municipalities in the Commonwealth. The City has contacted several trade unions seeking the number of employees that are working at the Everett site. However, due to privacy issues, these unions have thus far been reluctant to release the addresses of their employees. However, they have indicated that many of the tradesmen and woman reside in the Greater Lynn area. Lynn will continue to endeavor to obtain supporting documentation.

e. Please describe how this funding request differs from purpose of the grant awarded in 2016

RESPONSE

Should the City be the recipient of a 2017 Grant award, the City would combine the amounts received last year with any additional grant funds. Cost estimates relating to studies which would facilitate the Lynn Ferry service, the Route 107 connector and the construction of a new commuter rail station at the General Electric site exceed several hundreds of thousands of the dollars. These initial studies are a pre-requisite to the actual successful completion of any future project. No federal, state or municipal monies would be expended on such comprehensive projects absent detailed and thorough studies regarding the feasibility of such projects.

2017 Transportation Planning Grant

2. Can you please briefly explain the current funding need for the potential Lynn ferry? Has the state approved funding for the ferry service for the summer of 2017? What Federal funding is available?

RESPONSE

The City is awaiting the approval of the Commonwealth of Massachusetts 2018 Fiscal Year Budget to determine whether a Ferry service will be operational this summer. The City is hopeful that the Ferry service will resume this season. However, due to shallow waters in the Lynn harbor, the City is cognizant of the fact that dredging will be required in order to operate a Ferry service on a year round basis. Current estimates for a detailed study are around \$250,000.00. The City is holding last year's Mitigation funds in reserve pending its applications for Grant funding this year. The City has identified its own funds which could be used to supplement grant funding to complete the dredging studies. Recognizing the importance of this service, Congressman Seth Moulton has earmarked approximately four million dollars for the purchase of a Ferry to be used exclusively in Lynn. However absent the dredging of Lynn Harbor, there exists a real risk that this Ferry could be relocated to a different port City in the Commonwealth of Massachusetts.

3. In the Guidelines for Transportation Applications, the Commission requests input from local Regional Planning Agencies. Please provide detail regarding this.

The Metropolitan Planning Organization has conducted detailed studies regarding the Route 1A corridor, including the possibility of a left hand turn lane into the City's Ferry terminal. The Massachusetts Area Planning Council has reviewed the City of Lynn's Waterfront Master Plan and has also made detailed recommendations regarding how the Lynn Ferry service will ensure that the vision embodied in the Master Plan will come to fruition. Governor Baker has created a LEAD team devoted solely on ways to improve the economic future of the City of Lynn. Much of the City's economic future depends heavily on its ability to solve its transportation issues. The Army Corp of Engineers has conducted its own studies relating to the depth of Lynn Harbor and the need to dredge this area to maximize the sustainability of a year round Ferry service.

4. Please describe how the transportation planning requested for the 2017 year differs from the transportation planning reserve granted in 2016 regarding the left hand turn into the Blossom Street Ferry Terminal.

RESPONSE

The Metropolitan Planning Organization and the Massachusetts Planning Council have concluded that a left hand turn lane leading to the Ferry terminal are crucial in order to maximize the probability and sustainability of a year round water transportation hub in Lynn. However, it presently appears that the shallow water depths are the largest obstacle for the Ferry service out of Lynn. Shallow waters increase the commute time to and from Boston minimizing the transportation benefits for the ferry commuter. At present, the dredging would likely achieve a commitment from a Ferry provider. Once such a commitment is obtained, the next endeavor would be to create such a left hand turn lane. However, the benefit of a left hand turn lane absent a commitment from a ferry provider does not appear to be an optimal use of limited available financial resources.

5. It was explained that the funding being sought would be used for the study of dredging. Please explain what studies are necessary, what ferry studies are completed, and what the overall ferry project cost is. How would the city pay for any costs related to the ferry station? Does the city plan to purchase a ferry or use a ferry service to provide and operate the ferry? Please provide further detail relating to the need to dredge this waterway.

RESPONSE

The City of Lynn created and adopted a Waterfront Master Plan in 2007. Part of this plan seeks to facilitate the best and highest use of Lynn Harbor by providing vessels, such as the Lynn Ferry, a contiguous dredged channel in and out of the harbor. Currently, vessels come into and out of the harbor via the channel that runs the length of the Nahant Causeway and ends near our Ferry Terminal.

In remedying this issue, we have been working with the United States Army Corp of Engineers (USACE) on a plan that would extend the channel to the Saugus River at the Point of Pines. This action would create a continuous loop into and out of the Harbor and facilitate recreational and commuter water related activity in the Revere/Saugus/Lynn area.

To date, the federal government has funded over \$100,000 for an initial appraisal of this plan, which was completed in May of 2013. The initial appraisal was the first of four steps, which also includes a feasibility study, design / construction and perpetual maintenance. We are seeking to use the \$100,000 from 2016 and the potential \$100,000 from this round of mitigation funds for the required local match of the feasibility study.

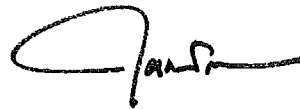
Regarding the Ferry itself, a fully operation Ferry Terminal has been paid for and constructed. We are seeking funding to purchase a Ferry itself or contract to have one built for us. Funding is estimated between \$2,000,000 to \$4,500,000.

6. Please detail the status of the contract with the Department of the Army.

RESPONSE

We have the contract in hand and are attempting to identify funding for it. We have included information with this response regarding the dredging and the contract itself.

Respectfully Submitted

A handwritten signature in black ink, appearing to read 'James M. Marsh', written in a cursive style.

James M. Marsh

Route 1 & Route 107 Fox Hill Bridge Connection

The City of Lynn is plagued by a lack of direct flowing traffic. Somewhere along each highway entry point, motorists must pass through residential neighborhoods while navigating limited access roads with traffic signals and numerous stops. Unlike communities abutting major thoroughfares such as Routes 495, 128 and 1, the City of Lynn's commercial base and resulting economics are limited to smaller, local roads. In the 1960's in an effort to remedy this issue, the Federal Highway Administration and Mass Highway planned to extend Route 95 through Saugus, Lynn and Peabody to connect with Route 95 to the north and the neighborhoods and commercial districts along the way. That extension included a spur to Route 107 that would have resulted in direct access to Lynn. In 1972, after years of planning, the project was abandoned. However, with the planning preliminary construction began and today the roadbed and overpasses still exist that would afford the direct access to Lynn.

Specifically, the proposed project consists of adding a new highway connection to the Route One overpass at Copeland Circle in Revere and running over the existing, prepared gravel road beds to connect near the Lynn Fox Hill Bridge. Vehicles on Route One from the north and the south must pass through residential areas or a heavily signalized, commercial area in order to get to Lynn. From the south cars and trucks either drive down Route 60 to Route 107 or take one of four exits through Saugus and Lynn residential streets. Route One at Route 60 in Revere is already on the TIP list for recommended improvements. Our concept would add a connection at Route One north over Route 60 just before Route One takes a sharp left and narrows down. As mentioned above, there is already the preparation for that connection where the original Route 95 project would have continued north. The old foundation beds exist in the marsh for this spur. As such, the marsh would not have to be disturbed further. This connection would run directly down to Route 107 and tie in to that road where appropriate. This spur would allow traffic from Route One heading north to travel directly into Lynn on Western Avenue, Route 107, near General Electric. Vehicular traffic would not conflict with airport and Boston traffic on Route 60 or have to pass through Saugus to get to downtown Lynn and our expanding waterfront. Please see exhibits A, B and C for aerial views of this proposal.

Exhibit A

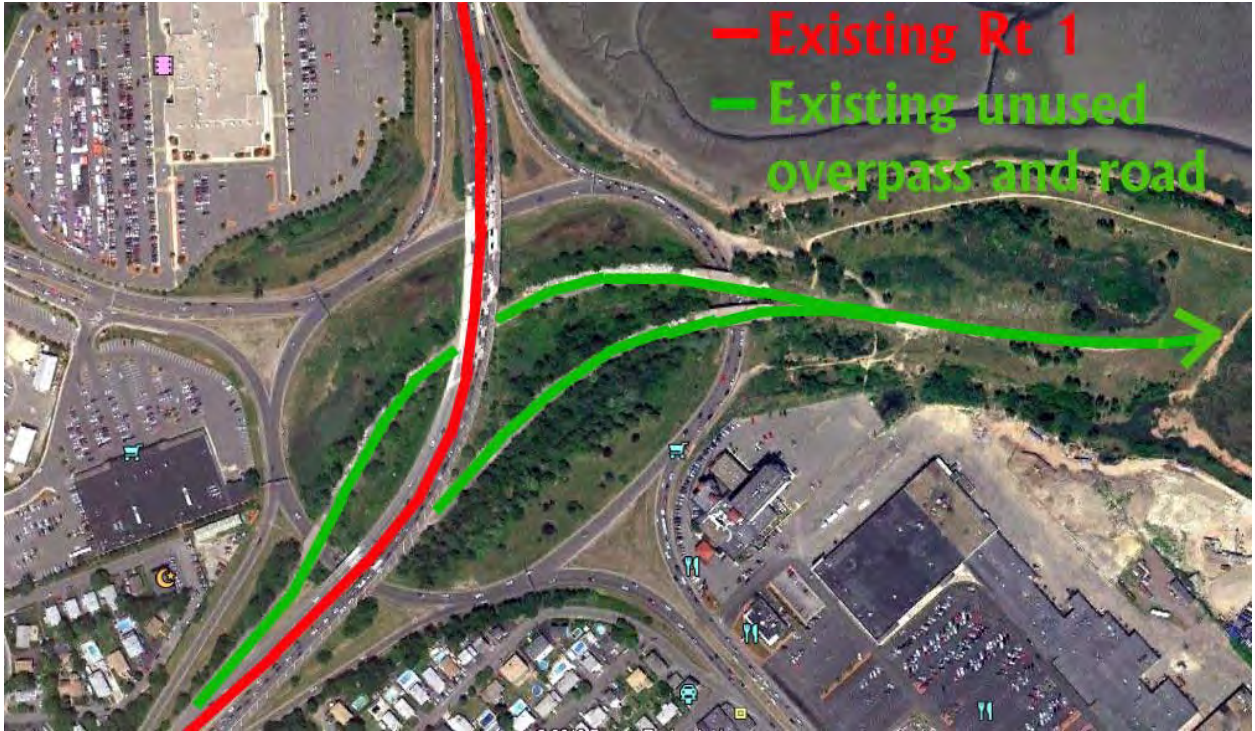
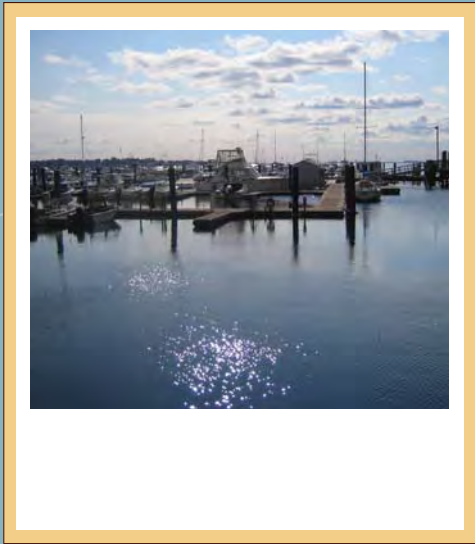
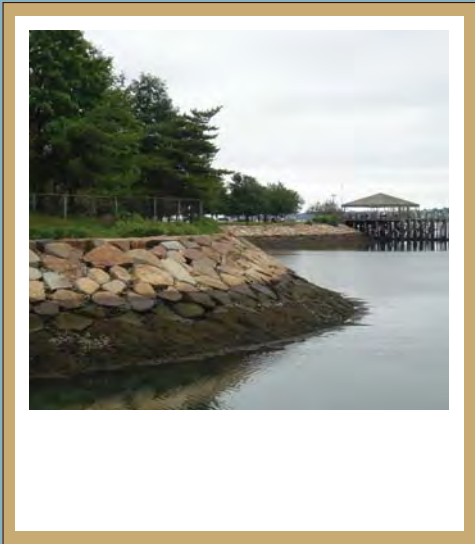


Exhibit B



Exhibit C





LYNN WATERFRONT MASTER PLAN REPORT

In collaboration with ZHA | GEI

SEPTEMBER 2007

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THE LYNN WATERFRONT MASTER PLAN VISION

Land of this magnitude in a strategic location along a beautiful waterfront is rare, particularly when it is located within 10 miles of downtown Boston.

EXECUTIVE SUMMARY

The focus of the Lynn Waterfront Master Plan is a 305-acre development site located in Lynn, Massachusetts. The site begins at the General Edwards Bridge and extends north to the intersection of the Lynnway and Market Street, and east along the inner harbor shoreline to the Nahant rotary. The waterfront property is an exceptional site made up of contiguous parcels of land that are severely underutilized. Land of this magnitude in a strategic location along a beautiful waterfront is rare, particularly when it is located within 10 miles of downtown Boston. Its exceptional location is an untapped asset waiting to be explored and transformed into a higher and better use neighborhood as an expression of Downtown Lynn on the water. The Lynn Waterfront Master Plan also examines lower Sagamore Hill in search of a better design concept to take advantage of its proximity to both downtown and the waterfront.

Historically, this land was utilized for a large variety of industrial uses ranging from active maritime commerce to power generation. In the last 50 years, New England experienced a significant change in its light to heavy industrial capital, as most relocated out of the region. Currently, the entire site is underutilized as a waterfront location, but serves the needs of industrial facilities and accommodates regional traffic with a mix of automobile oriented businesses, big box retail, and light industries. Existing uses include the regional sanitary sewer treatment plant, a creamery and associated cold storage, scrap iron yard, capped municipal land fill no longer in operation, fast food drive-thru restaurants, retail and auto body shops, car dealerships, Wal-Mart and Building 19½. As a result of the lands historical use and the continuation of many industrial uses, the land has some environmental issues that need to be addressed during future development.

Sasaki Associates Inc. was retained by the City of Lynn to develop a comprehensive conceptual Master Plan for this site and to set the necessary parameters to transform it into a vibrant place with direct linkage to the downtown and surrounding neighborhoods. Creating a significant presence on the City's waterfront is one of the main objectives of the plan. Because the land is located strategically on the Lynn Harbor and is accessible by the regional highway network and the commuter rail from Boston, it is a very valuable piece of land with great potential. The proposed mixed-use development recommended in the Master Plan will positively influence the area and spur future economic revitalization activity within the community at large. Implementing this project over the next few decades will raise the image of the community within the region and put the City back on the map with neighboring communities for quality of life, real estate land values and self image.

Sasaki's team, which included ZHA for market analysis and GEI for geotechnical expertise, studied the area, location, context within the neighboring communities, the physical condition of the land, current uses, and future potential. In the analysis phase of the project, ZHA performed a detailed market study and the City hosted several informative public workshops and set up numerous key stakeholder meetings to solicit input from the community at large and interested groups. Based on the site reconnaissance and information from the community, Sasaki prepared a series of alternative development options for review by the City and community. The preferred development option was refined to reflect the comments and input received and in accordance with the findings of the market study for the waterfront site. Additional meetings were held with Massachusetts Coastal Zone Management, who regulates future developments through the Chapter 91 waterways licensing process, and the Massachusetts

Department of Conservation and Recreation, who controls the Lynnway. These meetings were held to promote and solicit further input and to test the proposed development limits with state agencies. Similarly, the plans were adjusted and revised based on the input received through the community process.

It is important to understand the intent of this exercise. The Master Plan was developed to synthesize the community's aspiration and create a vision framework plan to guide future development. The Master Plan has three main components:

- A. Master Plan Vision
- B. Waterfront Zoning Strategy
- C. Lynn Harbor Plan

The Master Plan Vision represents future land use, proposed mixed-use density, open space, development program and identification of new neighborhoods. It is important to note that this plan does not represent future development footprints. Identifying future development footprints requires additional work between the community and individual property owners, as well as all local and state governmental agencies that have jurisdiction in the area.

The proposed Waterfront Zoning Strategy needs to be reviewed further with the community and property owners to establish consensus on the appropriate regulations set forth for each area.

The Lynn Harbor Plan is a preliminary draft for preparing the official Lynn Municipal Harbor Plan. The Massachusetts Coastal Zone Management and the Department of Environmental Protection require the preparation and adoption of a Municipal Harbor Plan (MHP), since a significant portion of the land lies within the Chapter 91 waterways jurisdiction.

This plan is a pre-requisite for any development of the land that lies within the Chapter 91 designated area.

The Master Plan program for the Lynn Waterfront includes a diverse mix of uses. Three distinct neighborhoods were created within the Waterfront Area to create flexibility within the development process and to create a unique identity for each area within the overall plan and the City of Lynn. A fourth neighborhood, Sagamore Hill, already exists within the study area and will be strengthened by the concept plan for lower Sagamore Hill along Carroll Parkway and Washington Street. This process allows for future adjustments to the land use mix in response to changing market conditions as development projects are implemented over the next 25 years. Once development commences, the power of the market economy will transform the area from its current uses into a waterfront community that takes advantage of its strategic location and natural assets.

Key program highlights of the Master Plan include:

- Mix of residential types - 4,177,000 Sq. Ft.
- Commercial / Retail - up to 1,061,000 Sq. Ft.
- Office space - 401,200 Sq. Ft.
- Hotel - up to 304,800 Sq. Ft.
- Light Industry - up to 228,730 Sq. Ft.
- Port Designated Area for marine dependant use - 45 acres
- Mixed-use Marina for recreational and commercial boats
- Ample open park spaces for community and neighborhood recreational use

Housing demand on the north shore is diverse. Trends suggest future generations are looking into more urban living where diverse housing products are available within walking distance of downtowns and active densely populated urban areas. The availability

of public transportation, by rail or ferry, within these new neighborhoods will continue to be an important factor as cost of energy continues to rise and road congestion during peak commuting time becomes more intolerable. This site's proximity to a major urban area, such as Boston, provides a very attractive setting for living, working, and playing. Given the size of the land, the current market conditions and the current existing uses, this site will most likely be developed in multiple phases. The exact makeup of the initial and subsequent phases is yet to be determined but the ultimate build out will be responsive to market demand and input from the City of Lynn, EDIC, and various regulatory approval agencies.

The City's dedication and the community's passion for this extraordinary waterfront site will have a remarkable effect on transforming the image of Lynn and its waterfront into a vibrant and diverse new urban community. This Vision Plan is the first step towards the reclamation of the waterfront for the Lynn community and its future residents, workers, and visitors.



THE EXISTING LYNN WATERFRONT AS SEEN FROM POINT OF PINES, REVERE

The City's dedication and the community's passion for this extraordinary waterfront site will have a remarkable effect on transforming the image of Lynn and its waterfront into a vibrant and diverse new urban community.



Introduction



01



The goal for the future of the Lynn waterfront is to create a mixed-use district with connections to downtown and the surrounding communities, through public and private investment.



AN AERIAL VIEW OF THE 250+ ACRE WATERFRONT SITE

GOALS OF THE STUDY

The City of Lynn commissioned the Lynn Waterfront Master Plan to build on the recent successes in downtown Lynn and to create a vision for the area that would help to overcome the negative image of the waterfront. The goal for the future of the Lynn waterfront is to create a mixed-use district with connections to downtown and the surrounding communities, through public and private investment. Other objectives of the Master Plan include cleaning up and developing underutilized areas, buffer conflicting adjacent uses, and maximizing use of the state-owned pier and city owned boat ramp.

PROCESS

In June of 2006, the City of Lynn, lead by the Economic Development and Industrial Corporation, embarked on the current Master Plan to create a vision for the waterfront, identify development parameters and guidelines, define community waterfront access, recommend transportation improvements, and develop a strategy for implementation.

The master plan process began in the summer of 2006 with a Steering Committee kick-off meeting, stakeholder and property owner interviews, and an analysis of the site, traffic, market, and regulations. The analysis and some preliminary framework concepts were presented to the community in September. As a result of feedback from the presentation and further study, a series of alternatives were developed and discussed at a large public meeting in December of 2006. The alternatives explored a range of concepts for open space, street network and hierarchy, views, and waterfront edge conditions. The presentation also included an analysis of the market opportunities for the region in terms of retail, office and residential potential as well as market directives for the master plan.



PUBLIC WORKSHOP, DECEMBER 2006



A NEW CAFE DOWNTOWN



A RECENT DOWNTOWN LOFT CONVERSION



LYNN HERITAGE STATE PARK ON THE WATERFRONT

The presentations were posted onto a website dedicated to the Waterfront Master Plan and stakeholders and residents were invited to submit comments via email. During early 2007, the project team, together with the City, reviewed the public comments and established a preferred direction. This concept plan was refined and presented to the public again in May 2007. The presentation included the draft master plan and the market implications for residential, retail and office capture. The fiscal and traffic implications of the plan were also presented.

Over the summer, the project team prepared a zoning strategy for the waterfront area, a plan that met the regulations of Chapter 91, and a preliminary Harbor Plan for the improvements to Lynn Harbor. The master plan, zoning strategy, chapter 91 plan, and harbor plan were presented to the Economic Development Committee of the Lynn City Council in August 2007 and will be presented to the entire City Council in September for approval.

The master plan, zoning strategy, chapter 91 plan, and harbor plan were presented to the Economic Development Committee of the Lynn City Council in August 2007 and will be presented to the entire City Council in September for approval.

The Lynn Waterfront Steering Committee met with the project team several times throughout the process and provided valuable feedback to the team for the betterment of the plan. The Lynn Waterfront Steering Committee members are:

Peter Capano
Ward 6 Councilor, City of Lynn

Michael Conlon
Mayoral Aide, City of Lynn

Brendan Creighton
Senator McGee's Office, State of Massachusetts

James Marsh
Mayor's Office, City of Lynn

Thomas McEnaney
Council Member, Seaport Advisory Council

Tom McGee
Senator, State of Massachusetts

John C. Moberger
Director of Public Facilities, Office of
Economic & Community Development

Jim Perry
Harbormaster, City of Lynn

Paul Robertson
Member, Friends of Lynn/Nahant Beaches

Andrea Scalise
Mayoral Aide, City of Lynn

Ted Smith
Board Member, EDIC

Robert Stilian
Chairperson, Lynn Planning Board

John Walsh
Fisherman

Steve Walsh
Representative, State of Massachusetts

Over the course of the master plan, the project team also met with numerous stakeholders, property owners, and interested developers. The stakeholders and property owners included:

- National Grid
- Lynn Water & Sewer Commission
- Representatives of the Miles/O'Brian site
- Representatives of the O'Donnell site
- Representative from Building 19 site & Lowe's
- The Mayo Group
- Lynn Business Partnership Executive Committee
- Mayor Clancy and Senior Staff
- North Shore Community College
- Representative of the Christie's Site
- Lynn Housing and Neighborhood Development
- Department of Conservation and Recreation
- Coastal Zone Management



Development Context



02





A VIEW OF THE WATERFRONT SITE WITH DOWNTOWN BOSTON VISIBLE IN THE DISTANCE



IN 1903, THE MAJORITY OF THE SITE WAS PART OF LYNN HARBOR

BACKGROUND

Originally settled in 1629, Lynn played a major role in the regional tannery and shoe-making industries. The shoe-making industry drove urban growth in Lynn into the early nineteenth century. This historic theme is reflected in the city seal, which features a colonial boot, along with an anchor and a hammer. Shortly after Lynn was incorporated as a city in 1850, the northern section of the city, which was attracting wealthy patrons and growing as a resort town, seceded from Lynn and became the town of Swampscott. While the two municipalities continued to have strong ties, Lynn headed in an industrial direction, while Swampscott took a more upscale maritime and suburban direction. Despite industrial expansion as a mill town in the early 20th century, Lynn began to



HISTORIC PHOTO ILLUSTRATING THE INDUSTRIAL USE OF THE SITE

decline in the latter half of the century and was plagued by an increase in crime, similar to many other older Massachusetts urban centers. Lynn's problems were exacerbated by several large fires in the late 1970s and early 1980s, including a devastating fire in former shoe factories at Broad and Washington Streets in 1981. The fire destroyed 17 downtown buildings undergoing redevelopment. The site has since been largely redeveloped into a satellite campus of North Shore Community College. Despite its image in the late 20th century, Lynn remains home to some major national employers including a portion of the jet engine division of General Electric, West Lynn Creamery (now part of Dean Foods' Garelick Farms division) and Durkee-Mower, makers of "Marshmallow Fluff."

The City of Lynn currently has approximately 90,000 residents. Recent legislation streamlined the process for downtown building conversion into lofts. With new restaurants and cafes opening, the downtown has seen a small resurgence in popularity with a new influx of downtown residents and visitors to downtown. Mayor Edward "Chip" Clancy, who is currently serving his second term as the Mayor of Lynn, the Lynn City Council, and a new Site Plan Review Committee have been largely responsible for this urban revitalization of downtown.

EXISTING CONDITIONS

Located in Essex County, just 10 miles north of Boston, the City of Lynn has both commuter rail service and regional highway access. However, these two infrastructure systems have both benefited and hurt the Lynn Waterfront. The commuter rail station is located in downtown; however the elevated rail line has cut West Lynn off from direct access to the waterfront. A large parking garage was built in conjunction with the commuter rail station; however, the garage remains relatively empty further contributing to lack of safety and activity. Route 1A provides quick and easy access to downtown Boston, but it has also turned the Lynnway into a high-speed commuter route and created an additional barrier to the waterfront for the residents of Lynn. The businesses along the Lynnway are predominantly car dealerships, bargain retail stores, and fast food drive-thru restaurants. The former West Lynn Creamery, now part of Garelick Foods, has manufacturing and distribution facilities along the Lynnway and within the study area.

There are many public facilities already located along the waterfront with the potential to be great assets for the future development. Lynn Heritage State Park and Seaport Marina are enjoyed by the residents, but remain an isolated instance of community access and residential living on the Lynn Harbor waterfront.



THE 6-7 LANES OF THE LYNNWAY AND CARROLL PARKWAY ARE A FORMIDABLE BARRIER TO PEDESTRIANS

The public launching ramp at Blossom Street Extension is in the process of being resurfaced and will provide ample parking for cars and trailers, the EDIC pier at Marine Boulevard is currently used by Horizons Edge Casino Cruises, and the Massachusetts Department for Conservation and Recreation's public fishing pier is located at the southern end of the site.

The Clocktower Office Building is a wonderful example of both the potential for office along the Lynnway and the retrofit possibilities of structures into landmark buildings. North Shore Community College is also a tremendous asset to the waterfront. The college has over 3,300 students and brings people from the area to the downtown Lynn. The college's plans for expansion will bring even more vitality to the area and will be an important connection in bridging the gap between the downtown and the waterfront—literally.

While there are several assets currently on the waterfront, there are also many constraints that new development must keep in mind. The liquid natural gas tank is located right on the waterfront, but is only a reserve tank and therefore only used during peak periods in the winter. The Water & Sewage Treatment Plant serves the region and has onsite landfill capacity for the disposal of residual incinerated ash for approximately 17 more years. The Treatment Plant is researching innovative measures for wind technology and is committed to working with the new development to create a livable environment for the future residents and workers. The municipal landfill was capped in 1986 and only grassy hill remains. There is, however, the potential to relocate some of the landfill away from the water to allow for more advantageous use of the waterfront site. Power lines



THE LNG TANK AND A DISTRIBUTION FACILITY ARE WINDOWLESS STRUCTURES FEET FROM THE WATER

currently run along an easement on the southern portion of the waterfront, then between the landfill and the Treatment Plant and connect to the power plant located along Marine Boulevard. National Grid recently completed an engineering study and the City of Lynn has received a grant to help pay for the relocation of the power lines from the waterfront to instead run along the GE property behind Lynnway businesses, cross over the Lynnway at Harding Street and return to the existing alignment between the landfill and the Treatment Plant, freeing up land along the waterfront to be redeveloped. While the power lines will soon be relocated, the Power Plant is a fixture on the waterfront and will need to be incorporated into any future plans.

STATE REGULATIONS

A significant portion of the waterfront site lies within the Chapter 91 designation. Chapter 91 is a state regulation to protect and promote the public use of tidelands and other waterways. Chapter 91 preserves pedestrian access along the water's edge in return for permission to develop non-water dependant projects on tidelands and provide facilities to enhance public use. Activities requiring authorization include structures, filling, dredging, change in use, structural alteration, and demolition/removal of structures.

A large portion of the central waterfront is a state Designated Port Area (DPA). There are 11 DPAs located throughout Massachusetts to promote the use and maintenance of designated areas for water-dependent industrial activities that require direct access to the waterfront. Examples of water-dependent industrial activities include marine terminals, commercial fishing facilities, marine repair and construction, and manufacturing facilities that rely on bulk receipt of goods by waterborne transportation.

REGIONAL MARKET ANALYSIS

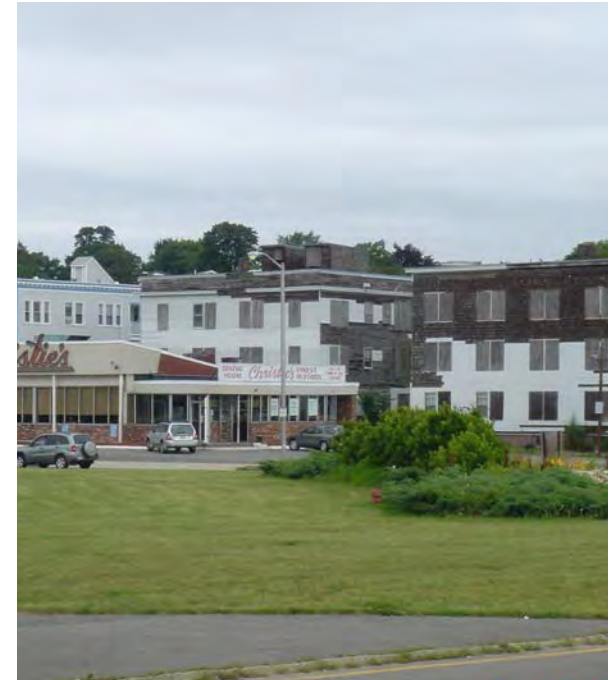
The City of Lynn sits within an impressive regional economy. Boston, one of the largest and most powerful metropolitan economies in the nation, is located 10 miles to the south of Lynn. The Boston Metropolitan area housing cost is currently 69% above the US Metro average. City affordability issues are pushing middle and upper middle income households out of Boston and into the surrounding region. With Lynn's affordability and access to Boston both by car and by commuter rail, it is a prime candidate for increased residential and office product. Coupled with the amount of underutilized waterfront land, the Lynn Waterfront site is very attractive to the market.

According to the market analysis, there is the potential for 43,000 new households in Essex, Suffolk, and Norfolk Counties by 2020. One-third of the existing households in Essex County have lifestyles or "life-stages" such as "empty nester" or young & single, that would be inclined to choose urban residential products. It is anticipated that in the next 10 years, 70,000 of the "urban-inclined" households will relocate making the waterfront area attractive for moderately high price points for mid—to high—rise multifamily units.

By 2027, there will be over 17,000 new jobs that demand office space in Essex County. These new jobs will require 4.4 million square feet of office space. The Lynn Waterfront's great access and high amenity mixed-use environment will make the waterfront a competitive office location for mid-rise office and mixed-use mid-rise built-to-suit.

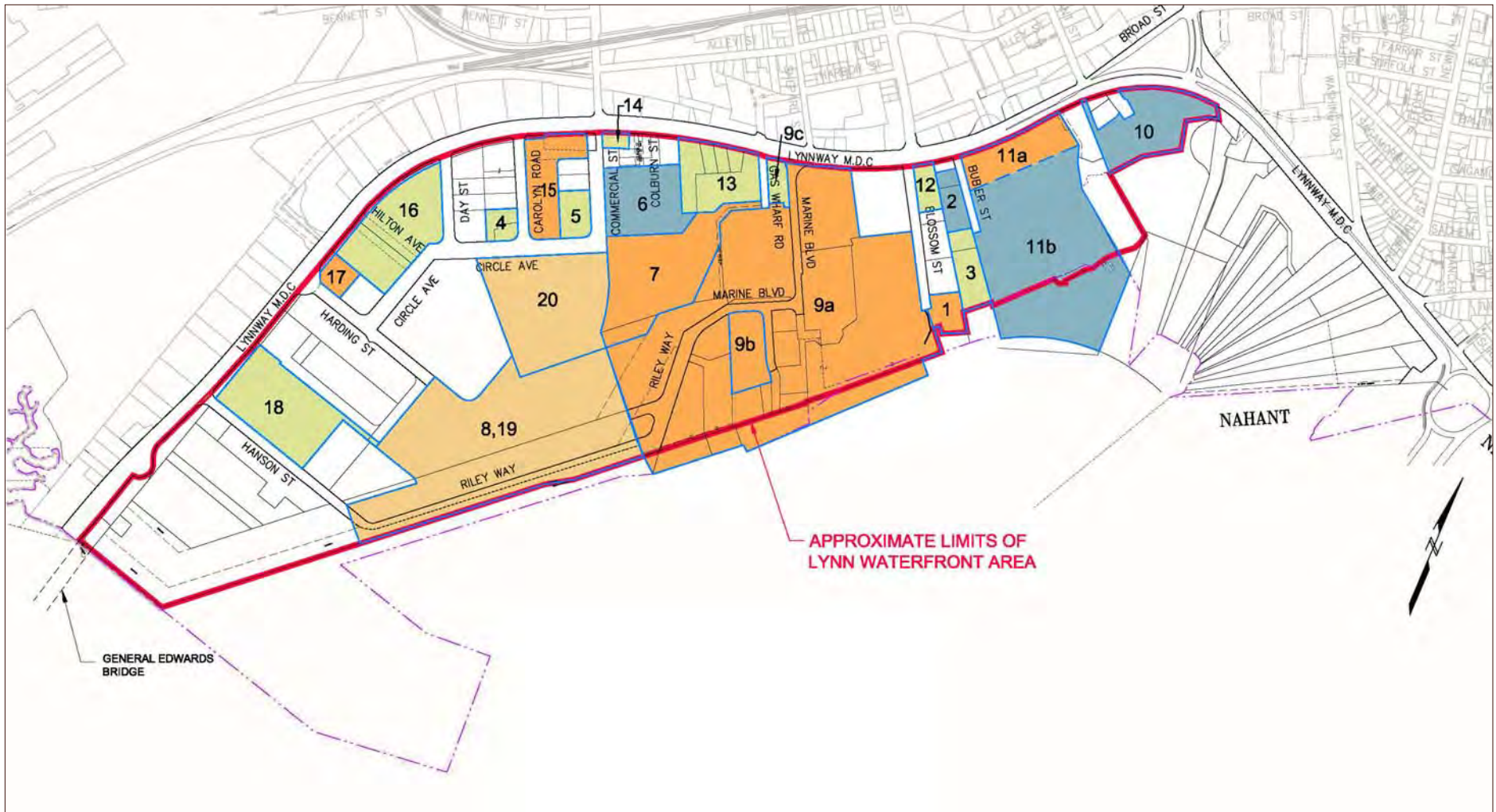
The retail trade area for the Lynn Waterfront includes retail within the City of Lynn, Nahant, Swampscott, and part of Revere. The trade area is located within a 15 minute "drive time and cut back" of the Square One Mall and large retail along Route 1. The Lynn Waterfront Trade Area has the potential for \$1.6 billion in retail expenditure. There is little competition within the trade area making the waterfront area poised to capture much of the retail potential. While the retail trade area is in need of some big box retail, the waterfront location is more suitable for eating and drinking establishment and small stores in a lifestyle environment that take advantage of the waterfront as an amenity.

Based on the market analysis, the directives from an economical standpoint for the Lynn Waterfront Master Plan are to create a mixed-use district, locate larger scale retail along the Lynnway, create lifestyle retail in the waterfront neighborhoods, buffer the conflicting adjacent uses, and maximize the inherent amenity of the waterfront with views and site orientation.



THE CHRISTIE'S BUILDING IS A PRIME REDEVELOPMENT SITE FOR MIXED-USE WITH MAGNIFICENT WATERFRONT VIEWS

With Lynn's affordability and access to Boston both by car and by commuter rail, it is a prime candidate for increased residential and office product. Coupled with the amount of underutilized waterfront land, the Lynn Waterfront site is very attractive to the market.



SITES IDENTIFIED BY THE DEP AS CONTAMINATED, HOWEVER, SEVERAL HAVE ALREADY BEEN REMEDIATED

- CLEAN UP TO UNRESTRICTED USE
 - CLEANED UP WITH DEED RESTRICTION
 - ADDITIONAL WORK REQUIRED
 - LANDFILL
- 1 MAP ID FOR DEP-LISTED SITE OR LANDFILL

The Lynn Waterfront Area has been an active industrial and commercial area in the City of Lynn since the early 1800s.

ENVIRONMENTAL ISSUES

With new development imminent, the project team reviewed available environmental studies prepared for the properties within the Lynn Waterfront Area to evaluate the challenges to redevelopment posed by environmental degradation or contamination within the study area. The Lynn Waterfront Area has been an active industrial and commercial area in the City of Lynn since the early to mid 1800s. Historical uses of the Lynn Waterfront included a former manufactured gas plant which operated from 1853 until 1972; a wide variety of industrial and manufacturing facilities including dairy, textile, and electrical facilities; the municipal landfill; and the municipal wastewater treatment plant.

According to the Department of Environmental Protection's (DEP) online contaminated sites database, there are 38 reported releases of oil and/or hazardous materials located on 21 properties within the study area. Two additional properties that could be considered contaminated that are not reported releases under the DEP Bureau of Waste Site Cleanup program include the Lynn Municipal Landfill and the Lynn Wastewater Treatment Landfill. The sites are summarized in the Technical Appendix.

There are several challenges posed by the contamination. Some of these sites will require additional investigation and cleanup activities. Although several of the sites have been closed under the MCP, the residual contamination may affect how the properties may be redeveloped. The deed restrictions on properties prohibiting residential use could be revised with additional cleanup or an appropriate engineering solution. There are many design and construction alternatives that can mitigate environmental risks or the impact of contaminated soil and groundwater to project costs and schedule.



WATERFRONT SITE WHERE ADDITIONAL REMEDIATION WORK IS REQUIRED

There are many design and construction alternatives that can mitigate environmental risks or the impact of contaminated soil and groundwater to project costs and schedule.



Master Plan Vision &
Development Opportunities





FRAMEWORK PLAN

- | | |
|--|--|
|  RES. / MIXED USE |  ROAD/RAIL |
|  GREEN SPACE |  FOCAL POINT |
|  PROMENADE |  GATEWAY |
|  CONNECTION |  RAIL STATION |

VISION FOR THE LYNN WATERFRONT

Building upon Lynn's recent success in the downtown, the waterfront plan for the 250+ acre site transforms the underutilized industrial brownfield land into a vibrant mixed-use district. The plan for the Lynn Waterfront connects the City with the water by overcoming visual and physical obstacles, including the Lynnway, the railroad, overhead power lines, and a municipal landfill. Pedestrian-oriented connections culminate in much needed public spaces along a waterfront promenade. The plan creates mixed-use neighborhoods, acknowledging the existing site constraints and building upon the unique assets. Gateway development sites announce the arrival at Lynn's waterfront and a signature public plaza creates a focal point where downtown, North Shore Community College, the residents of Sagamore Hill and the waterfront come together.

The portion of the site designated as an industrial maritime port by the Commonwealth of Massachusetts has been incorporated into the plan to encourage the continuation of the working waterfront through commercial fishing, boat building and repair, a marine terminal and other water-dependant industrial uses. The plan also envisions a revitalized Washington Street corridor that supports North Shore Community College and the surrounding residential neighborhood with small scale retail and restaurants, as well as creates a pedestrian focused connection between downtown and the waterfront.

The vision for the Lynn Waterfront was created as a result of feedback from the community, property owners, and stakeholders. The project team developed a set of guiding principles for the development of the master plan:

- Connect the City with the waterfront

- Create connections that culminate in public spaces along waterfront promenade
- Establish a unified open space along the water
- Create a landmark open space for celebrations
- Design a mixed use neighborhood that takes advantage of views and connections
- Design the new development as an extension of the existing urban fabric
- Transform the Lynnway into a pedestrian friendly boulevard
- Transform lower Sagamore Hill area into a vital residential neighborhood
- Upgrade the traffic system to be more pedestrian friendly

The project team sought to develop design solutions for the Lynn Waterfront Master Plan that are not only economically viable and publicly supportable, but also development that is environmentally sustainable and elevates the quality of life for users and visitors alike. The United Nations World Commission on Environment and Developments described sustainability as "development that meets the needs of the present without compromising the ability of future generations to meet their own needs." This sense of sustainability is ingrained in the approach towards the development of the Lynn Waterfront. This perspective creates a design plan that acknowledges a strong relationship between the natural setting and proposed development, supporting the best scientific analysis of the environment while responding to the underlying market and economic reality. The sustainability goals for the Lynn Waterfront are to:

- Create a walkable, livable community that promotes human interaction



GROUND FLOOR RETAIL ACTIVITY ADDS VITALITY

- Configure buildings on the site to minimize energy use by means of natural ventilation, daylighting and shading from vegetation.
- Explore diverse transportation options
- Design walking trails and bike paths that link the built environment with the natural environment
- Conserve water resources through reuse, on-site treatment and reduction in peak demand
- Use biofiltration where possible to ensure groundwater recharge and to reduce out-of-basin transfer through stormwater drains
- Establish a natural systems framework that preserves open space, habitat, buffers, and corridors to minimize impacts to the ecosystem.



THE LYNN WATERFRONT MASTER PLAN VISION

LYNN WATERFRONT MASTER PLAN DISTRICTS

The master plan vision for the Lynn Waterfront divides the immense project area into 4 distinct districts:

- Gateway Waterfront Neighborhood
- Marine Park Industry Center
- Downtown Waterfront
- Lower Sagamore Hill

Each of the districts has a distinct character created by its location, uses, assets, history, and surrounding environment.

Gateway Waterfront Neighborhood

Located at the southern edge of the site, this district serves as a gateway to Lynn as residents and visitors cross over the General Edwards Bridge from Revere along Route 1A. The street network in this district generally respects the existing streets within this portion of the site and organizes the streets and open spaces to create vistas towards the water. This district takes advantage of water on two sides by locating a marina on the Saugus River and creating a more natural landscape environment on the Lynn Harbor side. The design for the Saugus River marina incorporates the existing Department of Conservation and Recreation's fishing pier, taking it out of isolation and making it a real community asset.

For the marina on the Lynn Harbor side, a portion of the filled tidelands could be reclaimed to create this marina. It would need to be protected from the strong ocean current, but the marina meets the guidelines set forth in Chapter 91. It also creates a visual statement at the end of a linear public open space, as viewed from the Lynnway, giving even the businesses along the Lynnway a waterfront view.



MARINA WITH WATERFRONT RESIDENCES



WATERFRONT PROMENADE LINED WITH RESTAURANTS



PIER DESIGN THAT CELEBRATES MARITIME HISTORY

The master plan vision for the Lynn Waterfront divides the immense project area into 4 distinct districts. Each of the districts has a distinct character created by its location, uses, assets, history, and surrounding environment.

The vision for this district features a variety of housing types, block configurations, and price ranges, with supporting retail, restaurants, and some office space.



THE GATEWAY WATERFRONT NEIGHBORHOOD DISTRICT

Additionally, a generous open space is created along the Lynn Harbor that allows for a variety of active and passive recreation and gives the community a place to congregate along the waters edge.

The vision for this district features a variety of housing types, block configurations, and price ranges, with supporting retail, restaurants, and some office space. The majority of the office space would be located along the Lynnway, with residential buildings making up the rest of the district. Ground floor retail is encouraged along the Lynnway, as well as along the waterfront and other primary streets within the district. Restaurants should be oriented towards the water with views of the ocean and Nahant.

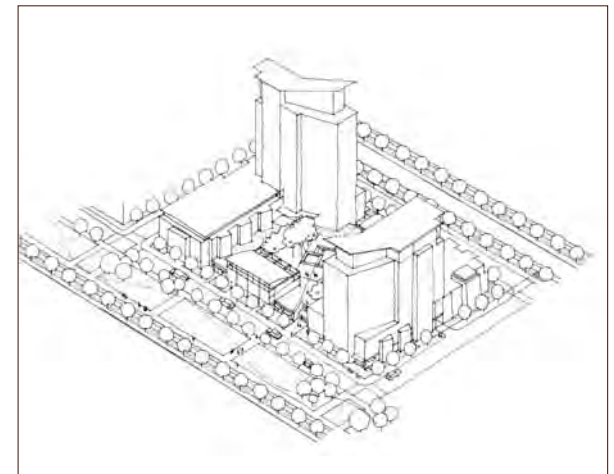
A typical block within this district would have lower-rise residential along the waterfront, transitioning to high-rise in the middle of the district to maximize waterfront views for each development. Parking would be internal to the block and could be created with a green roof or other program to lessen the heat island effect and create a more pleasing view for the residents.



TYPICAL BLOCK SECTION



TYPICAL BLOCK PLAN



3D VIEW OF TYPICAL BLOCK

Surface parking or creative multipurpose paving could be used for a fish and farmer's market or festivals to celebrate the marine history of Lynn.



THE MARINE PARK INDUSTRY CENTER DISTRICT

Marine Park Industry Center

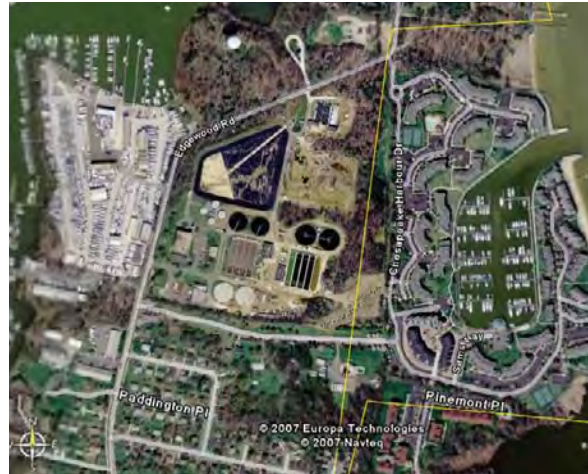
Given the multiple constraints in this district including the State's designated port area (DPA), the regional Water & Sewer Treatment Plan, and the liquid natural gas (LNG) reserve tank, this district is geared more towards light industry and office. Since the DPA is restricted to only marine related industrial activities, the majority of this area is envisioned as a working waterfront with a range of activities including a commercial fishing marina, boat building and boat repair, a marine terminal associated with the state-owned pier, and a passenger terminal for the proposed commuter ferry and public boat ramp.

Surface parking or creative multipurpose paving could be used for a fish and farmer's market or festivals to celebrate the marine history of Lynn. A portion of the landfill could be relocated to create the commercial fishing marina, again reclaiming the filled tidelands and creating a lasting environment that brings these water dependent uses back to the waterfront.

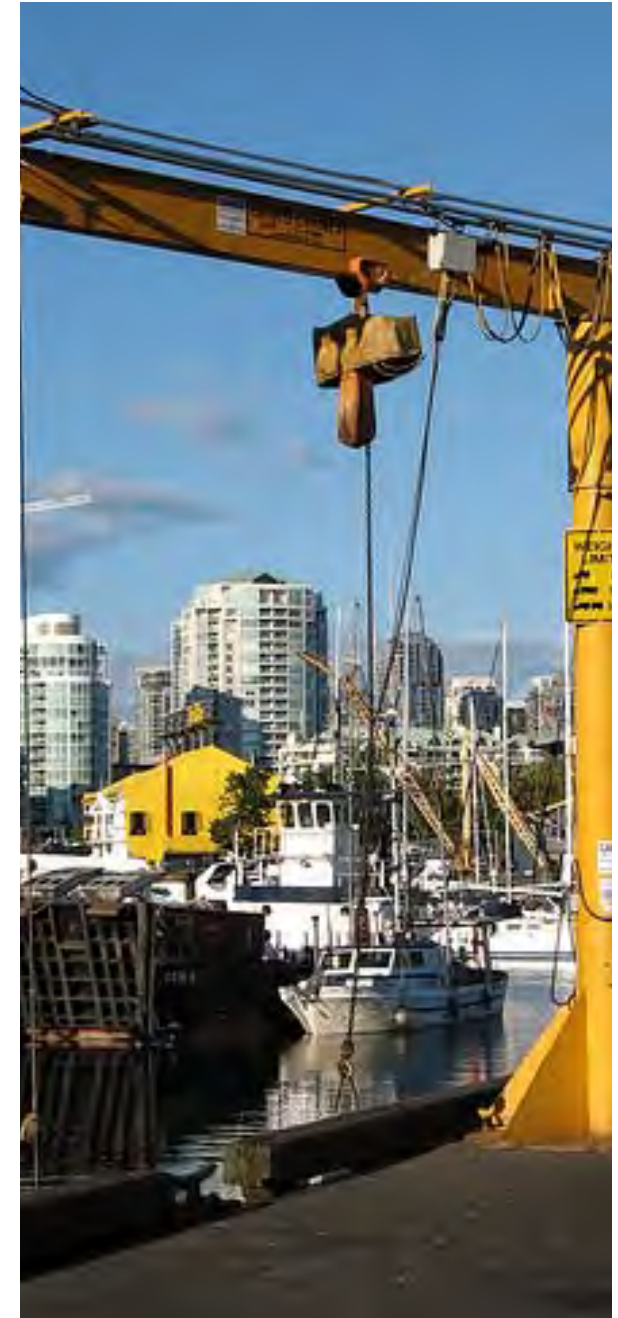
Along the Lynnway, office buildings should be approximately 6 to 10 stories, so as not to create a canyon effect along the Lynnway. Residential uses, although not encouraged in this district, would be acceptable given the proper amount of buffer between the light industrial uses and the residential buildings. While many may not believe that it is possible to have residences anywhere near uses such as a Water and Sewer Treatment Plant, precedent shows that given a waterfront location and innovative methods of mitigation, even million dollar condo have been developed nearby, as in Chesapeake Harbor, Maryland.



A FISH MARKET ALONG THE WATERFRONT



MILLION DOLLAR CONDO LOCATED NEXT TO TREATMENT PLANT IN CHESAPEAKE HARBOR



THE WORKING WATERFRONT

The creation of a signature park where the downtown meets the waterfront is envisioned as the main focus of this district.



THE DOWNTOWN WATERFRONT DISTRICT

Downtown Waterfront

The Downtown Waterfront District builds upon its proximity to downtown and existing assets such as the renovated Clocktower and Seaport Landing. The creation of a signature park where the downtown meets the waterfront is envisioned as the main focus of this district. While a realignment of the Lynnway into a tighter, more urban type of roadway significantly enhances the size and capability of this signature open space, the vitality of this district does not hinge upon it. The plan creates a waterfront promenade with magnificent views of the Harbor, Nahant and even Boston in the distance. Mixed-use buildings create a dense urban neighborhood with residences, offices, retail and a much needed hotel in the area. Buildings should be designed with ample glass to capitalize on the views of the water and to light up the area in the evenings.

With both the commuter rail and the commuter ferry in close proximity, this district could be the classic transit-oriented development with shared parking and a real pedestrian feel. The signature open space is the perfect place for community gatherings and festivals. An amphitheater, trellis structures, a play ground, and fountains make the park a place to enjoy throughout the year regardless of scheduled events.



A DOWNTOWN AMPHITHEATER ON THE WATER



TRELLIS STRUCTURES PROVIDE SHADE AS A PARK AMENITY



CREATIVE PAVING AND LANDSCAPE DESIGN

Low to mid-rise buildings are envisioned for Washington Street and lower Sagamore Hill to capitalize on views, but remain consistent with the existing scale of buildings in the neighborhood.



THE LOWER SAGAMORE HILL DISTRICT

Lower Sagamore Hill

Lower Sagamore Hill is anchored by both the existing North Shore Community College and the potential for a gateway development at the Nahant Rotary. In between, the character of Washington Street needs to be elevated to be consistent with the recent success downtown for restaurants and urban living, as well as provide support for the stable residential neighborhood found at the top of Sagamore Hill and the College.

Low to mid-rise buildings are envisioned for Washington Street and lower Sagamore Hill to capitalize on views, but remain consistent with the existing scale of buildings in the neighborhood. Along the waterfront, where there are already higher-rise buildings such as Seaport Landing and the senior housing near the rotary, buildings could be up to 10 stories, in line with other buildings along Lynn Shore Drive.

The Washington Street Corridor is envisioned as a lively extension of downtown that connects to the waterfront with ground floor retail and urban living above. Restaurants with views of the waterfront or retail stores that support the College, such as a bookstore or café would contribute to the revitalization of this district.

North Shore Community College is bound by the waterfront, downtown, and Sagamore Hill, making it difficult to place a back door. Unfortunately, since quality and consistency is currently lacking along Washington Street, the College has made recent plans to expand and will do so with a focus on the waterfront and downtown. Should they continue to grow, the master plan encourages them to also address the Sagamore Hill neighborhood with academic buildings facing onto Washington Street.

The Christie's site is envisioned as a signature development that announces ones arrival to the Lynn Harbor and creates a presence on the Nahant Rotary with 270 degree views of Lynn Harbor, Nahant, and

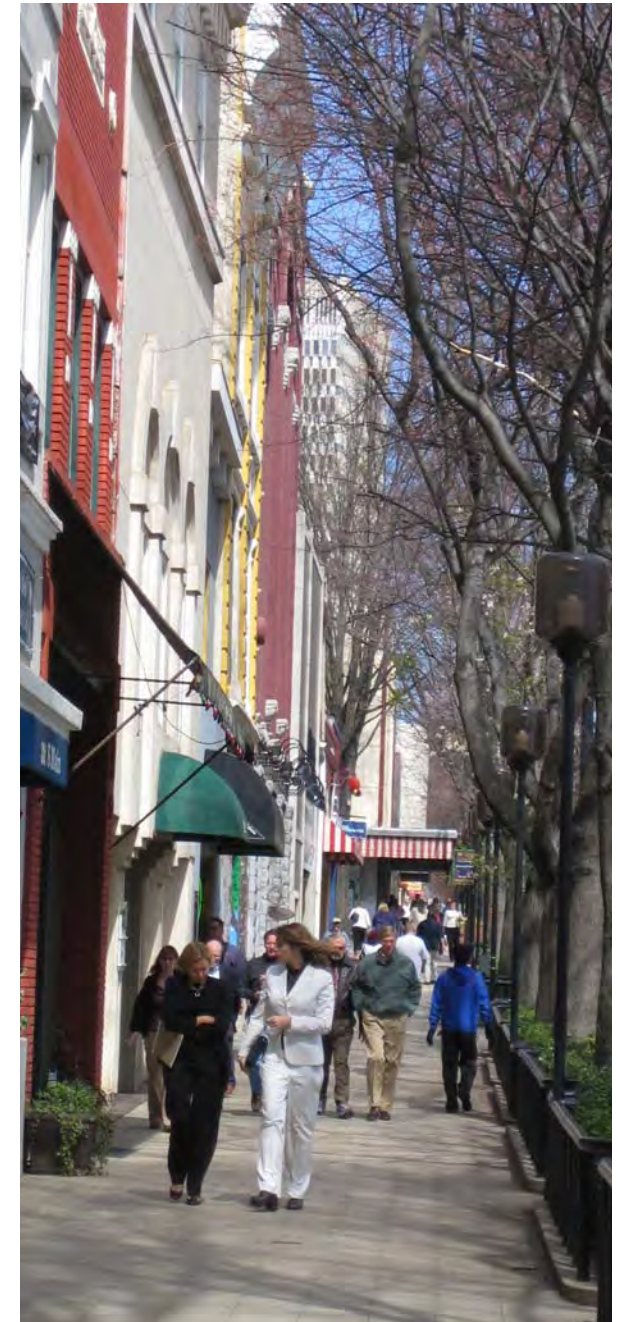
Swampscott. The development should be predominantly residential, consistent with the surrounding residential neighborhood use, but have a mix of uses on the ground floors, accommodating to the pedestrian traffic at the beach and eye-catching for the commuters passing by.



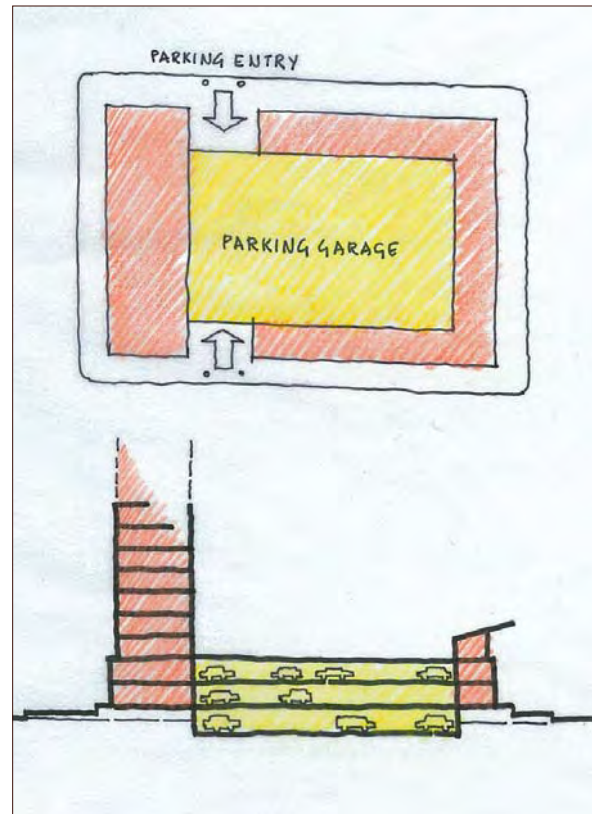
A PEDESTRIAN SCALE STREET WITH RETAIL AND HOUSING



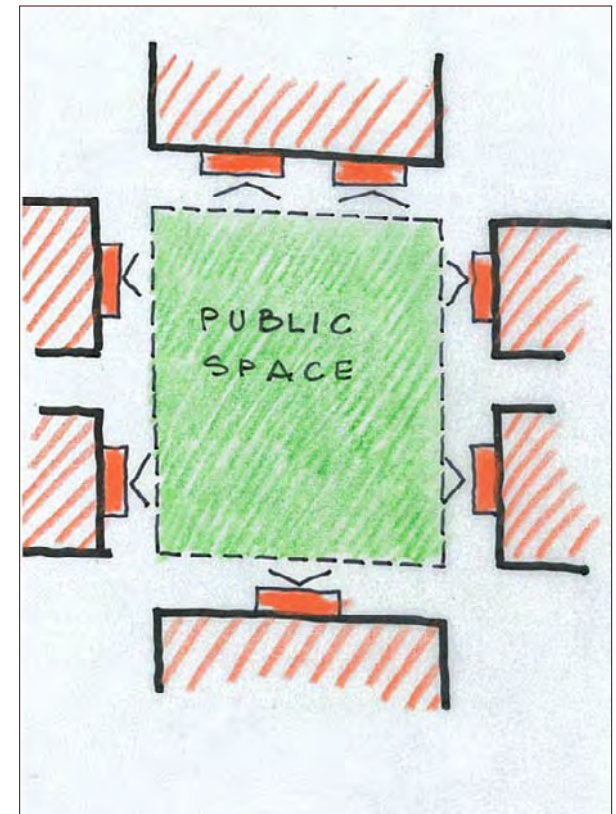
GALLERY STOREFRONTS WITH HOUSING ABOVE



WIDE SIDEWALKS AND LANDSCAPING CREATE A PEDESTRIAN FRIENDLY ENVIRONMENT



PARKING GARAGE IN PLAN AND SECTION



ORIENT ENTRIES, RETAIL, AND SEATING TO ACTIVATE PUBLIC SPACES

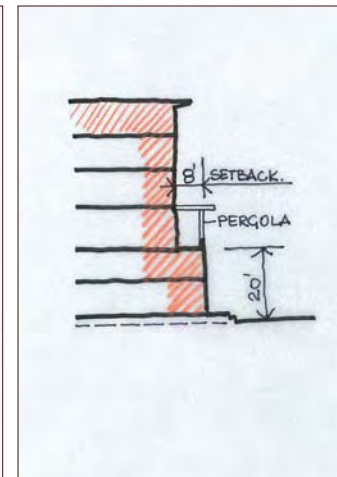
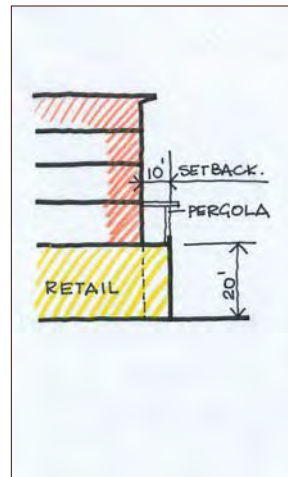
Development standards are intended to create a compact urbane waterfront with residences, shopping, cultural activities, waterfront amenities, and employment in close proximity.

DESIGN GUIDELINES

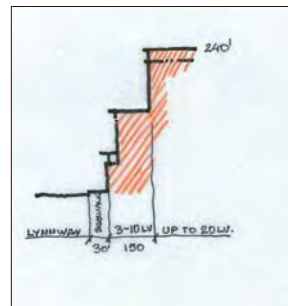
The Waterfront Master Plan has distinct districts, yet there are guidelines for development that apply generally to the entire area. Development standards are intended to create a compact urbane waterfront with residences, shopping, cultural activities, waterfront amenities, and employment in close proximity. In particular, the guidelines encourage an active pedestrian environment, balanced transportation, distinctive architecture, and ground floor retail on primary streets. These guidelines can form the basis of the site plan review and other forms of development review and regulation.

Buildings that engage the street shape the civic realm.

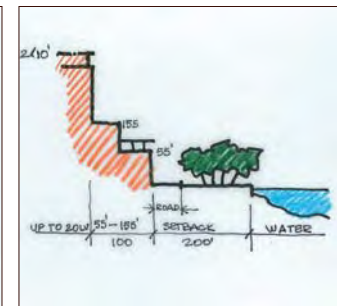
- Buildings should be set close to the street and should define open space and streets with consistent heights along their facades
- Where greater height is appropriate, the upper levels should be stepped back to provide consistent street walls along the street and in relation to the buildings on the opposite side.
- On residential streets, buildings may be set back on the site to allow for landscaped planting beds. For rowhouses, stoops may provide rhythm and interest along the street.
- Multiple building entrances should open out to the public realm of the street or open space.
- Buildings should be designed to accommodate ground floor retail. Where feasible, this use is encouraged, especially on prominent corners and where concentrated on both sides of the street or facing the waterfront.
- At the street level, buildings should be proportioned and offer details that relate to the pedestrian environment.



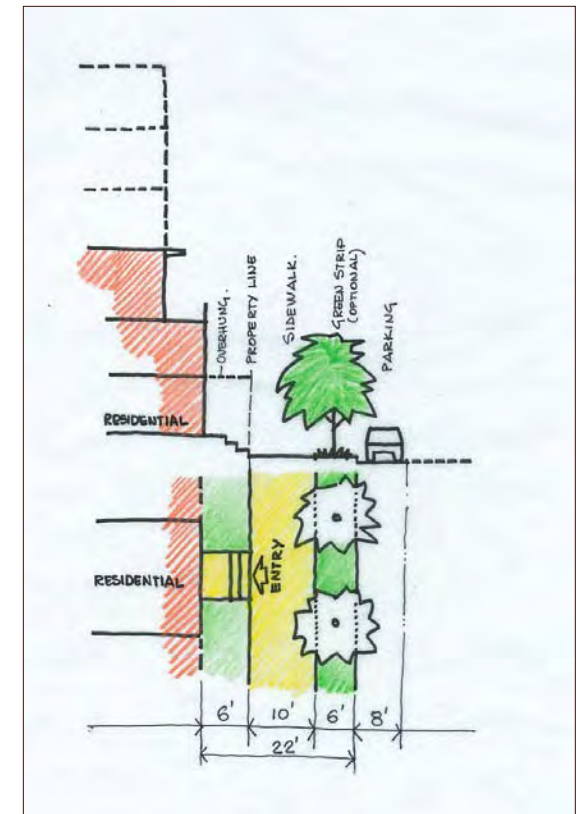
RESIDENTIAL STEPBACK WITH OR WITHOUT RETAIL



STEPBACK ON THE LYNNWAY



STEPBACK ON THE WATERFRONT



TYPICAL RESIDENTIAL SECTION

Pedestrian-friendly streets balance use by vehicles and people.

- Streets should be two-way wherever possible to make it easier to navigate and to calm traffic.
- On-street parking is recommended for at least one-side of all streets to increase the parking supply of convenient parking, to support retail use, to encourage people to park and walk on city streets to their destination, to buffer the pedestrian from moving traffic, and to calm traffic.
- Street trees are essential for pedestrian friendly streets since they create a cooler microclimate in the

summer, buffer the pedestrian from moving traffic, and improve the image of the district.

- A palette of materials for lights, street furniture, and paving should be established to provide "connective tissue" within and between districts, minimize awkward district transitions, and is easier to maintain. Slight variations of this palette should be created for each of the districts.
- In the more industrial areas, truck routes should be carefully considered to minimize conflict with residential areas.



DEVELOPMENT PLAN

- NO BUILD ZONE (EXCEPT FOR DPA APPROVED USES)
- 3-4 LEVELS (LIGHT INDUSTRIAL) 392,034 SF FOOTPRINT
- 3-4 LEVELS (GROUND LEVEL RETAIL, RESIDENTIAL) 433,843 SF FOOTPRINT
- 6-10 LEVELS (MIXED USE) 165,181 SF FOOTPRINT
- 6-10 LEVELS (RETAIL-GROUND LEVEL, OFFICE ABOVE) 883,887 SF FOOTPRINT
- UP TO 20 LEVELS (MIXED USE) 2,313,688 SF FOOTPRINT

The Master Plan calls for a large amount of new residential, office, and retail space; however, with a 20 year full build out, the program is feasible given the regional market trends.

MARKET IMPLICATIONS

As a means of achieving the key goal of creating a vibrant mixed-use development, the market analysis focuses on the economic and fiscal implications of the Lynn Waterfront Master Plan. The Master Plan calls for a large amount of new residential, office and retail space; however, with a 20 year full build out, the program is feasible given the regional market trends outlined earlier in this document.

Based on community feedback, the project team prepared a vision plan and tested it against the market analysis. A land use mix program based on the initial design was created and its feasibility was tested given the market trends among residential, office, and retail land uses.

The project team created a development plan that highlights height and use for the Waterfront to maximize waterfront views, avoid canyon-like effects along open spaces, create vitality, and ensure proper transitions between districts and conflicting uses. From this diagram, land use assumptions were made for the project area and a conceptual build out program was established. Residential is the predominant land use with approximately 3,100 units assumed. Commercial uses account for approximately 1.6 million square feet. Light industrial amounts to 490,000 square feet. In total, the program incorporates approximately 5.7 million square feet of development.

LAND USE MIX ASSUMPTIONS, LYNN WATERFRONT PLAN

	USE	MIX RESIDENTIAL	MIX: RETAIL	MIX: OFFICE	MIX: LT INDUSTRY	MIX: HOTEL
PURPLE	LIGHT INDUSTRIAL	0 %	0 %	0 %	100 %	0 %
YELLOW	RETAIL AND RESIDENTIAL	80 %	20 %	0 %	0 %	0 %
PINK	RETAIL AND OFFICE	20 %	50 %	20 %	0 %	10 %
ORANGE	MIXED-USE ZONE	80 %	10 %	5 %	0 %	5 %
RED	MIXED-USE ZONE	80 %	10 %	5 %	0 %	5 %

CONCEPTUAL BUILD-OUT PROGRAM, LYNN WATERFRONT PLAN

	PURPLE		YELLOW		PINK		ORANGE		RED		TOTAL	
	SQ. FT.	UNITS	SQ. FT.	UNITS	SQ. FT.	UNITS	SQ. FT.	UNITS	SQ. FT.	UNITS	SQ. FT.	UNITS
RESIDENTIAL	0		404,920	340	183,850	150	206,146	170	2,887,480	2,410	3,682,396	3,100
RETAIL	0	0	101,230		459,620		25,768		360,940		947,558	
OFFICE	0		0		183,850		12,884		180,470		377,204	
HOTEL	0		0		91,920		12,884		180,468		285,272	
LIGHT INDUSTRIAL	490,380		0		0		0		0		490,380	
TOTAL	490,380		506,150		919,240		257,682		3,609,358		5,782,810	

The Residential Market

The Lynn Waterfront Plan's residential program consists of moderate to high rise, multi-family residential projects. Given this product, the primary target markets for the Lynn Waterfront residential units will be young households with no children and empty nester/retiree households.

The particular market segments most likely attracted to Lynn's Waterfront in the near term are moderate income households who demand affordable housing in the Lynn Region. These households will be attracted to Lynn for its central location, great access and its waterfront.

Claritas PRIZM data categorizes households on the basis of lifestage, lifestyle, tastes and preferences and income. Given the development program envisioned on Lynn's Waterfront, the project team calculated the number of households in the Essex, Suffolk and Norfolk Counties that possess the following characteristics:

- Urban-inclined in tastes and preferences;
- Singles and couples with no or few children;
- Retirees and empty nesters; and,
- Moderate income (median income below \$70,000 and above \$45,000).

There are 202,000 such households in the Lynn region. These households are Lynn Waterfront's "target market". These households represent one-third of the total households in the three-county region. This share was applied to the 2010 household projection to estimate the potential market for Lynn Waterfront residential units.

The Lynn Waterfront program calls for approximately 3,100 housing units. Waterfront residential projects will have to capture approximately four percent of the potential moving market over the next ten years. Over a longer absorption period the capture rate required would be lower.

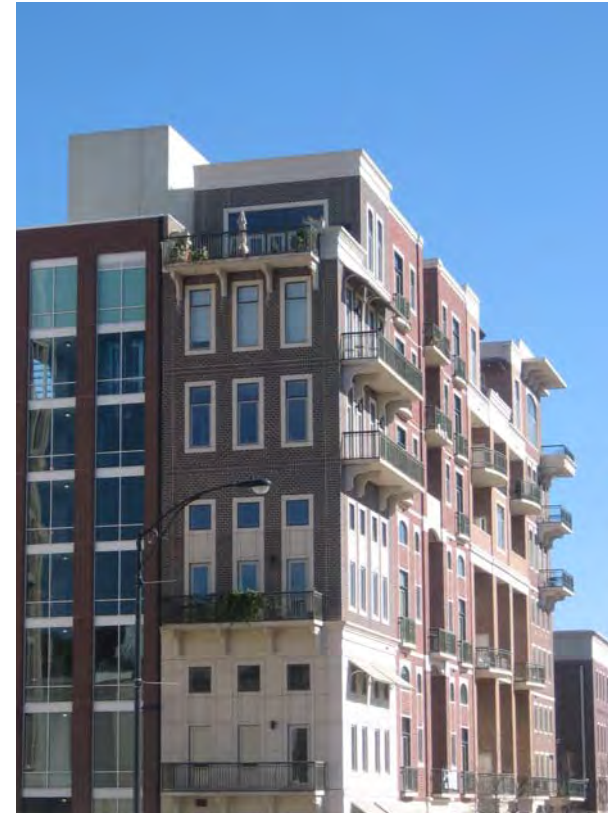
Given the demand for waterfront living, Lynn's strategic location and access and the general lack of affordable housing options in the Boston Metropolitan Area, it is reasonable to assume that Lynn can capture 2.5 to 5 percent of the moderate income, multi-family residential market that will be moving over the next 10 to 20 years. Even though the project anticipates a 20-year build-out of the Waterfront, a lion's share of the residential can likely be built in a 10-15 year timeframe.

The Office Market

The Lynn Waterfront Plan accommodates approximately 377,000 square feet of office space. Office development will likely occur over a 20-year period as the attractiveness of the Waterfront as a business location evolves out of the environment created with higher density residential development.

According to economy.com employment projections, Essex County office-inclined employment is projected to increase by 9,350 jobs between 2007 and 2017 and 17,480 jobs between 2007 and 2027. At 250 square feet per employee, job growth will create a demand for 2.3 million square feet of office space between 2007 and 2017 and 4.4 million square feet between 2007 and 2027.

Assuming a 20-year build-out, it is reasonable to assume that the Lynn Waterfront can capture less than ten percent of this net new demand for office space. It is important to note, that this analysis does not take into consideration the potential for businesses located in Norfolk and/or Suffolk County relocating to Lynn's Waterfront because of its unique locational attributes. Lynn's Waterfront will be a competitive location for office because of its excellent access (Lynnway and transit), waterfront location, mixed-use environment and proximity to Boston.



MID-RISE MULTIFAMILY LIVING

The Retail Market

As envisioned, the retail mix on the Waterfront could incorporate an urban version of community-oriented stores like Target and Home Depot, neighborhood stores like a super market and pharmacy, eating and drinking establishments and other smaller community-oriented stores. These store types would exist in a mixed-use environment with larger format stores on the Lynnway and smaller stores and restaurants in the Waterfront neighborhoods.

For the primary trade area, the project team extrapolated Claritas' 2011 retail expenditure projections to 2020. The primary trade area's retail spending potential by general store type is summarized below.

Applying average sales to the Waterfront's conceptual retail build-out program results in \$332 million in total sales. To support the retail development program will require that the Waterfront capture approximately one-fifth of the primary trade area's shopping center-inclined retail potential. This capture rate is reasonable given the current lack of competition within and in the immediate vicinity of the primary trade area.



RETAIL WITH OFFICE ABOVE

RETAIL EXPENDITURE POTENTIAL: PRIMARY TRADE AREA, LYNN WATERFRONT AREA 2020

SHOPPING CENTER INCLINED STORE TYPES		
LARGE FLOORPLATE STORE-TYPES		
		\$ 881,970,728
General Merchandise/Wholesale	\$ 325,751,000	
Home Improvement/ Building	\$ 237,228,000	
Food	\$ 318,991,728	
OTHER STORES		
		\$ 491,472,000
Furniture/Home Accessories	\$ 68,079,000	
Electronics/Home Appliance	\$ 60,975,000	
Health/Personal Care	\$ 138,828,000	
Clothing	\$ 90,770,000	
Jewelry	\$ 19,280,000	
Sporting Goods, Hobby, Book, Music	\$ 47,063,000	
Miscellaneous	\$ 66,476,000	
EATING AND DRINKING ESTABLISHMENT		
		\$ 267,140,000
Sub-Total		\$ 1,640,582,728
OTHER RETAIL TYPES		
Non-Store		\$ 174,151,000
Automotive/Gas		\$ 757,235,000
Sub-Total		\$ 931,386,000
TOTAL		\$ 2,571,968,728

Economic Implications: Jobs

The project team estimated the Conceptual Build-Out Program's development costs, construction costs, and market value by land use. The project team employed industry standards, RS Means construction cost estimates and recent work with developers in Massachusetts to develop the cost and value estimates.

Construction on Lynn's waterfront will create employment by virtue of the land and materials required for construction. In contrast to annual "operating" impacts, which occur on an ongoing basis, "construction phase" impacts are one-time impacts. Construction costs form the bases for projecting construction jobs. As shown above, construction costs are estimated to total approximately \$1.18 billion. The analysis relied on a recent IMPLAN analysis of a major Massachusetts mixed-use development to determine the construction jobs generated from Lynn Waterfront's Conceptual Build-Out Program. The redevelopment of Lynn's Waterfront will generate approximately 9,620 construction jobs. Development will occur in phases and, as such, these jobs will be realized over a 20-year period.

Employment ranges by retail store type. Based on the understanding of Lynn Waterfront's position in the retail market, the project team has estimated a general mix of store-types in order to generate employment estimates. Given the store mix assumed, the retail component of the development program will support 2,180 jobs. The office, hotel, and light industrial uses in the Plan will support an additional 2,740 employees. In total, the Waterfront redevelopment will support 9,920 construction jobs and 4,920 full time jobs over the next 20 years.

CONCEPTUAL BUILD-OUT PROGRAM, LYNN WATERFRONT PLAN						
	SQ. FT.	DEVELOPMENT COST/SF	CONSTRUCTION COST/SF	CONSTRUCTION COST	MARKET VALUE/SF	MKT VALUE
RESIDENTIAL	3,682,396	\$ 238	\$ 208	764,097,000	\$ 244	\$ 898,937,820
RETAIL	947,558	\$ 250	\$ 228	215,569,000	\$ 268	\$ 253,611,175
OFFICE	377,204	\$ 280	\$ 253	95,433,000	\$ 298	\$ 112,273,696
HOTEL	285,272	\$ 208	\$ 181	51,492,000	\$ 212	\$ 60,578,302
LIGHT INDUSTRIAL	490,380	\$ 120	\$ 108	52,961,000	\$ 127	\$ 62,307,106
TOTAL	5,782,810			\$ 1,179,552,000		\$ 1,887,708,099

Fiscal Implications

The project team calculated annual fiscal impacts attributable to Lynn Waterfront’s redevelopment as envisioned in the Waterfront Plan. These preliminary calculations incorporate City revenues from real property taxes, motor vehicle excise taxes, personal property taxes and lodging taxes. The assumptions with regard to real personal property taxes are derived from interviews with City officials. The assumptions regarding other taxes are derived from a recent detailed Fiscal and Economic Analysis performed for another Massachusetts town.

The Waterfront Development Plan at build-out represents \$1.4 billion of real property value. Values are based on development costs and industry standards with regard to return on investment. As shown in the table, waterfront development as envisioned will generate an estimated \$17.8 million in annual property tax revenues.

For residential properties, automobiles comprise the primary source of personal property taxes. These taxes can be projected assuming there are 1.5 vehicles per residential unit with an average assessed value (based on State depreciation formulas) of \$6,000 per vehicle. Applying these assumptions, the project’s annual vehicle excise tax revenue is approximately \$697,500 per annum.

In the Town of Somerville, Massachusetts personal property value represented approximately 1.9 percent of commercial real property value. The project team has applied this ratio to estimate the personal property tax implications of waterfront redevelopment. Applying this ratio, personal property tax revenues associated with the Waterfront’s redevelopment are estimated to total \$197,400 per year.

Combining the various revenue streams outlined, total annual revenues accruing to the City of Lynn as a result of the Master Plan’s implementation amount to approximately \$18.7 million.

BUID-OUT PROPERTY TAX REVENUE, LYNN WATERFRONT PLAN 2007 DOLLARS				
	MKT VALUE	% ASSESSED	TAX/\$1,000 ASSESSED VALUE	ANNUAL PROPERTY TAX REVENUE
RESIDENTIAL	\$ 898,937,820	90%	\$ 10.41	\$ 8,422,148
RETAIL	\$ 253,611,175	90%	\$ 21.26	\$ 4,852,596
OFFICE	\$ 112,273,696	90%	\$ 21.26	\$ 2,148,245
HOTEL	\$ 60,578,302	90%	\$ 21.26	\$ 1,159,105
LIGHT INDUSTRIAL	\$ 62,307,106	90%	\$ 21.26	\$ 1,192,184
TOTAL	\$ 1,387,708,099			\$ 17,774,279

One of the primary goals of the Waterfront Master Plan is to balance the needs of thru traffic with those of pedestrians and local drivers, whose access to the waterfront is now hindered by the multi-lane roadways running between the city and the shore.



THE PROPOSED RECONFIGURATION OF THE TRAFFIC FLOW

TRAFFIC STRATEGY

As the Lynn waterfront redevelops into a walkable urban environment, the Lynnway, Carroll Parkway and the streets which feed them will need to continue to serve a regional transportation function. One of the primary goals of the Waterfront Master Plan is to balance the needs of thru traffic with those of pedestrians and local drivers, whose access to the waterfront is now hindered by the multi-lane roadways running between the city and the shore.

The Waterfront Master Plan asserts the importance of these roadways to the City of Lynn, both as streets for driving and as part of the urban fabric. While recognizing that Rte. 1A, Carroll Parkway and Lynn Shore Drive must continue to handle the regional traffic that relies on them, the Master Plan does not take intersection levels of service and vehicular travel time to be the only relevant considerations in determining how traffic should be managed. Also important are the walkability of the downtown, access to the waterfront, and the use and design of the land at the eastern end of Market Street. At present, this land is taken up by roadways (the Lynnway, Market Street Extension and Broad Street) and the vacant space between them. This area separates the downtown from the waterfront, and is a formidable barrier to bringing them together. To free up the land for reuse as a civic space, it will be necessary to simplify and consolidate the roadway system.

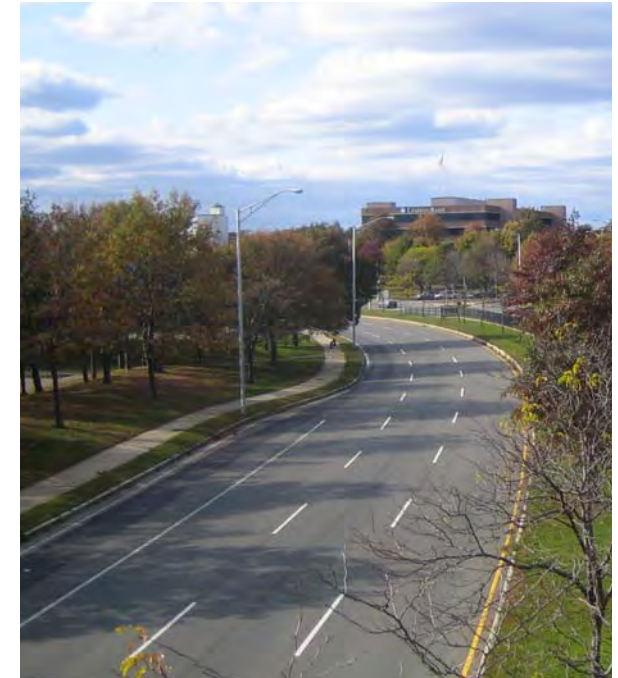
The alignment of the Lynnway is the main problem. Its swooping curve as it transitions to Carroll Parkway is designed to carry high volumes of thru traffic at maximum speeds. Furthermore, an auto-oriented reconfiguration of the circulation pattern has distorted the path of Route 1A, forcing eastbound drivers to turn left onto the eastern end of Market Street and then immediately to turn right to return to Broad Street/Route 1A. This tangle of streets consumes a large



THE INTERSECTION OF THE LYNNWAY AND MARKET STREET

area of land, making it unattractive and inhospitable to pedestrians, and creating a no-man's land that renders the waterfront practically inaccessible. The primary objective of roadway planning in this area is to channel vehicular traffic into narrower streams that will be easier to cross and less land-intensive.

Because of the heavy volumes of traffic on the Lynnway/Carroll Parkway (westbound in the AM rush hour and eastbound in the PM), and because the split between the Lynnway and Route 1A creates a queue from the Market/Broad intersection back toward the Lynnway, it is not possible simply to move the Lynnway to the north and reduce the radius of its curve as it becomes Carroll Parkway. The most feasible alternative is to split the traffic going between the Lynnway and Lynn Shore Drive between its two directions—with eastbound



THREE LANES OF THE SIX LANE BARRIER BETWEEN DOWNTOWN AND THE WATERFRONT

traffic staying on the water side of North Shore Community College, and westbound traffic shifting to the land side, via Washington Street and Broad Street.

The proposed reconfiguration of traffic flow would consolidate the existing Market/Broad and Market Extension/Lynnway/Carroll Parkway intersections into one, realigning the eastern end of the Lynnway back into the original path of Route 1A (Broad Street) west of Market Street. Eastbound Lynnway traffic would turn right at the Market/Broad/Carroll Parkway intersection, facilitated by double free-right lanes and entering Carroll Parkway under Yield-sign control but also protected by the intersection's signal. Westbound traffic coming from Lynn Shore Drive and the Nahant Rotary would flow onto Washington, which would be converted into a one-way street with two

lanes running northbound. At its approach to Broad Street, Washington would widen to three lanes—two left-only lanes and one allowing both left and right turns onto Broad. Westbound traffic from Carroll Parkway would thus travel on Broad Street through the Market/Broad intersection, where the realigned Lynnway would begin. Traffic operations would be aided by the signalization of the Lynnway/Pleasant Street intersection. This would permit left turns from the Lynnway eastbound onto Pleasant, making it possible to prohibit left turns from eastbound Lynnway onto Market during peak AM periods.

Traffic operations analysis, using the traffic volumes projected by the DCR study for 2011, shows that such a reconfiguration will produce acceptable levels of service at all times. The table below shows those levels of service, in the standard grading format of A (no congestion) through F (severely congested). D is generally considered to be acceptable in urban conditions.

INTERSECTION	AM PEAK HOUR	PM PEAK HOUR
Broad (Lynnway) / Pleasant	C	C
Market / Broad / Carroll Parkway	B	B
Broad / Washington B	B	B

Projected Levels of Service, 2011

The circulation scheme proposed here has the critical advantage of removing the section of the Lynnway that now separates the downtown from the water, allowing the creation of a signature open space at the eastern end of Market Street. Another advantage of the proposed circulation pattern is that it will restore the directness of Route 1A, which will once again follow Broad Street in both directions, rather than being diverted onto the Market Street Extension in the eastbound direction as is the case today.

INFRASTRUCTURE

Roads and Streets

To minimize property ownership displacement, the Master Plan retained most of the existing roads and public Right of Ways. All primary access intersections along the Lynnway were maintained and enhanced to make access in and out of the project memorable and hassle free for the anticipated increase in vehicular trips that will be generated at full build out. Additional road network, primary (connecting three of the newly created districts) and secondary (roads within each district) were identified and carefully laid out to serve future needs of the project.

Special care was taken to ensure all roadway cross sections are wide enough to provide ample room for pedestrian circulation and bicycle traffic. All roads, primary and secondary, will have parallel parking along both sides dedicated for public use on a first come, first serve basis. Development, such as residential, office, and retail, will have its own dedicated parking internally to meet the needs of each use. This configuration will reserve roadway parking for the general public to encourage visitation to the site at all hours of the day.

By maintaining the majority of the existing roadway alignments, the Master Plan reduces the cost of utility construction and encourages direct connectivity to the project site from adjacent city neighborhoods and the downtown. Key access roads that are centrally located within the overall project and each district should be constructed with wide landscaped medians to create a pedestrian friendly environment, reduce the heat island effect, and enhance the visual appeal and user experience. To offset the proposed density of development throughout of the project, ample land has been reserved for open public spaces. Special care was exercised to establish ample open space in the form



AMPLE STREET WIDTH ALLOWS FOR BIKE LANES, PARKING, AND LANDSCAPING

By maintaining the majority of the existing roadway alignments, the Master Plan reduces the cost of utility construction and encourages direct connectivity to the project site from adjacent city neighborhoods and the downtown.

of small community based pocket parks. These parks will serve the daily needs of the newly established community, as well as city residents at large.

The Master Plan proposes adding parallel parking on both the inbound and outbound sections of the Lynnway during off peak traffic flow to balance the image of the Lynnway, making it a more friendly environment during non-peak times, while maintaining its use as a commuter thoroughway during peak times. Essentially, the three lane roadway section will be reduced to two in its respective direction after morning and before evening rush hours. This action will encourage city residents to come and visit the existing businesses and commercial establishments along both sides of the Lynnway with ample places to park. This will be good for business owners, as well as city residents and shoppers from the regional area.

Utilities

Historically, the 250 acres that constitute the waterfront project area, were used for a large variety of light to heavy industrial uses. Industrial uses require ample electrical power supply, domestic water, natural gas, and other basic utility services. Hence, there is ample residual capacity within the area to serve the needs of project build-out for the suggested program in the Master Plan. However, most of the existing utility service lines are over 50 years old and most likely will require complete overhaul and upgrade.

This Master Plan assumes that new utility service lines will be provided as part of the overall development initiative to serve the needs of the project. Furthermore, the Master Plan recommends that all utility service lines such as electrical power, cable, and telecommunication will be buried in conduits underground to avoid the unsightly telephone poles throughout of the area. Water service, sanitary sewer, storm drain and natural gas will be separate services

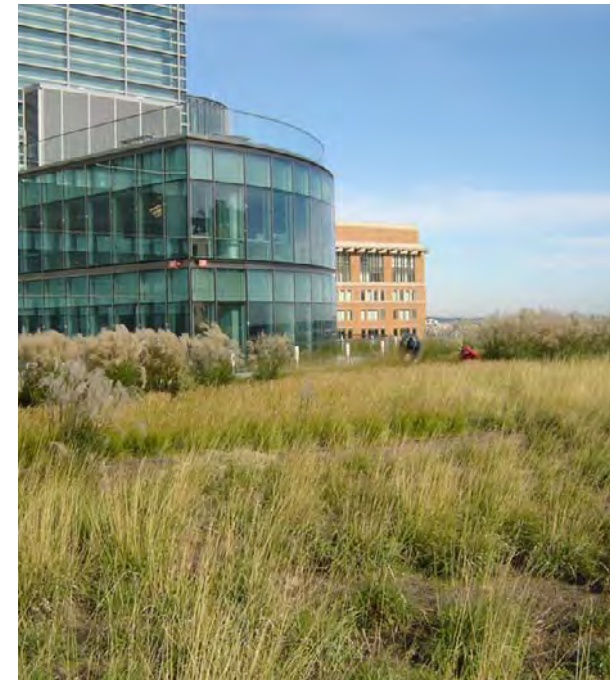
and extended along the public right of way. The regional sanitary sewer treatment facility has ample capacity to meet the needs of the proposed program.

The City of Lynn has a golden opportunity to make this development project an environmentally sustainable one by obligating itself and potential developers to follow the international Green Design initiative. This project could have a great and positive impact on the region and could attract national and international interest because of its unique location. By adopting low impact development techniques in lieu of standard past development practices, the City can create a unique new neighborhood unlike any other in the area by showing ultimate sensitivity to the living environment.

By reducing or eliminating direct discharge of storm water runoff to the Lynn Harbor, the water quality in the harbor will improve over the life cycle of the project. By following best water management practices, surface water runoff from street and roof drains can be cleaned and filtered by channeling it into the numerous neighborhood green spaces for pre-treatment. The pocket parks and all other green open spaces can be utilized to store, filter and cleanse the surface runoff prior to discharge into the harbor.

Green design technology is making remarkable advancement on a monthly basis. By committing to a sustainable design approach, the consumption of energy can be reduced and diversified to gain the benefits of solar, wind, geothermal and other emerging industries. This initiative can make this project attractive and desirable to new residents and make future development sustainable for generations to come.

Creating a smart development project that uses natural energy sources to augment the high cost of imported fuel will enhance the economic rate of return on investment.



A GREEN ROOF REDUCES STORM WATER RUNOFF AND THE HEAT ISLAND EFFECT



Implementation Strategy



04





THE LYNN WATERFRONT MASTER PLAN VISION

PHASING

The Lynn Waterfront Master Plan calls for significant changes in existing uses from the current mix of heavy and light industry and automotive retail to the proposed mixed of residential, office, and lifestyle retail. The plan also must take into consideration the fact that much of the land requires environmental mitigation. An undertaking of this magnitude will take several decades, if not more, to complete. Future trends, market demand, social behaviors, and community needs tend to be cyclical and will, therefore, affect the time frame of project completion.

To make the development of this land more manageable over a long period of time, the Master Plan identifies four distinct neighborhood districts:

- A. Gateway Waterfront Neighborhood
- B. Marine Park Industry Center
- C. Downtown Waterfront
- D. Lower Sagamore Hill

Each district is large enough to be developed in multiple phases. Due to pent up demand by current ownership of the land, particularly parcels located in districts A and C mentioned above, multiple project commencement is possible and imminent. Upon the approval of the Master Plan, the recommended zoning changes, and the Municipal Harbor Management Plan, development interest will readily present itself. The approval of the Master Plan, along with its components, will clarify the intent of the City, the community, and the State regulatory agencies and pave the way to commence the work. The City of Lynn has already done a great service for the private ownership of the parcels within the project area by undertaking the initiative to prepare this master plan. The Lynn Waterfront Master Plan will serve as a framework and a guiding tool by establishing the long term vision for developing this valuable area

along the Lynn Harbor. As development commences, the Master Plan should be reviewed approximately every five years to ensure it remains valid and continues to reflect the vision of the City and the community.

The significant effort the City undertook to negotiate the relocation of the overhead electrical power lines with North East Utility National Grid and securing a grant towards the cost of relocation is a clear message to the private sector and the landowners of the City's determination to see that the land is developed in the near future. Once the relocation of the overhead power lines is complete, the vacated land within the previous utility right of way (ROW) will create a parcel large enough to develop, increase the value of the land, and, with initiative, will pave the way to commence development in the South Waterfront Neighborhood.

It is premature at this point to arbitrarily identify which parcel should be developed first, second, and third when ownership, remediation, and development interest all contribute to the timeliness of the 305-acre development. As interest continues to grow and the first proponent of development emerges, market demand will incite additional development projects. To accelerate the development initiative by the private sector, however, the City may start the process by initiating some of the needed infrastructure improvements. Often, this process is referred to as a public / private partnership. The public sector starts the improvement process by investing in basic overall site cleanup and improving access to the various portions of the site, hence sending a clear message to the private sector that the City is committed to share the effort in commencing development.

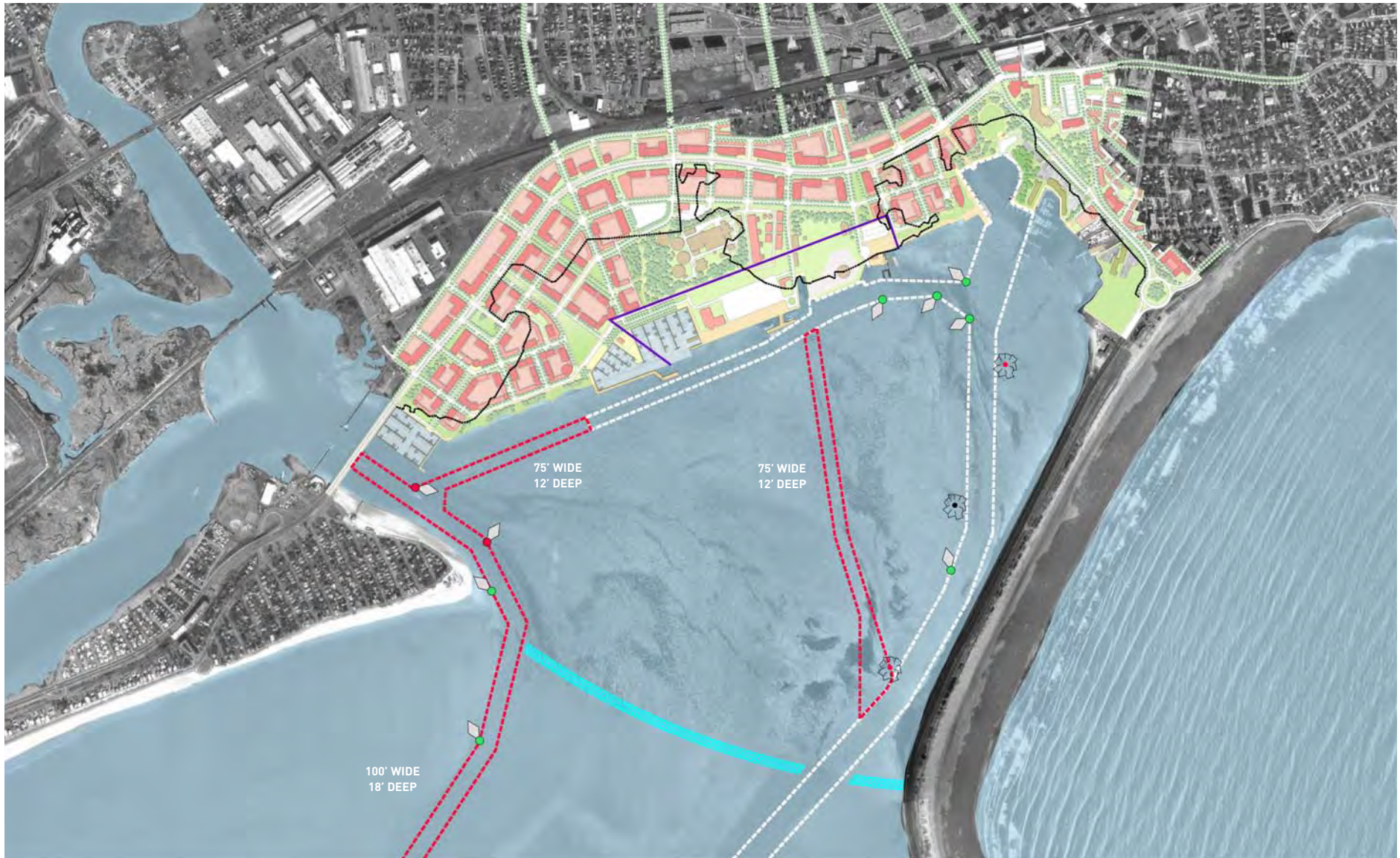
STATE AND FEDERAL PERMITTING PROGRAMS

Development of portions of the Lynn Waterfront site are subject to state and federal permitting programs and departmental review including the Chapter 91 Licensing Program, Massachusetts Wetlands Protection Act, Massachusetts Environmental Policy Act (MEPA), Water Quality Certification, Massachusetts Coastal Zone Management, and the U.S. Army Corps of Engineers. For more detailed information, please see the Lynn Waterfront Master Plan Technical Appendix.

Chapter 91

Most of the waterfront area is filled tidelands and therefore falls under the jurisdiction of the state's Chapter 91 waterways licensing programs. Chapter 91 is a state regulation to protect and promote the public use of Commonwealth tidelands and other waterways. Chapter 91 preserves pedestrian access along the water's edge in return for permission to develop non-water dependant projects on tidelands and provide facilities to enhance public use. Activities requiring authorization include structures, filling, dredging, change in use, structural alteration, and demolition/removal of structures. Tidelands within the master plan study area consist of both private tidelands and Commonwealth tidelands.

Licenses issued for the use of private tidelands are to be restricted to water-dependent uses and/or uses which serve a proper public purpose. Licenses issued for the use of commonwealth tidelands are to be restricted to uses which serve a proper public purpose such that the private advantages of use are merely incidental to the achievement of public purposes. The Lynn Waterfront Master Plan includes both water-dependent uses and extensive public facilities to ensure that the future



THE CHAPTER 91 LINE, DPA, AND HARBOR PLAN

- CHAPTER 91 LINE
- DESIGNATED PORT AREA
- - - EXISTING CHANNEL
- - - PROPOSED CHANNEL
- PROPOSED WAVE ATTENUATOR
- NAVIGATION MARKET

use of tidelands in the study area complies with these basic standards for tidelands licensing.

To facilitate its administration of the tidelands licensing program, the MADEP has issued regulations which define the minimum design and use standards which must be met for a nonwater-dependent use project located on private tidelands to be considered as serving a “proper public purpose”. These standards are designed to ensure that land is conserved for the accommodation of water-dependent uses and that the project will have the effect of activating commonwealth tidelands for public use. The standards include, among others, setbacks from shorelines, restrictions on building heights, and restrictions on extent of building ground coverage. These standards may be waived by the Department if the project conforms with the provisions of a “municipal harbor plan”, approved by the secretary of the executive office of energy and environmental affairs (EOEEA), in which alternative standards have been set. The MADEP regulations also specify that all licensed projects, whether water-dependent or nonwater-dependent, must comply with applicable environmental regulatory programs of the Commonwealth and that nonwater-dependent use projects must be consistent with the policies of the Massachusetts Coastal Zone Management Program.

Municipal Harbor Plan

The master planning process took the initial steps towards identifying the concept of a Municipal Harbor Plan (MHP) by creating the Lynn Waterfront Master Plan which represents the goals and objectives of the City and the community. The Master Plan recommends development and design standards for the site and identifies a plan for Lynn Harbor improvements. Technically, a Municipal Harbor Plan is a document which sets forth a municipality’s goals and objectives for the use of a specific harbor area together with an implementation strategy designed to focus legal, institutional, and financial resources on

the achievement of those goals and objectives. The MHP is developed by a municipality through a process of public dialogue. An approved MHP serves three primary functions: it enhances the responsiveness of state agency actions to local objectives, harbor conditions, and circumstances; it ensures that tidelands licensing actions on individual properties are taken in the context of the objectives and goals for the development of the larger waterfront planning area; and it provides a mechanism for the establishment of harbor-specific development/design standards as replacements for those specified in the legislation. MHPs must be prepared by the municipality and approved by the secretary of EOEEA in accordance with the provisions of 301 CMR 23.00 through 23.09. An approved MHP becomes effective, with regard to Chapter 91 licensing decisions, when the secretary determines that the municipality has met all relevant conditions of the approval decision, including as applicable the adoption and implementation of any ordinances or by-laws, capital improvements, programmatic initiatives, or organizational measures. Further, MHPs must be renewed periodically in accordance with a schedule specified in the MHP.

Massachusetts Wetlands Protection Act

All work to be conducted in or within 100 feet of the following resource areas located within the Lynn Waterfront Master Plan study area will be subject to the review and conditional approval of the Lynn conservation commission pursuant to the provisions of the Massachusetts Wetlands Protection Act and its implementing regulations:

- Bank (coastal or inland)
- Coastal Beach, including Tidal Flat
- Salt Marsh
- Bordering Vegetated Wetland



DCR'S FISHING PIER

Also, any work to be conducted within 200 feet of the bank of the Saugus River and/or within the following resource areas will be subject to such review and approval:

- Land Under a Water Body (ocean or river/stream)
- Land Subject to Coastal Storm Flowage (i.e., FEMA A- and V-zones)
- Land Subject to Tidal Action

Massachusetts Environmental Policy Act (MEPA)

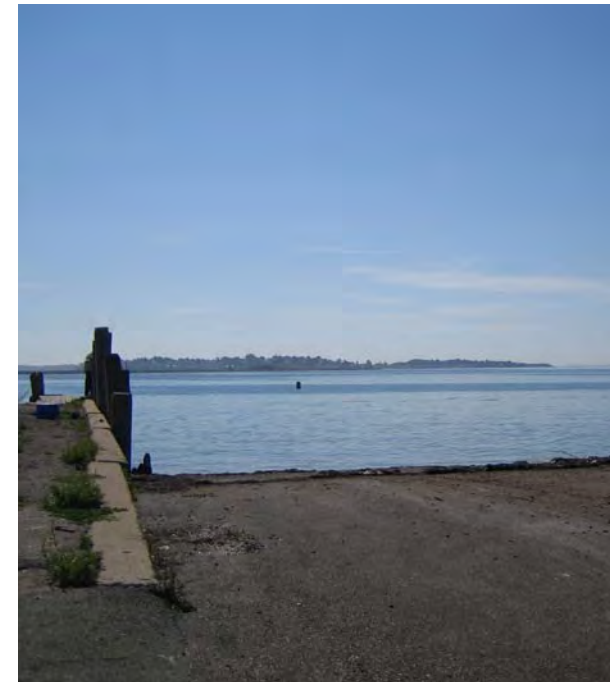
Any project which is conducted with state funds and/or requires the issuance of state permits or approvals is subject to the provisions of MEPA. Those projects which are subject to MEPA and exceed specific review thresholds are further subject to the review procedures specified at 301 CMR 11.00. Review thresholds of particular relevance to developments within the Lynn Waterfront Master Plan study area include the following:

REVIEW ACTION	REVIEW THRESHOLDS
Environmental Notification Form and Environmental Impact Report Required	<ul style="list-style-type: none"> » New nonwater-dependent use or expansion of existing nonwater-dependent structure where the use or structure occupies one or more acres of tidelands. » Creation of 10 or more acres of impervious area. » Generation of 3,000 or more new average daily trips on roadways providing access to a single location.
Environmental Notification Form Required and Other Review per Discretion of Secretary of EOEEA	<ul style="list-style-type: none"> » New nonwater-dependent use of tidelands. » Creation of five or more acres of impervious area. » Generation of 2,000 or more new average daily trips on roadways providing access to a single location. » Generation of 1,000 or more new average daily trips on roadways providing access to a single location and construction of 150 or more new parking spaces at a single location. » Construction of 300 or more new parking spaces at a single location.

The objective of MEPA reviews is to ensure that all Commonwealth agency actions, including permitting actions, are undertaken in a manner which avoids or minimizes, to the maximum extent practicable, damage to the environment. MEPA reviews are administered by the secretary of EOEEA through the MEPA Office.

Water Quality Certification

Water Quality Certification from the MADEP is required as a prerequisite to the issuance of a Department of the Army Permit pursuant to the Federal Clean Water Act (see Technical Appendix). The focus of this permitting program is to ensure that dredging activities and/or the discharge of dredged or fill materials into “the waters of the United States” do not result in violations of the Massachusetts Water Quality Standards.



THE CITY'S PUBLIC BOAT RAMP

Massachusetts Coastal Zone Management Consistency Statement

All projects to be conducted within the Massachusetts “coastal zone” (i.e., all lands and water extending from the three-mile ocean limit of Massachusetts’ jurisdiction to a point located 100 feet landward of the first major transportation route encountered) which are subject to federal permitting and/or Massachusetts Chapter 91 licensing are assessed for their compliance with the policies of the Massachusetts Coastal Zone Management Program. Proponents of such projects are required to prepare a statement to support a finding that the proposed action is consistent with these policies. The MACZM reviews such statements and provides comments to the permitting/licensing agencies indicating either concurrence with or objection to the specific findings.

An issue of particular concern to the MACZM is the preservation of “designated port areas” (DPA) within the Commonwealth for the exclusive use of maritime industrial activities and the siting of associated supporting structures and facilities. The MACZM considers the siting of facilities and uses other than those which are marine-industrial in nature within a “designated port area” to be categorically inconsistent with the policies of the Massachusetts Coastal Zone Management Program. The central waterfront portion of the Lynn Waterfront is a designated port area. After consultation with MACZM, the project team revised the master plan for consistency with the long term vision of a DPA.

Department of the Army Permit

A Department of the Army Permit from the U.S. Army Corps of Engineers (ACOE) is required pursuant to the provisions of Section 10 of the Rivers and Harbors Act of 1899 for the placement of any structure and/or the dredging of any material within the navigable waters of the United States (i.e., Lynn Harbor) and pursuant

to the provisions of Section 404 of the Federal Clean Water Act for the discharge of any dredged or fill material within the “waters of the United States”, including wetlands. These permit applications are subject to both interagency (e.g., U.S. Environmental Protection Agency, National Oceanic and Atmospheric Administration, U.S. Fish and Wildlife Service, etc.) and public review and comment. As indicated herein under Commonwealth of Massachusetts Permitting Programs, prerequisites to the issuance of Department of the Army Permits include the issuance of Water Quality Certification by MADEP and a finding of project consistency with the policies of the Massachusetts Coastal Zone Management Program.

COST ESTIMATE

To establish a preliminary order of magnitude implementation budget, the Master Planning Team prepared an initial estimate of probable cost for the project. The estimate is based on preliminary concept design drawings, with general understanding and forecasting future market targets for mixed housing products, commercial / retail, light industry and marine related features, such as marinas. There are many factors that will have significant influence on the final outcome and ultimate cost of the development at total build out. This estimate should be used as an order-of-magnitude guide only, to anticipate early expenditure, physical impact on annual budgets and project startup costs. More detailed design and planning efforts should be undertaken to develop the final program, identify technical site constraints, clarify extent of environmental cleanup, and study construction sequence and challenges facing implementation from early regulatory permitting to final construction bid documents. Therefore, the overall project construction cost has the potential to change significantly.

The estimate is based on the following assumptions:

- All costs reflect 2007 dollars and no specific escalation or inflation has been included other than straight 25% factor at the end of the spread sheet.
- The cost of site cleanup for sections of the land identified in the soils and geotechnical memorandum based on early review of available information (no physical testing or sampling has been done under this Master Plan study) will change significantly. Once detailed exploration is conducted and specific site use and program is identified for the land in question, the regulatory process will dictate the level of cleanup necessary, and accordingly actual project cost can be forecasted.
- Street and public right of way improvement construction costs were developed based on previous project development experience of similar projects in the New England and Boston Metro area.
- For the purpose of the Master Plan, it was assumed all primary utility trunk lines for sanitary sewer, domestic water supply, electrical power, cable, gas and communication will be new. The existing system is quiet old and upgrading will be necessary and prudent to meet the needs of the project in the future.
- Per square foot cost for housing construction assumes “custom” level of finish.
- Cost for retail and office space assumes raw space finish; tenant fit-out will be provided by tenants or through lease arrangement.
- A general and modest 25% contingency has been added to the total estimate; this contingency would be used to offset cost of planning and design, permitting fees, financing, and general project development refinements. No allowance was made for inflation and escalation.

ITEM	QUANTITY	UNIT	UNIT COST	CONSTRUCTION COST	COMMENTS
GENERAL					
MOBILIZATION	1	LS	\$150,000.00	\$150,000.00	Land and water
SITE PREPARATION	315	AC	\$1,750.00	\$551,250.00	
SECURITY / FENCING / TRAILER SET UP	15,200	LF	\$18.00	\$273,600.00	
EROSION SEDIMENT CONTROL	9,900	LF	\$8.00	\$79,200.00	Along waters edge
DEMOLITION / DISPOSAL	1	LS	\$2,000,000.00	\$2,000,000.00	General estimate, actual cost will vary
SITE CLEANUP	1	LS	\$3,500,000.00	\$3,500,000.00	General estimate, actual cost will vary
CONSTRUCTION PERMIT	1	LS	\$95,000.00	\$95,000.00	1 % of total project construction cost
TOTAL				\$6,649,050.00	
ENVIRONMENTAL MITIGATION & CLEANUP					
CATEGORY A	18	AC	\$1,100,000.00	\$19,800,000.00	Remove and dispose off site
CATEGORY B	22	AC	\$550,000.00	\$12,100,000.00	Process & treat on site
CAPPING	40	AC	\$95,000.00	\$3,800,000.00	2 feet of clean fill / Vapor barrier
TOTAL				\$35,700,000.00	
SEA WALL					
REMOVE AND REPLACE EXISTING WALL	6,500	LF	\$1,850.00	\$12,025,000.00	Existing timber wall is deteriorated
REPAIR EXISTING RIP RAP SECTIONS	1,400	LF	\$350.00	\$490,000.00	
TOTAL				\$12,515,000.00	
ROADS					
PRIMARY	25,400	LF	\$480.00	\$12,192,000.00	2 lanes with parallel parking and a median
SECONDARY	7,400	LF	\$390.00	\$2,886,000.00	2 lanes with parallel parking
PEDESTRIAN TRAILS	11,800	LF	\$255.00	\$3,009,000.00	12 feet wide
RELOCATE 1A NEAR DOWNTOWN	1,400	LF	\$1,850.00	\$2,590,000.00	Near Lynn Landing / Waterfront park
ENHANCE 1A	2,300	LF	\$650.00	\$1,495,000.00	From Downtown to Rotary
ENHANCE 1A FROM DOWNTOWN TO GE BRIDGE	7,600	LF	\$550.00	\$4,180,000.00	Landscaping, parking lanes, lighting etc.
BOARDWALK	6,800	LF	\$450.00	\$3,060,000.00	Along the edge
IMPROVE WASHINGTON	1,500	LF	\$450.00	\$675,000.00	Landscaping, lighting & widening
TOTAL				\$30,087,000.00	
UTILITIES					
POTABLE WATER	32,800	LF	\$75.00	\$2,460,000.00	12" minimum trunk size
SANITARY SEWER	32,800	LF	\$65.00	\$2,132,000.00	16" & 12" lines
ELECTRIC	32,800	LF	\$42.00	\$1,377,600.00	Underground distribution
GAS	32,800	LF	\$35.00	\$1,148,000.00	
TELEPHONE / FIBER OPTICS / CABLE	32,800	LF	\$38.00	\$1,246,400.00	Underground distribution
STORM WATER	32,800	LF	\$65.00	\$2,132,000.00	
TOTAL				\$10,496,000.00	
MARINA "A"					
EXCAVATE BASIN	195,000	CY	\$16.00	\$3,120,000.00	Assume most of the material is clean
BASIN EDGE	2,600	LF	\$1,450.00	\$3,770,000.00	Combination of vertical and sloped
OUTER PIER / WALL	900	LF	\$1,500.00	\$1,350,000.00	
FLOATING DOCS	26,950	SF	\$48.00	\$1,293,600.00	375 boats
ANCHORING SYSTEM	125	EA	\$3,350.00	\$418,750.00	18" diameter piles, 60' long each
UTILITIES	375	EA	\$3,500.00	\$1,312,500.00	Power posts and hookups

BOAT REPAIR EMBAYMENT	1	EA	750,000	\$750,000.00	Travel lift
FACILITY BUILDING	35,000	SF	\$250.00	\$8,750,000.00	Showers, lockers, club house etc.
SURFACE PARKING	175	EA	\$3,500.00	\$612,500.00	1/2 space per boat
GANGWAYS	4	EA	\$65,000.00	\$260,000.00	One is for ADA
MISCELLANEOUS	1	LS	500,000	\$500,000.00	
TOTAL				\$22,137,350.00	
MARINA "B"					
DREDGING	35,000	CY	\$22.00	\$770,000.00	Assumes upland disposal on the site
NEW BULKHEAD	600	LF	\$1,650.00	\$990,000.00	
FLOATING DOCS	14,400	SF	\$48.00	\$691,200.00	190 boats
ANCHORING SYSTEM	75	EA	\$3,350.00	\$251,250.00	
UTILITIES	190	EA	3,500	\$665,000.00	
GANGWAYS	2	EA	55,000	\$110,000.00	One is an ADA ramp
TOTAL				\$3,477,450.00	
WATERFRONT LANDING					
PARK	202,500	SF	\$21.00	\$4,252,500.00	Soft and hardscape
PEDESTRIAN PATHS	2,400	LF	\$275.00	\$660,000.00	12 feet wide
LIGHTING	45	EA	\$3,600.00	\$162,000.00	
BENCHES / FURNISHING	60	EA	\$1,800.00	\$108,000.00	Durable
PLANTING	1	LS	\$300,000.00	\$300,000.00	Trees, shrubs & lawn
AMENITY PACKAGE	1	LS	\$500,000.00	\$500,000.00	
GATEWAY FEATURE	1	LS	150,000	\$150,000.00	Arbor / identity sign
TOTAL				\$6,132,500.00	
PARKS					
SOUTH WATERFRONT NEIGHBORHOOD	13.5	AC	\$550,000.00	\$7,425,000.00	Community oriented open spaces
MARINE INDUSTRY PARK	8	AC	\$350,000.00	\$2,800,000.00	
DOWNTOWN WATERFRONT	2.2	AC	\$950,000.00	\$2,090,000.00	
TOTAL				\$13,277,500.00	
LYNNWAY, RT. 1A					
VISUAL IMPROVEMENT	8,300	LF	\$675.00	\$5,602,500.00	New lights, trees, striping, new sidewalks, etc.
GATEWAY FEATURE AT GE BRIDGE	1	LS	\$1,500,000.00	\$1,500,000.00	
GATEWAY FEATURE AT NAHANT CIRCLE	1	LS	\$1,000,000.00	\$1,000,000.00	
TOTAL				\$8,102,500.00	
VERTICAL CONSTRUCTION / TAXABLE PROPERTY					
RESIDENTIAL	3,682,396	SF	\$208.00	\$765,938,368.00	Condominium, townhouses, apartments, etc.
RETAIL	947,558	SF	\$228.00	\$216,043,224.00	Mixed product raw space finish
OFFICE	337,204	SF	\$253.00	\$85,312,612.00	
HOTEL	285,272	SF	\$181.00	\$51,634,232.00	4 star quality
LIGHT INDUSTRY	490,380	SF	\$108.00	\$52,961,040.00	
TOTAL				\$1,171,889,476.00	
TOTAL PROJECT				\$1,320,463,826.00	2007 dollar value
CONTINGENCY				\$330,115,956.50	25%
GRAND TOTAL				\$1,650,579,782.50	Future Value (+/- 25 years)



A PUBLIC/PRIVATE PARTNERSHIP IS RESPONSIBLE FOR RELOCATING THE POWER LINES

PUBLIC/PRIVATE PARTNERSHIPS AND INCENTIVES

Implementing a large scale project over several decades, such as the Lynn Waterfront Development, requires the cooperation of all involved parties. A true partnership should be fostered between the public sector and private development interests. Each will have to do its own share to begin the process of value making for each other. Often developers wait to see how much of a commitment the local governing body establishes before they agree to invest in the area. This process reduces the significant risk for the private sector that is inherent in this type of development initiative.

Once the Lynn City Council approves the Master Plan for its future vision, agrees on a new zoning ordinance for the Waterfront Districts, and prepares the official Municipal Harbor Plan, a clear signal will go out to all interested developers to take notice of the historic event.

The City of Lynn already embarked on this journey by consummating the agreement with the power company to relocate the over head regional utility transmission lines. By investing the first dollars to undertake the engineering study and agreeing to share in the cost of relocation, the City announced its intent for their long-term commitment to improve the area. Continuation of such effort, by seeking additional grants and raising the necessary capital to begin roadway and public infrastructure improvements will open the way for the private sector involvement. Spearheading early public improvements raises the credibility of the community in the region and establishes the necessary foundation to sustain the long term development effort.

In addition to commencing the public investment process, the City should establish a clear development strategy by establishing a local review and approval committee with empowerment from City Council to

operate on its behalf to screen all initial proposals. This empowerment will allow the review Committee to negotiate, work out relevant project details, and assure the community that development initiatives are carefully screened to uphold the City's and public's best interest prior to presenting the project to City Council for approval. This process will streamline the effort, foster true collaboration between the public and private sector and keep the public at large informed through concise procedure. In turn, the private sector will be asked to co-share in some of the cost for improving the public realm through betterment incentives or density bonuses for proposed programs. In addition, securing local municipal approval will be essential prior to initiating required State and Federal permits.

During the Master Planning effort, the Planning team was approached by a large number of interested private businesses who had great interest in the outcome of the master plan. These organizations should be contacted to discuss the nature of their interest and to see what the City can do to assist them in initiating their projects.



THE LYNN WATERFRONT ZONING STRATEGY

ZONING STRATEGY

As the master planning process evolved, it was apparent that a review of the zoning ordinances for this area became necessary. The current format of the Lynn Zoning for this area is the result of modifications over the years with the intention of attracting development. While the intent was good, the overlay and underlying zoning needed to be reexamined to best suit the proposed development and desired outcome for the Lynn Waterfront.

As an overlay, the existing ordinance does not restrict the owners right to the underlying zoning, heavy industrial. It also does not permit many of the proposed uses such as a hotel or marina. The height allows for 20 stories on the southern half of the site, but only 10 stories closer to downtown and the MBTA commuter rail station. The off-street parking regulations are quite conservative for the proposed urban area and given the proximity of the commuter rail station. In addition, the current site plan review mainly rests with the City Council making it a laborious and unpredictable process.

The master plan recommends a new zoning district for the waterfront area and an overlay for the Washington Street Corridor. These are recommendations that are consistent with the master plan vision, but require further discussion before they are officially approved.

The intent of the Lynn Waterfront Zoning Strategy is to:

- Facilitate the development of a mix of uses including residential, office, retail, research and development, and hotels;
- Increase real estate investment and maximize development;
- Improve the Lynn waterfront and create new community open space;

- Promote the accessibility within the district by improving existing and creating new roadways, pedestrian walkways and bicycle paths;
- Replace vacant or underutilized land, low-density development, and incompatible uses with high-density mixed-use development;
- Clean environmentally contaminated sites to a level suitable for a mix of uses including residential;
- Improve utilities and infrastructure;
- Create new jobs at a variety of income and skill levels;

Encourage transit-oriented development.

A Waterfront Zone Site Plan Review Committee should be established to ensure consistency with the Lynn Waterfront Master Plan. The committee should be made up of two City Councilors and five representative of the City of Lynn, including city staff with planning, real estate, and engineering qualifications and business or resident community representation. The Waterfront Zone is divided into 3 districts that vary only slightly in use or height allowances.

Waterfront Zone 1

Zone 1 governs the southern portion of the site, as well as the area closest to downtown. This zone allows by right:

- Multifamily residential, with 75% of the first floor along primary streets and streets facing Lynn Harbor or the Saugus River dedicated to retail uses
- Office
- Research and development
- Hotel

- Conference Center
- Retail, excluding drive-through facilities
- Restaurant
- Yacht Club
- Marina
- Civic Building
- Transit facility
- Public park/open space

Zone 1 does not allow automobile sales, automobile repair, drive-through windows, storage facilities, adult entertainment, or check cashing stores. Existing uses are allowed to remain, but any changes to those sites that require site plan review triggers the new zoning, which defines permitted uses. The recommended maximum height is 240 feet or 20 stories, which is already allowed on the southern portion of the site under current zoning, but institutes a minimum height of 36 feet or 3 stories to ensure a more productive use of each parcel and create more vitality in the area.

The current maximum floor area ratio (FAR) is 3.0. The recommended FAR is 2.8, however, it is still possible to achieve the existing 3.0 with the addition of affordable housing, additional public open space, or a Leadership in Energy and Environmental Design (LEED) certified building. The maximum block size is recommended to be 4 acres to ensure a proper road network and accessibility to the waterfront. The recommended parking ratios have been reduced and shared parking is recommended for mixed-use buildings to take advantage of differences in peak demand times for parking. The placement of ground level and parking garages encourages more lively and active street frontages for pedestrians.

Waterfront Zone 2

Zone 2 is located along the northern edge of Lynn Harbor and the Nahant Rotary. This zone serves as a gateway to Lynn Harbor from the north. This zone is similar to Zone 1 except it does not allow research & development or transit facilities and the maximum height is 120 feet and 10 stories. The recommended differences are necessary because this district does not have the same depth of parcels, is adjacent to the lower scale residential area of Sagamore Hill, and serves as a transition between neighborhoods.

Waterfront Zone 3

Zone 3 is located between approximately Blossom Street on the north and the extension of Carolyn Road on the south, the water on the east, and the west side of the Lynnway. This zone allows by right:

- Office
- Research and development
- Conference Center
- Retail excluding drive-through facilities
- Restaurants
- Marina
- Civic Buildings
- Transit facility
- Public park/open space

The prohibited uses are the same as Zones 1 and 2. The following uses are permitted as a conditional use given adequate separation is provided between conflicting uses and vehicular and pedestrian circulation is addressed:

- Multifamily residential above the second floor
- Marine Industry
- Light Industry

The height, FAR, and block size are consistent with Zone 1, which surrounds this zone on either side. Parking, garage placement, and shared parking are consistent among the various zones.

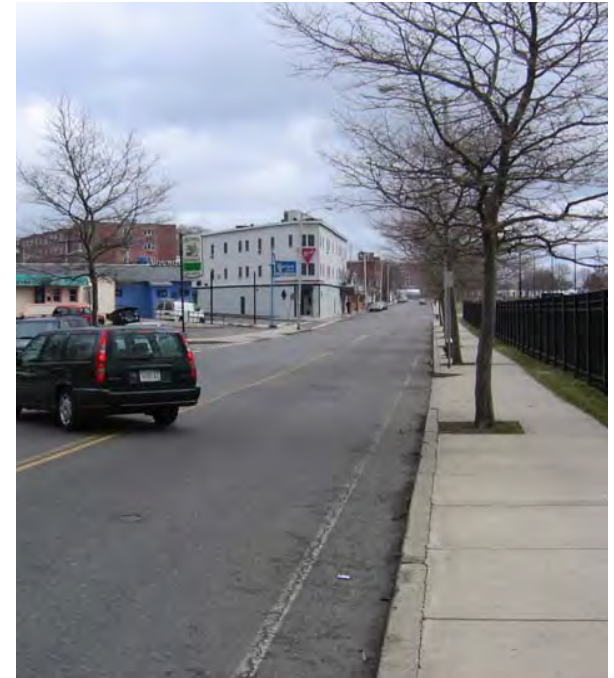
Washington Street Corridor Overlay Strategy

The Master Plan recommended design changes to the lower portion of Sagamore Hill to compliment the adjacent stable residential neighborhood and revitalize Washington Street, an important connection between downtown and the waterfront. The intent of the overlay district is to:

- Facilitate the development of a mix of uses including retail, residential, and office to create vitality;
- Increase real estate investment and development;
- Improve the Washington Street corridor and create a connection between Sagamore Hill, North Shore Community College, and the waterfront;
- Promote the accessibility within the district by improving the existing street pattern and sidewalks;
- Replace vacant or underutilized land, low-density development, and incompatible uses with moderate-density mixed-use development;
- Encourage transit-oriented development.

Uses permitted by right are:

- Single family, two family, row house, apartment house, multifamily residential high rise
- Retail, excluding drive-through facilities
- Professional office, bank, food service establishment
- Hotel
- Church
- School, public library or museum



WASHINGTON STREET EXISTING CONDITIONS

- Private club not for profit
- Public buildings

Uses not allowed in the overlay district, as well as the setbacks and recommended maximum and minimum heights are consistent with the intent to ensure the urban nature of this residential neighborhood adjacent to downtown remains intact.

LAND USE	PERCENTAGE OF PEAK DEMAND FOR KEY TIMES									
	Weekdays					Saturday - Sunday				
	10am	1pm	5pm	8pm	10pm	10am	1pm	5pm	8pm	10pm
Residential	85	80	85	95	100	70	65	75	95	100
Office	100	90	50	5	5	15	15	5	0	0
Retail	50	75	75	65	25	50	100	90	65	35
Hotel	45	30	60	90	100	40	30	60	90	100
Restaurant	20	70	70	100	95	5	45	60	100	95
Marina	20	20	30	30	20	35	45	4		
Mixed-Use Shared Parking										



To: City of Lynn

Date: February 2, 2015

Project #: 11942.03

From: Nicolette Hastings, PE
Kathleen Keen, EIT

Re: Lynnway at Blossom Street
Conceptual Improvements

Introduction

VHB evaluated a conceptual improvement option for the intersection of Lynnway (Route 1A) at Blossom Street in Lynn, Massachusetts. The evaluation considered impacts to traffic flow and operations along the Lynnway as a result of a potential improvement option at Blossom Street to improve access to the Lynn Commuter Ferry Terminal. This memorandum summarizes the results of this evaluation and includes a sketch level conceptual improvement plan and order of magnitude cost estimates for the City's consideration.

Existing Conditions

The existing conditions evaluation consisted of field inventories (including signal timing/phasing), the collection of peak period traffic volumes, and an operational analysis at the study area intersections.

Study Area

This memorandum evaluates the Lynnway in the vicinity of Blossom Street. The Lynnway is a principal arterial under the Department of Conservation and Recreation (DCR) jurisdiction and is oriented in an east-west direction within the study area. The Lynnway consists of three travel lanes in each direction with no shoulders. Eastbound and westbound traffic are separated by a concrete median. The posted speed limit in the vicinity of Blossom Street is 35 miles per hour (mph) eastbound and westbound. The study area consists of the following three intersections:

- **Lynnway (Route 1A) at Shepard Street/Marine Boulevard:** Signalized intersection with Shepard Street intersecting the Lynnway from the north and Marine Boulevard intersecting the Lynnway from the south. The Lynnway eastbound and westbound approaches consist of an exclusive left-turn storage lane, two through travel lanes, and a shared through/right-turn lane. There is a u-turn restriction for trucks on the Lynnway eastbound approach. The Shepard Street southbound approach and the Marine Boulevard northbound approach both consist of a single general purpose lane accommodating all movements. Sidewalks exist on both sides of the Lynnway and Shepard Street. Crosswalks are present across the eastbound, northbound, and southbound approaches.
- **Lynnway (Route 1A) at Blossom Street:** Unsignalized intersection with Blossom Street intersecting the Lynnway from the north and south. The Blossom Street northbound and southbound approaches are under STOP control and are right-in/right-out with the Lynnway eastbound and westbound traffic separated by a concrete median. The Lynnway eastbound approach consists of an exclusive left-turn storage lane for the downstream intersection with Kingman Street, two through travel lanes, and a shared through/right-turn lane. The Lynnway westbound approach consists of two through travel lanes and a shared through/right-turn lane. Sidewalks are present on all corners of the intersection with the exception of the western side of Blossom Street south of the Lynnway. Crosswalks exist on both the northbound and



southbound approaches of Blossom Street; there are no pedestrian accommodations across the Lynnway at this location

- **Lynnway (Route 1A) at Kingman Street/jughandle:** Signalized intersection with Kingman Street intersecting the Lynnway from the south and a one-way northbound driveway intersecting the Lynnway from the north. The Lynnway eastbound and westbound approaches consist of an exclusive left-turn storage lane, two through travel lanes, and a shared through/right-turn lane. The Kingman Street approach consists of shared through/left-turn lane and an exclusive right-turn lane. Sidewalks are present on both sides of the Lynnway and crosswalks exist across the westbound, northbound, and southbound approaches.

Traffic Volumes

Manual turning movement counts (TMCs) were conducted at the three study area intersections during the weekday morning from 7:00 AM to 9:00 AM and during the weekday evening from 4:00 PM to 6:00 PM in November 2014. It should be noted that the TMCs were conducted during a time when the Lynn ferry service was not operational. A review of the data collected indicate the weekday morning peak hour is from 7:00 AM to 8:00 AM and the weekday evening peak hour is from 4:45 PM to 5:45 PM.

Lynn Commuter Ferry Service

The Lynn commuter ferry terminal is located at the southern end of Blossom Street. The Lynn to Boston ferry service operated seasonally in 2014 (the first year of a two year pilot program), from mid-May to mid-September. During this period, service was offered on weekday mornings and weekday evenings with two trips departing from Lynn in the morning and two trips departing from Boston during the evening.

The City of Lynn provided ferry ridership data for the month of September 2014 which was used to establish typical weekday morning and weekday evening peak hour traffic volumes at the study area intersections while the ferry service is operational. Table 1 shows the total number of vehicle trips added to the weekday morning and weekday evening existing traffic volumes.



Table 1 Peak Hour Ferry Ridership

	<u>Weekday Morning</u>	<u>Weekday Evening</u>
Enter	56	13
<u>Exit</u>	<u>4</u>	<u>64</u>
Total	60	77

Source: Lynn ferry ridership data, September 2014.

The trips in Table 1 were distributed onto the existing roadway network assuming 90 percent of the trips are coming to/from points north/east and 10 percent of trips are coming to/from points south/west. These assumptions are on based on information provided by the City of Lynn. Figure 1 shows the resulting 2014 Existing Conditions (with ferry traffic) traffic volumes during the weekday morning and weekday evening peak hours at the study area intersections.

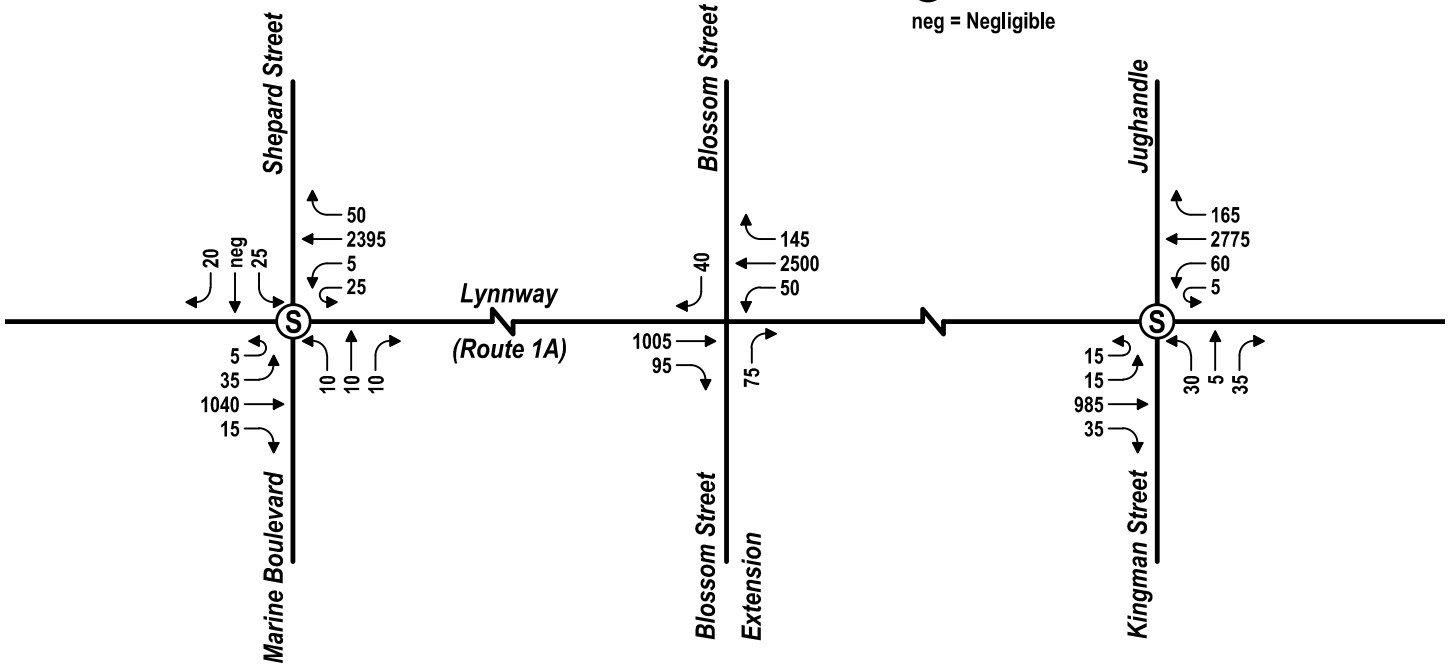
Traffic Operations Analysis

VHB conducted capacity analyses using SYNCHRO 8 software. The percentile delay method (SYNCHRO outputs) was used to evaluate how the signalized intersections accommodate the traffic demands, consistent with current MassDOT standards. Methods from the 2000 Highway Capacity Manual (HCM)¹ were used to evaluate how the unsignalized intersections accommodate the traffic demands as the HCM 2010 methodology does not support more than three through lanes on a major street approach. The capacity analyses were used to evaluate operations of the study area intersections and to provide a baseline to assess the operational benefits of the improvement options. Tables 2 and 3 show the results of the operations analysis at the signalized and unsignalized study area intersections, respectively.

¹ 2000 Highway Capacity Manual; Transportation Research Board: Washington, D.C.

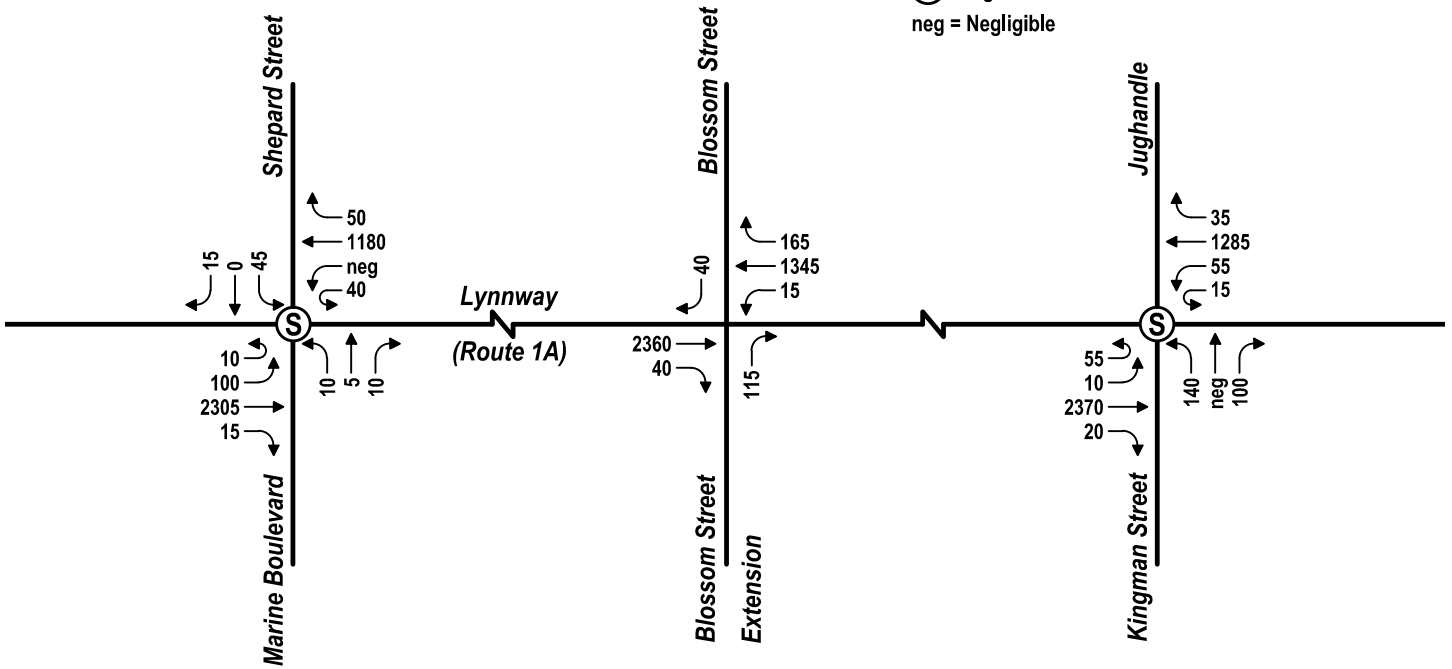
WEEKDAY MORNING PEAK HOUR

Ⓢ Signalized Intersection
neg = Negligible



WEEKDAY EVENING PEAK HOUR

Ⓢ Signalized Intersection
neg = Negligible



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2014 Existing Conditions
Peak Hour Traffic Volumes
with Ferry Traffic and Future Geometry

Figure 3



Not to Scale

Blossom Street Improvements
Lynn, Massachusetts



Table 2 Signalized Intersection Capacity Analyses

		2014 Existing Conditions with Ferry Traffic									
		Weekday Morning Peak Hour					Weekday Evening Peak Hour				
Intersection	Movement	V/C ¹	Del ²	LOS ³	50 Q ⁴	95 Q ⁵	V/C	Del	LOS	50 Q	95 Q
1: Lynnway (Route 1A) at Shepard Street/ Marine Boulevard	Lynnway EB L	0.34	50	D	27	65	0.56	53	D	64	134
	Lynnway EB T/R	0.38	9	A	114	208	0.65	12	B	277	551
	Lynnway WB L	0.49	52	D	48	107	0.38	51	D	34	85
	Lynnway WB T/R	0.70	12	B	330	648	0.41	10	B	125	257
	Marine Blvd NB L/T/R	0.40	40	D	17	34	0.37	34	C	23	17
	Shepard St SB L/T/R	0.26	9	A	0	19	0.34	17	B	4	37
	Overall		13	B				14	B		
3: Lynnway (Route 1A) at Kingman Street/ jughandle	Lynnway EB L	0.14	23	C	9	35	0.25	25	C	19	58
	Lynnway EB T/R	0.39	10	B	82	182	1.05	54	D	~355	#619
	Lynnway WB L	0.25	24	C	17	58	0.27	25	C	22	62
	Lynnway WB T/R	0.88	20	C	186	#797	0.60	14	B	122	238
	Kingman St NB L/T	0.21	19	B	12	27	0.57	23	C	70	77
	Kingman St NB R	0.19	5	A	0	8	0.35	7	A	7	12
	Overall		17	B				37	D		

Source: VHB, Inc. using SYNCHRO 8 software.

- 1 Volume-to-capacity ratio, based on theoretical capacity. ~ # Volume exceeds capacity, queue is theoretically infinite
- 2 Average delay, in seconds per vehicle # 95th percentile volumes exceeds capacity, queue may be longer
- 3 Level of service
- 4 50th percentile queue length estimate, in feet
- 5 95th percentile queue length estimate, in feet

Table 3 Unsignalized Intersection Capacity Analyses

		2014 Existing Conditions with Ferry Traffic									
		Weekday Morning Peak Hour					Weekday Evening Peak Hour				
Intersection	Critical Movements	D ¹	V/C ²	Del ³	LOS ⁴	95 Q ⁵	D	V/C	Del	LOS	95 Q
2: Lynnway (Route 1A) at Blossom Street	Blossom St Ext NB R	75	0.12	10	A	10	115	0.16	10	B	15
	Blossom St SB R	40	0.13	14	B	11	40	0.07	10	A	6

Source: VHB, Inc. using SYNCHRO 8 software.

Note: The HCM 2010 methodology does not support more than three through lanes on a major street approach, results reported are based on HCM 2000 methodology.

- 1 Demand, in vehicles
- 2 Volume-to-capacity ratio, based on theoretical capacity.
- 3 Average delay, in seconds per vehicle
- 4 Level of service
- 5 95th percentile queue length estimate, in feet



As shown in Tables 2 and 3, all three study area intersections operate at an acceptable LOS D or better during both the weekday morning and weekday evening peak hours.

Conceptual Improvement Evaluation

In coordination with the City of Lynn, VHB developed and evaluated a conceptual improvement option to add a Lynnway westbound left-turn lane at Blossom Street. The following section includes a discussion of the conceptual improvement option, summarizes impacts to traffic operations, and provides a preliminary lump sum cost estimate.

As shown in Figure 2, the conceptual improvement option includes a westbound left-turn lane along the Lynnway at the Blossom Street intersection. To accommodate the left-turn lane, the existing eastbound left-turn lane at Kingman Street would be shortened and the existing median would be relocated. The westbound left-turn lane at Blossom Street would be approximately 100 feet and the remaining eastbound left-turn lane at Kingman Street would be approximately 310 feet. The revised median design shown in the concept plan would serve to discourage left-turn and through movements from Blossom Street in both directions. In addition, a diverter island is proposed on the Blossom Street southbound approach to reinforce right-in/right-out operations. The preliminary lump sum cost estimate for this improvement option is approximately \$145,000.

As part of the conceptual improvement option, commuter ferry traffic currently making a westbound u-turn at the Lynnway and Shepard Street/Maine Boulevard intersection would be relocated to make a westbound left-turn at Blossom Street. Figure 3 shows the resulting weekday morning and weekday evening peak hour traffic volumes.

Tables 4 and 5 summarize the traffic operations under the conceptual improvement option for the signalized and unsignalized intersections, respectively. This analysis assumes that the Lynnway at Blossom Street intersection would remain unsignalized; no signal timing changes at the Lynnway and Shepard Street/Marine Boulevard intersection are assumed. No changes in operations would occur at intersection of Lynnway and Kingman Street/jughandle. As shown in Table 4, overall operations at the intersection of Lynnway and Shepard Street/Marine Boulevard are expected to improve during both peak hours under the conceptual improvement option, which may be attributed to the reduction in the westbound u-turn volume. As shown in Table 5, the westbound left-turn lane at the intersection of Lynnway and Blossom Street is expected to operate at LOS C or better during both peak hours with minimal queues under the conceptual improvement option. It should be noted that the revised turn lane lengths at the intersections with Blossom Street and Kingman Street discussed above can adequately accommodate the projected weekday morning and weekday evening peak hour queue demands at both locations.

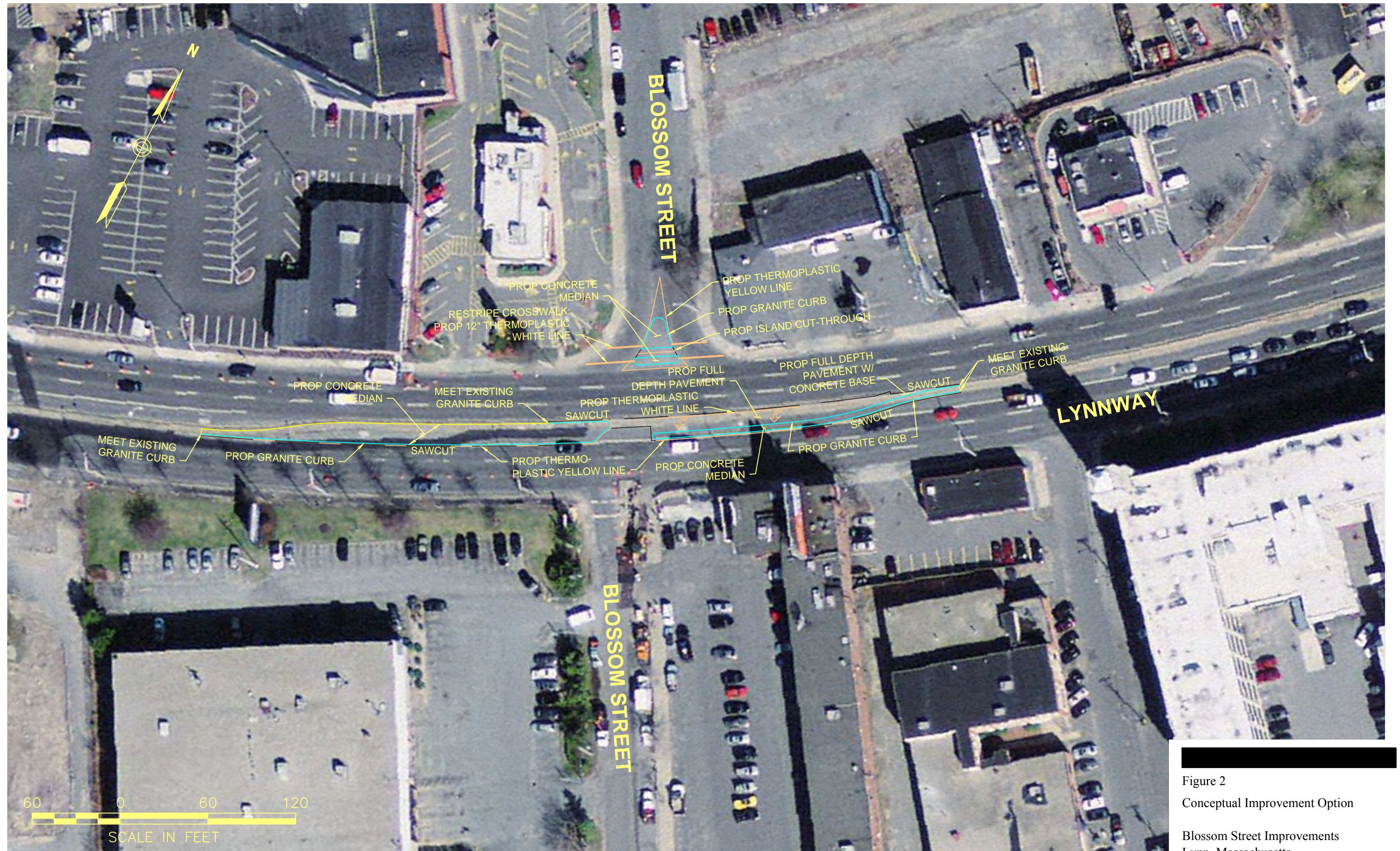
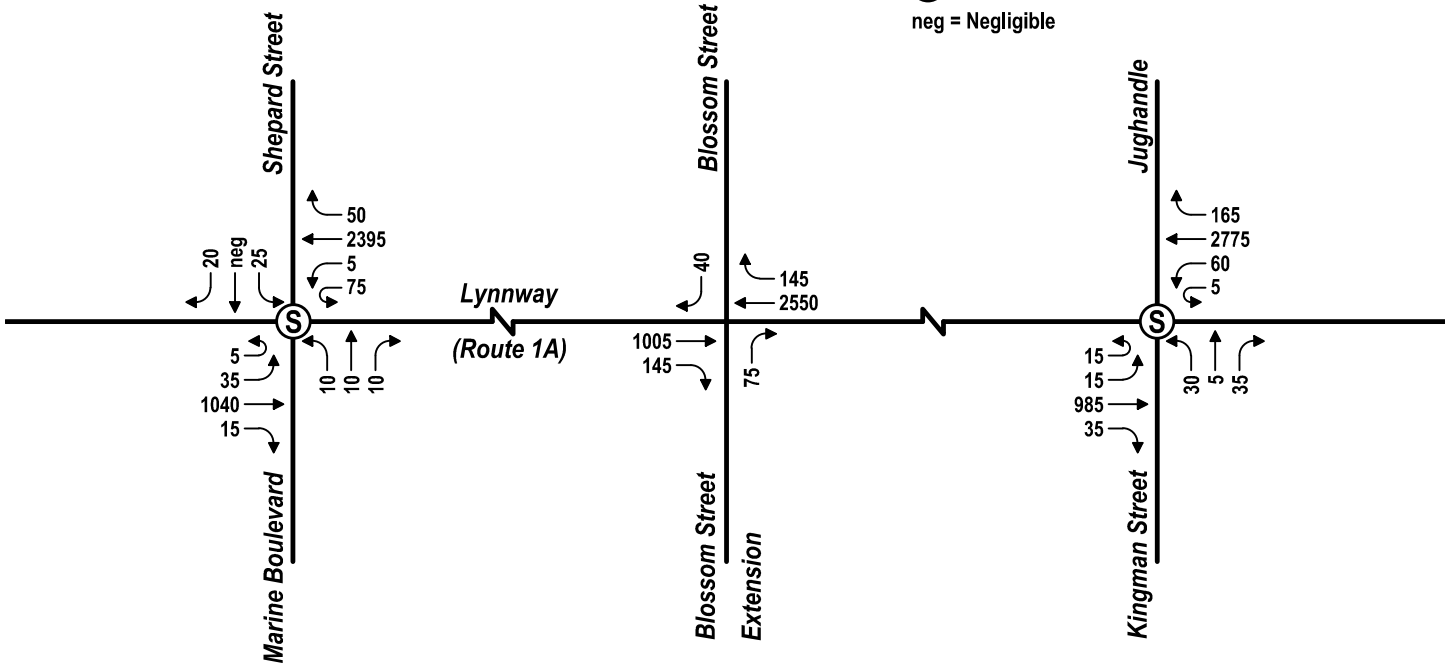


Figure 2
 Conceptual Improvement Option
 Blossom Street Improvements
 Lynn, Massachusetts

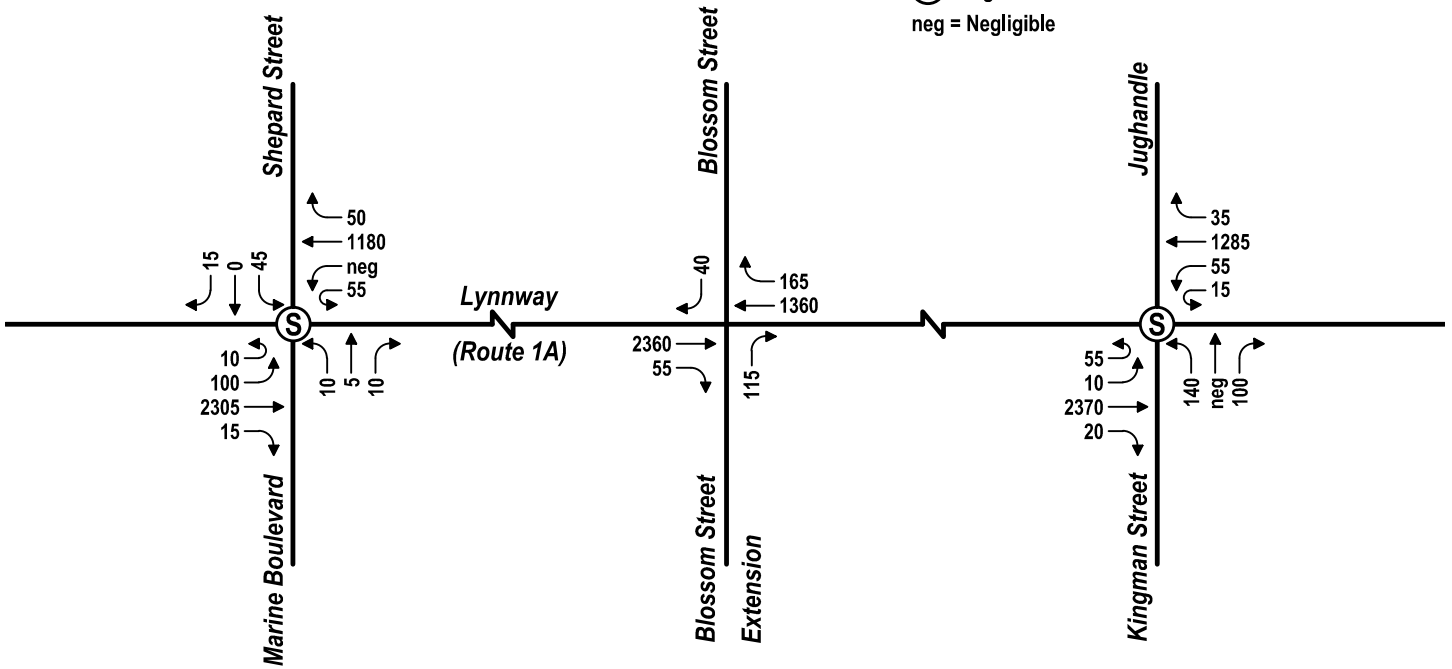
WEEKDAY MORNING PEAK HOUR

Ⓢ Signalized Intersection
neg = Negligible



WEEKDAY EVENING PEAK HOUR

Ⓢ Signalized Intersection
neg = Negligible



Vanasse Hangen Brustlin, Inc.

2014 Existing Conditions
Peak Hour Traffic Volumes
with Ferry Traffic

Figure 1



Not to Scale

Blossom Street Improvements
Lynn, Massachusetts



Table 4 Signalized Intersection Capacity Analyses

		Improvement Option: Westbound Left-Turn Lane									
		Weekday Morning Peak Hour					Weekday Evening Peak Hour				
Intersection	Movement	V/C ¹	Del ²	LOS ³	50 Q ⁴	95 Q ⁵	V/C	Del	LOS	50 Q	95 Q
1: Lynnway (Route 1A) at Shepard Street/ Marine Boulevard	Lynnway EB L	0.32	48	D	27	64	0.56	53	D	64	134
	Lynnway EB T/R	0.36	7	A	105	186	0.62	10	B	270	531
	Lynnway WB L	0.22	46	D	18	52	0.30	50	D	25	67
	Lynnway WB T/R	0.71	13	B	328	648	0.41	10	B	125	257
	Marine Blvd NB L/T/R	0.39	38	D	17	33	0.37	34	C	23	17
	Shepard St SB L/T/R	0.25	8	A	0	19	0.34	17	B	4	37
Overall			12	B				13	B		

Source: VHB, Inc. using SYNCHRO 8 software.

- 1 Volume-to-capacity ratio, based on theoretical capacity. ~ Volume exceeds capacity, queue is theoretically infinite
 2 Average delay, in seconds per vehicle # 95th percentile volumes exceeds capacity, queue may be longer
 3 Level of service
 4 50th percentile queue length estimate, in feet
 5 95th percentile queue length estimate, in feet

Table 5 Unsignalized Intersection Capacity Analyses

		Improvement Option: Westbound Left-Turn Lane									
		Morning Peak Hour					Evening Peak Hour				
Intersection	Critical Movements	D ¹	V/C ²	Del ³	LOS ⁴	95 Q ⁵	D	V/C	Del	LOS	95 Q
2: Lynnway (Route 1A) at Blossom Street	Lynnway WB L	50	0.09	11	B	7	15	0.06	19	C	5
	Blossom St Ext NB R	75	0.11	10	A	10	115	0.18	11	B	16
	Blossom St SB R	40	0.13	14	B	11	40	0.07	10	A	6

Source: VHB, Inc. using SYNCHRO 8 software.

Note: The HCM 2010 methodology does not support more than three through lanes on a major street approach, results reported are based on HCM 2000 methodology.

- 1 Demand, in vehicles
 2 Volume-to-capacity ratio, based on theoretical capacity.
 3 Average delay, in seconds per vehicle
 4 Level of service
 5 95th percentile queue length estimate, in feet

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To increase awareness of the Lynnway westbound left-turn movement at Blossom Street, an intersection control beacon could be installed in accordance with the standards established in the Manual on Uniform Traffic Control Devices² (MUTCD). The beacon would have flashing yellow signal heads directed toward the Lynnway eastbound and have flashing red signal heads directed towards the Blossom Street northbound approach and Lynnway westbound left-turn lane. The preliminary lump sum cost estimate to install an intersection control beacon is approximately \$44,000, in addition to the cost of the geometric improvements.

Signal Warrant Analysis

VHB performed a traffic signal warrant analysis at the intersection of Lynnway at Blossom Street, assuming the improvements proposed as part of the conceptual improvement option. The MUTCD lists specific criteria, or warrants, for the consideration of installation of a traffic signal at an intersection. The MUTCD also notes that, "the satisfaction of a traffic signal warrant or warrants shall not, in itself, require the installation of a traffic control signal." The traffic signal warrant analysis provides guidance as to locations where signals would not be appropriate and locations where they could be considered further.

A traffic signal warrant analysis was performed for the volume-based Warrant 3: Peak Hour Volume for the weekday morning and weekday evening peak hours. The warrant analysis was performed in a manner that considers the Lynnway westbound left-turn volume as the "minor street" volume and the opposing traffic on the Lynnway eastbound as the "major street" volume, as allowed by the MUTCD. The warrant is not met at the intersection for either of the peak hours. The City of Lynn has noted the possibility of expanding ferry services in the future. It is recommended that traffic volumes at the intersection continue to be monitored and if the signal warrant is met in the future, the installation of a signal at the Lynnway and Blossom Street intersection should be re-evaluated. The preliminary lump sum cost estimate for the installation of a signal is approximately \$86,500.

Summary

VHB, in coordination with the City of Lynn, has developed and evaluated a conceptual improvement option along the Lynnway within the vicinity of Blossom Street which would improve access to the Lynn Commuter Ferry Terminal. The improvement option considers a Lynnway westbound left-turn lane at Blossom Street.

VHB evaluated traffic operations under the conceptual improvement option. Overall traffic operations are expected to improve within the study area and minimal queues are expected in the proposed Lynnway westbound left-turn lane at Blossom Street. In addition, VHB performed a signal warrant analysis for the intersection of Lynnway at Blossom Street assuming the improvement proposed as part of the conceptual improvement option; a signal is not warranted at this time. The intersection should continue to be monitored and if the warrant is met in the future with potential increased

² MUTCD, Part 4 – Highway Traffic Signals, USDOT/FHWA, December 2009.

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Memorandum

ferry service, the installation of a traffic signal at this location should be re-evaluated. While a traffic signal is not currently warranted, an intersection control beacon could be installed to increase awareness of the intersection.

The preliminary lump sum cost estimate of the geometric improvements under the conceptual improvement option is approximately \$144,000. The installation of an intersection control beacon would have an additional cost of approximately \$44,000. In the future, if a traffic signal is warranted, the installation of a traffic signal would cost approximately \$86,500.

Attachments

- Traffic Volume Count Data
- 2014 Lynn to Boston Ferry Schedule
- Lynn Commuter Ferry Ridership Data
- Intersection Capacity Analyses
- Preliminary Cost Estimates
- Signal Warrant Worksheet

Traffic Volume Count Data



PRECISION
DATA
INDUSTRIES, LLC

PRECISION DATA INDUSTRIES, LLC

Office: 508.481.3999 Fax: 508.545.1234

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Traffic Counts with Precision



Client:
VHB

Engineer:
K. Keen

Site Code:
11942.03

Date:
Tuesday 11/18/14

PDI Job Number:
144179

City, State:
Lynn, MA



PRECISION
D A T A
INDUSTRIES, LLC

P.O. Box 301 Berlin, MA 01503
Office: 508.481.3999 Fax: 508.545.1234
Email: datarequests@pdillc.com

N/S: Shepard Street/ Marine Boulevard
E/W: Lynnway (Route 1A)
City, State: Lynn, MA
Client: VHB/K. Keen

File Name : 144179 A
Site Code : 11942.03
Start Date : 11/18/2014
Page No : 1

Groups Printed- Cars - Heavy Vehicles

Start Time	Shepard Street From North				Lynnway (Route 1A) From East				Marine Boulevard From South				Lynnway (Route 1A) From West				Int. Total
	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	
07:00 AM	4	0	7	0	14	640	1	2	2	7	1	0	6	199	3	0	886
07:15 AM	5	0	6	0	12	621	2	5	2	1	1	0	3	227	9	0	894
07:30 AM	6	0	5	0	12	579	0	7	3	1	2	0	4	290	12	1	922
07:45 AM	5	0	6	0	14	554	3	12	2	0	4	0	4	310	11	2	927
Total	20	0	24	0	52	2394	6	26	9	9	8	0	17	1026	35	3	3629
08:00 AM	3	0	12	0	13	545	5	15	4	0	1	0	6	236	10	0	850
08:15 AM	2	0	8	0	12	549	4	7	3	3	2	0	3	287	11	0	891
08:30 AM	4	0	9	0	13	444	3	10	3	0	2	0	4	266	13	0	771
08:45 AM	2	0	6	0	11	457	2	10	4	0	0	0	2	287	9	0	790
Total	11	0	35	0	49	1995	14	42	14	3	5	0	15	1076	43	0	3302
Grand Total	31	0	59	0	101	4389	20	68	23	12	13	0	32	2102	78	3	6931
Apprch %	34.4	0	65.6	0	2.2	95.9	0.4	1.5	47.9	25	27.1	0	1.4	94.9	3.5	0.1	
Total %	0.4	0	0.9	0	1.5	63.3	0.3	1	0.3	0.2	0.2	0	0.5	30.3	1.1	0	
Cars	25	0	50	0	94	4292	13	66	14	7	7	0	16	1993	71	3	6651
% Cars	80.6	0	84.7	0	93.1	97.8	65	97.1	60.9	58.3	53.8	0	50	94.8	91	100	96
Heavy Vehicles	6	0	9	0	7	97	7	2	9	5	6	0	16	109	7	0	280
% Heavy Vehicles	19.4	0	15.3	0	6.9	2.2	35	2.9	39.1	41.7	46.2	0	50	5.2	9	0	4

Start Time	Shepard Street From North					Lynnway (Route 1A) From East					Marine Boulevard From South					Lynnway (Route 1A) From West					Int. Total
	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:00 AM																					
07:00 AM	4	0	7	0	11	14	640	1	2	657	2	7	1	0	10	6	199	3	0	208	886
07:15 AM	5	0	6	0	11	12	621	2	5	640	2	1	1	0	4	3	227	9	0	239	894
07:30 AM	6	0	5	0	11	12	579	0	7	598	3	1	2	0	6	4	290	12	1	307	922
07:45 AM	5	0	6	0	11	14	554	3	12	583	2	0	4	0	6	4	310	11	2	327	927
Total Volume	20	0	24	0	44	52	2394	6	26	2478	9	9	8	0	26	17	1026	35	3	1081	3629
% App. Total																					
PHF	.833	.000	.857	.000	1.00	.929	.935	.500	.542	.943	.750	.321	.500	.000	.650	.708	.827	.729	.375	.826	.979
Cars	14	0	17	0	31	48	2350	4	26	2428	2	4	2	0	8	8	962	32	3	1005	3472
% Cars	70.0	0	70.8	0	70.5	92.3	98.2	66.7	100	98.0	22.2	44.4	25.0	0	30.8	47.1	93.8	91.4	100	93.0	95.7
Heavy Vehicles																					
% Heavy Vehicles	30.0	0	29.2	0	29.5	7.7	1.8	33.3	0	2.0	77.8	55.6	75.0	0	69.2	52.9	6.2	8.6	0	7.0	4.3



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Groups Printed- Cars

Start Time	Shepard Street From North				Lynnway (Route 1A) From East				Marine Boulevard From South				Lynnway (Route 1A) From West				Int. Total
	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	
07:00 AM	4	0	4	0	14	625	0	2	0	3	0	0	4	188	2	0	846
07:15 AM	2	0	5	0	11	605	1	5	0	0	0	0	1	219	9	0	858
07:30 AM	3	0	3	0	11	571	0	7	1	1	1	0	2	265	12	1	878
07:45 AM	5	0	5	0	12	549	3	12	1	0	1	0	1	290	9	2	890
Total	14	0	17	0	48	2350	4	26	2	4	2	0	8	962	32	3	3472
08:00 AM	3	0	12	0	11	537	3	15	3	0	1	0	3	228	8	0	824
08:15 AM	2	0	6	0	12	532	4	6	3	3	2	0	2	273	10	0	855
08:30 AM	4	0	9	0	12	429	2	9	2	0	2	0	3	253	12	0	737
08:45 AM	2	0	6	0	11	444	0	10	4	0	0	0	0	277	9	0	763
Total	11	0	33	0	46	1942	9	40	12	3	5	0	8	1031	39	0	3179
Grand Total	25	0	50	0	94	4292	13	66	14	7	7	0	16	1993	71	3	6651
Apprch %	33.3	0	66.7	0	2.1	96.1	0.3	1.5	50	25	25	0	0.8	95.7	3.4	0.1	
Total %	0.4	0	0.8	0	1.4	64.5	0.2	1	0.2	0.1	0.1	0	0.2	30	1.1	0	

Start Time	Shepard Street From North					Lynnway (Route 1A) From East					Marine Boulevard From South					Lynnway (Route 1A) From West					Int. Total
	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:00 AM																					
07:00 AM	4	0	4	0	8	14	625	0	2	641	0	3	0	0	3	4	188	2	0	194	846
07:15 AM	2	0	5	0	7	11	605	1	5	622	0	0	0	0	0	1	219	9	0	229	858
07:30 AM	3	0	3	0	6	11	571	0	7	589	1	1	1	0	3	2	265	12	1	280	878
07:45 AM	5	0	5	0	10	12	549	3	12	576	1	0	1	0	2	1	290	9	2	302	890
Total Volume	14	0	17	0	31	48	2350	4	26	2428	2	4	2	0	8	8	962	32	3	1005	3472
% App. Total																					
PHF	.700	.000	.850	.000	.775	.857	.940	.333	.542	.947	.500	.333	.500	.000	.667	.500	.829	.667	.375	.832	.975



PRECISION
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Email: datarequests@pdillc.com

N/S: Shepard Street/ Marine Boulevard
E/W: Lynnway (Route 1A)
City, State: Lynn, MA
Client: VHB/K. Keen

File Name : 144179 A
Site Code : 11942.03
Start Date : 11/18/2014
Page No : 1

Groups Printed- Heavy Vehicles

Start Time	Shepard Street From North				Lynnway (Route 1A) From East				Marine Boulevard From South				Lynnway (Route 1A) From West				Int. Total
	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	
07:00 AM	0	0	3	0	0	15	1	0	2	4	1	0	2	11	1	0	40
07:15 AM	3	0	1	0	1	16	1	0	2	1	1	0	2	8	0	0	36
07:30 AM	3	0	2	0	1	8	0	0	2	0	1	0	2	25	0	0	44
07:45 AM	0	0	1	0	2	5	0	0	1	0	3	0	3	20	2	0	37
Total	6	0	7	0	4	44	2	0	7	5	6	0	9	64	3	0	157
08:00 AM	0	0	0	0	2	8	2	0	1	0	0	0	3	8	2	0	26
08:15 AM	0	0	2	0	0	17	0	1	0	0	0	0	1	14	1	0	36
08:30 AM	0	0	0	0	1	15	1	1	1	0	0	0	1	13	1	0	34
08:45 AM	0	0	0	0	0	13	2	0	0	0	0	0	2	10	0	0	27
Total	0	0	2	0	3	53	5	2	2	0	0	0	7	45	4	0	123
Grand Total	6	0	9	0	7	97	7	2	9	5	6	0	16	109	7	0	280
Apprch %	40	0	60	0	6.2	85.8	6.2	1.8	45	25	30	0	12.1	82.6	5.3	0	
Total %	2.1	0	3.2	0	2.5	34.6	2.5	0.7	3.2	1.8	2.1	0	5.7	38.9	2.5	0	

Start Time	Shepard Street From North					Lynnway (Route 1A) From East					Marine Boulevard From South					Lynnway (Route 1A) From West					Int. Total
	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:00 AM																					
07:00 AM	0	0	3	0	3	0	15	1	0	16	2	4	1	0	7	2	11	1	0	14	40
07:15 AM	3	0	1	0	4	1	16	1	0	18	2	1	1	0	4	2	8	0	0	10	36
07:30 AM	3	0	2	0	5	1	8	0	0	9	2	0	1	0	3	2	25	0	0	27	44
07:45 AM	0	0	1	0	1	2	5	0	0	7	1	0	3	0	4	3	20	2	0	25	37
Total Volume	6	0	7	0	13	4	44	2	0	50	7	5	6	0	18	9	64	3	0	76	157
% App. Total	46.2	0	53.8	0		8	88	4	0		38.9	27.8	33.3	0		11.8	84.2	3.9	0		
PHF	.500	.000	.583	.000	.650	.500	.688	.500	.000	.694	.875	.313	.500	.000	.643	.750	.640	.375	.000	.704	.892



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File Name : 144179 A
Site Code : 11942.03
Start Date : 11/18/2014
Page No : 1

N/S: Shepard Street/ Marine Boulevard
E/W: Lynnway (Route 1A)
City, State: Lynn, MA
Client: VHB/K. Keen

Groups Printed- Peds and Bikes

Start Time	Shepard Street From North					Lynnway (Route 1A) From East					Marine Boulevard From South					Lynnway (Route 1A) From West					Int. Total
	Right	Thru	Left	Peds EB	Peds WB	Right	Thru	Left	Peds SB	Peds NB	Right	Thru	Left	Peds WB	Peds EB	Right	Thru	Left	Peds NB	Peds SB	
07:00 AM	0	0	0	2	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3
07:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1
07:30 AM	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	3
07:45 AM	0	0	0	2	1	0	0	0	0	0	0	0	0	0	2	0	0	0	0	1	6
Total	0	0	0	4	4	0	0	0	0	0	0	0	0	0	3	0	0	0	1	1	13
08:00 AM	0	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4
08:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	2
08:30 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
08:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1
Total	0	0	0	2	2	0	0	0	0	0	0	0	0	0	1	0	0	0	2	0	7
Grand Total	0	0	0	6	6	0	0	0	0	0	0	0	0	0	4	0	0	0	3	1	20
Apprch %	0	0	0	50	50	0	0	0	0	0	0	0	0	0	100	0	0	0	75	25	
Total %	0	0	0	30	30	0	0	0	0	0	0	0	0	0	20	0	0	0	15	5	

Start Time	Shepard Street From North						Lynnway (Route 1A) From East						Marine Boulevard From South						Lynnway (Route 1A) From West						Int. Total	
	Right	Thru	Left	Peds EB	Peds WB	App. Total	Right	Thru	Left	Peds SB	Peds NB	App. Total	Right	Thru	Left	Peds WB	Peds EB	App. Total	Right	Thru	Left	Peds NB	Peds SB	App. Total		
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																										
Peak Hour for Entire Intersection Begins at 07:30 AM																										
07:30 AM	0	0	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1	1	3
07:45 AM	0	0	0	2	1	3	0	0	0	0	0	0	0	0	0	0	2	2	0	0	0	0	1	1	6	
08:00 AM	0	0	0	2	2	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4	
08:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	2	2	
Total Volume	0	0	0	4	5	9	0	0	0	0	0	0	0	0	0	0	2	2	0	0	0	3	1	4	15	
% App. Total	0	0	0	44.4	55.6		0	0	0	0	0		0	0	0	0	100		0	0	0	75	25			
PHF	.000	.000	.000	.500	.625	.563	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.250	.250	.000	.000	.000	.375	.250	.500	.625	



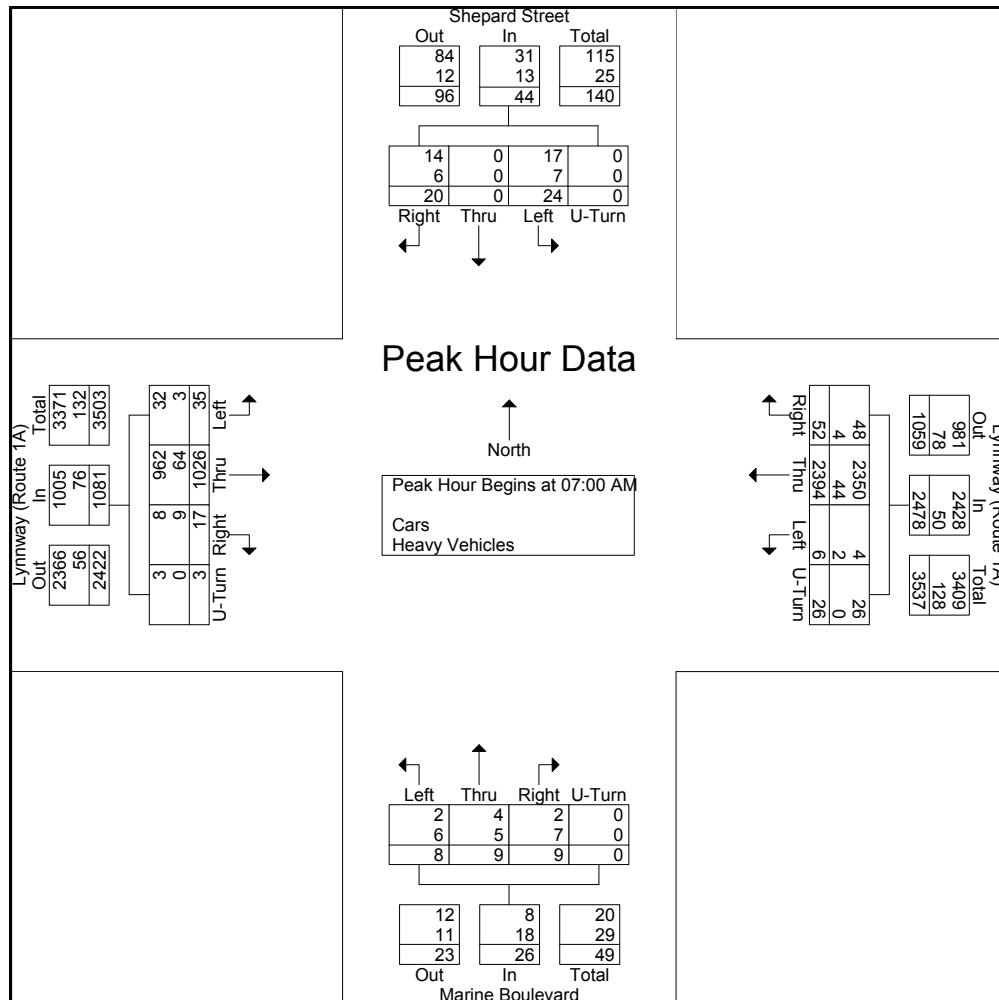
PRECISION
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N/S: Shepard Street/ Marine Boulevard
E/W: Lynnway (Route 1A)
City, State: Lynn, MA
Client: VHB/K. Keen

File Name : 144179 A
Site Code : 11942.03
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Page No : 1

Start Time	Shepard Street From North					Lynnway (Route 1A) From East					Marine Boulevard From South					Lynnway (Route 1A) From West					Int. Total
	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:00 AM																					
07:00 AM	4	0	7	0	11	14	640	1	2	657	2	7	1	0	10	6	199	3	0	208	886
07:15 AM	5	0	6	0	11	12	621	2	5	640	2	1	1	0	4	3	227	9	0	239	894
07:30 AM	6	0	5	0	11	12	579	0	7	598	3	1	2	0	6	4	290	12	1	307	922
07:45 AM	5	0	6	0	11	14	554	3	12	583	2	0	4	0	6	4	310	11	2	327	927
Total Volume	20	0	24	0	44	52	2394	6	26	2478	9	9	8	0	26	17	1026	35	3	1081	3629
% App. Total	.833	.000	.857	.000	1.000	.929	.935	.500	.542	.943	.750	.321	.500	.000	.650	.708	.827	.729	.375	.826	.979
Cars	14	0	17	0	31	48	2350	4	26	2428	2	4	2	0	8	8	962	32	3	1005	3472
% Cars	70.0	0	70.8	0	70.5	92.3	98.2	66.7	100	98.0	22.2	44.4	25.0	0	30.8	47.1	93.8	91.4	100	93.0	95.7
Heavy Vehicles																					
% Heavy Vehicles	30.0	0	29.2	0	29.5	7.7	1.8	33.3	0	2.0	77.8	55.6	75.0	0	69.2	52.9	6.2	8.6	0	7.0	4.3





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N/S: Shepard Street/ Marine Boulevard
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City, State: Lynn, MA
Client: VHB/K. Keen

File Name : 144179 AA
Site Code : 11942.03
Start Date : 11/18/2014
Page No : 1

Groups Printed- Cars - Heavy Vehicles

Start Time	Shepard Street From North				Lynnway (Route 1A) From East				Marine Boulevard From South				Lynnway (Route 1A) From West				Int. Total
	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	
04:00 PM	5	0	6	0	10	293	0	8	3	0	2	1	7	436	16	2	789
04:15 PM	6	0	12	0	15	314	3	8	2	0	13	1	3	478	16	4	875
04:30 PM	7	0	15	0	12	286	1	6	2	1	10	0	4	531	25	2	902
04:45 PM	2	0	14	0	17	281	1	16	1	1	2	0	5	585	18	2	945
Total	20	0	47	0	54	1174	5	38	8	2	27	2	19	2030	75	10	3511
05:00 PM	6	0	11	0	7	324	0	12	4	6	8	0	8	575	30	2	993
05:15 PM	0	0	8	0	10	311	0	5	3	0	0	0	0	582	31	4	954
05:30 PM	6	0	12	0	16	261	0	8	0	0	2	0	2	561	21	3	892
05:45 PM	6	0	6	0	9	245	0	10	1	1	1	0	1	603	21	2	906
Total	18	0	37	0	42	1141	0	35	8	7	11	0	11	2321	103	11	3745
Grand Total	38	0	84	0	96	2315	5	73	16	9	38	2	30	4351	178	21	7256
Apprch %	31.1	0	68.9	0	3.9	93	0.2	2.9	24.6	13.8	58.5	3.1	0.7	95	3.9	0.5	
Total %	0.5	0	1.2	0	1.3	31.9	0.1	1	0.2	0.1	0.5	0	0.4	60	2.5	0.3	
Cars	37	0	82	0	95	2256	0	72	16	9	36	2	21	4271	173	21	7091
% Cars	97.4	0	97.6	0	99	97.5	0	98.6	100	100	94.7	100	70	98.2	97.2	100	97.7
Heavy Vehicles	1	0	2	0	1	59	5	1	0	0	2	0	9	80	5	0	165
% Heavy Vehicles	2.6	0	2.4	0	1	2.5	100	1.4	0	0	5.3	0	30	1.8	2.8	0	2.3

Start Time	Shepard Street From North					Lynnway (Route 1A) From East					Marine Boulevard From South					Lynnway (Route 1A) From West					Int. Total
	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 04:30 PM																					
04:30 PM	7	0	15	0	22	12	286	1	6	305	2	1	10	0	13	4	531	25	2	562	902
04:45 PM	2	0	14	0	16	17	281	1	16	315	1	1	2	0	4	5	585	18	2	610	945
05:00 PM	6	0	11	0	17	7	324	0	12	343	4	6	8	0	18	8	575	30	2	615	993
05:15 PM	0	0	8	0	8	10	311	0	5	326	3	0	0	0	3	0	582	31	4	617	954
Total Volume	15	0	48	0	63	46	1202	2	39	1289	10	8	20	0	38	17	2273	104	10	2404	3794
% App. Total																					
PHF	.536	.000	.800	.000	.716	.676	.927	.500	.609	.940	.625	.333	.500	.000	.528	.531	.971	.839	.625	.974	.955
Cars	15	0	48	0	63	45	1170	0	39	1254	10	8	19	0	37	13	2232	100	10	2355	3709
% Cars	100	0	100	0	100	97.8	97.3	0	100	97.3	100	100	95.0	0	97.4	76.5	98.2	96.2	100	98.0	97.8
Heavy Vehicles	0	0	0	0	0	2.2	2.7	100	0	2.7	0	0	5.0	0	2.6	23.5	1.8	3.8	0	2.0	2.2
% Heavy Vehicles	0	0	0	0	0	2.2	2.7	100	0	2.7	0	0	5.0	0	2.6	23.5	1.8	3.8	0	2.0	2.2



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File Name : 144179 AA
Site Code : 11942.03
Start Date : 11/18/2014
Page No : 1

Groups Printed- Cars

Start Time	Shepard Street From North				Lynnway (Route 1A) From East				Marine Boulevard From South				Lynnway (Route 1A) From West				Int. Total
	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	
04:00 PM	4	0	6	0	10	285	0	8	3	0	2	1	4	430	16	2	771
04:15 PM	6	0	11	0	15	304	0	8	2	0	12	1	2	464	16	4	845
04:30 PM	7	0	15	0	12	275	0	6	2	1	10	0	2	520	23	2	875
04:45 PM	2	0	14	0	17	277	0	16	1	1	1	0	3	573	17	2	924
Total	19	0	46	0	54	1141	0	38	8	2	25	2	11	1987	72	10	3415
05:00 PM	6	0	11	0	6	315	0	12	4	6	8	0	8	563	29	2	970
05:15 PM	0	0	8	0	10	303	0	5	3	0	0	0	0	576	31	4	940
05:30 PM	6	0	11	0	16	253	0	7	0	0	2	0	1	550	21	3	870
05:45 PM	6	0	6	0	9	244	0	10	1	1	1	0	1	595	20	2	896
Total	18	0	36	0	41	1115	0	34	8	7	11	0	10	2284	101	11	3676
Grand Total	37	0	82	0	95	2256	0	72	16	9	36	2	21	4271	173	21	7091
Apprch %	31.1	0	68.9	0	3.9	93.1	0	3	25.4	14.3	57.1	3.2	0.5	95.2	3.9	0.5	
Total %	0.5	0	1.2	0	1.3	31.8	0	1	0.2	0.1	0.5	0	0.3	60.2	2.4	0.3	

Start Time	Shepard Street From North					Lynnway (Route 1A) From East					Marine Boulevard From South					Lynnway (Route 1A) From West					Int. Total
	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 04:30 PM																					
04:30 PM	7	0	15	0	22	12	275	0	6	293	2	1	10	0	13	2	520	23	2	547	875
04:45 PM	2	0	14	0	16	17	277	0	16	310	1	1	1	0	3	3	573	17	2	595	924
05:00 PM	6	0	11	0	17	6	315	0	12	333	4	6	8	0	18	8	563	29	2	602	970
05:15 PM	0	0	8	0	8	10	303	0	5	318	3	0	0	0	3	0	576	31	4	611	940
Total Volume	15	0	48	0	63	45	1170	0	39	1254	10	8	19	0	37	13	2232	100	10	2355	3709
% App. Total																					
PHF	.536	.000	.800	.000	.716	.662	.929	.000	.609	.941	.625	.333	.475	.000	.514	.406	.969	.806	.625	.964	.956



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Groups Printed- Heavy Vehicles

Start Time	Shepard Street From North				Lynnway (Route 1A) From East				Marine Boulevard From South				Lynnway (Route 1A) From West				Int. Total
	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	
04:00 PM	1	0	0	0	0	8	0	0	0	0	0	0	3	6	0	0	18
04:15 PM	0	0	1	0	0	10	3	0	0	0	1	0	1	14	0	0	30
04:30 PM	0	0	0	0	0	11	1	0	0	0	0	0	2	11	2	0	27
04:45 PM	0	0	0	0	0	4	1	0	0	0	1	0	2	12	1	0	21
Total	1	0	1	0	0	33	5	0	0	0	2	0	8	43	3	0	96
05:00 PM	0	0	0	0	1	9	0	0	0	0	0	0	0	12	1	0	23
05:15 PM	0	0	0	0	0	8	0	0	0	0	0	0	0	6	0	0	14
05:30 PM	0	0	1	0	0	8	0	1	0	0	0	0	1	11	0	0	22
05:45 PM	0	0	0	0	0	1	0	0	0	0	0	0	0	8	1	0	10
Total	0	0	1	0	1	26	0	1	0	0	0	0	1	37	2	0	69
Grand Total	1	0	2	0	1	59	5	1	0	0	2	0	9	80	5	0	165
Apprch %	33.3	0	66.7	0	1.5	89.4	7.6	1.5	0	0	100	0	9.6	85.1	5.3	0	
Total %	0.6	0	1.2	0	0.6	35.8	3	0.6	0	0	1.2	0	5.5	48.5	3	0	

Start Time	Shepard Street From North					Lynnway (Route 1A) From East					Marine Boulevard From South					Lynnway (Route 1A) From West					Int. Total
	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 04:15 PM																					
04:15 PM	0	0	1	0	1	0	10	3	0	13	0	0	1	0	1	1	14	0	0	15	30
04:30 PM	0	0	0	0	0	0	11	1	0	12	0	0	0	0	0	2	11	2	0	15	27
04:45 PM	0	0	0	0	0	0	4	1	0	5	0	0	1	0	1	2	12	1	0	15	21
05:00 PM	0	0	0	0	0	1	9	0	0	10	0	0	0	0	0	0	12	1	0	13	23
Total Volume	0	0	1	0	1	1	34	5	0	40	0	0	2	0	2	5	49	4	0	58	101
% App. Total	0	0	100	0		2.5	85	12.5	0		0	0	100	0		8.6	84.5	6.9	0		
PHF	.000	.000	.250	.000	.250	.250	.773	.417	.000	.769	.000	.000	.500	.000	.500	.625	.875	.500	.000	.967	.842



PRECISION
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File Name : 144179 AA
Site Code : 11942.03
Start Date : 11/18/2014
Page No : 1

N/S: Shepard Street/ Marine Boulevard
E/W: Lynnway (Route 1A)
City, State: Lynn, MA
Client: VHB/K. Keen

Groups Printed- Peds and Bikes

Start Time	Shepard Street From North					Lynnway (Route 1A) From East					Marine Boulevard From South					Lynnway (Route 1A) From West					Int. Total	
	Right	Thru	Left	Peds EB	Peds WB	Right	Thru	Left	Peds SB	Peds NB	Right	Thru	Left	Peds WB	Peds EB	Right	Thru	Left	Peds NB	Peds SB		
04:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1
04:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	2
04:30 PM	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1	0	0	0	4	0	6	6
04:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	3	0	4	4
Total	0	0	0	0	0	0	1	0	0	0	0	0	0	0	2	0	0	0	7	3	13	13
05:00 PM	0	0	0	0	1	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	2	2
05:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
05:30 PM	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1
05:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0	0	1	1	4	4
Total	0	0	0	1	1	0	0	0	0	0	0	0	0	2	1	0	0	0	1	1	7	7
Grand Total	0	0	0	1	1	0	1	0	0	0	0	0	0	2	3	0	0	0	8	4	20	20
Apprch %	0	0	0	50	50	0	100	0	0	0	0	0	0	40	60	0	0	0	66.7	33.3		
Total %	0	0	0	5	5	0	5	0	0	0	0	0	0	10	15	0	0	0	40	20		

Start Time	Shepard Street From North						Lynnway (Route 1A) From East						Marine Boulevard From South						Lynnway (Route 1A) From West						Int. Total	
	Right	Thru	Left	Peds EB	Peds WB	App. Total	Right	Thru	Left	Peds SB	Peds NB	App. Total	Right	Thru	Left	Peds WB	Peds EB	App. Total	Right	Thru	Left	Peds NB	Peds SB	App. Total		
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																										
Peak Hour for Entire Intersection Begins at 04:15 PM																										
04:15 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	2	2	2
04:30 PM	0	0	0	0	0	0	0	1	0	0	0	1	0	0	0	0	1	1	0	0	0	4	0	4	6	
04:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0	0	3	0	3	4	
05:00 PM	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	1	0	1	0	0	0	0	0	0	2	
Total Volume	0	0	0	0	1	1	0	1	0	0	0	1	0	0	0	1	2	3	0	0	0	7	2	9	14	
% App. Total	0	0	0	0	100		0	100	0	0	0		0	0	0	33.3	66.7		0	0	0	77.8	22.2			
PHF	.000	.000	.000	.000	.250	.250	.000	.250	.000	.000	.000	.250	.000	.000	.000	.250	.500	.750	.000	.000	.000	.438	.250	.563	.583	



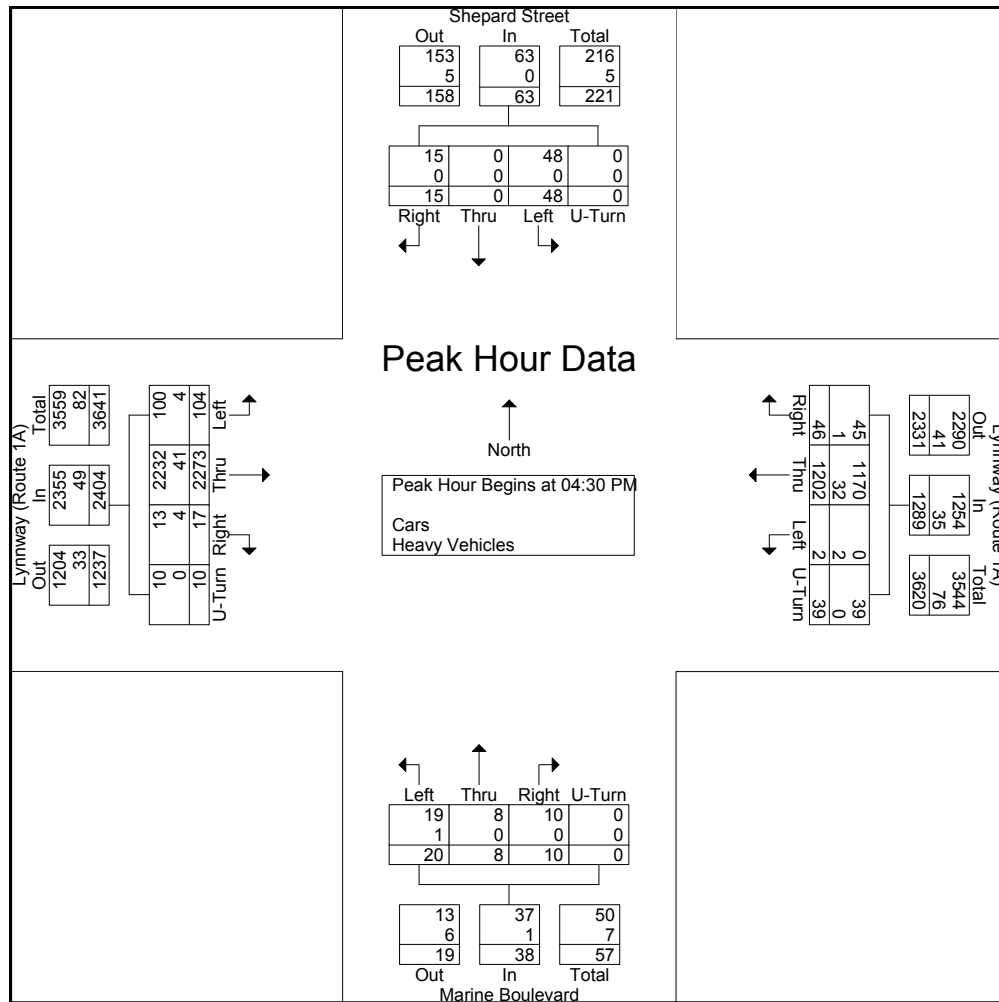
PRECISION
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INDUSTRIES, LLC

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N/S: Shepard Street/ Marine Boulevard
E/W: Lynnway (Route 1A)
City, State: Lynn, MA
Client: VHB/K. Keen

File Name : 144179 AA
Site Code : 11942.03
Start Date : 11/18/2014
Page No : 1

Start Time	Shepard Street From North					Lynnway (Route 1A) From East					Marine Boulevard From South					Lynnway (Route 1A) From West					Int. Total
	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 04:30 PM																					
04:30 PM	7	0	15	0	22	12	286	1	6	305	2	1	10	0	13	4	531	25	2	562	902
04:45 PM	2	0	14	0	16	17	281	1	16	315	1	1	2	0	4	5	585	18	2	610	945
05:00 PM	6	0	11	0	17	7	324	0	12	343	4	6	8	0	18	8	575	30	2	615	993
05:15 PM	0	0	8	0	8	10	311	0	5	326	3	0	0	0	3	0	582	31	4	617	954
Total Volume	15	0	48	0	63	46	1202	2	39	1289	10	8	20	0	38	17	2273	104	10	2404	3794
% App. Total	.536	.000	.800	.000	.716	.676	.927	.500	.609	.940	.625	.333	.500	.000	.528	.531	.971	.839	.625	.974	.955
Cars	15	0	48	0	63	45	1170	0	39	1254	10	8	19	0	37	13	2232	100	10	2355	3709
% Cars	100	0	100	0	100	97.8	97.3	0	100	97.3	100	100	95.0	0	97.4	76.5	98.2	96.2	100	98.0	97.8
Heavy Vehicles	0	0	0	0	0	2.2	2.7	100	0	2.7	0	0	5.0	0	2.6	23.5	1.8	3.8	0	2.0	2.2
% Heavy Vehicles	0	0	0	0	0	2.2	2.7	100	0	2.7	0	0	5.0	0	2.6	23.5	1.8	3.8	0	2.0	2.2





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N/S: Blossom Street/ Blossom Street Ext
E/W: Lynnway (Route 1A)
City, State: Lynn, MA
Client: VHB/K. Keen

File Name : 144179 B
Site Code : 11942.03
Start Date : 11/18/2014
Page No : 1

Groups Printed- Cars - Heavy Vehicles

Start Time	Shepard Street From North				Lynnway (Route 1A) From East				Marine Boulevard From South				Lynnway (Route 1A) From West				Int. Total
	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	
07:00 AM	6	0	0	0	19	675	0	0	14	0	0	0	18	200	0	0	932
07:15 AM	6	0	0	0	38	640	0	0	14	0	0	0	20	221	0	0	939
07:30 AM	15	0	0	0	46	591	0	0	23	0	0	0	25	285	0	0	985
07:45 AM	14	0	0	0	44	596	0	0	18	0	0	0	29	300	0	0	1001
Total	41	0	0	0	147	2502	0	0	69	0	0	0	92	1006	0	0	3857
08:00 AM	9	0	0	0	40	567	0	0	19	0	0	0	20	251	0	0	906
08:15 AM	14	0	0	0	30	567	0	0	20	0	0	0	34	268	0	0	933
08:30 AM	10	0	0	0	34	483	0	0	17	0	0	0	18	276	0	0	838
08:45 AM	11	0	0	0	36	468	0	0	16	0	0	0	27	277	0	0	835
Total	44	0	0	0	140	2085	0	0	72	0	0	0	99	1072	0	0	3512
Grand Total	85	0	0	0	287	4587	0	0	141	0	0	0	191	2078	0	0	7369
Apprch %	100	0	0	0	5.9	94.1	0	0	100	0	0	0	8.4	91.6	0	0	
Total %	1.2	0	0	0	3.9	62.2	0	0	1.9	0	0	0	2.6	28.2	0	0	
Cars	78	0	0	0	268	4480	0	0	129	0	0	0	177	1953	0	0	7085
% Cars	91.8	0	0	0	93.4	97.7	0	0	91.5	0	0	0	92.7	94	0	0	96.1
Heavy Vehicles	7	0	0	0	19	107	0	0	12	0	0	0	14	125	0	0	284
% Heavy Vehicles	8.2	0	0	0	6.6	2.3	0	0	8.5	0	0	0	7.3	6	0	0	3.9

Start Time	Shepard Street From North					Lynnway (Route 1A) From East					Marine Boulevard From South					Lynnway (Route 1A) From West					Int. Total
	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:00 AM																					
07:00 AM	6	0	0	0	6	19	675	0	0	694	14	0	0	0	14	18	200	0	0	218	932
07:15 AM	6	0	0	0	6	38	640	0	0	678	14	0	0	0	14	20	221	0	0	241	939
07:30 AM	15	0	0	0	15	46	591	0	0	637	23	0	0	0	23	25	285	0	0	310	985
07:45 AM	14	0	0	0	14	44	596	0	0	640	18	0	0	0	18	29	300	0	0	329	1001
Total Volume	41	0	0	0	41	147	2502	0	0	2649	69	0	0	0	69	92	1006	0	0	1098	3857
% App. Total																					
PHF	.683	.000	.000	.000	.683	.799	.927	.000	.000	.954	.750	.000	.000	.000	.750	.793	.838	.000	.000	.834	.963
Cars	38	0	0	0	38	138	2453	0	0	2591	63	0	0	0	63	87	930	0	0	1017	3709
% Cars	92.7	0	0	0	92.7	93.9	98.0	0	0	97.8	91.3	0	0	0	91.3	94.6	92.4	0	0	92.6	96.2
Heavy Vehicles																					
% Heavy Vehicles	7.3	0	0	0	7.3	6.1	2.0	0	0	2.2	8.7	0	0	0	8.7	5.4	7.6	0	0	7.4	3.8



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N/S: Blossom Street/ Blossom Street Ext
E/W: Lynnway (Route 1A)
City, State: Lynn, MA
Client: VHB/K. Keen

File Name : 144179 B
Site Code : 11942.03
Start Date : 11/18/2014
Page No : 1

Groups Printed- Cars

Start Time	Shepard Street From North				Lynnway (Route 1A) From East				Marine Boulevard From South				Lynnway (Route 1A) From West				Int. Total
	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	
07:00 AM	5	0	0	0	15	659	0	0	12	0	0	0	18	183	0	0	892
07:15 AM	5	0	0	0	38	624	0	0	14	0	0	0	18	209	0	0	908
07:30 AM	15	0	0	0	42	581	0	0	20	0	0	0	23	257	0	0	938
07:45 AM	13	0	0	0	43	589	0	0	17	0	0	0	28	281	0	0	971
Total	38	0	0	0	138	2453	0	0	63	0	0	0	87	930	0	0	3709
08:00 AM	9	0	0	0	37	556	0	0	18	0	0	0	20	241	0	0	881
08:15 AM	12	0	0	0	28	550	0	0	20	0	0	0	30	255	0	0	895
08:30 AM	9	0	0	0	32	466	0	0	14	0	0	0	14	260	0	0	795
08:45 AM	10	0	0	0	33	455	0	0	14	0	0	0	26	267	0	0	805
Total	40	0	0	0	130	2027	0	0	66	0	0	0	90	1023	0	0	3376
Grand Total	78	0	0	0	268	4480	0	0	129	0	0	0	177	1953	0	0	7085
Apprch %	100	0	0	0	5.6	94.4	0	0	100	0	0	0	8.3	91.7	0	0	
Total %	1.1	0	0	0	3.8	63.2	0	0	1.8	0	0	0	2.5	27.6	0	0	

Start Time	Shepard Street From North					Lynnway (Route 1A) From East					Marine Boulevard From South					Lynnway (Route 1A) From West					Int. Total
	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:00 AM																					
07:00 AM	5	0	0	0	5	15	659	0	0	674	12	0	0	0	12	18	183	0	0	201	892
07:15 AM	5	0	0	0	5	38	624	0	0	662	14	0	0	0	14	18	209	0	0	227	908
07:30 AM	15	0	0	0	15	42	581	0	0	623	20	0	0	0	20	23	257	0	0	280	938
07:45 AM	13	0	0	0	13	43	589	0	0	632	17	0	0	0	17	28	281	0	0	309	971
Total Volume	38	0	0	0	38	138	2453	0	0	2591	63	0	0	0	63	87	930	0	0	1017	3709
% App. Total																					
PHF	.633	.000	.000	.000	.633	.802	.931	.000	.000	.961	.788	.000	.000	.000	.788	.777	.827	.000	.000	.823	.955



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N/S: Blossom Street/ Blossom Street Ext
E/W: Lynnway (Route 1A)
City, State: Lynn, MA
Client: VHB/K. Keen

File Name : 144179 B
Site Code : 11942.03
Start Date : 11/18/2014
Page No : 1

Groups Printed- Heavy Vehicles

Start Time	Shepard Street From North				Lynnway (Route 1A) From East				Marine Boulevard From South				Lynnway (Route 1A) From West				Int. Total
	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	
07:00 AM	1	0	0	0	4	16	0	0	2	0	0	0	0	17	0	0	40
07:15 AM	1	0	0	0	0	16	0	0	0	0	0	0	2	12	0	0	31
07:30 AM	0	0	0	0	4	10	0	0	3	0	0	0	2	28	0	0	47
07:45 AM	1	0	0	0	1	7	0	0	1	0	0	0	1	19	0	0	30
Total	3	0	0	0	9	49	0	0	6	0	0	0	5	76	0	0	148
08:00 AM	0	0	0	0	3	11	0	0	1	0	0	0	0	10	0	0	25
08:15 AM	2	0	0	0	2	17	0	0	0	0	0	0	4	13	0	0	38
08:30 AM	1	0	0	0	2	17	0	0	3	0	0	0	4	16	0	0	43
08:45 AM	1	0	0	0	3	13	0	0	2	0	0	0	1	10	0	0	30
Total	4	0	0	0	10	58	0	0	6	0	0	0	9	49	0	0	136
Grand Total	7	0	0	0	19	107	0	0	12	0	0	0	14	125	0	0	284
Apprch %	100	0	0	0	15.1	84.9	0	0	100	0	0	0	10.1	89.9	0	0	
Total %	2.5	0	0	0	6.7	37.7	0	0	4.2	0	0	0	4.9	44	0	0	

Start Time	Shepard Street From North					Lynnway (Route 1A) From East					Marine Boulevard From South					Lynnway (Route 1A) From West					Int. Total
	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:00 AM																					
07:00 AM	1	0	0	0	1	4	16	0	0	20	2	0	0	0	2	0	17	0	0	17	40
07:15 AM	1	0	0	0	1	0	16	0	0	16	0	0	0	0	0	2	12	0	0	14	31
07:30 AM	0	0	0	0	0	4	10	0	0	14	3	0	0	0	3	2	28	0	0	30	47
07:45 AM	1	0	0	0	1	1	7	0	0	8	1	0	0	0	1	1	19	0	0	20	30
Total Volume	3	0	0	0	3	9	49	0	0	58	6	0	0	0	6	5	76	0	0	81	148
% App. Total	100	0	0	0		15.5	84.5	0	0		100	0	0	0		6.2	93.8	0	0		
PHF	.750	.000	.000	.000	.750	.563	.766	.000	.000	.725	.500	.000	.000	.000	.500	.625	.679	.000	.000	.675	.787



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Groups Printed- Peds and Bikes

Start Time	Shepard Street From North					Lynnway (Route 1A) From East					Marine Boulevard From South					Lynnway (Route 1A) From West					Int. Total
	Right	Thru	Left	Peds EB	Peds WB	Right	Thru	Left	Peds SB	Peds NB	Right	Thru	Left	Peds WB	Peds EB	Right	Thru	Left	Peds NB	Peds SB	
07:00 AM	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
07:15 AM	0	0	0	2	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	3
07:30 AM	0	0	0	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3
07:45 AM	0	0	0	3	1	0	0	0	0	1	0	0	0	0	0	0	0	0	2	1	8
Total	0	0	0	5	5	0	0	0	0	1	0	0	0	1	0	0	0	0	2	1	15
08:00 AM	0	0	0	2	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	7
08:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
08:30 AM	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
08:45 AM	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Total	0	0	0	3	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	9
Grand Total	0	0	0	8	10	0	0	0	0	1	0	0	0	1	0	0	0	0	2	2	24
Apprch %	0	0	0	44.4	55.6	0	0	0	0	100	0	0	0	100	0	0	0	0	50	50	
Total %	0	0	0	33.3	41.7	0	0	0	0	4.2	0	0	0	4.2	0	0	0	0	8.3	8.3	

Start Time	Shepard Street From North						Lynnway (Route 1A) From East						Marine Boulevard From South						Lynnway (Route 1A) From West						Int. Total			
	Right	Thru	Left	Peds EB	Peds WB	App. Total	Right	Thru	Left	Peds SB	Peds NB	App. Total	Right	Thru	Left	Peds WB	Peds EB	App. Total	Right	Thru	Left	Peds NB	Peds SB	App. Total				
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																												
Peak Hour for Entire Intersection Begins at 07:15 AM																												
07:15 AM	0	0	0	2	0	2	0	0	0	0	0	0	0	0	0	1	0	1	0	0	0	0	0	0	0	0	0	3
07:30 AM	0	0	0	0	3	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3
07:45 AM	0	0	0	3	1	4	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	2	1	3	0	0	0	8
08:00 AM	0	0	0	2	4	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0	0	7
Total Volume	0	0	0	7	8	15	0	0	0	0	1	1	0	0	0	1	0	1	0	0	0	2	2	4	0	0	0	21
% App. Total	0	0	0	46.7	53.3	0	0	0	0	100	0	0	0	100	0	0	0	0	50	50								
PHF	.000	.000	.000	.583	.500	.625	.000	.000	.000	.000	.250	.250	.000	.000	.000	.250	.000	.250	.000	.000	.000	.250	.500	.333	.000	.000	.000	.656



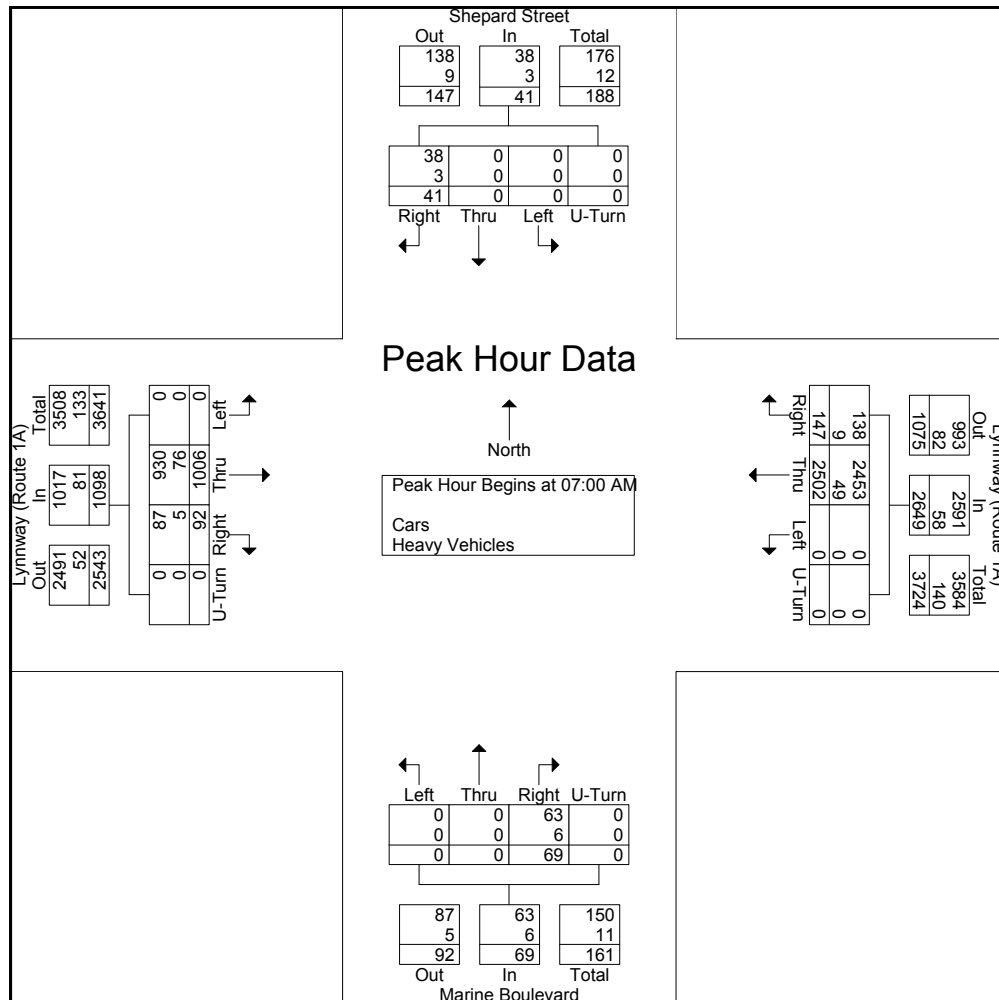
PRECISION
D A T A
INDUSTRIES, LLC

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Email: datarequests@pdillc.com

N/S: Blossom Street/ Blossom Street Ext
E/W: Lynnway (Route 1A)
City, State: Lynn, MA
Client: VHB/K. Keen

File Name : 144179 B
Site Code : 11942.03
Start Date : 11/18/2014
Page No : 1

Start Time	Shepard Street From North					Lynnway (Route 1A) From East					Marine Boulevard From South					Lynnway (Route 1A) From West					Int. Total
	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:00 AM																					
07:00 AM	6	0	0	0	6	19	675	0	0	694	14	0	0	0	14	18	200	0	0	218	932
07:15 AM	6	0	0	0	6	38	640	0	0	678	14	0	0	0	14	20	221	0	0	241	939
07:30 AM	15	0	0	0	15	46	591	0	0	637	23	0	0	0	23	25	285	0	0	310	985
07:45 AM	14	0	0	0	14	44	596	0	0	640	18	0	0	0	18	29	300	0	0	329	1001
Total Volume	41	0	0	0	41	147	2502	0	0	2649	69	0	0	0	69	92	1006	0	0	1098	3857
% App. Total	.683	.000	.000	.000	.683	.799	.927	.000	.000	.954	.750	.000	.000	.000	.750	.793	.838	.000	.000	.834	.963
Cars	38	0	0	0	38	138	2453	0	0	2591	63	0	0	0	63	87	930	0	0	1017	3709
% Cars	92.7	0	0	0	92.7	93.9	98.0	0	0	97.8	91.3	0	0	0	91.3	94.6	92.4	0	0	92.6	96.2
Heavy Vehicles	7.3	0	0	0	7.3	6.1	2.0	0	0	2.2	8.7	0	0	0	8.7	5.4	7.6	0	0	7.4	3.8
% Heavy Vehicles																					





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N/S: Blossom Street/ Blossom Street Ext
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File Name : 144179 BB
Site Code : 11942.03
Start Date : 11/18/2014
Page No : 1

Groups Printed- Cars - Heavy Vehicles

Start Time	Shepard Street From North				Lynnway (Route 1A) From East				Marine Boulevard From South				Lynnway (Route 1A) From West				Int. Total
	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	
04:00 PM	10	0	0	0	32	328	0	0	13	0	0	0	12	450	0	0	845
04:15 PM	15	0	0	0	28	331	0	0	10	0	0	0	10	484	0	0	878
04:30 PM	17	0	0	0	29	309	0	0	15	0	0	0	13	550	0	0	933
04:45 PM	7	0	0	0	35	325	0	0	15	0	0	0	12	579	0	0	973
Total	49	0	0	0	124	1293	0	0	53	0	0	0	47	2063	0	0	3629
05:00 PM	14	0	0	0	52	360	0	0	14	0	0	0	9	595	0	0	1044
05:15 PM	5	0	0	0	40	340	0	0	12	0	0	0	11	594	0	0	1002
05:30 PM	16	0	0	0	38	314	0	0	9	0	0	0	6	591	0	0	974
05:45 PM	11	0	0	0	23	264	0	0	9	0	0	0	8	624	0	0	939
Total	46	0	0	0	153	1278	0	0	44	0	0	0	34	2404	0	0	3959
Grand Total	95	0	0	0	277	2571	0	0	97	0	0	0	81	4467	0	0	7588
Apprch %	100	0	0	0	9.7	90.3	0	0	100	0	0	0	1.8	98.2	0	0	
Total %	1.3	0	0	0	3.7	33.9	0	0	1.3	0	0	0	1.1	58.9	0	0	
Cars	93	0	0	0	264	2495	0	0	95	0	0	0	81	4405	0	0	7433
% Cars	97.9	0	0	0	95.3	97	0	0	97.9	0	0	0	100	98.6	0	0	98
Heavy Vehicles	2	0	0	0	13	76	0	0	2	0	0	0	0	62	0	0	155
% Heavy Vehicles	2.1	0	0	0	4.7	3	0	0	2.1	0	0	0	0	1.4	0	0	2

Start Time	Shepard Street From North					Lynnway (Route 1A) From East					Marine Boulevard From South					Lynnway (Route 1A) From West					Int. Total
	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 04:45 PM																					
04:45 PM	7	0	0	0	7	35	325	0	0	360	15	0	0	0	15	12	579	0	0	591	973
05:00 PM	14	0	0	0	14	52	360	0	0	412	14	0	0	0	14	9	595	0	0	604	1044
05:15 PM	5	0	0	0	5	40	340	0	0	380	12	0	0	0	12	11	594	0	0	605	1002
05:30 PM	16	0	0	0	16	38	314	0	0	352	9	0	0	0	9	6	591	0	0	597	974
Total Volume	42	0	0	0	42	165	1339	0	0	1504	50	0	0	0	50	38	2359	0	0	2397	3993
% App. Total	.656	.000	.000	.000	.656	.793	.930	.000	.000	.913	.833	.000	.000	.000	.833	.792	.991	.000	.000	.990	.956
Cars	40	0	0	0	40	159	1308	0	0	1467	49	0	0	0	49	38	2329	0	0	2367	3923
% Cars	95.2	0	0	0	95.2	96.4	97.7	0	0	97.5	98.0	0	0	0	98.0	100	98.7	0	0	98.7	98.2
Heavy Vehicles																					
% Heavy Vehicles	4.8	0	0	0	4.8	3.6	2.3	0	0	2.5	2.0	0	0	0	2.0	0	1.3	0	0	1.3	1.8



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N/S: Blossom Street/ Blossom Street Ext
E/W: Lynnway (Route 1A)
City, State: Lynn, MA
Client: VHB/K. Keen

File Name : 144179 BB
Site Code : 11942.03
Start Date : 11/18/2014
Page No : 1

Groups Printed- Cars

Start Time	Shepard Street From North				Lynnway (Route 1A) From East				Marine Boulevard From South				Lynnway (Route 1A) From West				Int. Total
	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	
04:00 PM	10	0	0	0	30	310	0	0	13	0	0	0	12	447	0	0	822
04:15 PM	15	0	0	0	26	319	0	0	9	0	0	0	10	472	0	0	851
04:30 PM	17	0	0	0	26	296	0	0	15	0	0	0	13	542	0	0	909
04:45 PM	6	0	0	0	34	320	0	0	15	0	0	0	12	574	0	0	961
Total	48	0	0	0	116	1245	0	0	52	0	0	0	47	2035	0	0	3543
05:00 PM	13	0	0	0	49	352	0	0	14	0	0	0	9	586	0	0	1023
05:15 PM	5	0	0	0	38	331	0	0	11	0	0	0	11	590	0	0	986
05:30 PM	16	0	0	0	38	305	0	0	9	0	0	0	6	579	0	0	953
05:45 PM	11	0	0	0	23	262	0	0	9	0	0	0	8	615	0	0	928
Total	45	0	0	0	148	1250	0	0	43	0	0	0	34	2370	0	0	3890
Grand Total	93	0	0	0	264	2495	0	0	95	0	0	0	81	4405	0	0	7433
Apprch %	100	0	0	0	9.6	90.4	0	0	100	0	0	0	1.8	98.2	0	0	
Total %	1.3	0	0	0	3.6	33.6	0	0	1.3	0	0	0	1.1	59.3	0	0	

Start Time	Shepard Street From North					Lynnway (Route 1A) From East					Marine Boulevard From South					Lynnway (Route 1A) From West					Int. Total
	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 04:45 PM																					
04:45 PM	6	0	0	0	6	34	320	0	0	354	15	0	0	0	15	12	574	0	0	586	961
05:00 PM	13	0	0	0	13	49	352	0	0	401	14	0	0	0	14	9	586	0	0	595	1023
05:15 PM	5	0	0	0	5	38	331	0	0	369	11	0	0	0	11	11	590	0	0	601	986
05:30 PM	16	0	0	0	16	38	305	0	0	343	9	0	0	0	9	6	579	0	0	585	953
Total Volume	40	0	0	0	40	159	1308	0	0	1467	49	0	0	0	49	38	2329	0	0	2367	3923
% App. Total																					
PHF	.625	.000	.000	.000	.625	.811	.929	.000	.000	.915	.817	.000	.000	.000	.817	.792	.987	.000	.000	.985	.959



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N/S: Blossom Street/ Blossom Street Ext
E/W: Lynnway (Route 1A)
City, State: Lynn, MA
Client: VHB/K. Keen

File Name : 144179 BB
Site Code : 11942.03
Start Date : 11/18/2014
Page No : 1

Groups Printed- Heavy Vehicles

Start Time	Shepard Street From North				Lynnway (Route 1A) From East				Marine Boulevard From South				Lynnway (Route 1A) From West				Int. Total
	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	
04:00 PM	0	0	0	0	2	18	0	0	0	0	0	0	0	3	0	0	23
04:15 PM	0	0	0	0	2	12	0	0	1	0	0	0	0	12	0	0	27
04:30 PM	0	0	0	0	3	13	0	0	0	0	0	0	0	8	0	0	24
04:45 PM	1	0	0	0	1	5	0	0	0	0	0	0	0	5	0	0	12
Total	1	0	0	0	8	48	0	0	1	0	0	0	0	28	0	0	86
05:00 PM	1	0	0	0	3	8	0	0	0	0	0	0	0	9	0	0	21
05:15 PM	0	0	0	0	2	9	0	0	1	0	0	0	0	4	0	0	16
05:30 PM	0	0	0	0	0	9	0	0	0	0	0	0	0	12	0	0	21
05:45 PM	0	0	0	0	0	2	0	0	0	0	0	0	0	9	0	0	11
Total	1	0	0	0	5	28	0	0	1	0	0	0	0	34	0	0	69
Grand Total	2	0	0	0	13	76	0	0	2	0	0	0	0	62	0	0	155
Apprch %	100	0	0	0	14.6	85.4	0	0	100	0	0	0	0	100	0	0	
Total %	1.3	0	0	0	8.4	49	0	0	1.3	0	0	0	0	40	0	0	

Start Time	Shepard Street From North					Lynnway (Route 1A) From East					Marine Boulevard From South					Lynnway (Route 1A) From West					Int. Total
	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 04:00 PM																					
04:00 PM	0	0	0	0	0	2	18	0	0	20	0	0	0	0	0	0	3	0	0	3	23
04:15 PM	0	0	0	0	0	2	12	0	0	14	1	0	0	0	1	0	12	0	0	12	27
04:30 PM	0	0	0	0	0	3	13	0	0	16	0	0	0	0	0	0	8	0	0	8	24
04:45 PM	1	0	0	0	1	1	5	0	0	6	0	0	0	0	0	0	5	0	0	5	12
Total Volume	1	0	0	0	1	8	48	0	0	56	1	0	0	0	1	0	28	0	0	28	86
% App. Total	100	0	0	0		14.3	85.7	0	0		100	0	0	0		0	100	0	0		
PHF	.250	.000	.000	.000	.250	.667	.667	.000	.000	.700	.250	.000	.000	.000	.250	.000	.583	.000	.000	.583	.796



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E/W: Lynnway (Route 1A)
City, State: Lynn, MA
Client: VHB/K. Keen

File Name : 144179 BB
Site Code : 11942.03
Start Date : 11/18/2014
Page No : 1

Groups Printed- Peds and Bikes

Start Time	Shepard Street From North					Lynnway (Route 1A) From East					Marine Boulevard From South					Lynnway (Route 1A) From West					Int. Total
	Right	Thru	Left	Peds EB	Peds WB	Right	Thru	Left	Peds SB	Peds NB	Right	Thru	Left	Peds WB	Peds EB	Right	Thru	Left	Peds NB	Peds SB	
04:00 PM	0	0	0	2	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3
04:15 PM	0	0	0	6	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	10
04:30 PM	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
04:45 PM	0	0	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4
Total	0	0	0	13	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	18
05:00 PM	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
05:15 PM	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
05:30 PM	0	0	0	2	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1	0	4
05:45 PM	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	1
Total	0	0	0	3	2	0	0	0	1	1	0	0	0	0	0	0	0	0	1	0	8
Grand Total	0	0	0	16	7	0	0	0	1	1	0	0	0	0	0	0	0	0	1	0	26
Apprch %	0	0	0	69.6	30.4	0	0	0	50	50	0	0	0	0	0	0	0	0	100	0	
Total %	0	0	0	61.5	26.9	0	0	0	3.8	3.8	0	0	0	0	0	0	0	0	3.8	0	

Start Time	Shepard Street From North						Lynnway (Route 1A) From East						Marine Boulevard From South						Lynnway (Route 1A) From West						Int. Total				
	Right	Thru	Left	Peds EB	Peds WB	App. Total	Right	Thru	Left	Peds SB	Peds NB	App. Total	Right	Thru	Left	Peds WB	Peds EB	App. Total	Right	Thru	Left	Peds NB	Peds SB	App. Total					
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																													
Peak Hour for Entire Intersection Begins at 04:00 PM																													
04:00 PM	0	0	0	2	1	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3	
04:15 PM	0	0	0	6	4	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	10	
04:30 PM	0	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	
04:45 PM	0	0	0	4	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4	
Total Volume	0	0	0	13	5	18	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	18	
% App. Total	0	0	0	72.2	27.8	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
PHF	.000	.000	.000	.542	.313	.450	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.450	



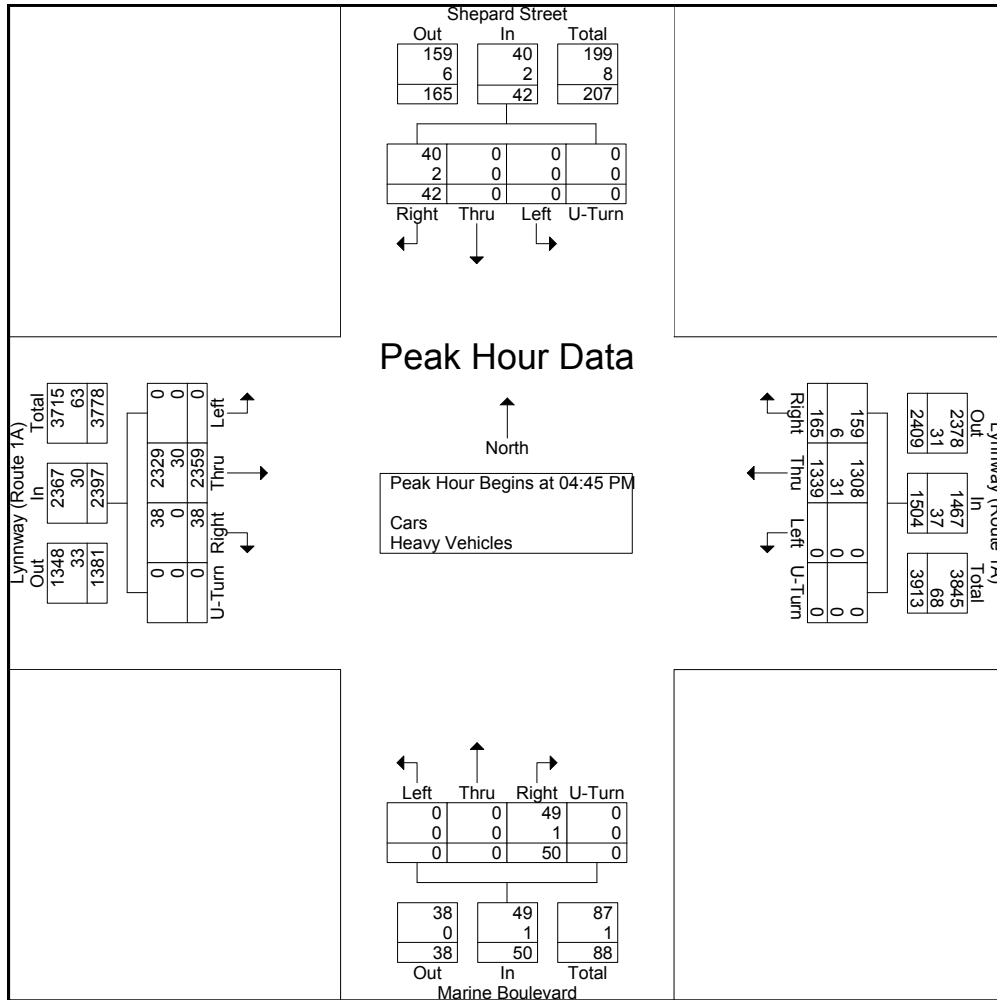
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City, State: Lynn, MA
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File Name : 144179 BB
Site Code : 11942.03
Start Date : 11/18/2014
Page No : 1

Start Time	Shepard Street From North					Lynnway (Route 1A) From East					Marine Boulevard From South					Lynnway (Route 1A) From West					Int. Total
	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 04:45 PM																					
04:45 PM	7	0	0	0	7	35	325	0	0	360	15	0	0	0	15	12	579	0	0	591	973
05:00 PM	14	0	0	0	14	52	360	0	0	412	14	0	0	0	14	9	595	0	0	604	1044
05:15 PM	5	0	0	0	5	40	340	0	0	380	12	0	0	0	12	11	594	0	0	605	1002
05:30 PM	16	0	0	0	16	38	314	0	0	352	9	0	0	0	9	6	591	0	0	597	974
Total Volume	42	0	0	0	42	165	1339	0	0	1504	50	0	0	0	50	38	2359	0	0	2397	3993
% App. Total	.656	.000	.000	.000	.656	.793	.930	.000	.000	.913	.833	.000	.000	.000	.833	.792	.991	.000	.000	.990	.956
PHF	.656	.000	.000	.000	.656	.793	.930	.000	.000	.913	.833	.000	.000	.000	.833	.792	.991	.000	.000	.990	.956
Cars	40	0	0	0	40	159	1308	0	0	1467	49	0	0	0	49	38	2329	0	0	2367	3923
% Cars	95.2	0	0	0	95.2	96.4	97.7	0	0	97.5	98.0	0	0	0	98.0	100	98.7	0	0	98.7	98.2
Heavy Vehicles	4.8	0	0	0	4.8	3.6	2.3	0	0	2.5	2.0	0	0	0	2.0	0	1.3	0	0	1.3	1.8
% Heavy Vehicles	4.8	0	0	0	4.8	3.6	2.3	0	0	2.5	2.0	0	0	0	2.0	0	1.3	0	0	1.3	1.8





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N/S: Jughandle/Kingman Street
E/W: Lynnway (Route 1A)
City, State: Lynn, MA
Client: VHB/K. Keen

File Name : 144179 C
Site Code : 11942.03
Start Date : 11/18/2014
Page No : 1

Groups Printed- Cars - Heavy Vehicles

Start Time	Jughandle From North				Lynnway (Route 1A) From East				Kingman Street From South				Lynnway (Route 1A) From West				Int. Total
	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	
07:00 AM	0	0	0	0	41	731	11	0	6	0	8	0	9	199	3	2	1010
07:15 AM	0	0	0	0	44	725	12	0	11	2	11	0	8	218	5	1	1037
07:30 AM	0	0	0	0	41	632	17	3	9	1	6	0	6	275	3	9	1002
07:45 AM	0	0	0	0	40	636	18	2	9	0	6	0	11	290	6	5	1023
Total	0	0	0	0	166	2724	58	5	35	3	31	0	34	982	17	17	4072
08:00 AM	0	0	0	0	44	542	20	5	5	0	14	0	17	241	5	13	906
08:15 AM	0	0	0	0	39	568	21	5	16	0	13	0	16	237	5	2	922
08:30 AM	0	0	0	0	41	474	26	0	5	1	10	0	30	257	12	8	864
08:45 AM	1	0	1	0	33	447	30	3	7	0	8	0	14	247	5	5	801
Total	1	0	1	0	157	2031	97	13	33	1	45	0	77	982	27	28	3493
Grand Total	1	0	1	0	323	4755	155	18	68	4	76	0	111	1964	44	45	7565
Apprch %	50	0	50	0	6.2	90.6	3	0.3	45.9	2.7	51.4	0	5.1	90.8	2	2.1	
Total %	0	0	0	0	4.3	62.9	2	0.2	0.9	0.1	1	0	1.5	26	0.6	0.6	
Cars	1	0	1	0	314	4682	146	18	37	2	43	0	101	1849	42	44	7280
% Cars	100	0	100	0	97.2	98.5	94.2	100	54.4	50	56.6	0	91	94.1	95.5	97.8	96.2
Heavy Vehicles	0	0	0	0	9	73	9	0	31	2	33	0	10	115	2	1	285
% Heavy Vehicles	0	0	0	0	2.8	1.5	5.8	0	45.6	50	43.4	0	9	5.9	4.5	2.2	3.8

Start Time	Jughandle From North					Lynnway (Route 1A) From East					Kingman Street From South					Lynnway (Route 1A) From West					Int. Total
	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:00 AM																					
07:00 AM	0	0	0	0	0	41	731	11	0	783	6	0	8	0	14	9	199	3	2	213	1010
07:15 AM	0	0	0	0	0	44	725	12	0	781	11	2	11	0	24	8	218	5	1	232	1037
07:30 AM	0	0	0	0	0	41	632	17	3	693	9	1	6	0	16	6	275	3	9	293	1002
07:45 AM	0	0	0	0	0	40	636	18	2	696	9	0	6	0	15	11	290	6	5	312	1023
Total Volume	0	0	0	0	0	166	2724	58	5	2953	35	3	31	0	69	34	982	17	17	1050	4072
% App. Total																					
PHF	.000	.000	.000	.000	.000	.943	.932	.806	.417	.943	.795	.375	.705	.000	.719	.773	.847	.708	.472	.841	.982
Cars	0	0	0	0	0	163	2696	54	5	2918	20	1	12	0	33	29	917	15	16	977	3928
% Cars	0	0	0	0	0	98.2	99.0	93.1	100	98.8	57.1	33.3	38.7	0	47.8	85.3	93.4	88.2	94.1	93.0	96.5
Heavy Vehicles	0	0	0	0	0	1.8	1.0	6.9	0	1.2	42.9	66.7	61.3	0	52.2	14.7	6.6	11.8	5.9	7.0	3.5
% Heavy Vehicles	0	0	0	0	0	1.8	1.0	6.9	0	1.2	42.9	66.7	61.3	0	52.2	14.7	6.6	11.8	5.9	7.0	3.5



PRECISION
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N/S: Jughandle/Kingman Street
E/W: Lynnway (Route 1A)
City, State: Lynn, MA
Client: VHB/K. Keen

File Name : 144179 C
Site Code : 11942.03
Start Date : 11/18/2014
Page No : 1

Groups Printed- Cars

Start Time	Jughandle From North				Lynnway (Route 1A) From East				Kingman Street From South				Lynnway (Route 1A) From West				Int. Total
	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	
07:00 AM	0	0	0	0	39	721	9	0	3	0	3	0	8	183	1	2	969
07:15 AM	0	0	0	0	43	719	11	0	8	1	3	0	7	210	5	1	1008
07:30 AM	0	0	0	0	41	626	16	3	5	0	2	0	6	250	3	9	961
07:45 AM	0	0	0	0	40	630	18	2	4	0	4	0	8	274	6	4	990
Total	0	0	0	0	163	2696	54	5	20	1	12	0	29	917	15	16	3928
08:00 AM	0	0	0	0	44	531	19	5	2	0	13	0	15	230	5	13	877
08:15 AM	0	0	0	0	37	557	20	5	5	0	6	0	15	227	5	2	879
08:30 AM	0	0	0	0	39	461	25	0	3	1	6	0	29	240	12	8	824
08:45 AM	1	0	1	0	31	437	28	3	7	0	6	0	13	235	5	5	772
Total	1	0	1	0	151	1986	92	13	17	1	31	0	72	932	27	28	3352
Grand Total	1	0	1	0	314	4682	146	18	37	2	43	0	101	1849	42	44	7280
Apprch %	50	0	50	0	6.1	90.7	2.8	0.3	45.1	2.4	52.4	0	5	90.8	2.1	2.2	
Total %	0	0	0	0	4.3	64.3	2	0.2	0.5	0	0.6	0	1.4	25.4	0.6	0.6	

Start Time	Jughandle From North					Lynnway (Route 1A) From East					Kingman Street From South					Lynnway (Route 1A) From West					Int. Total
	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:00 AM																					
07:00 AM	0	0	0	0	0	39	721	9	0	769	3	0	3	0	6	8	183	1	2	194	969
07:15 AM	0	0	0	0	0	43	719	11	0	773	8	1	3	0	12	7	210	5	1	223	1008
07:30 AM	0	0	0	0	0	41	626	16	3	686	5	0	2	0	7	6	250	3	9	268	961
07:45 AM	0	0	0	0	0	40	630	18	2	690	4	0	4	0	8	8	274	6	4	292	990
Total Volume	0	0	0	0	0	163	2696	54	5	2918	20	1	12	0	33	29	917	15	16	977	3928
% App. Total																					
PHF	.000	.000	.000	.000	.000	.948	.935	.750	.417	.944	.625	.250	.750	.000	.688	.906	.837	.625	.444	.836	.974



PRECISION
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N/S: Jughandle/Kingman Street
E/W: Lynnway (Route 1A)
City, State: Lynn, MA
Client: VHB/K. Keen

File Name : 144179 C
Site Code : 11942.03
Start Date : 11/18/2014
Page No : 1

Groups Printed- Heavy Vehicles

Start Time	Jughandle From North				Lynnway (Route 1A) From East				Kingman Street From South				Lynnway (Route 1A) From West				Int. Total
	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	
07:00 AM	0	0	0	0	2	10	2	0	3	0	5	0	1	16	2	0	41
07:15 AM	0	0	0	0	1	6	1	0	3	1	8	0	1	8	0	0	29
07:30 AM	0	0	0	0	0	6	1	0	4	1	4	0	0	25	0	0	41
07:45 AM	0	0	0	0	0	6	0	0	5	0	2	0	3	16	0	1	33
Total	0	0	0	0	3	28	4	0	15	2	19	0	5	65	2	1	144
08:00 AM	0	0	0	0	0	11	1	0	3	0	1	0	2	11	0	0	29
08:15 AM	0	0	0	0	2	11	1	0	11	0	7	0	1	10	0	0	43
08:30 AM	0	0	0	0	2	13	1	0	2	0	4	0	1	17	0	0	40
08:45 AM	0	0	0	0	2	10	2	0	0	0	2	0	1	12	0	0	29
Total	0	0	0	0	6	45	5	0	16	0	14	0	5	50	0	0	141
Grand Total	0	0	0	0	9	73	9	0	31	2	33	0	10	115	2	1	285
Apprch %	0	0	0	0	9.9	80.2	9.9	0	47	3	50	0	7.8	89.8	1.6	0.8	
Total %	0	0	0	0	3.2	25.6	3.2	0	10.9	0.7	11.6	0	3.5	40.4	0.7	0.4	

Start Time	Jughandle From North					Lynnway (Route 1A) From East					Kingman Street From South					Lynnway (Route 1A) From West					Int. Total
	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:30 AM																					
07:30 AM	0	0	0	0	0	0	6	1	0	7	4	1	4	0	9	0	25	0	0	25	41
07:45 AM	0	0	0	0	0	0	6	0	0	6	5	0	2	0	7	3	16	0	1	20	33
08:00 AM	0	0	0	0	0	0	11	1	0	12	3	0	1	0	4	2	11	0	0	13	29
08:15 AM	0	0	0	0	0	2	11	1	0	14	11	0	7	0	18	1	10	0	0	11	43
Total Volume	0	0	0	0	0	2	34	3	0	39	23	1	14	0	38	6	62	0	1	69	146
% App. Total	0	0	0	0	0	5.1	87.2	7.7	0	60.5	2.6	36.8	0	60.5	8.7	89.9	0	1.4	69.5	146	
PHF	.000	.000	.000	.000	.000	.250	.773	.750	.000	.696	.523	.250	.500	.000	.528	.500	.620	.000	.250	.690	.849



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File Name : 144179 C
Site Code : 11942.03
Start Date : 11/18/2014
Page No : 1

N/S: Jughandle/Kingman Street
E/W: Lynnway (Route 1A)
City, State: Lynn, MA
Client: VHB/K. Keen

Groups Printed- Peds and Bikes

Start Time	Jughandle From North					Lynnway (Route 1A) From East					Kingman Street From South					Lynnway (Route 1A) From West					Int. Total
	Right	Thru	Left	Peds EB	Peds WB	Right	Thru	Left	Peds SB	Peds NB	Right	Thru	Left	Peds WB	Peds EB	Right	Thru	Left	Peds NB	Peds SB	
07:00 AM	0	0	0	2	2	0	0	0	2	0	0	0	0	2	0	0	0	0	0	0	8
07:15 AM	0	0	0	2	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0	4
07:30 AM	0	0	0	0	2	0	0	0	1	1	0	0	0	1	0	0	0	0	0	0	5
07:45 AM	0	0	0	0	1	0	0	0	0	0	0	0	0	2	0	0	0	0	0	0	3
Total	0	0	0	4	5	0	0	0	3	1	0	0	0	6	0	0	0	0	1	0	20
08:00 AM	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1	0	0	0	1	0	3
08:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	0	2
08:30 AM	0	0	0	1	0	0	0	0	2	0	0	0	0	3	0	0	0	0	0	0	6
08:45 AM	0	0	0	0	1	0	0	0	1	1	0	0	0	0	1	0	0	0	0	0	4
Total	0	0	0	1	1	0	0	0	4	1	0	0	0	5	2	0	0	0	1	0	15
Grand Total	0	0	0	5	6	0	0	0	7	2	0	0	0	11	2	0	0	0	2	0	35
Apprch %	0	0	0	45.5	54.5	0	0	0	77.8	22.2	0	0	0	84.6	15.4	0	0	0	100	0	
Total %	0	0	0	14.3	17.1	0	0	0	20	5.7	0	0	0	31.4	5.7	0	0	0	5.7	0	

Start Time	Jughandle From North						Lynnway (Route 1A) From East						Kingman Street From South						Lynnway (Route 1A) From West						Int. Total						
	Right	Thru	Left	Peds EB	Peds WB	App. Total	Right	Thru	Left	Peds SB	Peds NB	App. Total	Right	Thru	Left	Peds WB	Peds EB	App. Total	Right	Thru	Left	Peds NB	Peds SB	App. Total							
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																															
Peak Hour for Entire Intersection Begins at 07:00 AM																															
07:00 AM	0	0	0	2	2	4	0	0	0	2	0	2	0	0	0	2	0	2	0	0	0	0	0	0	0	0	0	1	0	1	8
07:15 AM	0	0	0	2	0	2	0	0	0	0	0	0	0	0	0	1	0	1	0	0	0	1	0	1	0	0	0	0	0	0	4
07:30 AM	0	0	0	0	2	2	0	0	0	1	1	2	0	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	5
07:45 AM	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	2	0	2	0	0	0	0	0	0	0	0	0	0	0	0	3
Total Volume	0	0	0	4	5	9	0	0	0	3	1	4	0	0	0	6	0	6	0	0	0	1	0	1	0	0	0	1	0	1	20
% App. Total	0	0	0	44.4	55.6	0	0	0	75	25	0	0	0	100	0	0	0	0	100	0	0	0	0	100	0	0	0	0	100	0	
PHF	.000	.000	.000	.500	.625	.563	.000	.000	.000	.375	.250	.500	.000	.000	.000	.750	.000	.750	.000	.000	.000	.250	.000	.250	.000	.000	.000	.250	.000	.625	



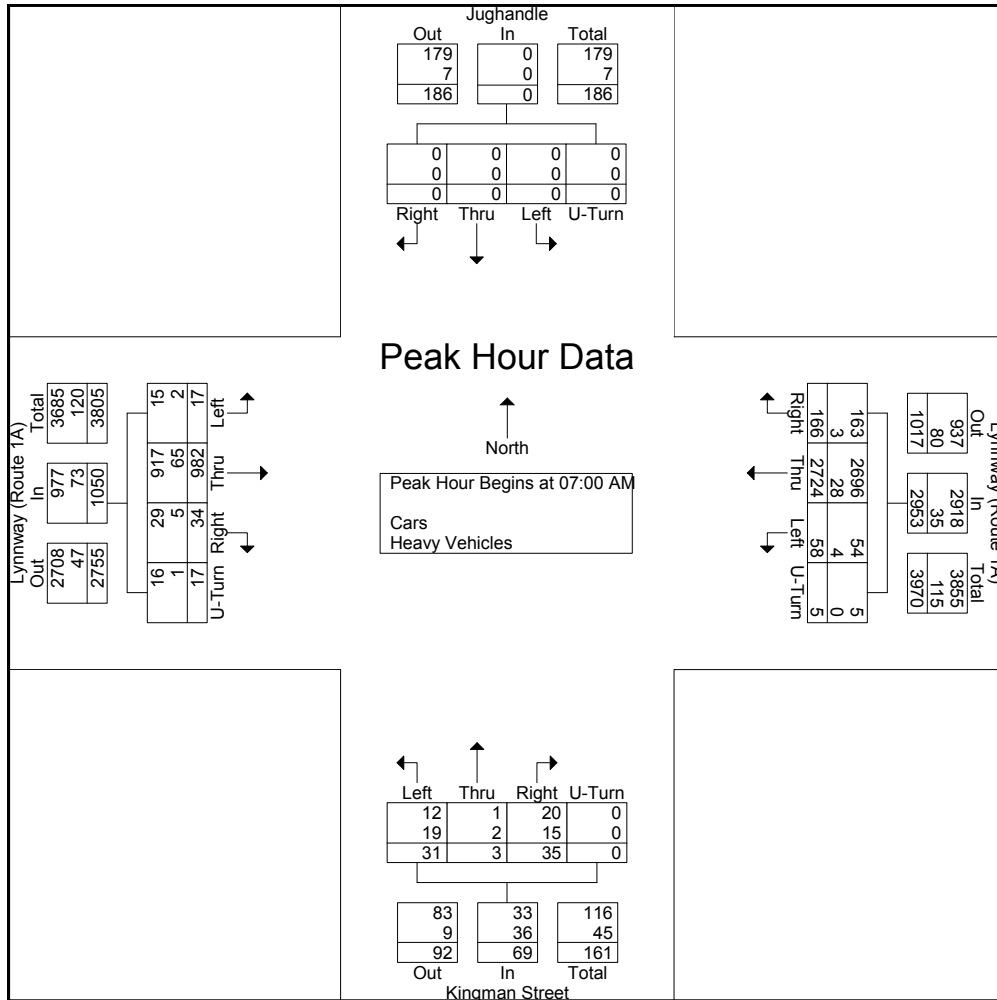
PRECISION
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N/S: Jughandle/Kingman Street
E/W: Lynnway (Route 1A)
City, State: Lynn, MA
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File Name : 144179 C
Site Code : 11942.03
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Start Time	Jughandle From North					Lynnway (Route 1A) From East					Kingman Street From South					Lynnway (Route 1A) From West					Int. Total
	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 07:00 AM																					
07:00 AM	0	0	0	0	0	41	731	11	0	783	6	0	8	0	14	9	199	3	2	213	1010
07:15 AM	0	0	0	0	0	44	725	12	0	781	11	2	11	0	24	8	218	5	1	232	1037
07:30 AM	0	0	0	0	0	41	632	17	3	693	9	1	6	0	16	6	275	3	9	293	1002
07:45 AM	0	0	0	0	0	40	636	18	2	696	9	0	6	0	15	11	290	6	5	312	1023
Total Volume	0	0	0	0	0	166	2724	58	5	2953	35	3	31	0	69	34	982	17	17	1050	4072
% App. Total	.000	.000	.000	.000	.000	.943	.932	.806	.417	.943	.795	.375	.705	.000	.719	.773	.847	.708	.472	.841	.982
PHF	.000	.000	.000	.000	.000	.943	.932	.806	.417	.943	.795	.375	.705	.000	.719	.773	.847	.708	.472	.841	.982
Cars	0	0	0	0	0	163	2696	54	5	2918	20	1	12	0	33	29	917	15	16	977	3928
% Cars	0	0	0	0	0	98.2	99.0	93.1	100	98.8	57.1	33.3	38.7	0	47.8	85.3	93.4	88.2	94.1	93.0	96.5
Heavy Vehicles	0	0	0	0	0	1.8	1.0	6.9	0	1.2	42.9	66.7	61.3	0	52.2	14.7	6.6	11.8	5.9	7.0	3.5
% Heavy Vehicles	0	0	0	0	0	1.8	1.0	6.9	0	1.2	42.9	66.7	61.3	0	52.2	14.7	6.6	11.8	5.9	7.0	3.5





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File Name : 144179 CC
Site Code : 11942.03
Start Date : 11/18/2014
Page No : 1

Groups Printed- Cars - Heavy Vehicles

Start Time	Jughandle From North				Lynnway (Route 1A) From East				Kingman Street From South				Lynnway (Route 1A) From West				Int. Total
	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	
04:00 PM	0	0	0	0	9	314	14	6	23	0	34	0	3	439	2	7	851
04:15 PM	0	0	0	0	13	297	7	5	11	0	24	0	7	467	1	8	840
04:30 PM	0	1	0	0	4	303	8	3	21	1	16	0	11	534	12	11	925
04:45 PM	1	0	0	0	12	315	19	5	20	0	25	0	12	549	3	11	972
Total	1	1	0	0	38	1229	48	19	75	1	99	0	33	1989	18	37	3588
05:00 PM	0	0	0	0	7	321	13	4	47	0	59	0	2	564	2	20	1039
05:15 PM	0	0	0	0	8	345	10	4	17	1	33	0	3	609	3	10	1043
05:30 PM	1	0	0	0	6	291	14	2	14	0	24	0	5	587	2	7	953
05:45 PM	0	0	0	0	7	255	17	0	14	0	14	0	5	622	3	9	946
Total	1	0	0	0	28	1212	54	10	92	1	130	0	15	2382	10	46	3981
Grand Total	2	1	0	0	66	2441	102	29	167	2	229	0	48	4371	28	83	7569
Apprch %	66.7	33.3	0	0	2.5	92.5	3.9	1.1	42	0.5	57.5	0	1.1	96.5	0.6	1.8	
Total %	0	0	0	0	0.9	32.2	1.3	0.4	2.2	0	3	0	0.6	57.7	0.4	1.1	
Cars	2	1	0	0	65	2377	74	29	162	1	214	0	37	4321	25	83	7391
% Cars	100	100	0	0	98.5	97.4	72.5	100	97	50	93.4	0	77.1	98.9	89.3	100	97.6
Heavy Vehicles	0	0	0	0	1	64	28	0	5	1	15	0	11	50	3	0	178
% Heavy Vehicles	0	0	0	0	1.5	2.6	27.5	0	3	50	6.6	0	22.9	1.1	10.7	0	2.4

Start Time	Jughandle From North					Lynnway (Route 1A) From East					Kingman Street From South					Lynnway (Route 1A) From West					Int. Total
	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 04:45 PM																					
04:45 PM	1	0	0	0	1	12	315	19	5	351	20	0	25	0	45	12	549	3	11	575	972
05:00 PM	0	0	0	0	0	7	321	13	4	345	47	0	59	0	106	2	564	2	20	588	1039
05:15 PM	0	0	0	0	0	8	345	10	4	367	17	1	33	0	51	3	609	3	10	625	1043
05:30 PM	1	0	0	0	1	6	291	14	2	313	14	0	24	0	38	5	587	2	7	601	953
Total Volume	2	0	0	0	2	33	1272	56	15	1376	98	1	141	0	240	22	2309	10	48	2389	4007
% App. Total																					
PHF	.500	.000	.000	.000	.500	.688	.922	.737	.750	.937	.521	.250	.597	.000	.566	.458	.948	.833	.600	.956	.960
Cars	2	0	0	0	2	32	1241	42	15	1330	95	0	135	0	230	16	2286	10	48	2360	3922
% Cars	100	0	0	0	100	97.0	97.6	75.0	100	96.7	96.9	0	95.7	0	95.8	72.7	99.0	100	100	98.8	97.9
Heavy Vehicles	0	0	0	0	0	1	64	28	0	3.3	3	1	15	0	4.2	11	50	3	0	1.2	2.1
% Heavy Vehicles	0	0	0	0	0	3.0	2.4	25.0	0	3.3	3.1	100	4.3	0	4.2	27.3	1.0	0	0	1.2	2.1



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N/S: Jughandle/Kingman Street
E/W: Lynnway (Route 1A)
City, State: Lynn, MA
Client: VHB/K. Keen

File Name : 144179 CC
Site Code : 11942.03
Start Date : 11/18/2014
Page No : 1

Groups Printed- Cars

Start Time	Jughandle From North				Lynnway (Route 1A) From East				Kingman Street From South				Lynnway (Route 1A) From West				Int. Total
	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	
04:00 PM	0	0	0	0	9	304	11	6	23	0	30	0	3	434	2	7	829
04:15 PM	0	0	0	0	13	285	7	5	11	0	21	0	5	457	0	8	812
04:30 PM	0	1	0	0	4	294	5	3	20	1	14	0	10	529	10	11	902
04:45 PM	1	0	0	0	12	309	14	5	20	0	25	0	11	542	3	11	953
Total	1	1	0	0	38	1192	37	19	74	1	90	0	29	1962	15	37	3496
05:00 PM	0	0	0	0	6	313	11	4	46	0	55	0	1	559	2	20	1017
05:15 PM	0	0	0	0	8	336	9	4	15	0	32	0	1	605	3	10	1023
05:30 PM	1	0	0	0	6	283	8	2	14	0	23	0	3	580	2	7	929
05:45 PM	0	0	0	0	7	253	9	0	13	0	14	0	3	615	3	9	926
Total	1	0	0	0	27	1185	37	10	88	0	124	0	8	2359	10	46	3895
Grand Total	2	1	0	0	65	2377	74	29	162	1	214	0	37	4321	25	83	7391
Apprch %	66.7	33.3	0	0	2.6	93.4	2.9	1.1	43	0.3	56.8	0	0.8	96.8	0.6	1.9	
Total %	0	0	0	0	0.9	32.2	1	0.4	2.2	0	2.9	0	0.5	58.5	0.3	1.1	

Start Time	Jughandle From North					Lynnway (Route 1A) From East					Kingman Street From South					Lynnway (Route 1A) From West					Int. Total
	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 04:45 PM																					
04:45 PM	1	0	0	0	1	12	309	14	5	340	20	0	25	0	45	11	542	3	11	567	953
05:00 PM	0	0	0	0	0	6	313	11	4	334	46	0	55	0	101	1	559	2	20	582	1017
05:15 PM	0	0	0	0	0	8	336	9	4	357	15	0	32	0	47	1	605	3	10	619	1023
05:30 PM	1	0	0	0	1	6	283	8	2	299	14	0	23	0	37	3	580	2	7	592	929
Total Volume	2	0	0	0	2	32	1241	42	15	1330	95	0	135	0	230	16	2286	10	48	2360	3922
% App. Total																					
PHF	.500	.000	.000	.000	.500	.667	.923	.750	.750	.931	.516	.000	.614	.000	.569	.364	.945	.833	.600	.953	.958



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E/W: Lynnway (Route 1A)
City, State: Lynn, MA
Client: VHB/K. Keen

File Name : 144179 CC
Site Code : 11942.03
Start Date : 11/18/2014
Page No : 1

Groups Printed- Heavy Vehicles

Start Time	Jughandle From North				Lynnway (Route 1A) From East				Kingman Street From South				Lynnway (Route 1A) From West				Int. Total
	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	Right	Thru	Left	U-Turn	
04:00 PM	0	0	0	0	0	10	3	0	0	0	4	0	0	5	0	0	22
04:15 PM	0	0	0	0	0	12	0	0	0	0	3	0	2	10	1	0	28
04:30 PM	0	0	0	0	0	9	3	0	1	0	2	0	1	5	2	0	23
04:45 PM	0	0	0	0	0	6	5	0	0	0	0	0	1	7	0	0	19
Total	0	0	0	0	0	37	11	0	1	0	9	0	4	27	3	0	92
05:00 PM	0	0	0	0	1	8	2	0	1	0	4	0	1	5	0	0	22
05:15 PM	0	0	0	0	0	9	1	0	2	1	1	0	2	4	0	0	20
05:30 PM	0	0	0	0	0	8	6	0	0	0	1	0	2	7	0	0	24
05:45 PM	0	0	0	0	0	2	8	0	1	0	0	0	2	7	0	0	20
Total	0	0	0	0	1	27	17	0	4	1	6	0	7	23	0	0	86
Grand Total	0	0	0	0	1	64	28	0	5	1	15	0	11	50	3	0	178
Apprch %	0	0	0	0	1.1	68.8	30.1	0	23.8	4.8	71.4	0	17.2	78.1	4.7	0	
Total %	0	0	0	0	0.6	36	15.7	0	2.8	0.6	8.4	0	6.2	28.1	1.7	0	

Start Time	Jughandle From North					Lynnway (Route 1A) From East					Kingman Street From South					Lynnway (Route 1A) From West					Int. Total
	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 04:00 PM																					
04:00 PM	0	0	0	0	0	0	10	3	0	13	0	0	4	0	4	0	5	0	0	5	22
04:15 PM	0	0	0	0	0	0	12	0	0	12	0	0	3	0	3	2	10	1	0	13	28
04:30 PM	0	0	0	0	0	0	9	3	0	12	1	0	2	0	3	1	5	2	0	8	23
04:45 PM	0	0	0	0	0	0	6	5	0	11	0	0	0	0	0	1	7	0	0	8	19
Total Volume	0	0	0	0	0	0	37	11	0	48	1	0	9	0	10	4	27	3	0	34	92
% App. Total	0	0	0	0	0	0	77.1	22.9	0		10	0	90	0		11.8	79.4	8.8	0		
PHF	.000	.000	.000	.000	.000	.000	.771	.550	.000	.923	.250	.000	.563	.000	.625	.500	.675	.375	.000	.654	.821



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N/S: Jughandle/Kingman Street
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City, State: Lynn, MA
Client: VHB/K. Keen

Groups Printed- Peds and Bikes

Start Time	Jughandle From North					Lynnway (Route 1A) From East					Kingman Street From South					Lynnway (Route 1A) From West					Int. Total
	Right	Thru	Left	Peds EB	Peds WB	Right	Thru	Left	Peds SB	Peds NB	Right	Thru	Left	Peds WB	Peds EB	Right	Thru	Left	Peds NB	Peds SB	
04:00 PM	0	0	0	2	4	0	0	0	1	0	0	0	0	0	1	0	0	0	0	0	8
04:15 PM	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
04:30 PM	0	0	0	0	2	0	0	0	0	2	0	0	0	0	2	0	0	0	0	0	6
04:45 PM	0	0	0	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	2
Total	0	0	0	5	6	0	0	0	2	2	0	0	0	0	3	0	0	0	0	0	18
05:00 PM	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	2
05:15 PM	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1	0	2
05:30 PM	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0	0	0	0	0	2
05:45 PM	0	0	0	0	0	0	0	0	0	3	0	0	0	1	0	0	0	0	1	0	5
Total	0	0	0	0	0	0	0	0	1	6	0	0	0	1	1	0	0	0	2	0	11
Grand Total	0	0	0	5	6	0	0	0	3	8	0	0	0	1	4	0	0	0	2	0	29
Apprch %	0	0	0	45.5	54.5	0	0	0	27.3	72.7	0	0	0	20	80	0	0	0	100	0	
Total %	0	0	0	17.2	20.7	0	0	0	10.3	27.6	0	0	0	3.4	13.8	0	0	0	6.9	0	

Start Time	Jughandle From North						Lynnway (Route 1A) From East						Kingman Street From South						Lynnway (Route 1A) From West						Int. Total						
	Right	Thru	Left	Peds EB	Peds WB	App. Total	Right	Thru	Left	Peds SB	Peds NB	App. Total	Right	Thru	Left	Peds WB	Peds EB	App. Total	Right	Thru	Left	Peds NB	Peds SB	App. Total							
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																															
Peak Hour for Entire Intersection Begins at 04:00 PM																															
04:00 PM	0	0	0	2	4	6	0	0	0	1	0	1	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	8
04:15 PM	0	0	0	2	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
04:30 PM	0	0	0	0	2	2	0	0	0	0	2	2	0	0	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	6
04:45 PM	0	0	0	1	0	1	0	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
Total Volume	0	0	0	5	6	11	0	0	0	2	2	4	0	0	0	0	3	3	0	0	0	0	0	0	0	0	0	0	0	0	18
% App. Total	0	0	0	45.5	54.5	0	0	0	50	50	0	0	0	0	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
PHF	.000	.000	.000	.625	.375	.458	.000	.000	.000	.500	.250	.500	.000	.000	.000	.000	.375	.375	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.563	



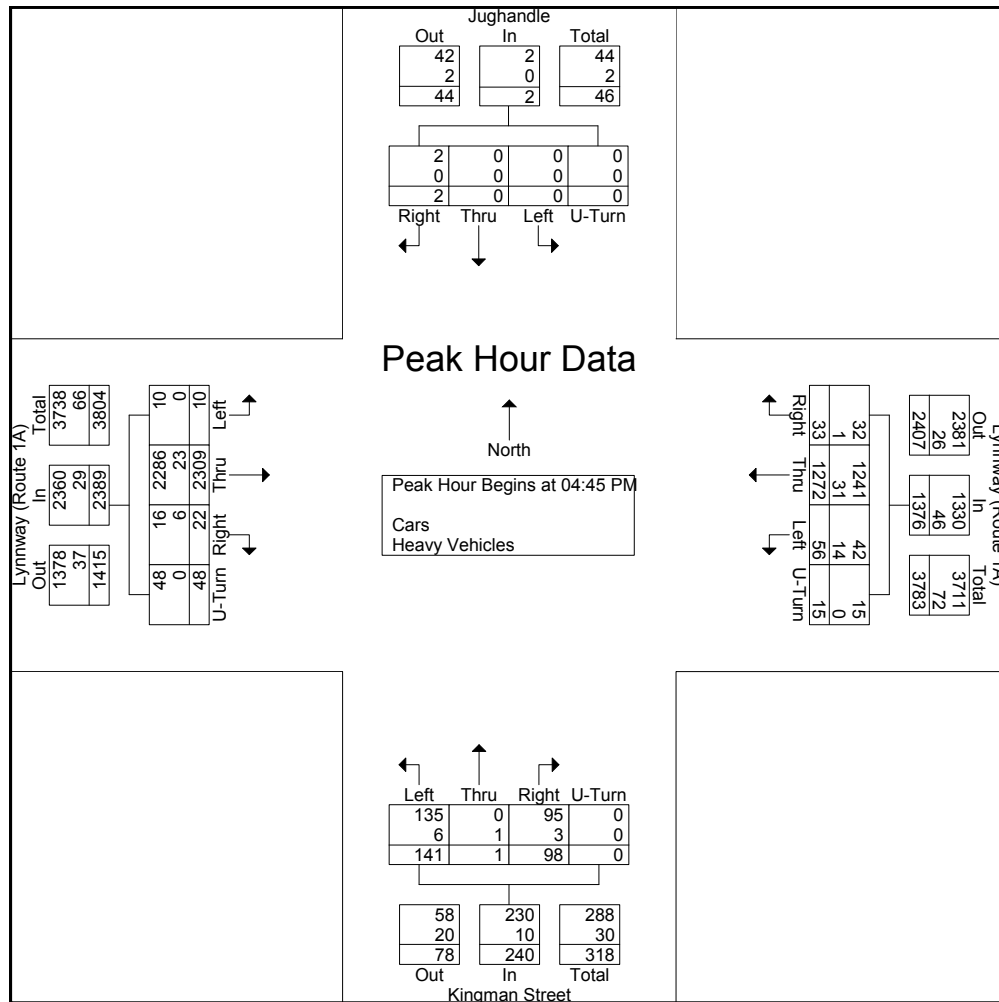
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Start Time	Jughandle From North					Lynnway (Route 1A) From East					Kingman Street From South					Lynnway (Route 1A) From West					Int. Total
	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 04:45 PM																					
04:45 PM	1	0	0	0	1	12	315	19	5	351	20	0	25	0	45	12	549	3	11	575	972
05:00 PM	0	0	0	0	0	7	321	13	4	345	47	0	59	0	106	2	564	2	20	588	1039
05:15 PM	0	0	0	0	0	8	345	10	4	367	17	1	33	0	51	3	609	3	10	625	1043
05:30 PM	1	0	0	0	1	6	291	14	2	313	14	0	24	0	38	5	587	2	7	601	953
Total Volume	2	0	0	0	2	33	1272	56	15	1376	98	1	141	0	240	22	2309	10	48	2389	4007
% App. Total	.500	.000	.000	.000	.500	.688	.922	.737	.750	.937	.521	.250	.597	.000	.566	.458	.948	.833	.600	.956	.960
Cars	2	0	0	0	2	32	1241	42	15	1330	95	0	135	0	230	16	2286	10	48	2360	3922
% Cars	100	0	0	0	100	97.0	97.6	75.0	100	96.7	96.9	0	95.7	0	95.8	72.7	99.0	100	100	98.8	97.9
Heavy Vehicles	0	0	0	0	0	3.0	2.4	25.0	0	3.3	3.1	100	4.3	0	4.2	27.3	1.0	0	0	1.2	2.1
% Heavy Vehicles	0	0	0	0	0	3.0	2.4	25.0	0	3.3	3.1	100	4.3	0	4.2	27.3	1.0	0	0	1.2	2.1



2014 Lynn to Boston Ferry Schedule

Lynn to Boston Ferry Schedule

Monday through Friday Service

May 19, 2014 through September 12, 2014

Inbound

Depart Lynn (Blossom Street) Arrive Boston (Central Wharf)

6:30 am	7:05 am
8:00 am	8:35 am
6:30 pm	7:05 pm

Outbound

Depart Boston (Central Wharf)

Arrive Lynn (Blossom Street)

7:15 am	7:45 am
5:45 pm	6:20 pm
7:15 pm	7:50 pm



Rates

One way: \$7.00

Children (3-12) and Seniors: \$3.50

Children under three years of age and under: FREE

MBTA Zone 2 pass or higher



Lynn Commuter Ferry Ridership Data

BOSTON HARBOR CRUISES
RIDERSHIP BY DAY OF THE WEEK BY TIME
THE LYNN FERRY

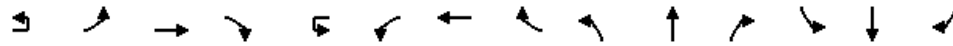
September-14

DEPARTING	mon	tue	wed	thu	fri	mon	tue	wed	thu	fri	mon	tue	wed	thu	fri	mon	tue	wed	thu	fri	mon	tue	TOTAL					
LYNN	9/1	9/2	9/3	9/4	9/5	##	9/8	9/9	9/10	9/11	9/12	##	9/15	9/16	9/17	9/18	9/19	##	9/22	9/23	9/24	9/25	9/26	##	9/29	9/30		
06:30 AM		18	24	23	16		15	15	18	17	18		16	19	15	13	19		15	12	15	9	15				312	
08:00 AM		48	51	54	49		45	48	40	37	47		48	37	42	35	56		43	37	47	36	41				841	
06:30 PM		0	2	5	8		9	4	2	7	13		0	0	0	0	3		0	6	0	0	7				66	
Total Lynn Departures	0	66	77	82	73	0 0	69	67	60	61	78	0 0	64	56	57	48	78	0 0	58	55	62	45	63	0 0	0	0	0	1,219
DEPARTING BOSTON	9/1	9/2	9/3	9/4	9/5	##	9/8	9/9	9/10	9/11	9/12	##	9/15	9/16	9/17	9/18	9/19	##	9/22	9/23	9/24	9/25	9/26	##	9/29	9/30	TOTAL	
07:15 AM		4	4	0	3		3	3	1	0	1		0	1	1	0	2		1	0	2	1	3				30	
05:45 PM		64	54	57	57		49	47	40	49	60		41	41	46	35	61		52	49	43	39	41				925	
07:15 PM		9	22	20	18		30	10	13	13	21		13	12	10	14	6		6	10	8	3	17				255	
Total Boston Departures	0	77	80	77	78	0 0	82	60	54	62	82	0 0	54	54	57	49	69	0 0	59	59	53	43	61	0 0	0	0	0	1,210
TOTAL RIDERS	0	143	157	159	151	0 0	151	127	114	123	160	0 0	118	110	114	97	147	0 0	117	114	115	88	124	0 0	0	0	0	2,429
Subtotal A.M.	0	70	79	77	68	0 0	63	66	59	54	66	0 0	64	57	58	48	77	0 0	59	49	64	46	59	0 0	0	0	0	1,183
Subtotal P.M.	0	73	78	82	83	0 0	88	61	55	69	94	0 0	54	53	56	49	70	0 0	58	65	51	42	65	0 0	0	0	0	1,246
Weekly Ridership					610						675					586						558						

END DATE EXTENDED PERIOD

Cumulative ridership from inception 13,136

Intersection Capacity Analyses



Lane Group	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations														
Volume (vph)	5	35	1040	15	75	5	2395	50	10	10	10	25	0	20
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)		200		0		350		0	0		0	0		0
Storage Lanes		1		0		1		0	0		0	0		0
Taper Length (ft)		25				25			25			25		
Satd. Flow (prot)	0	1687	4836	0	0	1770	5067	0	0	1056	0	0	1328	0
Fit Permitted		0.950				0.950				0.871			0.802	
Satd. Flow (perm)	0	1686	4836	0	0	1767	5067	0	0	934	0	0	1094	0
Right Turn on Red				Yes				Yes			Yes			Yes
Satd. Flow (RTOR)			3				4			15			65	
Link Speed (mph)			30				30			30			30	
Link Distance (ft)			520				631			362			232	
Travel Time (s)			11.8				14.3			8.2			5.3	
Confl. Peds. (#/hr)		8		3		3		8	2					2
Peak Hour Factor	0.83	0.83	0.83	0.83	0.94	0.94	0.94	0.94	0.65	0.65	0.65	1.00	1.00	1.00
Heavy Vehicles (%)	7%	7%	7%	7%	2%	2%	2%	2%	69%	69%	69%	30%	30%	30%
Shared Lane Traffic (%)														
Lane Group Flow (vph)	0	48	1271	0	0	85	2601	0	0	45	0	0	45	0
Turn Type	Prot	Prot	NA		Prot	Prot	NA		Perm	NA		Perm	NA	
Protected Phases	1	1	6		5	5	2			4			4	
Permitted Phases									4			4		4
Detector Phase	1	1	6		5	5	2		4	4		4	4	
Switch Phase														
Minimum Initial (s)	7.0	7.0	15.0		7.0	7.0	15.0		7.0	7.0		7.0	7.0	
Minimum Split (s)	12.0	12.0	20.0		12.0	12.0	20.0		27.0	27.0		27.0	27.0	
Total Split (s)	25.0	25.0	65.0		25.0	25.0	65.0		27.0	27.0		27.0	27.0	
Total Split (%)	21.4%	21.4%	55.6%		21.4%	21.4%	55.6%		23.1%	23.1%		23.1%	23.1%	
Yellow Time (s)	3.0	3.0	3.0		3.0	3.0	3.0		4.0	4.0		4.0	4.0	
All-Red Time (s)	2.0	2.0	2.0		2.0	2.0	2.0		2.0	2.0		2.0	2.0	
Lost Time Adjust (s)		0.0	0.0			0.0	0.0			0.0			0.0	
Total Lost Time (s)		5.0	5.0			5.0	5.0			6.0			6.0	
Lead/Lag	Lead	Lead	Lag		Lead	Lead	Lag							
Lead-Lag Optimize?														
Recall Mode	None	None	Max		None	None	Max		None	None		None	None	
Act Effect Green (s)		8.0	65.4			9.3	69.2			10.0			10.0	
Actuated g/C Ratio		0.09	0.70			0.10	0.74			0.11			0.11	
v/c Ratio		0.34	0.38			0.49	0.70			0.40			0.26	
Control Delay		50.0	9.2			51.6	12.3			40.0			8.6	
Queue Delay		0.0	0.0			0.0	0.0			0.0			0.0	
Total Delay		50.0	9.2			51.6	12.3			40.0			8.6	
LOS		D	A			D	B			D			A	
Approach Delay			10.7				13.5			40.0			8.6	
Approach LOS			B				B			D			A	
Queue Length 50th (ft)		27	114			48	330			17			0	
Queue Length 95th (ft)		65	208			107	648			34			19	
Internal Link Dist (ft)			440				551			282			152	
Turn Bay Length (ft)		200				350								
Base Capacity (vph)		363	3370			381	3739			223			298	
Starvation Cap Reductn		0	0			0	0			0			0	
Spillback Cap Reductn		0	0			0	0			0			0	
Storage Cap Reductn		0	0			0	0			0			0	
Reduced v/c Ratio		0.13	0.38			0.22	0.70			0.20			0.15	

Intersection Summary

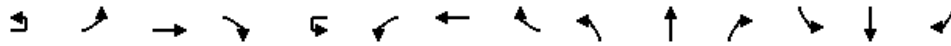
Area Type: Other
 Cycle Length: 117
 Actuated Cycle Length: 93.8
 Natural Cycle: 90
 Control Type: Actuated-Uncoordinated
 Maximum v/c Ratio: 0.70
 Intersection Signal Delay: 12.9
 Intersection Capacity Utilization 73.2%
 Analysis Period (min) 15
 Intersection LOS: B
 ICU Level of Service D

Splits and Phases: 1: Marine Boulevard/Shepard Street & Lynnway (Route 1A)

25 s	65 s	27 s
25 s	65 s	



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑↑			↑↑↑				↑			↑
Volume (veh/h)	0	1005	145	0	2550	145	0	0	75	0	0	40
Sign Control		Free			Free			Stop			Stop	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.83	0.83	0.83	0.95	0.95	0.95	0.75	0.75	0.75	0.68	0.68	0.68
Hourly flow rate (vph)	0	1211	175	0	2684	153	0	0	100	0	0	59
Pedestrians		3			1			1			10	
Lane Width (ft)		12.0			12.0			12.0			12.0	
Walking Speed (ft/s)		4.0			4.0			4.0			4.0	
Percent Blockage		0			0			0			1	
Right turn flare (veh)												
Median type		None			None							
Median storage (veh)												
Upstream signal (ft)		631			594							
pX, platoon unblocked	0.44			0.95			0.46	0.46	0.95	0.46	0.46	0.44
vC, conflicting volume	2847			1387			2256	4146	392	3174	4157	984
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	745			1168			0	2928	126	829	2952	0
tC, single (s)	4.2			4.1			7.7	6.7	7.1	7.6	6.6	7.0
tC, 2 stage (s)												
tF (s)	2.3			2.2			3.6	4.1	3.4	3.6	4.1	3.4
p0 queue free %	100			100			100	100	88	100	100	87
cM capacity (veh/h)	361			567			401	6	838	102	6	465
Direction, Lane #	EB 1	EB 2	EB 3	EB 4	WB 1	WB 2	WB 3	NB 1	SB 1			
Volume Total	346	346	346	348	1074	1074	689	100	59			
Volume Left	0	0	0	0	0	0	0	0	0			
Volume Right	0	0	0	175	0	0	153	100	59			
cSH	1700	1700	1700	1700	1700	1700	1700	838	465			
Volume to Capacity	0.20	0.20	0.20	0.20	0.63	0.63	0.41	0.12	0.13			
Queue Length 95th (ft)	0	0	0	0	0	0	0	10	11			
Control Delay (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	9.9	13.9			
Lane LOS								A	B			
Approach Delay (s)	0.0				0.0			9.9	13.9			
Approach LOS								A	B			
Intersection Summary												
Average Delay				0.4								
Intersection Capacity Utilization			63.5%		ICU Level of Service				B			
Analysis Period (min)			15									

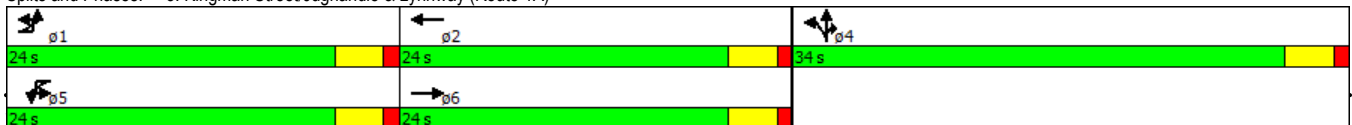


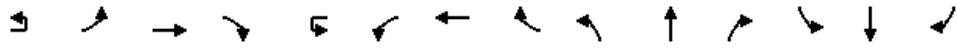
Lane Group	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↔	↔↔↔			↔	↔↔↔			↔	↔			
Volume (vph)	15	15	985	35	5	60	2775	165	30	5	35	0	0	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)		0		0		275		0	0		50	0		0
Storage Lanes		1		0		1		0	0		1	0		0
Taper Length (ft)		25				25		25				25		
Satd. Flow (prot)	0	1687	4818	0	0	1787	5084	0	0	1199	1062	0	0	0
Fit Permitted		0.950				0.950				0.959				
Satd. Flow (perm)	0	1687	4818	0	0	1783	5084	0	0	1198	1062	0	0	0
Right Turn on Red				Yes				Yes			Yes			Yes
Satd. Flow (RTOR)			6				11				67			
Link Speed (mph)			30				30			30			30	
Link Distance (ft)			594				410			266			157	
Travel Time (s)			13.5				9.3			6.0			3.6	
Confl. Peds. (#/hr)		9		6		6		9	1		4	4		1
Peak Hour Factor	0.84	0.84	0.84	0.84	0.94	0.94	0.94	0.94	0.72	0.72	0.72	0.92	0.92	0.92
Heavy Vehicles (%)	7%	7%	7%	7%	1%	1%	1%	1%	52%	52%	52%	2%	2%	2%
Shared Lane Traffic (%)														
Lane Group Flow (vph)	0	36	1215	0	0	69	3128	0	0	49	49	0	0	0
Turn Type	Prot	Prot	NA		Prot	Prot	NA		Split	NA	Prot			
Protected Phases	1	1	6		5	5	2		4	4	4			
Permitted Phases														
Detector Phase	1	1	6		5	5	2		4	4	4			
Switch Phase														
Minimum Initial (s)	7.0	7.0	7.0		7.0	7.0	7.0		7.0	7.0	7.0			
Minimum Split (s)	11.0	11.0	26.0		11.0	11.0	26.0		26.0	26.0	26.0			
Total Split (s)	24.0	24.0	24.0		24.0	24.0	24.0		34.0	34.0	34.0			
Total Split (%)	29.3%	29.3%	29.3%		29.3%	29.3%	29.3%		41.5%	41.5%	41.5%			
Yellow Time (s)	3.0	3.0	3.0		3.0	3.0	3.0		3.0	3.0	3.0			
All-Red Time (s)	1.0	1.0	1.0		1.0	1.0	1.0		1.0	1.0	1.0			
Lost Time Adjust (s)		0.0	0.0			0.0	0.0			0.0	0.0			
Total Lost Time (s)		4.0	4.0			4.0	4.0			4.0	4.0			
Lead/Lag	Lead	Lead	Lag		Lead	Lead	Lag							
Lead-Lag Optimize?														
Recall Mode	None	None	Max		None	None	Min		None	None	None			
Act Effect Green (s)		7.3	31.7			7.6	34.1			9.5	9.5			
Actuated g/C Ratio		0.15	0.65			0.16	0.70			0.20	0.20			
v/c Ratio		0.14	0.39			0.25	0.88			0.21	0.19			
Control Delay		23.3	10.0			23.5	20.2			19.1	5.4			
Queue Delay		0.0	0.0			0.0	0.0			0.0	0.0			
Total Delay		23.3	10.0			23.5	20.2			19.1	5.4			
LOS		C	B			C	C			B	A			
Approach Delay			10.4				20.2			12.3				
Approach LOS			B				C			B				
Queue Length 50th (ft)		9	82			17	186			12	0			
Queue Length 95th (ft)		35	182			58	#797			27	8			
Internal Link Dist (ft)			514				330			186			77	
Turn Bay Length (ft)						275					50			
Base Capacity (vph)		712	3134			754	3567			759	697			
Starvation Cap Reductn		0	0			0	0			0	0			
Spillback Cap Reductn		0	0			0	0			0	0			
Storage Cap Reductn		0	0			0	0			0	0			
Reduced v/c Ratio		0.05	0.39			0.09	0.88			0.06	0.07			

Intersection Summary

Area Type: Other
 Cycle Length: 82
 Actuated Cycle Length: 48.7
 Natural Cycle: 100
 Control Type: Semi Act-Uncoord
 Maximum v/c Ratio: 0.88
 Intersection Signal Delay: 17.4
 Intersection LOS: B
 Intersection Capacity Utilization 73.8%
 ICU Level of Service D
 Analysis Period (min) 15
 # 95th percentile volume exceeds capacity, queue may be longer.
 Queue shown is maximum after two cycles.

Splits and Phases: 3: Kingman Street/Jughandle & Lynnway (Route 1A)





Lane Group	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑	↑↑↑			↑	↑↑↑			↑			↑	
Volume (vph)	10	100	2305	15	55	0	1180	50	10	5	10	45	0	15
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)		200		0		350		0	0		0	0		0
Storage Lanes		1		0		1		0	0		0	0		0
Taper Length (ft)		25				25		25			25			
Satd. Flow (prot)	0	1770	5080	0	0	1752	5001	0	0	1694	0	0	1729	0
Fit Permitted		0.950				0.950				0.878			0.832	
Satd. Flow (perm)	0	1768	5080	0	0	1752	5001	0	0	1515	0	0	1492	0
Right Turn on Red				Yes				Yes			Yes			Yes
Satd. Flow (RTOR)			1				8			25			65	
Link Speed (mph)			30				30			30			30	
Link Distance (ft)			520				631			362			232	
Travel Time (s)			11.8				14.3			8.2			5.3	
Confl. Peds. (#/hr)		2		2		2		2	3					3
Peak Hour Factor	0.98	0.98	0.98	0.98	0.92	0.92	0.92	0.92	0.38	0.38	0.38	0.82	0.82	0.82
Heavy Vehicles (%)	2%	2%	2%	2%	3%	3%	3%	3%	4%	4%	4%	2%	2%	2%
Shared Lane Traffic (%)														
Lane Group Flow (vph)	0	112	2367	0	0	60	1337	0	0	65	0	0	73	0
Turn Type	Prot	Prot	NA		Prot	Prot	NA		Perm	NA		Perm	NA	
Protected Phases	1	1	6		5	5	2			4			4	
Permitted Phases									4			4		
Detector Phase	1	1	6		5	5	2		4	4		4	4	
Switch Phase														
Minimum Initial (s)	7.0	7.0	15.0		7.0	7.0	15.0		7.0	7.0		7.0	7.0	
Minimum Split (s)	12.0	12.0	20.0		12.0	12.0	20.0		27.0	27.0		27.0	27.0	
Total Split (s)	25.0	25.0	65.0		25.0	25.0	65.0		27.0	27.0		27.0	27.0	
Total Split (%)	21.4%	21.4%	55.6%		21.4%	21.4%	55.6%		23.1%	23.1%		23.1%	23.1%	
Yellow Time (s)	3.0	3.0	3.0		3.0	3.0	3.0		4.0	4.0		4.0	4.0	
All-Red Time (s)	2.0	2.0	2.0		2.0	2.0	2.0		2.0	2.0		2.0	2.0	
Lost Time Adjust (s)		0.0	0.0			0.0	0.0			0.0			0.0	
Total Lost Time (s)		5.0	5.0			5.0	5.0			6.0			6.0	
Lead/Lag	Lead	Lead	Lag		Lead	Lead	Lag							
Lead-Lag Optimize?														
Recall Mode	None	None	Max		None	None	Max		None	None		None	None	
Act Effect Green (s)		10.6	67.2			8.4	60.9			9.7			9.7	
Actuated g/C Ratio		0.11	0.71			0.09	0.65			0.10			0.10	
v/c Ratio		0.56	0.65			0.38	0.41			0.37			0.34	
Control Delay		53.0	12.2			51.1	10.2			33.6			17.2	
Queue Delay		0.0	0.0			0.0	0.0			0.0			0.0	
Total Delay		53.0	12.2			51.1	10.2			33.6			17.2	
LOS		D	B			D	B			C			B	
Approach Delay			14.0				12.0			33.6			17.2	
Approach LOS			B				B			C			B	
Queue Length 50th (ft)		64	277			34	125			23			4	
Queue Length 95th (ft)		134	551			85	257			17			37	
Internal Link Dist (ft)			440				551			282			152	
Turn Bay Length (ft)		200				350								
Base Capacity (vph)		380	3623			377	3232			361			387	
Starvation Cap Reductn		0	0			0	0			0			0	
Spillback Cap Reductn		0	0			0	0			0			0	
Storage Cap Reductn		0	0			0	0			0			0	
Reduced v/c Ratio		0.29	0.65			0.16	0.41			0.18			0.19	

Intersection Summary

Area Type: Other

Cycle Length: 117

Actuated Cycle Length: 94.3

Natural Cycle: 80

Control Type: Actuated-Uncoordinated

Maximum v/c Ratio: 0.65

Intersection Signal Delay: 13.7

Intersection LOS: B

Intersection Capacity Utilization 71.2%

ICU Level of Service C

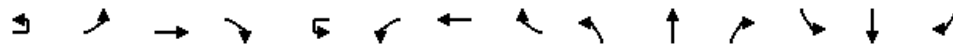
Analysis Period (min) 15

Splits and Phases: 1: Marine Boulevard/Shepard Street & Lynnway (Route 1A)

φ1 25 s	φ2 65 s	φ4 27 s
φ5 25 s	φ6 65 s	



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑↑			↑↑↑				↑			↑
Volume (veh/h)	0	2360	55	0	1360	165	0	0	115	0	0	40
Sign Control		Free			Free			Stop			Stop	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.99	0.99	0.99	0.91	0.91	0.91	0.83	0.83	0.83	0.66	0.66	0.66
Hourly flow rate (vph)	0	2384	56	0	1495	181	0	0	139	0	0	61
Pedestrians		1			1						9	
Lane Width (ft)		12.0			12.0						12.0	
Walking Speed (ft/s)		4.0			4.0						4.0	
Percent Blockage		0			0						1	
Right turn flare (veh)												
Median type		None			None							
Median storage (veh)												
Upstream signal (ft)		631			594							
pX, platoon unblocked	0.81			0.78			0.87	0.87	0.78	0.87	0.87	0.81
vC, conflicting volume	1685			2439			2971	4096	625	2330	4034	599
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	1014			1412			874	2163	0	138	2091	0
tC, single (s)	4.1			4.1			7.5	6.5	6.9	7.6	6.6	7.0
tC, 2 stage (s)												
tF (s)	2.2			2.2			3.5	4.0	3.3	3.5	4.0	3.3
p0 queue free %	100			100			100	100	84	100	100	93
cM capacity (veh/h)	550			372			197	40	841	582	43	861
Direction, Lane #	EB 1	EB 2	EB 3	EB 4	WB 1	WB 2	WB 3	NB 1	SB 1			
Volume Total	681	681	681	396	598	598	480	139	61			
Volume Left	0	0	0	0	0	0	0	0	0			
Volume Right	0	0	0	56	0	0	181	139	61			
cSH	1700	1700	1700	1700	1700	1700	1700	841	861			
Volume to Capacity	0.40	0.40	0.40	0.23	0.35	0.35	0.28	0.16	0.07			
Queue Length 95th (ft)	0	0	0	0	0	0	0	15	6			
Control Delay (s)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	10.1	9.5			
Lane LOS								B	A			
Approach Delay (s)	0.0				0.0			10.1	9.5			
Approach LOS								B	A			
Intersection Summary												
Average Delay				0.5								
Intersection Capacity Utilization			49.2%		ICU Level of Service				A			
Analysis Period (min)			15									

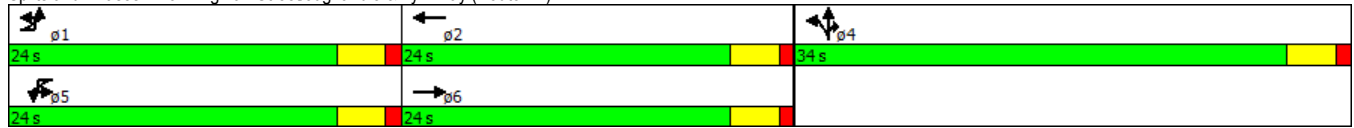


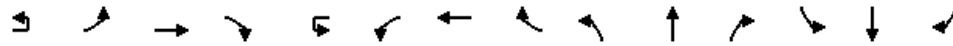
Lane Group	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↔	↔↔↔			↔	↔↔↔			↔	↔			
Volume (vph)	55	10	2370	20	15	55	1285	35	140	0	100	0	0	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)		0		0		275		0	0		50	0		0
Storage Lanes		1		0		1		0	0		1	0		0
Taper Length (ft)		25				25			25			25		
Satd. Flow (prot)	0	1787	5130	0	0	1752	5013	0	0	1736	1553	0	0	0
Fit Permitted		0.950				0.950				0.950				
Satd. Flow (perm)	0	1787	5130	0	0	1752	5013	0	0	1734	1553	0	0	0
Right Turn on Red				Yes				Yes			Yes			Yes
Satd. Flow (RTOR)			1				5				148			
Link Speed (mph)			30				30			30			30	
Link Distance (ft)			594				410			266			157	
Travel Time (s)			13.5				9.3			6.0			3.6	
Confl. Peds. (#/hr)		1		1		1		1	1		5	5		1
Peak Hour Factor	0.96	0.96	0.96	0.96	0.94	0.94	0.94	0.94	0.57	0.57	0.57	0.92	0.92	0.92
Heavy Vehicles (%)	1%	1%	1%	1%	3%	3%	3%	3%	4%	4%	4%	2%	2%	2%
Shared Lane Traffic (%)														
Lane Group Flow (vph)	0	67	2490	0	0	75	1404	0	0	246	175	0	0	0
Turn Type	Prot	Prot	NA		Prot	Prot	NA		Split	NA	Prot			
Protected Phases	1	1	6		5	5	2		4	4	4			
Permitted Phases														
Detector Phase	1	1	6		5	5	2		4	4	4			
Switch Phase														
Minimum Initial (s)	7.0	7.0	7.0		7.0	7.0	7.0		7.0	7.0	7.0			
Minimum Split (s)	11.0	11.0	26.0		11.0	11.0	26.0		26.0	26.0	26.0			
Total Split (s)	24.0	24.0	24.0		24.0	24.0	24.0		34.0	34.0	34.0			
Total Split (%)	29.3%	29.3%	29.3%		29.3%	29.3%	29.3%		41.5%	41.5%	41.5%			
Yellow Time (s)	3.0	3.0	3.0		3.0	3.0	3.0		3.0	3.0	3.0			
All-Red Time (s)	1.0	1.0	1.0		1.0	1.0	1.0		1.0	1.0	1.0			
Lost Time Adjust (s)		0.0	0.0			0.0	0.0			0.0	0.0			
Total Lost Time (s)		4.0	4.0			4.0	4.0			4.0	4.0			
Lead/Lag	Lead	Lead	Lag		Lead	Lead	Lag							
Lead-Lag Optimize?														
Recall Mode	None	None	Max		None	None	Min		None	None	None			
Act Effect Green (s)		7.7	23.3			7.9	23.5			12.5	12.5			
Actuated g/C Ratio		0.15	0.46			0.16	0.47			0.25	0.25			
v/c Ratio		0.25	1.05			0.27	0.60			0.57	0.35			
Control Delay		25.1	54.3			25.2	14.1			23.2	7.2			
Queue Delay		0.0	0.0			0.0	0.0			0.0	0.0			
Total Delay		25.1	54.3			25.2	14.1			23.2	7.2			
LOS		C	D			C	B			C	A			
Approach Delay			53.5				14.7			16.6				
Approach LOS			D				B			B				
Queue Length 50th (ft)		19	~355			22	122			70	7			
Queue Length 95th (ft)		58	#619			62	238			77	12			
Internal Link Dist (ft)			514				330			186			77	
Turn Bay Length (ft)						275					50			
Base Capacity (vph)		738	2369			723	2331			1075	1018			
Starvation Cap Reductn		0	0			0	0			0	0			
Spillback Cap Reductn		0	0			0	0			0	0			
Storage Cap Reductn		0	0			0	0			0	0			
Reduced v/c Ratio		0.09	1.05			0.10	0.60			0.23	0.17			

Intersection Summary

Area Type: Other
 Cycle Length: 82
 Actuated Cycle Length: 50.5
 Natural Cycle: 80
 Control Type: Semi Act-Uncoord
 Maximum v/c Ratio: 1.05
 Intersection Signal Delay: 37.1
 Intersection LOS: D
 Intersection Capacity Utilization 77.1%
 ICU Level of Service D
 Analysis Period (min) 15
 ~ Volume exceeds capacity, queue is theoretically infinite.
 Queue shown is maximum after two cycles.
 # 95th percentile volume exceeds capacity, queue may be longer.
 Queue shown is maximum after two cycles.

Splits and Phases: 3: Kingman Street/Jughandle & Lynnway (Route 1A)





Lane Group	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations														
Volume (vph)	5	35	1040	15	25	5	2395	50	10	10	10	25	0	20
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)		200		0		350		0	0		0	0		0
Storage Lanes		1		0		1		0	0		0	0		0
Taper Length (ft)		25				25			25			25		
Satd. Flow (prot)	0	1687	4836	0	0	1770	5067	0	0	1056	0	0	1328	0
Fit Permitted		0.950				0.950				0.871			0.802	
Satd. Flow (perm)	0	1686	4836	0	0	1767	5067	0	0	934	0	0	1094	0
Right Turn on Red				Yes				Yes			Yes			Yes
Satd. Flow (RTOR)			3				4			15			65	
Link Speed (mph)			30				30			30			30	
Link Distance (ft)			520				631			362			232	
Travel Time (s)			11.8				14.3			8.2			5.3	
Confl. Peds. (#/hr)		8		3		3		8	2					2
Peak Hour Factor	0.83	0.83	0.83	0.83	0.94	0.94	0.94	0.94	0.65	0.65	0.65	1.00	1.00	1.00
Heavy Vehicles (%)	7%	7%	7%	7%	2%	2%	2%	2%	69%	69%	69%	30%	30%	30%
Shared Lane Traffic (%)														
Lane Group Flow (vph)	0	48	1271	0	0	32	2601	0	0	45	0	0	45	0
Turn Type	Prot	Prot	NA		Prot	Prot	NA		Perm	NA		Perm	NA	
Protected Phases	1	1	6		5	5	2			4			4	
Permitted Phases									4			4		4
Detector Phase	1	1	6		5	5	2		4	4		4	4	
Switch Phase														
Minimum Initial (s)	7.0	7.0	15.0		7.0	7.0	15.0		7.0	7.0		7.0	7.0	
Minimum Split (s)	12.0	12.0	20.0		12.0	12.0	20.0		27.0	27.0		27.0	27.0	
Total Split (s)	25.0	25.0	65.0		25.0	25.0	65.0		27.0	27.0		27.0	27.0	
Total Split (%)	21.4%	21.4%	55.6%		21.4%	21.4%	55.6%		23.1%	23.1%		23.1%	23.1%	
Yellow Time (s)	3.0	3.0	3.0		3.0	3.0	3.0		4.0	4.0		4.0	4.0	
All-Red Time (s)	2.0	2.0	2.0		2.0	2.0	2.0		2.0	2.0		2.0	2.0	
Lost Time Adjust (s)		0.0	0.0			0.0	0.0			0.0			0.0	
Total Lost Time (s)		5.0	5.0			5.0	5.0			6.0			6.0	
Lead/Lag	Lead	Lead	Lag		Lead	Lead	Lag							
Lead-Lag Optimize?														
Recall Mode	None	None	Max		None	None	Max		None	None		None	None	
Act Effect Green (s)		7.9	65.8			7.4	65.3			9.9			9.9	
Actuated g/C Ratio		0.09	0.73			0.08	0.73			0.11			0.11	
v/c Ratio		0.32	0.36			0.22	0.71			0.39			0.25	
Control Delay		47.8	7.3			46.4	12.7			38.1			8.4	
Queue Delay		0.0	0.0			0.0	0.0			0.0			0.0	
Total Delay		47.8	7.3			46.4	12.7			38.1			8.4	
LOS		D	A			D	B			D			A	
Approach Delay			8.8				13.1			38.1			8.4	
Approach LOS			A				B			D			A	
Queue Length 50th (ft)		27	105			18	328			17			0	
Queue Length 95th (ft)		64	186			52	648			33			19	
Internal Link Dist (ft)			440				551			282			152	
Turn Bay Length (ft)		200				350								
Base Capacity (vph)		380	3545			399	3684			232			309	
Starvation Cap Reductn		0	0			0	0			0			0	
Spillback Cap Reductn		0	0			0	0			0			0	
Storage Cap Reductn		0	0			0	0			0			0	
Reduced v/c Ratio		0.13	0.36			0.08	0.71			0.19			0.15	

Intersection Summary

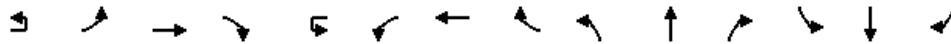
Area Type: Other
 Cycle Length: 117
 Actuated Cycle Length: 89.8
 Natural Cycle: 90
 Control Type: Actuated-Uncoordinated
 Maximum v/c Ratio: 0.71
 Intersection Signal Delay: 11.9
 Intersection Capacity Utilization 63.2%
 Analysis Period (min) 15
 Intersection LOS: B
 ICU Level of Service B

Splits and Phases: 1: Marine Boulevard/Shepard Street & Lynnway (Route 1A)

25 s	65 s	27 s
25 s	65 s	



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑↑		↔	↑↑↑				↔			↔
Volume (veh/h)	0	1005	95	50	2500	145	0	0	75	0	0	40
Sign Control		Free			Free			Stop			Stop	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.83	0.83	0.83	0.92	0.95	0.95	0.75	0.75	0.75	0.68	0.68	0.68
Hourly flow rate (vph)	0	1211	114	54	2632	153	0	0	100	0	0	59
Pedestrians		3			1			1			10	
Lane Width (ft)		12.0			12.0			12.0			12.0	
Walking Speed (ft/s)		4.0			4.0			4.0			4.0	
Percent Blockage		0			0			0			1	
Right turn flare (veh)												
Median type		None			None							
Median storage (veh)												
Upstream signal (ft)		631			594							
pX, platoon unblocked	0.44			0.91			0.49	0.49	0.91	0.49	0.49	0.44
vC, conflicting volume	2794			1326			2317	4172	463	3331	4153	967
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	661			1012			0	2587	63	869	2548	0
tC, single (s)	4.2			4.1			7.7	6.7	7.1	7.6	6.6	7.0
tC, 2 stage (s)												
tF (s)	2.3			2.2			3.6	4.1	3.4	3.6	4.1	3.4
p0 queue free %	100			91			100	100	89	100	100	87
cM capacity (veh/h)	392			619			396	10	878	95	11	470
Direction, Lane #	EB 1	EB 2	EB 3	WB 1	WB 2	WB 3	WB 4	NB 1	SB 1			
Volume Total	484	484	357	54	1053	1053	679	100	59			
Volume Left	0	0	0	54	0	0	0	0	0			
Volume Right	0	0	114	0	0	0	153	100	59			
cSH	1700	1700	1700	619	1700	1700	1700	878	470			
Volume to Capacity	0.28	0.28	0.21	0.09	0.62	0.62	0.40	0.11	0.13			
Queue Length 95th (ft)	0	0	0	7	0	0	0	10	11			
Control Delay (s)	0.0	0.0	0.0	11.4	0.0	0.0	0.0	9.6	13.8			
Lane LOS				B				A	B			
Approach Delay (s)	0.0			0.2				9.6	13.8			
Approach LOS								A	B			
Intersection Summary												
Average Delay				0.6								
Intersection Capacity Utilization			62.5%		ICU Level of Service				B			
Analysis Period (min)			15									



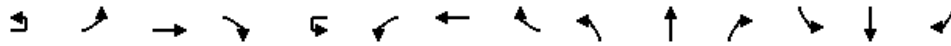
Lane Group	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↔	↔↔↔			↔	↔↔↔			↔	↔			
Volume (vph)	15	15	985	35	5	60	2775	165	30	5	35	0	0	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)		250		0		275		0	0		50	0		0
Storage Lanes		1		0		1		0	0		1	0		0
Taper Length (ft)		25				25		25				25		
Satd. Flow (prot)	0	1687	4818	0	0	1787	5084	0	0	1199	1062	0	0	0
Fit Permitted		0.950				0.950				0.959				
Satd. Flow (perm)	0	1687	4818	0	0	1783	5084	0	0	1198	1062	0	0	0
Right Turn on Red				Yes				Yes			Yes			Yes
Satd. Flow (RTOR)			6				11				67			
Link Speed (mph)			30				30			30			30	
Link Distance (ft)			594				410			266			157	
Travel Time (s)			13.5				9.3			6.0			3.6	
Confl. Peds. (#/hr)		9		6		6		9	1		4	4		1
Peak Hour Factor	0.84	0.84	0.84	0.84	0.94	0.94	0.94	0.94	0.72	0.72	0.72	0.92	0.92	0.92
Heavy Vehicles (%)	7%	7%	7%	7%	1%	1%	1%	1%	52%	52%	52%	2%	2%	2%
Shared Lane Traffic (%)														
Lane Group Flow (vph)	0	36	1215	0	0	69	3128	0	0	49	49	0	0	0
Turn Type	Prot	Prot	NA		Prot	Prot	NA		Split	NA	Prot			
Protected Phases	1	1	6		5	5	2		4	4	4			
Permitted Phases														
Detector Phase	1	1	6		5	5	2		4	4	4			
Switch Phase														
Minimum Initial (s)	7.0	7.0	7.0		7.0	7.0	7.0		7.0	7.0	7.0			
Minimum Split (s)	11.0	11.0	26.0		11.0	11.0	26.0		26.0	26.0	26.0			
Total Split (s)	24.0	24.0	24.0		24.0	24.0	24.0		34.0	34.0	34.0			
Total Split (%)	29.3%	29.3%	29.3%		29.3%	29.3%	29.3%		41.5%	41.5%	41.5%			
Yellow Time (s)	3.0	3.0	3.0		3.0	3.0	3.0		3.0	3.0	3.0			
All-Red Time (s)	1.0	1.0	1.0		1.0	1.0	1.0		1.0	1.0	1.0			
Lost Time Adjust (s)		0.0	0.0		0.0	0.0	0.0		0.0	0.0	0.0			
Total Lost Time (s)		4.0	4.0		4.0	4.0	4.0		4.0	4.0	4.0			
Lead/Lag	Lead	Lead	Lag		Lead	Lead	Lag							
Lead-Lag Optimize?														
Recall Mode	None	None	Max		None	None	Min		None	None	None			
Act Effect Green (s)		7.3	31.7			7.6	34.1			9.5	9.5			
Actuated g/C Ratio		0.15	0.65			0.16	0.70			0.20	0.20			
v/c Ratio		0.14	0.39			0.25	0.88			0.21	0.19			
Control Delay		23.3	10.0			23.5	20.2			19.1	5.4			
Queue Delay		0.0	0.0			0.0	0.0			0.0	0.0			
Total Delay		23.3	10.0			23.5	20.2			19.1	5.4			
LOS		C	B			C	C			B	A			
Approach Delay			10.4				20.2			12.3				
Approach LOS			B				C			B				
Queue Length 50th (ft)		9	82			17	186			12	0			
Queue Length 95th (ft)		35	182			58	#797			27	8			
Internal Link Dist (ft)			514				330			186			77	
Turn Bay Length (ft)		250				275					50			
Base Capacity (vph)		712	3134			754	3567			759	697			
Starvation Cap Reductn		0	0			0	0			0	0			
Spillback Cap Reductn		0	0			0	0			0	0			
Storage Cap Reductn		0	0			0	0			0	0			
Reduced v/c Ratio		0.05	0.39			0.09	0.88			0.06	0.07			

Intersection Summary

Area Type: Other
 Cycle Length: 82
 Actuated Cycle Length: 48.7
 Natural Cycle: 100
 Control Type: Semi Act-Uncoord
 Maximum v/c Ratio: 0.88
 Intersection Signal Delay: 17.4
 Intersection LOS: B
 Intersection Capacity Utilization 73.8%
 ICU Level of Service D
 Analysis Period (min) 15
 # 95th percentile volume exceeds capacity, queue may be longer.
 Queue shown is maximum after two cycles.

Splits and Phases: 3: Kingman Street/Jughandle & Lynnway (Route 1A)

φ1	φ2	φ4
24 s	24 s	34 s
φ5	φ6	
24 s	24 s	



Lane Group	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations														
Volume (vph)	10	100	2305	15	40	0	1180	50	10	5	10	45	0	15
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)		200		0		350		0	0		0	0		0
Storage Lanes		1		0		1		0	0		0	0		0
Taper Length (ft)		25				25			25			25		
Satd. Flow (prot)	0	1770	5080	0	0	1752	5001	0	0	1694	0	0	1729	0
Fit Permitted		0.950				0.950				0.878			0.831	
Satd. Flow (perm)	0	1768	5080	0	0	1752	5001	0	0	1515	0	0	1491	0
Right Turn on Red				Yes				Yes			Yes			Yes
Satd. Flow (RTOR)			1				8			25			65	
Link Speed (mph)			30				30			30			30	
Link Distance (ft)			520				631			362			232	
Travel Time (s)			11.8				14.3			8.2			5.3	
Confl. Peds. (#/hr)		2		2		2		2	3					3
Peak Hour Factor	0.98	0.98	0.98	0.98	0.92	0.92	0.92	0.92	0.38	0.38	0.38	0.82	0.82	0.82
Heavy Vehicles (%)	2%	2%	2%	2%	3%	3%	3%	3%	4%	4%	4%	2%	2%	2%
Shared Lane Traffic (%)														
Lane Group Flow (vph)	0	112	2367	0	0	43	1337	0	0	65	0	0	73	0
Turn Type	Prot	Prot	NA		Prot	Prot	NA		Perm	NA		Perm	NA	
Protected Phases	1	1	6		5	5	2			4			4	
Permitted Phases									4			4		4
Detector Phase	1	1	6		5	5	2		4	4		4	4	
Switch Phase														
Minimum Initial (s)	7.0	7.0	15.0		7.0	7.0	15.0		7.0	7.0		7.0	7.0	
Minimum Split (s)	12.0	12.0	20.0		12.0	12.0	20.0		27.0	27.0		27.0	27.0	
Total Split (s)	25.0	25.0	65.0		25.0	25.0	65.0		27.0	27.0		27.0	27.0	
Total Split (%)	21.4%	21.4%	55.6%		21.4%	21.4%	55.6%		23.1%	23.1%		23.1%	23.1%	
Yellow Time (s)	3.0	3.0	3.0		3.0	3.0	3.0		4.0	4.0		4.0	4.0	
All-Red Time (s)	2.0	2.0	2.0		2.0	2.0	2.0		2.0	2.0		2.0	2.0	
Lost Time Adjust (s)		0.0	0.0			0.0	0.0			0.0			0.0	
Total Lost Time (s)		5.0	5.0			5.0	5.0			6.0			6.0	
Lead/Lag	Lead	Lead	Lag		Lead	Lead	Lag							
Lead-Lag Optimize?														
Recall Mode	None	None	Max		None	None	Max		None	None		None	None	
Act Effect Green (s)		10.6	70.3			7.8	60.9			9.7			9.7	
Actuated g/C Ratio		0.11	0.75			0.08	0.65			0.10			0.10	
v/c Ratio		0.56	0.62			0.30	0.41			0.37			0.34	
Control Delay		53.0	10.4			49.9	10.2			33.6			17.2	
Queue Delay		0.0	0.0			0.0	0.0			0.0			0.0	
Total Delay		53.0	10.4			49.9	10.2			33.6			17.2	
LOS		D	B			D	B			C			B	
Approach Delay			12.3				11.5			33.6			17.2	
Approach LOS			B				B			C			B	
Queue Length 50th (ft)		64	270			25	125			23			4	
Queue Length 95th (ft)		134	531			67	257			17			37	
Internal Link Dist (ft)			440				551			282			152	
Turn Bay Length (ft)		200				350								
Base Capacity (vph)		380	3789			377	3232			361			387	
Starvation Cap Reductn		0	0			0	0			0			0	
Spillback Cap Reductn		0	0			0	0			0			0	
Storage Cap Reductn		0	0			0	0			0			0	
Reduced v/c Ratio		0.29	0.62			0.11	0.41			0.18			0.19	

Intersection Summary

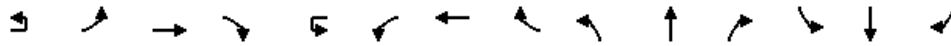
Area Type: Other
 Cycle Length: 117
 Actuated Cycle Length: 94.3
 Natural Cycle: 80
 Control Type: Actuated-Uncoordinated
 Maximum v/c Ratio: 0.62
 Intersection Signal Delay: 12.5
 Intersection Capacity Utilization 71.2%
 Analysis Period (min) 15
 Intersection LOS: B
 ICU Level of Service C

Splits and Phases: 1: Marine Boulevard/Shepard Street & Lynnway (Route 1A)

25 s	65 s	27 s
25 s	65 s	



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↑↑↑		↑	↑↑↑				↑			↑
Volume (veh/h)	0	2360	40	15	1345	165	0	0	115	0	0	40
Sign Control		Free			Free			Stop			Stop	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.99	0.99	0.99	0.92	0.91	0.91	0.83	0.83	0.83	0.66	0.66	0.66
Hourly flow rate (vph)	0	2384	40	16	1478	181	0	0	139	0	0	61
Pedestrians		1			1						9	
Lane Width (ft)		12.0			12.0						12.0	
Walking Speed (ft/s)		4.0			4.0						4.0	
Percent Blockage		0			0						1	
Right turn flare (veh)												
Median type		None			None							
Median storage (veh)												
Upstream signal (ft)		631			594							
pX, platoon unblocked	0.81			0.73			0.82	0.82	0.73	0.82	0.82	0.81
vC, conflicting volume	1668			2424			2991	4105	816	2544	4035	593
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	1004			1648			1108	2462	0	565	2376	0
tC, single (s)	4.1			4.1			7.5	6.5	6.9	7.6	6.6	7.0
tC, 2 stage (s)												
tF (s)	2.2			2.2			3.5	4.0	3.3	3.5	4.0	3.3
p0 queue free %	100			94			100	100	82	100	100	93
cM capacity (veh/h)	556			283			120	23	789	257	25	863
Direction, Lane #	EB 1	EB 2	EB 3	WB 1	WB 2	WB 3	WB 4	NB 1	SB 1			
Volume Total	954	954	517	16	591	591	477	139	61			
Volume Left	0	0	0	16	0	0	0	0	0			
Volume Right	0	0	40	0	0	0	181	139	61			
cSH	1700	1700	1700	283	1700	1700	1700	789	863			
Volume to Capacity	0.56	0.56	0.30	0.06	0.35	0.35	0.28	0.18	0.07			
Queue Length 95th (ft)	0	0	0	5	0	0	0	16	6			
Control Delay (s)	0.0	0.0	0.0	18.5	0.0	0.0	0.0	10.5	9.5			
Lane LOS				C				B	A			
Approach Delay (s)	0.0			0.2				10.5	9.5			
Approach LOS								B	A			
Intersection Summary												
Average Delay				0.5								
Intersection Capacity Utilization			60.6%						B			
Analysis Period (min)			15									

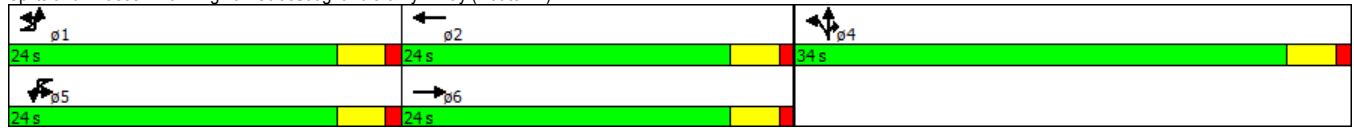


Lane Group	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↔	↔↔↔			↔	↔↔↔			↔	↔			
Volume (vph)	55	10	2370	20	15	55	1285	35	140	0	100	0	0	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)		250		0		275		0	0		50	0		0
Storage Lanes		1		0		1		0	0		1	0		0
Taper Length (ft)		25				25			25			25		
Satd. Flow (prot)	0	1787	5130	0	0	1752	5013	0	0	1736	1553	0	0	0
Fit Permitted		0.950				0.950				0.950				
Satd. Flow (perm)	0	1787	5130	0	0	1752	5013	0	0	1734	1553	0	0	0
Right Turn on Red				Yes				Yes			Yes			Yes
Satd. Flow (RTOR)			1				5				148			
Link Speed (mph)			30				30			30			30	
Link Distance (ft)			594				410			266			157	
Travel Time (s)			13.5				9.3			6.0			3.6	
Confl. Peds. (#/hr)		1		1		1		1	1		5	5		1
Peak Hour Factor	0.96	0.96	0.96	0.96	0.94	0.94	0.94	0.94	0.57	0.57	0.57	0.92	0.92	0.92
Heavy Vehicles (%)	1%	1%	1%	1%	3%	3%	3%	3%	4%	4%	4%	2%	2%	2%
Shared Lane Traffic (%)														
Lane Group Flow (vph)	0	67	2490	0	0	75	1404	0	0	246	175	0	0	0
Turn Type	Prot	Prot	NA		Prot	Prot	NA		Split	NA	Prot			
Protected Phases	1	1	6		5	5	2		4	4	4			
Permitted Phases														
Detector Phase	1	1	6		5	5	2		4	4	4			
Switch Phase														
Minimum Initial (s)	7.0	7.0	7.0		7.0	7.0	7.0		7.0	7.0	7.0			
Minimum Split (s)	11.0	11.0	26.0		11.0	11.0	26.0		26.0	26.0	26.0			
Total Split (s)	24.0	24.0	24.0		24.0	24.0	24.0		34.0	34.0	34.0			
Total Split (%)	29.3%	29.3%	29.3%		29.3%	29.3%	29.3%		41.5%	41.5%	41.5%			
Yellow Time (s)	3.0	3.0	3.0		3.0	3.0	3.0		3.0	3.0	3.0			
All-Red Time (s)	1.0	1.0	1.0		1.0	1.0	1.0		1.0	1.0	1.0			
Lost Time Adjust (s)		0.0	0.0			0.0	0.0			0.0	0.0			
Total Lost Time (s)		4.0	4.0			4.0	4.0			4.0	4.0			
Lead/Lag	Lead	Lead	Lag		Lead	Lead	Lag							
Lead-Lag Optimize?														
Recall Mode	None	None	Max		None	None	Min		None	None	None			
Act Effect Green (s)		7.7	23.3			7.9	23.5			12.5	12.5			
Actuated g/C Ratio		0.15	0.46			0.16	0.47			0.25	0.25			
v/c Ratio		0.25	1.05			0.27	0.60			0.57	0.35			
Control Delay		25.1	54.3			25.2	14.1			23.2	7.2			
Queue Delay		0.0	0.0			0.0	0.0			0.0	0.0			
Total Delay		25.1	54.3			25.2	14.1			23.2	7.2			
LOS		C	D			C	B			C	A			
Approach Delay			53.5				14.7			16.6				
Approach LOS			D				B			B				
Queue Length 50th (ft)		19	~355			22	122			70	7			
Queue Length 95th (ft)		58	#619			62	238			77	12			
Internal Link Dist (ft)			514				330			186			77	
Turn Bay Length (ft)		250				275					50			
Base Capacity (vph)		738	2369			723	2331			1075	1018			
Starvation Cap Reductn		0	0			0	0			0	0			
Spillback Cap Reductn		0	0			0	0			0	0			
Storage Cap Reductn		0	0			0	0			0	0			
Reduced v/c Ratio		0.09	1.05			0.10	0.60			0.23	0.17			

Intersection Summary

Area Type: Other
 Cycle Length: 82
 Actuated Cycle Length: 50.5
 Natural Cycle: 80
 Control Type: Semi Act-Uncoord
 Maximum v/c Ratio: 1.05
 Intersection Signal Delay: 37.1
 Intersection LOS: D
 Intersection Capacity Utilization 77.1%
 ICU Level of Service D
 Analysis Period (min) 15
 ~ Volume exceeds capacity, queue is theoretically infinite.
 Queue shown is maximum after two cycles.
 # 95th percentile volume exceeds capacity, queue may be longer.
 Queue shown is maximum after two cycles.

Splits and Phases: 3: Kingman Street/Jughandle & Lynnway (Route 1A)



Preliminary Cost Estimates



Vanasse Hangen Brustlin, Inc.

**Transportation
Land Development
Environmental
Services**

101 Walnut Street
Post Office Box 9151
Watertown
Massachusetts 02471
617 924 1770

**LYNN - LYNNWAY AT BLOSSOM ST
CONCEPTUAL CONSTRUCTION COST ESTIMATE
SUMMARY**

Construction Items

<u>Description</u>	<u>Unit Price</u>	<u>Quantity</u>	<u>Total Cost</u>
Full Depth Pavement	\$86.00 /SY	210 SY	\$18,060.00
Full Depth Pavement - Less than 4.0'	\$117.00 /SY	10 SY	\$1,170.00
Cement Concrete Median	\$73.00 /SY	510 SY	\$37,230.00
Granite Curb	\$39.00 /FT	920 FT	\$35,880.00
Signing & Striping	\$2,800.00 /LS	1 LS	\$2,800.00
Drainage	\$11,500.00 /LS	1 LS	\$11,500.00
		SUBTOTAL:	\$106,640.00
		Police Detail (10%)	\$10,664
		Mobilization (3%)	\$3,199
		Construction Traffic Management (5%)	\$5,332
		TOTAL:	\$125,835
		Contingencies (15%):	\$18,875
		Construction TOTAL:	\$144,710

NOTE:

1. Prices were determined from the MassDOT Weighted Average Bid Prices web site.



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LYNN - LYNNWAY AT BLOSSOM ST
CONCEPTUAL CONSTRUCTION COST ESTIMATE
SUMMARY - FLASHING WARNING BEACON ALTERNATIVE

Construction Items

<u>Description</u>	<u>Unit Price</u>	<u>Quantity</u>	<u>Total Cost</u>
Full Depth Pavement	\$86.00 /SY	210 SY	\$18,060.00
Full Depth Pavement - Less than 4.0'	\$117.00 /SY	10 SY	\$1,170.00
Cement Concrete Median	\$73.00 /SY	510 SY	\$37,230.00
Granite Curb	\$39.00 /FT	920 FT	\$35,880.00
Signing & Striping	\$2,800.00 /LS	1 LS	\$2,800.00
Drainage	\$11,500.00 /LS	1 LS	\$11,500.00
Flashing Warning Beacon	\$44,000.00 /LS	1 LS	\$44,000.00
		SUBTOTAL:	\$150,640.00
		Police Detail (10%)	\$15,064
		Mobilization (3%)	\$4,519
		Construction Traffic Management (5%)	\$7,532
		TOTAL:	\$177,755
		Contingencies (15%):	\$26,663
		Construction TOTAL:	\$204,418

NOTE:

1. Prices were determined from the MassDOT Weighted Average Bid Prices web site.



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**Transportation
Land Development
Environmental
Services**

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617 924 1770

**LYNN - LYNNWAY AT BLOSSOM ST
CONCEPTUAL CONSTRUCTION COST ESTIMATE
SUMMARY - TRAFFIC SIGNAL ALTERNATIVE**

Construction Items

<u>Description</u>	<u>Unit Price</u>	<u>Quantity</u>	<u>Total Cost</u>
Full Depth Pavement	\$86.00 /SY	210 SY	\$18,060.00
Full Depth Pavement - Less than 4.0'	\$117.00 /SY	10 SY	\$1,170.00
Cement Concrete Median	\$73.00 /SY	510 SY	\$37,230.00
Granite Curb	\$39.00 /FT	920 FT	\$35,880.00
Signing & Striping	\$2,800.00 /LS	1 LS	\$2,800.00
Drainage	\$11,500.00 /LS	1 LS	\$11,500.00
Traffic Signal	\$86,500.00 /LS	1 LS	\$86,500.00
		SUBTOTAL:	\$193,140.00
		Police Detail (10%)	\$19,314
		Mobilization (3%)	\$5,794
		Construction Traffic Management (5%)	\$9,657
		TOTAL:	\$227,905
		Contingencies (15%):	\$34,186
		Construction TOTAL:	\$262,091

NOTE:

1. Prices were determined from the MassDOT Weighted Average Bid Prices web site.

Signal Warrant Worksheet

2009 MUTCD

TRAFFIC SIGNAL WARRANT ANALYSIS (VOLUME BASED)

Intersection: **Lynnway (Route 1A) at Blossom Street**

Major Street Direction: Eastbound-Westbound ▼

Year: **2014** Condition: **Existing with Ferry Traffic (WBL assumed to be minor street approach)**

Operating speed on major roadway: **35 mph**
 Number of approaches: **4**

Required approach volumes

Warrant 1	EIGHT-HOUR VEHICULAR VOLUME	Minimum*	Adjusted Minimum**
Warrant 1A	MINIMUM VEHICULAR VOLUME (8 hours of day)		
	Major Street : 3 Lane(s) on each approach	600	600
	Minor Street : 1 Lane(s) on each approach	150	150
Warrant 1B	INTERRUPTION OF CONTINUOUS TRAFFIC (8 hours of day)		
	Major Street : 3 Lane(s) on each approach	900	900
	Minor Street : 1 Lane(s) on each approach	75	75
80 PERCENT SATISFACTION OF WARRANT 1A AND WARRANT 1B		Warrant 1A	Warrant 1B
	Major Street : 3 Lane(s) on each approach	480	720
	Minor Street : 1 Lane(s) on each approach	120	60

Warrant 2	FOUR HOUR VEHICULAR VOLUME	
	Major Street : 3 Lane(s) on each approach	If "verify" indicated, see Figure 4C-1 or 4C-2. 25 = accuracy of regression equations
	Minor Street : 1 Lane(s) on each approach	

Warrant 3	PEAK HOUR VOLUME	
	Major Street : 3 Lane(s) on each approach	If "verify" indicated, see Figure 4C-3 or 4C-4. 25 = accuracy of regression equations
	Minor Street : 1 Lane(s) on each approach	

Hour	Entering Vol. Minor Road+	Entering Vol. on Major Road		Tot. Ent. Vol. On Major Rd	Meets the following volume-based warrants?					
		Eastbound	Westbound		1A	1B	80%(1A&1B)	2	3	
6:00 - 7:00 AM	0	0	0	0	No	No	No	0	0	
7:00 - 8:00 AM	50	1100	0	1100	No	No	No	0	0	
8:00 - 9:00 AM	0	0	0	0	No	No	No	0	0	
9:00 - 10:00 AM	0	0	0	0	No	No	No	0	0	
10:00 - 11:00 AM	0	0	0	0	No	No	No	0	0	
11:00 - 12:00 AM	0	0	0	0	No	No	No	0	0	
12:00 - 1:00 PM	0	0	0	0	No	No	No	0	0	
1:00 - 2:00 PM	0	0	0	0	No	No	No	0	0	
2:00 - 3:00 PM	0	0	0	0	No	No	No	0	0	
3:00 - 4:00 PM	0	0	0	0	No	No	No	0	0	
4:00 - 5:00 PM	0	0	0	0	No	No	No	0	0	
5:00 - 6:00 PM	15	2400	0	2400	No	No	No	0	0	
6:00 - 7:00 PM	0	0	0	0	No	No	No	0	0	
					No	No	No	No	No	
					Warrants Met?	1	2	3		
						NO		No	No	

*From the criteria described for the warrant in the MUTCD.

**If the operating speed is higher than 40mph then the volumes can be adjusted to 70%. (If no adjusted minimum, the minimum from the previous column is shown)

+If more than one approach, report the approach that has the higher volume.

NON-VOLUME-BASED WARRANTS

Warrant 4, Minimum Pedestrian Volume: **No**
 Peak Four Hour Pedestrian Volumes:
 (non-concurrent) 0
 0
 0
 0

Warrant 5, School Crossing:
 See MUTCD for details.

Warrant 6, Coordinated Signal System:
 See MUTCD for details.

Warrant 7, Crash Experience: **No**
 # of accidents "correctable by
 signalization" occurring in the last 12 months: 0

Warrant 8, Roadway Network:
 See MUTCD for details.

LYNN HARBOR LYNN, MASSACHUSETTS

Section 107 Navigation Improvement Study Project Management Plan

September 2016

I. PROJECT INFORMATION:

- a. **Project Manager:** William Bartlett
- b. **Project Authority:** Section 107 of the River and Harbor Act of 1960, as amended
- c. **Project Phase:** Feasibility Study – Detailed Project Report and EA

Project Description: The existing Federal Navigation Project for Lynn Harbor is located in the city of Lynn in Essex County, Massachusetts. Lynn Harbor is about 8 miles northeast of Boston, Massachusetts. It is a natural harbor at the head of a Broad Sound that is 3 miles long and about 1.5 miles wide. (Figure 1). The non-Federal Sponsor is the city of Lynn.



FIGURE 1

This study will investigate the feasibility of Federal participation in providing navigation improvements at Lynn Harbor, in partnership with the city of Lynn. Currently, without the proposed dredging of the city waterfront channel, fishermen located in the Saugus River who wish to fuel or offload in Lynn Harbor must transit down the Saugus River channel, out to deep water, and then up the Lynn Harbor channel to the upper harbor area. The entire roundtrip is approximately 3 miles.

Project Assumptions: This study involves preliminary design needs, cost and benefit analyses of providing improvements for both Lynn Harbor and Saugus River commercial fleets. Costs were estimated using a variety of information sources, including hydrographic surveys, sediment information obtained for a navigation improvement study for Lynn Harbor, boring and probe logs, aerial photos, several site visits, and interviews with harbor users and people knowledgeable about the site.

To alleviate navigation delays and congestion issues, this investigation will consider dredging the city waterfront channel between the Saugus River mouth and Lynn Harbor basin. Improvements to the channel would allow for safe passage of both commercial and recreational craft. The Harbormaster, the US Coast Guard, fishermen and vessel owners, reported the danger of groundings and potential vessel damages due to shallow conditions adjacent to the Federal channels. Excessive labor and vessel costs on average negatively impact the harbor over \$89,428 per year in commercial losses.

The Initial Appraisal Report identified a potential Federal Channel improvement for Lynn Harbor. The proposed navigation improvement would create a 40' wide waterfront channel along Lynn's bulkhead. The new channel would be dredged to depth of -8 feet at MLLW. Quantity estimates include a 1-foot over depth allowance, please refer to Figure 2. The dredged material would be loaded in scows and towed to the Massachusetts Bay Disposal Area, approximately 18 miles to the east of Lynn Harbor. No significant adverse environmental impacts are expected from the proposed dredging and disposal. Lynn Harbor sediments have been subjected to extensive physical and chemical testing over many years and have been determined suitable for beach nourishment.

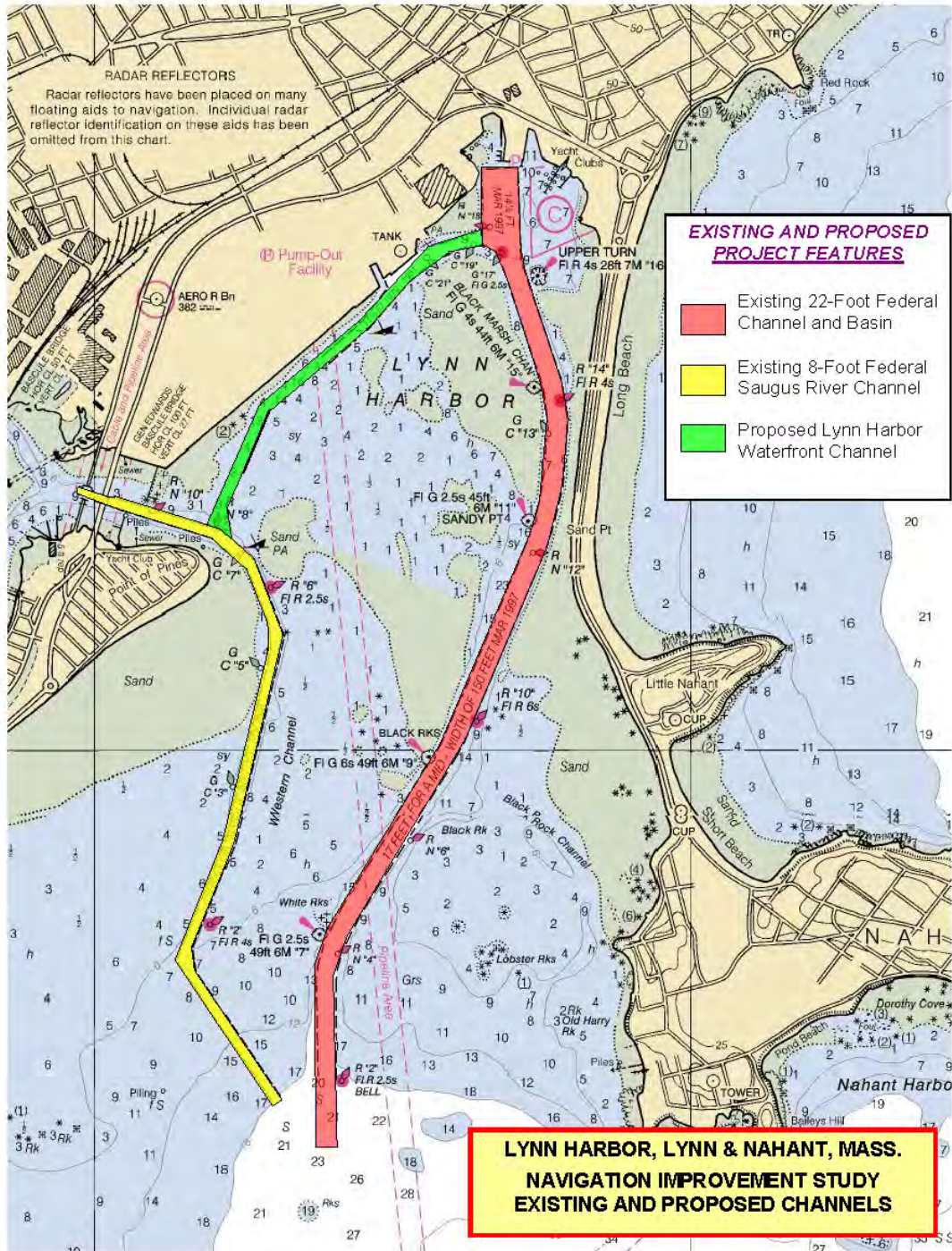


FIGURE 2

The construction method will be mechanical bucket dredge with off-shore placement of the dredged material as nourishment approximately 18 miles east of Lynn harbor, Boston Harbor ‘Foul Area’. Shore facilities needed would be limited to survey vessel and work boat landing access. It’s anticipated that all construction areas would be subject to Navigation Servitude.

- a. **Required Output:** A draft Detailed Project Report (DPR) and Environmental Assessment (EA) with technical appendices updating the previous Corps decision and NEPA documents. Should a project be recommended and proceed into design and implementation, then Plans and Specifications (P&S) and construction contract documents would be prepared.
- b. **Team Involvement:** The principal members of the PDT will be the Study Manager, the Project Delivery Team (PDT), the Lynn Harbormaster and the Lynn Community Development Director. The PDT will be responsible for preparing a feasibility document (CAP Detailed Project Report) that builds on information developed during preparation of the Initial Appraisal of Federal Interest that was completed in December 2012 and previous NEPA and decision documents. The DPR is a complete decision document that presents the results of investigations and provides the basis for recommending construction of a project.
- c. **Design Branch:** Input from Civil Engineering Section, General Engineering Section, and Cost Engineering Section will be coordinated by the Design Branch Chief. Civil Engineering Section prepares the layouts and determines the quantities of materials to be dredged, used, etc. Development of comparative costs for construction and maintenance of alternative plans and the CEDEPs and MCACES cost estimates for the proposed project is the responsibility of the Cost Engineering Section. The General Engineering Section would participate in the development of Plans and Specifications if and when the project advances to the design and implementation phase.

Engineering documentation to accompany the feasibility report should comply with ER 1110-2-1150 "Content of Engineering Appendix to Feasibility Report", as amended by CECW-EP memorandum, 31 May 1995, subject: Engineering Design and Dam Safety Guidance. The product is a brief report on design assumptions and other pertinent design information.

(1) Civil Design: Provide feasibility level layout, design, and quantity estimates of alternatives for comparison and unit costing purposes for dredging and disposal. Prepare quantities estimates for proposed projects at sufficient detail for preparation of MCACES cost estimate. Prepare "typical" conceptual design plans for potential alternatives.

(2) Construction Cost Estimates: Develop feasibility level construction cost estimates for evaluation of dredging and disposal alternatives using the Corps of Engineers Dredge Estimating Program (CEDEP). Unit costs for construction items will be based on available historical data and other available references.

The feasibility level baseline construction cost estimate for the proposed project will be based on guidance in ER 1110-2-1302, "Civil Works Cost Engineering Guidelines" and in Engineering Instructions (EI) No. 01d010 (1 September 1997), "Construction Cost Estimates". The estimate will be developed using the CEDEP and MCACES cost estimating software and will be presented in the Corps Civil Works Breakdown structure. The estimate will be documented with notes to explain the assumed construction methods and other specific information.

The feasibility level baseline cost estimate includes all Federal and non-Federal costs for lands, construction features, engineering and design, and supervision and administration

along with the appropriate contingencies and escalation associated with each of these through project completion. Contingencies are developed to support these costs based on the risks related to the uncertainties or unanticipated conditions identified at the time the estimate is prepared.

II. PROJECT TASK DESCRIPTIONS:

1. Environmental Branch Efforts:

a. ERS Tasks:

1. Attend PDT meetings at Concord Park as requested by the PM
2. Given the recent investigations conducted for this site no further meetings or site visits are considered necessary.
3. Sediment Sampling and Testing – in consultation with the Marine Analysis Section and Project Manager determine grain size and need for other sampling
4. Benthic Resource Sampling – determine need for any further benthic sampling and analysis
5. Prepare scopes of work, conduct negotiations, and prepare contract documents as needed for any sampling and testing
6. Update and revise the previous Environmental Assessment and other information and documents for NEPA purposes and for the DPR and appendices (ESA, EFH, WQC, CZMCD, etc.)
7. Prepare the Public Notice and prepare and respond to NEPA related correspondence, and respond to other comments, as necessary
8. Identify and request other applicable approvals as may be required

b. Cultural Resource Tasks:

1. Attend PDT meetings at Concord Park as requested by the PM
2. Prepare sections within DPR and NEPA document and appendices
3. Update information from previous NEPA and feasibility documents as needed for this study
4. Coordination with MA SHPO, tribes, and others as required

c. Economics Tasks:

1. Attend PDT meetings at Concord Park as requested by the PM
2. Interview State DEM and Lynn City officials, update fleet data and existing conditions
3. Update delay and damage benefits for alternatives
4. Revise/update previous Economic Analyses
5. Assist on preparation of appropriate sections within the DPR, NEPA document and appendices

2. Design Branch Efforts:

a. Civil Engineering Section Tasks:

1. Attend PDT meetings at Concord Park as requested by the PM
2. Update previous feasibility-level design plans as needed

3. Develop quantities for dredging improvement alternatives
 4. Prepare design description input to the DPR and NEPA document
- b. Cost Engineering Section Tasks:
1. Attend PDT meetings at Concord Park as requested by the PM
 2. Develop CEDEP dredging and disposal cost estimates for all improvement alternatives
 3. Prepare MCACES cost estimate for recommended plan

3. Real Estate:

- a. Real Estate Plan Tasks (see project description and assumptions above):
1. Attend PDT meetings at Concord Park as requested by the PM
 2. Prepare a Real Estate LEERDs needs verification (if determined necessary),

4. Office of Counsel:

- a. Office of Counsel Involvement will include
1. Review any real estate determinations and instruments
 2. Review any cost sharing agreements and similar documents and provide legal certifications as needed
 3. Review the draft and final decision document and NEPA document and provide legal certifications as needed
 4. Review and approve the Public Notice

5. Contracting Division:

- a. Contracting Division and its Contracts Branch will
1. Review and issue any contract scopes of work, issue any contract task order awards, and participate in any task order price negotiations and acquisition strategy meetings.

6. Marine Analysis Section (Regulatory Division):

- a. The Marine Analysis Section of the Regulatory Division will
1. Develop any sediment sampling and testing plan with assistance of ERS and the PM, and
 2. After testing is completed will prepare a suitability determination for disposal/placement of the dredged material

III. PROJECT TASK BUDGETS:

I. Planning Division Efforts:

- a. ERS:
- i. Prepare Environmental Assessment/FONSI and coordination \$ 41,000

ii.	Sediment sampling and testing for grain size, bulk chemistry and benthic community analysis	\$34,000
iii.	Biological sampling and testing of sediment for ocean disposal	\$250,000
iv.	Prepare sampling plan and suitability determination	\$8,000
v.	PTM travel	\$3,000
b.	<u>Cultural:</u>	
i.	Required Cultural Budget	\$ 8,000
c.	<u>Economics:</u>	
i.	Required Economics Budget	\$52,000
d.	<u>Study Management</u>	\$73,000
II.	Design Branch Efforts:	
a.	<u>Civil Engineering Section includes CADD:</u>	
i.	Required Civil Budget	\$14,000
b.	<u>Cost Engineering Section:</u>	
i.	Cost Budget	\$ 7,000
III.	Real Estate Efforts:	
a.	<u>Real Estate Branch:</u>	
i.	Real Estate Budget	\$ 6,000
IV.	Office of Counsel Involvement:	
a.	<u>Legal review and certification</u>	No Charge
V.	Contracting Division Participation:	
a.	<u>Review, prepare and issue contract documents</u>	\$ 4,000
VI.	District Quality Control and Agency Technical Review	\$25,000
VII.	Study Cost Contingency	\$45,000
	Study Total	\$570,000

PDT Cost and Scope Approvals

LYNN HARBOR, LYNN, MASSACHUSETTS SECTION 107 NAVIGATION IMPROVEMENT STUDY DETAILED PROJECT REPORT AND ENVIRONMENTAL ASSESSMENT		
	PDT	Study cost/scope
Planning – Project Manager	William Bartlett	
Real Estate	Jeff Teller	
Environmental Resources	Todd Randall	
Economics	Michael Berner	
Cultural Resources	Marc Paiva	
Civil Design	Mark DeSouza	
Cost Engineering	Jeffery Gaeta	

**LYNN HARBOR
LYNN, MASSACHUSETTS**

**Section 107 Navigation Improvement Study
Quality Control Plan**

RESPONSIBILITY FOR IMPLEMENTATION OF THE QCP

The study manager and the agency technical review (ATR) team leader developed and implemented this Quality Control Plan (QCP). Each received input from their respective teams. The scope of the QCP was developed commensurate with the level of risk and complexity for this feasibility level study. Both technical and policy considerations will be addressed to ensure a quality product. ATR will confirm the proper selection and application of clearly established criteria, regulations, laws, codes, principles, and professional procedures. Technical review will also confirm the utilization of clearly justified and valid assumptions. Policy compliance review will examine the development and application of decision factors and assumptions used to determine the extent and nature of Federal interest and related issues. It will also ensure the uniform application of clearly established policy and procedures nationwide, and that the proposed action is consistent with the overall goals and objectives of the Civil Works program.

- Responsibilities of the Study Manager:
 - develop the QCP in coordination with the Agency Technical Review Team Leader
 - keep the ATR team leader informed concerning study progress and the availability of products, documents, and findings to be reviewed
 - ensure that ATR comments and any non-concurred backchecks are addressed in a timely manner by the appropriate NAE PDT member in Dr. Checks
 - elevate unresolved comments up the chain of command for resolution
 - maintain a documented record of comment resolution through Dr. Checks

- Project Delivery Team Responsibilities:
 - develop and evaluate alternative plans
 - address ATR comments in a timely manner documented in Dr. Checks
 - assist in the development of the QCP

- Responsibilities of the Agency Technical Review Team Leader:
 - develop the QCP with the Study Manager
 - facilitate requests for review team members through the North Atlantic Division's (NAD) pool of regional technical specialist (RTS) and if necessary using RTS from outside NAD.
 - verify the expertise and experience of the review team nominees and assure that they are qualified and have no connection to the study
 - establish the project in Dr. Checks for the entry of comments, responses and backchecks
 - evaluate review team comments before forwarding to the study manager and PDT to ensure that they are: clearly stated; based on guidance, regulation, or scientific/engineering principles; significant; and contain specific action to resolve the concern

- ensure that reviews are promptly completed and opened in a timely manner for responses by the study manager and PDT
 - ensure that ATR backchecks to PDT response are entered in a timely manner
 - cooperate with the study manager in the resolution of comments that have been elevated up the chain of command
 - prepare ATR review documentation and process ATR review certification
- Responsibilities of the Functional Branch Chiefs:
- assists in the resolution of review comments elevated by the study manager
- Responsibilities of the Chief of Engineering/Planning Division:
- final arbiter of unresolved issues between the study and review teams
 - certifies District Engineer’s Statement of Technical Review
- Responsibility of the District Commander:
- certifies District Engineer’s Statement of Technical Review

PDT AND ATR TEAM MEMBERS

LYNN HARBOR SECTION 107 NAVIGATION IMPROVEMENT STUDY DETAILED PROJECT REPORT AND ENVIRONMENTAL ASSESSMENT		
	PDT	ATR TEAM
Planning – Project Manager	William Bartlett	TBD
Non-Federal Sponsor	Lynn, MA	NA
Environmental Resources	Todd Randall	TBD
Economics	Michael Berner	TBD
Cultural Resources	Marc Paiva	NA
Civil Design	Mark DeSouza	TBD
Cost Engineering	Jeffery Gaeta	NA
Real Estate	Jeff Teller	NA

**STUDY REVIEW CERTIFICATION
LYNN HARBOR, MA
Section 107 Navigation Improvement Study
Detailed Project Report and Environmental Assessment
Project Management Plan**

I certify that Agency Technical Review was completed and all comments resulting from that review have been resolved and are on file at the New England District.			
Branch or Section	ATR TEAM	Signature	Date
Planning	TBD		
Environmental Resources	TBD		
Economics	TBD		
Cultural Resources	NA		
Civil Design	TBD		
Cost Engineering	NA		
Real Estate	NA		

**NEW ENGLAND DISTRICT
DISTRICT ENGINEER'S STATEMENT OF TECHNICAL REVIEW**

**LYNN HARBOR, MA
Section 107 Navigation Improvement Study
Detailed Project Report and Environmental Assessment**

COMPLETION OF TECHNICAL REVIEW

The New England District has completed the Lynn Harbor, Lynn, Massachusetts Section 107 Navigation Improvement Study, Detailed Project Report and Environmental Assessment and supporting information. Certification is hereby given that the study has been given an independent Agency Technical Review appropriate to the level of risk and complexity inherent in the study and potential project, as defined in the Quality Control Plan.

FINDINGS AND RESPONSE

During the technical review, it was verified that this study was conducted in compliance with clearly established policy principles and procedures and that all assumptions were clearly justified and valid. The following study elements were included in the review: assumptions, projections, methods, procedures, data, and information used in the analyses; formulation and evaluation of alternatives; the appropriateness and level of detail of data collected and analysis performed; and the reasonableness of results, to include whether the product meets the customer's needs consistent with law and existing Corps of Engineers policy. Significant concerns and their resolution are as follows:

CERTIFICATION OF TECHNICAL REVIEW

As noted above, all concerns resulting from technical review of this study have been resolved. The study may proceed to the Plans and Specifications phase.

John Kennelly
Planning Division

Date

Christopher J. Baron
COL, EN
Commanding

Date

Lynn Harbor,
Lynn, Massachusetts

Federal/Non-Federal Allocation of Funds
Feasibility Study Costs

NAVIGATION IMPROVEMENT STUDY

Cost-Shared Feasibility Study (50/50 Cost Share, Excludes Initial \$100,000 Federal Cost)

Year	Total Feasibility Study Costs	Non-Federal In-Kind	Scheduled Feasibility Efforts	Percentage	Non-Federal Cash	Federal Cash
1	430,000*	0	430,000	75.4	215,000	215,000
2	140,000	0	140,000	24.6	70,000	70,000
Total	570,000	0	570,000	100	285,000	285,000

FY2017 = Year 1

*Year 1 includes lump sum payments for physical and chemical analysis of sediment (\$34,000) and biological analysis (\$250,000).

AGREEMENT
BETWEEN
THE DEPARTMENT OF THE ARMY
AND
THE TOWN OF LYNN, MASSACHUSETTS
FOR THE
LYNN HARBOR NAVIGATION IMPROVEMENT FEASIBILITY STUDY

THIS AGREEMENT is entered into this _____ day of _____, _____, by and between the Department of the Army (hereinafter the “Government”), represented by the U.S. Army Engineer, New England District (hereinafter the “District Engineer”) and the Town of Lynn, Massachusetts (hereinafter the “Non-Federal Sponsor”), represented by the Mayor.

WITNESSETH, THAT:

WHEREAS, Section 107 of the River and Harbor Act of 1960 authorizes the Corps of Engineers to improve navigation including dredging of channels, anchorage areas, and turning basins and construction of breakwaters, jetties and groins, through a partnership with non-Federal government sponsor such as cities, counties, special chartered authorities, or units of state government. The maximum Federal cost for project development and construction of any one project is \$10 million and each project must be economically justified, environmentally sound, and technically feasible;

WHEREAS, Section 105(a) of the Water Resources Development Act of 1986, Public Law 99-662, as amended (33 U.S.C. 2215(a)), specifies the cost-sharing requirements; and

WHEREAS, the Government and the Non-Federal Sponsor have the full authority and capability to perform in accordance with the terms of this Agreement.

NOW, THEREFORE, the parties agree as follows:

ARTICLE I - DEFINITIONS

A. The term “Study” means the activities and tasks required to identify and evaluate alternatives and the preparation of a decision document that, as appropriate, recommends a coordinated and implementable solution for Navigation Improvements at Lynn Harbor, Lynn, Massachusetts.

B. The term “shared study costs” means all costs incurred by the Government and Non-Federal Sponsor after the effective date of this Agreement that are directly related to performance of the Study and cost shared in accordance with the terms of this Agreement. The term includes, but is not necessarily limited to, the Government’s costs for preparing the PMP; for plan formulation and evaluation, including costs for economic, engineering,

real estate, and environmental analyses; for preparation of a floodplain management plan if undertaken as part of the Study; for preparing and processing the decision document; for supervision and administration; for Agency Technical Review and other review processes required by the Government; and for response to any required Independent External Peer Review; and the Non-Federal Sponsor's creditable costs for in-kind contributions. The term does not include any costs for dispute resolution; for participation in the Study Coordination Team; for audits; for an Independent External Peer Review panel, if required; or for negotiating this Agreement. The term also does not include the first \$100,000 of costs for the Study incurred by the Government, whether before or after execution of this Agreement.

C. The term "PMP" means the project management plan, and any modifications thereto, developed in consultation with the Non-Federal Sponsor, that specifies the scope, cost, and schedule for Study activities and tasks, including the Non-Federal Sponsor's in-kind contributions, and that guides the performance of the Study.

D. The term "in-kind contributions" means those planning activities (including data collection and other services) that are integral to the Study and would otherwise have been undertaken by the Government for the Study and that are identified in the PMP and performed or provided by the Non-Federal Sponsor after the effective date of this Agreement and in accordance with the PMP.

E. The term "maximum Federal study cost" means the \$1,500,000 Federal cost limit for the Study, unless the Government has approved a higher amount, and includes the first \$100,000 of costs for the Study incurred by the Government.

F. The term "fiscal year" means one year beginning on October 1st and ending on September 30th of the following year.

ARTICLE II - OBLIGATIONS OF THE PARTIES

A. In accordance with Federal laws, regulations, and policies, the Government shall conduct the Study using funds appropriated by the Congress and funds provided by the Non-Federal Sponsor. The Non-Federal Sponsor shall perform or provide any in-kind contributions in accordance with applicable Federal laws, regulations, and policies.

B. The Non-Federal Sponsor shall contribute 50 percent of the shared study costs in accordance with the provisions of this paragraph and provide required funds in accordance with Article III.

1. After considering the estimated amount of credit for in-kind contributions, if any, that will be afforded in accordance with paragraph C. of this Article and the first \$100,000 of the costs incurred by the Government that are excluded from shared costs, the Government shall provide the Non-Federal Sponsor with a written estimate of the amount of funds required from the Non-Federal Sponsor for the remainder

of the initial fiscal year of the Study. No later than 15 calendar days after such notification, the Non-Federal Sponsor shall provide the full amount of such funds to the Government.

2. No later than August 1st prior to each subsequent fiscal year of the Study, the Government shall provide the Non-Federal Sponsor with a written estimate of the amount of funds required from the Non-Federal Sponsor during that fiscal year. No later than September 1st prior to that fiscal year, the Non-Federal Sponsor shall provide the full amount of such required funds to the Government.

C. The Government shall include in the shared study costs and credit towards the Non-Federal Sponsor's share of such costs, the costs, documented to the satisfaction of the Government, that the Non-Federal Sponsor incurs in providing or performing in-kind contributions, including associated supervision and administration, after the effective date of this Agreement. Such costs shall be subject to audit in accordance with Article VI to determine reasonableness, allocability, and allowability, and crediting shall be in accordance with the following procedures, requirements, and limitations:

1. As in-kind contributions are completed and no later than 60 calendar day after such completion, the Non-Federal Sponsor shall provide the Government appropriate documentation, including invoices and certification of specific payments to contractors, suppliers, and the Non-Federal Sponsor's employees. Failure to provide such documentation in a timely manner may result in denial of credit. The amount of credit afforded for in-kind contributions shall not exceed the Non-Federal Sponsor's share of the shared study costs.

2. No credit shall be afforded for interest charges, or any adjustment to reflect changes in price levels between the time the in-kind contributions are completed and credit is afforded; for the value of in-kind contributions obtained at no cost to the Non-Federal Sponsor; for any items provided or performed prior to completion of the PMP; or for costs that exceed the Government's estimate of the cost for such item if it had been performed by the Government.

D. To the extent practicable and in accordance with Federal laws, regulations, and policies, the Government shall afford the Non-Federal Sponsor the opportunity to review and comment on solicitations for contracts prior to the Government's issuance of such solicitations; proposed contract modifications, including change orders; and contract claims prior to resolution thereof. Ultimately, the contents of solicitations, award of contracts, execution of contract modifications, and resolution of contract claims shall be exclusively within the control of the Government.

E. The Non-Federal Sponsor shall not use Federal Program funds to meet any of its obligations under this Agreement unless the Federal agency providing the funds verifies in writing that the funds are authorized to be used for the Study. Federal program funds are those funds provided by a Federal agency, plus any non-Federal contribution required as a matching share therefor.

F. Except as provided in paragraph C. of this Article, the Non-Federal Sponsor shall not be entitled to any credit or reimbursement for costs it incurs in performing its responsibilities under this Agreement.

G. In carrying out its obligations under this Agreement, the Non-Federal Sponsor shall comply with all the requirements of applicable Federal laws and implementing regulations, including, but not limited to: Title VI of the Civil Rights Act of 1964 (P.L. 88-352), as amended (42 U.S.C. 2000d), and Department of Defense Directive 5500.11 issued pursuant thereto; the Age Discrimination Act of 1975 (42 U.S.C. 6102); and the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and Army Regulation 600-7 issued pursuant thereto.

H. If Independent External Peer Review (IEPR) is required for the Study, the Government shall conduct such review in accordance with Federal laws, regulations, and policies. The Government's costs for an IEPR panel shall not be included in the shared study costs or the maximum Federal study cost.

I. In addition to the ongoing, regular discussions of the parties in the delivery of the Study, the Government and the Non-Federal Sponsor may establish a Study Coordination Team to discuss significant issues or actions. The Government's costs for participation on the Study Coordination Team shall not be included in the shared study costs, but shall be included in calculating the maximum Federal study cost. The Non-Federal Sponsor's costs for participation on the Study Coordination Team shall not be included in the shared study costs and shall be paid solely by the Non-Federal Sponsor without reimbursement or credit by the Government.

ARTICLE III - PAYMENT OF FUNDS

A. As of the effective date of this Agreement, the shared study costs are projected to be \$570,000, with the Government's share of such costs projected to be \$285,000 and the Non-Federal Sponsor's share of such costs projected to be \$285,000. These amounts are estimates only that are subject to adjustment by the Government and are not to be construed as the total financial responsibilities of the Government and the Non-Federal Sponsor.

B. The Government shall provide the Non-Federal Sponsor with quarterly reports setting forth the estimated shared study costs and the Government's and Non-Federal Sponsor's estimated shares of such costs; costs incurred by the Government, using both Federal and Non-Federal Sponsor funds, to date; the amount of funds provided by the Non-Federal Sponsor to date; the estimated amount of any creditable in-kind contributions; and the estimated remaining cost of the Study.

C. The Non-Federal Sponsor shall provide to the Government required funds by delivering a check payable to "FAO, USAED, NEW ENGLAND (E6)" to the District

Engineer, or verifying to the satisfaction of the Government that the Non-Federal Sponsor has deposited such required funds in an escrow or other account acceptable to the Government, with interest accruing to the Non-Federal Sponsor, or by providing an Electronic Funds Transfer of such required funds in accordance with procedures established by the Government.

D. The Government shall draw from the funds provided by the Non-Federal Sponsor to cover the non-Federal share of the shared study costs as those costs are incurred. If the Government determines at any time that additional funds are needed from the Non-Federal Sponsor to cover the Non-Federal Sponsor's required share of the shared study costs, the Government shall provide the Non-Federal Sponsor with written notice of the amount of additional funds required. Within 60 calendar days of such notice, the Non-Federal Sponsor shall provide the Government with the full amount of such additional funds.

E. Upon conclusion of the Study and resolution of all relevant claims and appeals, the Government shall conduct a final accounting and furnish the Non-Federal Sponsor with the written results of such final accounting. Should the final accounting determine that additional funds are required from the Non-Federal Sponsor, the Non-Federal Sponsor, within 60 calendar days of written notice from the Government, shall provide the Government with the full amount of such additional funds. Should the final accounting determine that the Non-Federal Sponsor has provided funds in excess of its required amount, the Government shall refund the excess amount, subject to the availability of funds. Such final accounting does not limit the Non-Federal Sponsor's responsibility to pay its share of shared study costs, including contract claims or any other liability that may become known after the final accounting.

ARTICLE IV - TERMINATION OR SUSPENSION

A. Upon 30 calendar days written notice to the other party, either party may elect at any time, without penalty, to suspend or terminate future performance of the Study. Furthermore, unless an extension is approved by the Assistant Secretary of the Army (Civil Works), the Study will be terminated if a Detailed Project Report is not completed for the Study within 3 years after the effective date of this Agreement.

B. In the event of termination, the parties shall conclude their activities relating to the Study. To provide for this eventuality, the Government may reserve a percentage of available funds as a contingency to pay the costs of termination, including any costs of resolution of contract claims, and resolution of contract modifications.

C. Any suspension or termination shall not relieve the parties of liability for any obligation previously incurred. Any delinquent payment owed by the Non-Federal Sponsor pursuant to this Agreement shall be charged interest at a rate, to be determined by the Secretary of the Treasury, equal to 150 per centum of the average bond equivalent rate of the 13 week Treasury bills auctioned immediately prior to the date on which such

payment became delinquent, or auctioned immediately prior to the beginning of each additional 3 month period if the period of delinquency exceeds 3 months.

ARTICLE V - DISPUTE RESOLUTION

As a condition precedent to a party bringing any suit for breach of this Agreement, that party must first notify the other party in writing of the nature of the purported breach and seek in good faith to resolve the dispute through negotiation. If the parties cannot resolve the dispute through negotiation, they may agree to a mutually acceptable method of non-binding alternative dispute resolution with a qualified third party acceptable to the parties. Each party shall pay an equal share of any costs for the services provided by such a third party as such costs are incurred. The existence of a dispute shall not excuse the parties from performance pursuant to this Agreement.

ARTICLE VI - MAINTENANCE OF RECORDS AND AUDIT

A. The parties shall develop procedures for the maintenance by the Non-Federal Sponsor of books, records, documents, or other evidence pertaining to costs and expenses for a minimum of three years after the final accounting. The Non-Federal Sponsor shall assure that such materials are reasonably available for examination, audit, or reproduction by the Government.

B. The Government may conduct, or arrange for the conduct of, audits of the Study. Government audits shall be conducted in accordance with applicable Government cost principles and regulations. The Government's costs of audits for the Study shall not be included in shared study costs, but shall be included in calculating the maximum Federal study cost.

C. To the extent permitted under applicable Federal laws and regulations, the Government shall allow the Non-Federal Sponsor to inspect books, records, documents, or other evidence pertaining to costs and expenses maintained by the Government, or at the request of the Non-Federal Sponsor, provide to the Non-Federal Sponsor or independent auditors any such information necessary to enable an audit of the Non-Federal Sponsor's activities under this Agreement. The costs of non-Federal audits shall be paid solely by the Non-Federal Sponsor without reimbursement or credit by the Government.

ARTICLE VII - RELATIONSHIP OF PARTIES

In the exercise of their respective rights and obligations under this Agreement, the Government and the Non-Federal Sponsor each act in an independent capacity, and neither is to be considered the officer, agent, or employee of the other. Neither party shall provide, without the consent of the other party, any contractor with a release that

waives or purports to waive any rights a party may have to seek relief or redress against that contractor.

ARTICLE VIII - NOTICES

A. Any notice, request, demand, or other communication required or permitted to be given under this Agreement shall be deemed to have been duly given if in writing and delivered personally or mailed by certified mail, with return receipt, as follows:

If to the Non-Federal Sponsor:

Lynn City Hall and Memorial Auditorium
Office of the Mayor
Room 306
3 City Hall Square
Lynn, Massachusetts 01901

If to the Government:

District Engineer
US Army Corps of Engineers
New England District
696 Virginia Road
Concord, Massachusetts 01742

B. A party may change the recipient or address for such communications by giving written notice to the other party in the manner provided in this Article.

ARTICLE IX - CONFIDENTIALITY

To the extent permitted by the laws governing each party, the parties agree to maintain the confidentiality of exchanged information when requested to do so by the providing party.

ARTICLE X - THIRD PARTY RIGHTS, BENEFITS, OR LIABILITIES

Nothing in this Agreement is intended, nor may be construed, to create any rights, confer any benefits, or relieve any liability, of any kind whatsoever in any third person not a party to this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, which shall become effective upon the date it is signed by the District Engineer.

DEPARTMENT OF THE ARMY

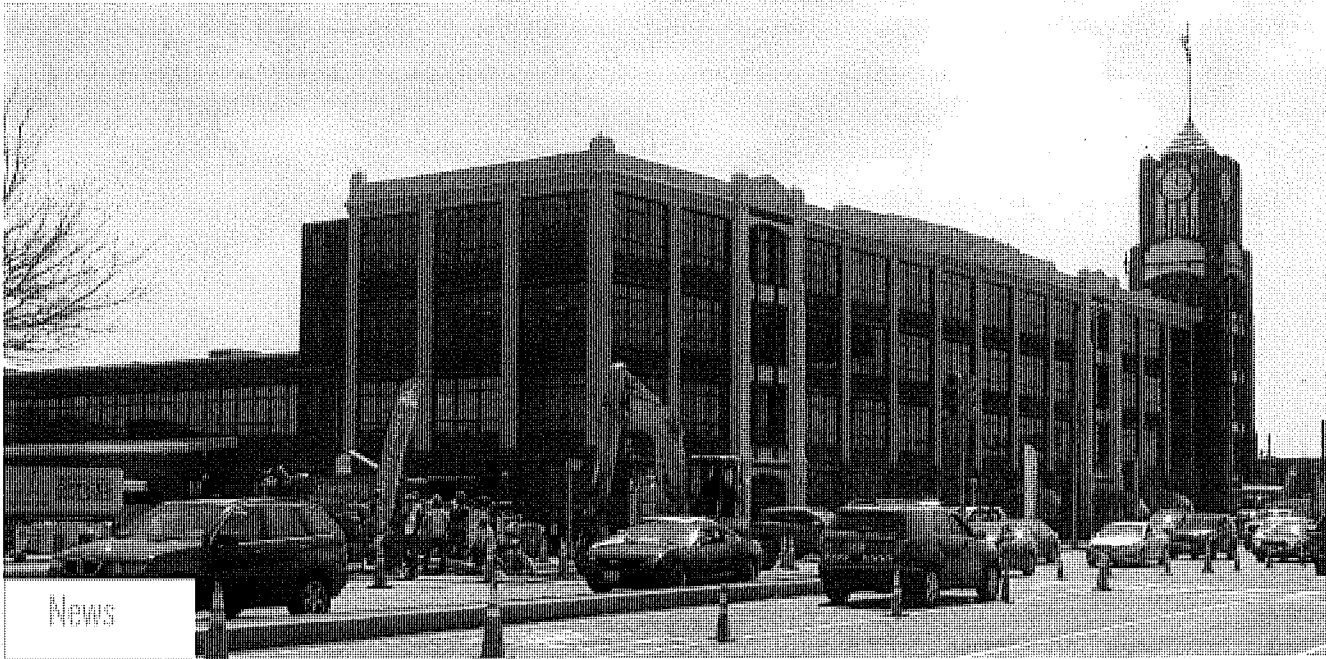
TOWN OF LYNN, MASSACHUSETTS

BY: _____
Christopher J. Barron
Colonel, U.S. Army
District Engineer

BY: _____
Judith F. Kennedy
Mayor

DATE: _____

DATE: _____



LIGHT AT THE END OF THE TUNNEL ON LYNNWAY

April 28, 2017

ITEM PHOTO BY OWEN O'ROURKE

Construction continues on the Lynnway.

By THOMAS GRILLO

LYNN — A traffic headache for Lynnway commuters this week should be just a memory soon as workers complete work on a sewer pipe near the **Clock Tower Business Center**.

Since Tuesday, workers have been repairing a broken 18-inch pipe that transports waste from **Nahant** to the **Lynn Regional Wastewater Treatment Plant** off the Lynnway on Commercial Street extension.

The repairs narrowed traffic outbound from Boston to a single lane and a signal light was temporarily removed as the work continued.

"I know it's been a traffic nightmare," said **Dennis Ball** interim superintendent of the **Nahant Public Works Department**, on Friday. "I'm crossing my fingers that the job will be done by today — hopefully."

While the pipe is in Lynn, the agreement with Nahant requires the town to make any repairs, according to **Daniel O'Neill**, executive director of the **Lynn Water and Sewer Commission**.

Nahant residents were urged to limit their use of showers, washing machines, and dishwashers while the work proceeded.

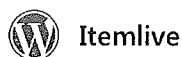
On average, Nahant discharges about **500,000 gallons** a day of wastewater, or 2 percent of the materials that enter the treatment plant, said O'Neill.

While the repairs were done, Nahant transported wastewater by tanker truck to the treatment plant.

Hands-on education at Connery tree planting



ITEM PHOTO BY OWEN O'ROURKE Hoda Britel is framed by one of the two new trees. By GAYLA CAWLEY LYNN — Arbor Day tree planting at Connery Elementary School kicked off Lynn's participation in the Greening the Gateway Cities Program. The program is administered by the state Department of Conservation and Recreation (DCR). The program ... Continue reading →



Ball said the fix has been challenging given the pipe is 12 feet underground and encased in concrete.

"We ran into quite a few obstacles," said Ball.

The repair won't come cheap for Nahant.

"To fix it will break the bank," said Ball. "It's our pipe and it's on us."

He estimates the project will cost **\$500,000**.

Ball credits the state **Department of Conservation and Recreation** for acting quickly to get traffic lights and signs removed and creating a new traffic pattern.

He also praised **Paul Ricchi**, director of the Lynn's **Office of Emergency Management**, for stepping up to perform his job in Nahant.

"It's been a team effort to get this done," Ball said. "They've been great and deserve credit."

Thomas Grillo can be reached at tgrillo@itemlive.com.



May 12, 2017

Via Email

Deborah Burke, Executive Director
Malden Redevelopment Authority
City of Malden
17 Pleasant Street, 3rd Floor
P.O. Box 278
Malden, MA 02148

Kevin Hunter, Senior Planner & Policy
Manager
Malden Redevelopment Authority
17 Pleasant Street, 3rd Floor
P.O. Box 278
Malden, MA 02148

Re: 2017 Transportation Mitigation Application

Dear Ms. Burke and Mr. Hunter:

Thank you for attending the meeting with the community mitigation review team on May 1st. The community mitigation review team found the meeting to be very informative. As we discussed during the meeting, we are writing to ask you to please provide us with answers to the below questions. In asking these questions, we are mindful of the details of your application and are requesting any further information that is not included in your application.

2016 Transportation Grant and Use of Reserve Grant

Malden was awarded a \$100,000 Transportation Grant and \$100,000 Reserve Grant from the 2016 Community Mitigation Fund. Could you provide the Commission with a brief status of current activities engendered by the award of these funds? If you have provided a description in your quarterly report to the Commission, please feel free to include that information.

2017 Transportation Mitigation Application

1. Can you provide further detail regarding the timetable for your transportation planning project?
2. Can you please provide an update regarding the City's efforts to list this project in the Boston MPO Transportation Improvement Plan?
3. Please provide further detail how the requested Exchange Street planning and design work is "clearly related to addressing the transportation issues or impacts directly related to the gaming facility."
4. Have you contacted MAPC, the Regional Planning Agency in regard to this project?
5. The Surrounding Community Agreement between Wynn and Malden specifies two up-front payments upon award of the Wynn license: a \$500,000 "Transitional Hub Payment"



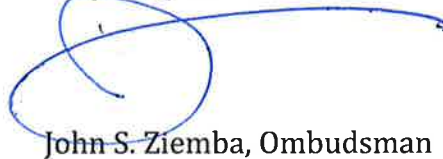
Massachusetts Gaming Commission

and \$325,000 "Transitional Road Payment". Can you please describe how this purpose requested in the application relates or does not relate to the anticipated use of such funds?

6. Can you please list and provide further brief detail regarding the approvals Malden has received for the study and what other approvals would be necessary, if funding is approved by the Commission?

The community mitigation review team would like to present to the Commission their recommendation in June. In order to meet this timetable, the community mitigation review team would greatly appreciate receiving your response by May 25, 2017. We look forward to reviewing this application with the Commission. Please do not hesitate to contact us with any questions or concerns.

Very truly yours,



John S. Ziemba, Ombudsman

cc: The Honorable Mayor Gary Christenson
Mark Good, Treasurer
Commissioner Lloyd Macdonald
Catherine Blue, General Counsel
Derek Lennon, C.F.O.
Jill Griffin, Director of Workforce Development
Joseph Delaney, Construction Oversight Manager
Mary Thurlow, Program Manager



Massachusetts Gaming Commission

CITY OF MALDEN ADDENDUM TO THE 2016 TRANSPORTATION PLANNING GRANT APPLICATION

In particular, these pedestrian and bicycle connections are related to the casino impacts because of the casino's role in that increase in congestion. Clearly, the largest transportation hub nearest to the Wynn Boston Harbor site will be a draw for patrons looking to visit the casino via bicycle trips or public transportation. Malden's bike path near Malden Center Station is a short, lovely ride to the casino, and will provide another mode for them of getting to the casino – without driving. Therefore, as stated in 2013, the connections used by pedestrians and bicyclists at a multi-modal transportation hub are imperative to be improved upon.

Similar to our previous estimate, we are confident that our experience with other studies has given us the understanding to accurately assess the costs of a study like this. Furthermore, having 'lived' with the myriad issues around the connections to the Malden Center Station for years, we truly understand the complexity of the problem and we are planning a broad scope of issues to address with this study.

C.

What is the status of discussion with Wynn Boston Harbor on parking?

During our negotiations with Wynn for our surrounding community agreement, we had very preliminary discussions about the potential for matching up those times when we had unused capacity in our parking facilities with their needs for parking during those times. Whether or not there ultimate is a fit there or an agreement to be made has yet to be further explored.

D.

Have you identified any dangerous impacts that the study would be designed to address?

The redesign of connecting from Malden Station to the Pleasant Street bike path will eliminate the constant crossing of the street at mid-block, walking between the cars that are stacked up because of the succession of lights ahead of them as they navigate around the Malden Center Station. There are five intersections adjoin the Malden Center Station and cause backups through the intersections as traffic backs up due to the intermingling of pedestrians, bicyclists, and automobile traffic.

CITY OF MALDEN ADDENDUM TO THE 2016 TRANSPORTATION PLANNING GRANT APPLICATION

A.

Please provide further detail regarding how the scope of the work to be undertaken for the parking assessment study relates to gaming facility related impacts. How did you estimate the \$60,000 request?

The City of Malden needs to have a solid understanding of the new gaming facility related demands being placed on its parking facilities, in particular these new demands viewed within the context of other developments in the City that will impact our parking inventory. The City of Malden has viewed the potential for casino visitors to the City as a positive, and has embraced the potential that these visitors to the region will bring about additional business for our local restaurants. However, to fully understand the potential and the impacts, the additional demands on our parking resources needs to be looked at in conjunction with:

- The redevelopment of 200 Exchange Street, which will bring on line up to 320,000 SF of office space and bring with it the potential for 2,000 additional professionals working in Malden.
- Ongoing construction of nearly 1,000 apartment homes in the downtown area.
- The addition of over 40,000 SF of new retail space coming on line over the next several years.

With the additional dynamic added from a gaming facility, it's critical that the city take a holistic approach in reviewing how to be positioned to not only meet the new demands but capitalize on them. Each of these uses have unique demands on parking facilities in terms of nights, weekends, weekdays, short term, long term. The City needs to take a proactive approach to being best positioned to deal with the additional gaming facility related demands in the context of the additional variables outlined above.

In terms of our estimate, our collective years of experience have given us a solid foundation to predict these expenses. As you can imagine, an urban-edge city like Malden has been constantly dealing with parking issues and has conducted past studies, either parking related or similar, that give us context to estimate with some confidence the scope of such an effort

B.

How is the redesign of Malden Center related to the casino impacts? What other supplemental studies have already been undertaken and may be used to further enhance the study? On what did you base the study costs for the redesign study?

The redesign of the Malden Center Station has been called for numerous supplemental studies of the station and the entire downtown: however, it was stated most convincingly by the Metropolitan Area Planning Council's own Orange Line Corridor Report from 2013 that stated, "improvements to pedestrian and bicycle connections are needed, especially at the northern end of the corridor," and that "Advocacy is needed to increase connections between bike and pedestrian paths..."



May 12, 2017

Via Email

Clodagh Stoker-Long, Economic
Development Planner
Office of Community Development
City Hall - Room 308,
85 George P. Hasset Drive
Medford, MA 02155

Alicia Hunt, Director of Energy &
Environment
City Hall – Room 205
85 George P. Hasset Drive
Medford, MA 02155

Re: 2017 Transportation Mitigation Application

Dear Ms. Stoker-Long and Director Hunt:

Thank you for meeting with the community mitigation review team recently. It was a pleasure discussing with you Medford's application for community mitigation funds. The community mitigation review team found the meeting to be very useful. As we discussed during the meeting, we are writing to ask you to please provide us with answers to the below questions. In asking these questions, we are mindful of the details of your application and are requesting any further information that is not included in your application.

2016 Transportation Grant

Medford was awarded a \$267,000 Transportation Grant from the 2016 Community Mitigation Fund. Could you provide the Commission with a brief status of current activities engendered by the award of these funds? If you have provided a description in your quarterly report to the Commission, please feel free to include that information.

2017 Transportation Grant

1. Transportation Consultant

- a. Please provide further detail regarding the scope of work for the proposed year 2 of the Transportation consultant.
- b. Please provide further detail regarding the timetable for your transportation planning project including the likely date for the hiring of the Transportation consultant.
- c. How did Medford estimate the amount of consultant service fees?
- d. The 2016 Grant contract remains unexpended due to questions about conditions of the grant. If this year's grant is authorized to be used in 2017, what, if any, 2nd year funding would be necessary in FY2018?



Massachusetts Gaming Commission

2. Wellington Transit Station.

- a. Please provide detail as to how the proposed use of funding to assess the land use impacts of the casino construction is transportation planning and not economic development planning. The Guidelines state that “[t]he planning projects must be clearly related to addressing transportation issues or impacts directly related to the gaming facility.”
- b. Please provide further detail regarding how the air rights to Wellington Transit Station are related to transportation planning?
- c. Please describe any recent contacts with the MBTA on this planning project.

3. South Medford Connector

- a. We note that the Wynn Boston Harbor MEPA Certificate required Wynn Boston Harbor to study a potential bicycle/pedestrian bridge over the Mystic River. This potential bicycle/pedestrian connector has also been part of the Lower Mystic Regional Working Group discussion. However, in the absence of such bicycle/pedestrian bridge, can you please explain how a multi-use path on the southern side of the Mystic River would relate to the Wynn Boston Harbor Casino?
- b. How is this potential project consistent with regional bicycle and pedestrian plans?

4. 2017 Guideline Compliance

- a. Additionally, please provide details on what Medford will contribute to the planning project such as in-kind services or planning funds, as outlined in the 2017 Guidelines. How did you arrive at the cost estimate included in the application?
- b. Our Guidelines require applicants to contact the Regional Planning Agency. Have you done so in regard to this project?

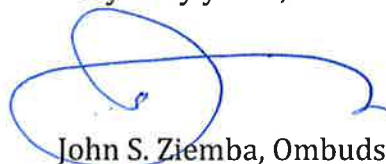
The community mitigation review team would like to present to the Commission their recommendation in June. In order to meet this timetable, the community mitigation review team would greatly appreciate receiving your response by May 25, 2016.



Clodagh Stoker-Long, Economic Development Planner
Alicia Hunt, Director of Energy & Environment
Page 3
May 12, 2017

We look forward to reviewing this application with the Commission. Please do not hesitate to contact us with any questions or concerns.

Very truly yours,



John S. Ziemba, Ombudsman

cc: The Honorable Stephanie Muccini Burke
Lauren DiLorenzo, Director of Community Development
Mark Rumley, City Solicitor
Commissioner Lloyd Macdonald
Catherine Blue, General Counsel
Derek Lennon, CFO
Jill Griffin, Director of Workforce Development
Joseph Delaney, Construction Oversight Manager
Mary S. Thurlow, Program Manager



Massachusetts Gaming Commission



LAUREN DiLORENZO
Director

Via Email

City of Medford

OFFICE OF COMMUNITY DEVELOPMENT

City Hall - Room 308
85 George P. Hassett Drive
Medford, Massachusetts 02155

Telephone
(781) 393-2480
FAX: (781) 393-2342
TDD: (781) 393-2516

May 23, 2017

Mr. John Ziemba, Ombudsman
Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA 02110

Re: City of Medford 2017 Transportation Mitigation Application.

Dear Mr. Ziemba:

Thank your letter of May 12, regarding questions on the City of Medford's 2017 Transportation Mitigation Grant Application. Please find the following questions and responses in the order in which they were requested.

1. Transportation Consultant

A. Question

Please provide further detail regarding the scope of work for the proposed year 2 of the transportation consultant.

Response

The Transportation consultant will be engaged to work on substantive issues related to travel modes, transportation impacts and infrastructure needs, which result from Casino construction and operation. The consultant will evaluate transportation issues, assisting with the development and implementation of a multimodal transportation strategy. The goal is to identify and implement projects while using a variety of funding sources.

B. Question

Please provide further detail regarding the timetable for your transportation planning project including the likely date for hiring of the Transportation consultant.

Response

The Transportation consultant will be engaged within 60 days of receipt of funding.

C. Question

How did Medford estimate the amount of consultant services?

Response

The estimate was based on examples of planning project scopes.

D. Question

The 2016 Grant contract remains unexpended due to questions about conditions of the grant. If this year's grant is authorized to be used in 2017, what if any, 2nd year funding would be necessary in FY2018?

Response

The City seeks to combine 2016 and 2017 funding in the on contract and requests the combined total and that the use of grant funds extend into fiscal year 2018.

2. Wellington Transit Station

A. Question

Please provide detail as to how the proposed use of funding to assess that land use impacts of casino construction is transportation planning and not economic development planning. The Guidelines stat that "the planning projects must be clearly related to addressing transportation issues or impacts directly related to the gaming facility"

Response

The Environmental Review Process has well documented that construction and operation of the gaming facility will have major transportation impacts on surrounding communities impacting deterioration of level of service and capacity of area transportation. Construction of the casino will have trickle down land use and economic development impacts which in turn will generate additional demands on the already overburdened transportation system. The City needs to study the land use impacts of the casino construction, in-order-to evaluate the additional demands on the transportation system and plan for appropriate mitigation and capacity improvements.

B. Question

Please provide further detail how the air rights to Wellington Transit Station are related to transportation planning?

Response

Chapter 729 of the Acts of 1969 authorizes and directs the MBTA to grant to the City of Medford that air rights over its property in the Wellington area of the City. In exploring the potential for development of these air rights, the City in conjunction with the MBTA needs to evaluate existing and planned capacity of the transportation system in the vicinity, as well as opportunities for enhancement and improvement of the station area.

C. Question

Please describe any recent contacts with the MBTA on this planning project.

Response

The City has not contacted the MBTA in regard to this project as of yet.

3. South Medford Connector

A. Question

We note that the Wynn Boston Harbor MEPA Certificate required Wynn Boston Harbor to study a potential bicycle/pedestrian bridge over the Mystic River. This potential bicycle/pedestrian connector has also been part of the Lower Mystic Regional Working Group discussion. However, in the absence of such bicycle/pedestrian bridge, can you please explain how a multi-use path on the southern side of the Mystic River would relate to the Wynn Boston Harbor Casino?

Response

As of the 2010 Census, more than 10,000 people live within a half a mile of the proposed South Medford Connector. Since then, populations in this area have grown, and will continue to grow, as development increases. This project will provide a safe, off-road connection for Medford residents that are either employees of or visitors to Wynn Boston Harbor. There are two primary active transportation routes; Route # 1 does not rely on the Mystic crossing bridge.

Route # 1: Enter the South Medford Connector at the Cradock Bridge on Main Street in Medford, which connects to the Route 16 bridge across the Mystic River, past or through McDonald Park, and over the Woods Memorial Bridge across the Malden River – this bridge is currently under construction and when completed in 2020, will have safe

biking/pedestrian facilities to get people over the Malden River to shared-use paths in Gateway park that connect to the casino.

Route #2: South Medford Connector to existing Mystic River paths in Somerville, then over the pedestrian bridge to the casino.

In addition to providing connections from Medford to the casino, this path will help to mitigate traffic impacts of the casino by providing a viable active transportation system for getting people to work, school and commercial destinations.

B. Question

How is the potential project consistent with regional bicycle and pedestrian plans?

Response

The project is identified in both the MAPC – Landline, Regional Green Network and in the DCR 2009 Mystic River Master Plan.

4. 2017 Guideline Compliance

A. Question

Additionally, please provide details on what Medford will contribute to the planning project such as in-kind services or planning funds, as outlined in the 2017 Guidelines. How did you arrive at the cost estimate included in the application?

Response

The City of Medford will contribute in-kind services in the form of preparation of RFP's, procurement of consultant services, management and oversight of consultants and coordination with the relevant agencies to facilitate the satisfactory completion of the planning projects. Presentation of a cost estimate is premature as the full scope of in-kind services is yet to be fully defined.

B. Question

Our Guidelines require applicants to contact the Regional Planning Agency. Have you done so in relation to this project?

Response

The City works closely with the Metropolitan Area Planning Council and has had a number of informal conversations with staff on various aspects of the 2017

Transportation Mitigation Application, particularly in relation to the South Medford Connector, which is of special interest to the agency and is included in their Landline, Regional Green Network. However, the City has not involved MAPC in any of the three projects in an official capacity.

This concludes the responses requested. If you have any additional questions, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink that reads "Clodagh Stoker-Long". The signature is written in a cursive style with a long horizontal stroke at the end.

Clodagh Stoker-Long
Economic Development Planner



May 12, 2017

Via Email

Margaret R.S. Krippendorf, First Assistant District Attorney
Norfolk County District Attorney's Office
46 Shawmut Road
Canton, MA 02021

Re: 2017 Specific Impact grant Application

Dear First Assistant District Attorney Krippendorf:

Thank you for participating in the conference call with the community mitigation review team on May 5th. The community mitigation review team found the conference to be very informative. As we discussed during the meeting, we are writing to ask you to please provide us with answers to the below questions. In asking these questions, we are mindful of the details of your application and are requesting any further information that is not included in your application.

1. Could you provide further detail on the break-down of Plainridge Park Casino related cases handled by the Norfolk County DA's office?
2. How many cases would an Assistant District Attorney usually handle in a year?
3. Do you have a breakdown of cases related to activities at Plainridge Park versus cases resulting from off-site activities?
4. Below please find a listing of information that would be useful in evaluating the request. We would appreciate any information you may be able to provide. However, we understand you may not be able to answer some or many of these questions because compiling such data now would pose undue resource burdens on the office or because of current data limitations. We note, in this regard, that a purpose of the request grant is to enable the DA's office to compile such useful information

Please indicate the following:

- a. Number of arraignments arising out of incidents at Plainridge Park Casino
- b. Lead charge of each arraigned case arising out of PPC (indicate * if Victim Witness Advocate assigned)
- c. Number of cases dismissed prior to evidentiary motion
- d. Number of cases dismissed following evidentiary motion



Massachusetts Gaming Commission

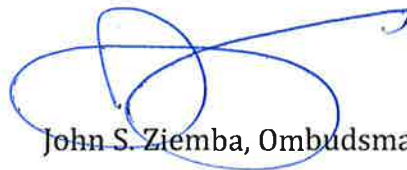
May 12, 2017

- e. Number of cases resolved by plea
 - f. Number of cases resolved by bench trial
 - g. Number of cases resolved by jury trial
5. Can you describe to the Commission the coding that must take place to account for PPC related crimes and any difficulties in the present coding system that would need to be overcome to get an accurate picture of Plainridge Park related crimes?
 6. In the application is a request for partial funding of two victim Witness Advocates. How does this request fit with the statistics, particularly those involving violent crimes?
 7. Is this funding for additional personnel in the District Attorney's office or a reimbursement for the time and effort of existing personnel?
 8. If you are awarded this funding, would the District Attorney's office be willing to certify to the Commission that all expended time as outlined in your quarterly expenditure report will be solely casino related?

The community mitigation review team would like to present to the Commission their recommendation in June. In order to meet this timetable, the community mitigation review team would greatly appreciate receiving your response by May 25, 2016.

We look forward to reviewing this application with the Commission. Please do not hesitate to contact us with any questions or concerns.

Very truly yours,



John S. Ziemba, Ombudsman

cc: Kathleen A. Barnett, Chief Fiscal Officer
Commissioner Lloyd Macdonald
Catherine Blue, General Counsel
Derek Lennon, C.F.O.
Jill Griffin, Director of Workforce Development
Joseph Delaney, Construction Oversight Manager
Mary Thurlow, Program Manager



Massachusetts Gaming Commission



The Commonwealth of Massachusetts

OFFICE OF THE DISTRICT ATTORNEY
FOR THE NORFOLK DISTRICT

MICHAEL W. MORRISSEY
DISTRICT ATTORNEY

45 SHAWMUT ROAD
CANTON, MA 02021
(781) 830-4800
FAX (781) 830-4801

May 25, 2017

John S. Ziemba, Ombudsman
Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA 02110

Dear Attorney Ziemba:

I am in receipt of your letter to me dated May 12, 2017 concerning the Norfolk District Attorney's grant application through the Community Mitigation Fund. Below are the answers to the questions posed by the community mitigation review team.

1. Could you provide further detail on the break-down of Plainridge Park Casino related cases handled by the Norfolk County DA's office?

Please see attached spreadsheet containing a small sampling of cases that involved the Plainridge Park Casino. The column in the far right lists the individual charges on each case. We cannot provide an exhaustive list or statistical analysis of casino cases; dedicating resources to provide such information is the service offered by this grant application.

2. How many cases would an Assistant District Attorney usually handle in a year?

This number varies substantially according to complexity of the cases assigned and other administrative duties of the attorney. A Superior Court Assistant District Attorney may handle fewer than 40 cases annually due to the complexity of the cases assigned while a District Court Assistant District Attorney may handle hundreds of cases annually. The Norfolk District Attorney's Office prosecutes 20,000 cases annually in the District Court.

3. Do you have a breakdown of cases related to activities at Plainridge Park versus cases resulting from off-site activities?

As indicated in our grant application, we do not have this requested information. The Norfolk District Attorney's Office is seeking this funding in order to identify and track these differences. The Norfolk District Attorney's Office codes cases according to type of crime and certain other factors, but does not routinely track the relationship to third party entities. The gist of this grant is to implement such a system to identify this information, and where appropriate use the data to design targeted intervention and education strategies aimed at crime prevention.

4. Below please find a listing of information that would be useful in evaluating the request. We would appreciate any information you may be able to provide. However, we understand you may not be able to answer some or many of these questions because compiling such data now would pose undue resource burdens on the office or because of current data limitations. We note, in this regard, that a purpose of the request grant is to enable the DA's office to compile such useful information

Please indicate the following:

- a. Number of arraignments arising out of incidents at Plainridge Park Casino
- b. Lead charge of each arraigned case arising out of PPC (indicate * if Victim Witness Advocate assigned)
- c. Number of cases dismissed prior to evidentiary motion
- d. Number of cases dismissed following evidentiary motion
- e. Number of cases resolved by plea
- f. Number of cases resolved by bench trial
- g. Number of cases resolved by jury trial

As articulated in the grant application, this type of information is not routinely tracked according to third-party entity or affiliation. If provided funding for these two (2) ½ positions, the Norfolk District Attorney's Office would implement a system to compile this type of statistical data for the benefit of the Commission.

5. Can you describe to the Commission the coding that must take place to account for PPC related crimes and any difficulties in the present coding system that would need to be overcome to get an accurate picture of Plainridge Park related crimes?

Presently there is no global coding system for cases arising at or stemming from third-party entities like the Plainridge Park Casino. The Norfolk District Attorney's Office is seeking funding to implement a formal process whereby the ½ funded Assistant District Attorney and ½ funded Victim Witness Advocate will be responsible for reviewing every case that comes into Wrentham District Court to determine if it is connected to the Plainridge Park Casino. The ADA would code each case, handle all those cases coded as a Plainridge Park Casino and keep statistical data concerning those cases for the community mitigation team to review.

6. In the application is a request for partial funding of two victim Witness Advocates. How does this request fit with the statistics, particularly those involving violent crimes?

The application does not request funding for two (2) Victim Witness Advocates. The application is seeking funding for the salary of ½ an Assistant District Attorney and ½ of a Victim Witness Advocate.

Norfolk District Attorney Victim Witness Advocates provide all victims with the same core services, regardless of the type of crime they were a victim of. Victims of certain types of crimes in the Norfolk District – presently including domestic violence, sexual assault, surviving family of homicide or motor vehicle homicide – are assigned specialized advocates who, through experience and additional training, provide additional acumen, resources and/or services particular to those situations. The dedication of a portion of a Victim Witness Advocate to casino cases would make possible the development of an analogous skill set, as well as participation in case management and data collection.


7. Is this funding for additional personnel in the District Attorney's office or a reimbursement for the time and effort of existing personnel?

This funding request is a reimbursement for the time and effort to be spent by existing personnel to read, identify, code and keep statistics on data arising at and surrounding Plainridge Park Casino.

8. If you are awarded this funding, would the District Attorney's office be willing to certify to the Commission that all expended time as outlined in your quarterly expenditure report will be solely casino related?

This question, as posed, warrants discussion in light of the nature of workflow in the district court and what cannot be known at this time. This application should not be construed to be for funding of ½ of an Assistant District Attorney and ½ of a Victim Witness Advocate who would then be sequestered four hours each day addressing only casino matters. Rather, it is to build into the 40-hour week of these two staff members whose responsibility would be to read each criminal police report that comes into the Wrentham District Court and determine whether it is related in any way to the Plainridge Park Casino. If it is related, their responsibility would be to prosecute that case and track it as it moves through the criminal process as well as participate in the development of crime prevention initiatives. The Norfolk District Attorney's Office has no ability to predict the type and quantity of the cases that may arise from the Plainridge Park Casino.

Sincerely,


Margaret R.S. Krippendorf

[REDACTED]

Case Name	Case Number	Case Status	Prosecutor	Office	Docket Number	Nmbr Dfndnt FI	Charge	Charge Description
Commonwealth	[REDACTED]	DISP		WO	[REDACTED]		209A/7	ABUSE PREVENTION ORDER, VIOLATE c209A §7
Commonwealth	[REDACTED]	DISP	ATGE	WO	[REDACTED]		266/30/C	LARCENY UNDER \$250 c266 §30(1)
Commonwealth	[REDACTED]	DISP	ATGE	WO	[REDACTED]		272/53/F 266/120	DISORDERLY CONDUCT c272 §53 TRESPASS c266 §120
Commonwealth	[REDACTED]	DISP		WO	[REDACTED]		266/25/A	LARCENY FROM PERSON c266 §25(b)
Commonwealth	[REDACTED]	DISP		WO	[REDACTED]		266/60/B 94C/33/E 90/24B/C 268/34A	RECEIVE STOLEN PROPERTY -\$250 c266 §60 PRESCRIPTION, UTTER FALSE c94C §33(b) RMV DOCUMENT, POSSESS/USE FALSE/STOLEN c90 §24B FALSE NAME/SSN, ARRESTEE FURNISH c268 §34A
Commonwealth	[REDACTED]	DISP		WO	[REDACTED]		274/6 266/28/D 266/16/D	ATTEMPT TO COMMIT CRIME c274 §6 MOTOR VEH, MALICIOUS DAMAGE TO c266 §28(a) B&E VEHICLE/BOAT NIGHTTIME FOR FELONY
Commonwealth	[REDACTED]	DISP	ATGE	CO	[REDACTED]	[REDACTED]	23k/38	Impede Gambling Investigation
Commonwealth	[REDACTED]	DISP		WO	[REDACTED]		94C/34/C 94C/34/C 94C/34/C 94C/34/C	DRUG, POSSESS CLASS B c94C §34 DRUG, POSSESS CLASS B c94C §34 DRUG, POSSESS CLASS B c94C §34 DRUG, POSSESS CLASS B c94C §34
Commonwealth	[REDACTED]	DISP		WO	[REDACTED]		94C/34/C 266/60/C 94C/34/C	DRUG, POSSESS CLASS B c94C §34 RECEIVE STOLEN PROPERTY -\$250, SUBSQ.OFF c266 §60 DRUG, POSSESS CLASS B c94C §34
Commonwealth Vs	[REDACTED]	WARR		WO	[REDACTED]		267/8/A 267/12/B 90/24B/B	FORGERY OF BANK NOTE c267 §8 COUNTERFEIT TRAVELLER'S CHECK, POSSESS c267 §12 RMV DOCUMENT, FORGE/MISUSE c90 §24B
Commonwealth	[REDACTED]	DISP		WO	[REDACTED]		94C/34/C 266/60/B 266/60/B 94C/34/E	DRUG, POSSESS CLASS B c94C §34 RECEIVE STOLEN PROPERTY -\$250 c266 §60 RECEIVE STOLEN PROPERTY -\$250 c266 §60 DRUG, POSSESS CLASS C c94C §34
Commonwealth	[REDACTED]	DISP		WO	[REDACTED]		90/23/D 94C/34/I 94C/34/C 94C/34/C 90/20/B	LICENSE SUSPENDED, OP MV WITH c90 §23 DRUG, POSSESS CLASS E c94C §34 DRUG, POSSESS CLASS B c94C §34 DRUG, POSSESS CLASS B c94C §34 INSPECTION/STICKER, NO * c90 §20
Commonwealth	[REDACTED]	DISP	ATGE	WO	[REDACTED]		268/32B 276/20A 94C/34/J 266/127/A 94C/32/A	RESIST ARREST c268 §32B FUGITIVE FROM JUSTICE ON COURT WARRANT c276 §20A HEROIN, POSSESS c94C §34 DESTRUCTION OF PROPERTY +\$250, MALICIOUS c266 §127 DRUG, DISTRIBUTE CLASS A c94C §32(a)
Commonwealth	[REDACTED]	DISP		WO	[REDACTED]		94C/34/A	DRUG, POSSESS CLASS A c94C §34



May 12, 2017

Via Email

Jennifer Thompson, Town Administrator
Town of Plainville
142 South Street
Plainville, MA 02762

Fire Chief Justin Alexander
Town of Plainville Fire Department
157 South Street
Plainville, MA 02762

Re: 2017 Specific Impact Grant Applications

Dear Ms. Thompson and Chief Alexander:

Thank you for meeting with the community mitigation review team recently. It was a pleasure discussing with you Plainville's applications for community mitigation funds. The community mitigation review team found the meeting to be very informative. As we discussed during the meeting, we are writing to ask you to please provide us with answers to the below questions. In asking these questions, we are mindful of the details of your application and are requesting any further information that is not included in your application.

1. Truck for Fire Suppression

- a. Are there any other communities that have in place the use of a smaller-size fire truck for garage fires?
- b. Would the addition of a small sized fire truck reduce, increase or have no impact on the number of fire personnel that would be needed to respond to a car fire at the Plainridge facility?
- c. How many parking garages does the town currently have? Were fire suppression systems required at any of these other garages (if any)?
- d. How successful is a truck versus other fire suppression system in a garage in Plainville or elsewhere?
- e. Do you have any statistics on car fires in multi-story garages?
- f. The application noted this purpose was not anticipated when the HCA was executed. If HCA funds are not anticipated for this purpose, can you please provide a brief and general of summary of how Plainridge is prioritizing the use of such HCA funding?
- g. Are there any other uses for the truck?
- h. Would having this fire truck for a garage be unique or different than other communities?



Massachusetts Gaming Commission

2. Heart Monitor, Radios and Body Armor

- a. What technology is required to enable the radios to be used in the casino and outside the casino? Will the radios be compatible with other radios used in Plainridge?
- b. Please provide detail concerning how the radios will be evaluated. How will Plainville track and report to the Commission?
- c. How recently has the town updated its radios?
- d. Will the maintenance of the requested equipment be part of operating costs of the Fire Department?
- e. We understand that body armor is fitted to the recipient. Will this likely be an ongoing need?

The community mitigation review team would like to present to the Commission their recommendation in June. In order to meet this timetable, the community mitigation review team would greatly appreciate receiving your response by May 25, 2017. We look forward to reviewing this application with the Commission. Please do not hesitate to contact us with any questions or concerns.

Very truly yours,



John S. Ziemba, Ombudsman

cc: Commissioner Macdonald
Catherine Blue, General Counsel
Derek Lennon, C.F.O.
Jill Griffin, Director of Workforce Development
Joseph Delaney, Construction Oversight Manager
Mary Thurlow, Program Manager



Massachusetts Gaming Commission



Plainville Fire Department



157 South Street P.O. Box 1777

Plainville, Massachusetts 02762

Justin R. Alexander
Chief of Department

Business 508-695-5252 Fax 508-695-6772

Richard J. Ball
Deputy Chief

May 23, 2017

Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA 02110

Honorable Commissioners,

Please see the below responses to the questions we received regarding both grants being applied for.

1. Truck for Fire Suppression

- a. Are there any other communities that have in place the use of a smaller-size fire truck for garage fires?**

Most communities that have parking garages are larger in size than Plainville. This affords them the available staff to fight car fires in parking garages through traditional means. Plainville, although not unique in the country, is very rare to have a four level parking garage in a community with a population of only 9,000. In the region around Plainville, we are the smallest staffed community with a parking garage. Outside of our region, we were able to search online and find that Irving Texas does use small fire trucks for parking garage fires.

- b. Would the addition of a small sized fire truck reduce, increase or have no impact on the number of fire personnel that would be needed to respond to a car fire at the Plainridge facility?**

The use of the small sized fire truck would greatly reduce the number of fire personnel and additional fire apparatus that would be required to fight a fire. It would allow Plainville to handle most standard situations with our current staffing levels. Currently we would need

"Smoke and CO Detectors Save Lives"

mutual aid from surrounding communities to handle any car fire in the parking garage. We try very hard to minimize the impact of the Plainridge facility on the surrounding communities. This apparatus would go a long way in doing so.

c. How many parking garages does the town currently have? Were fire suppression systems required at any of these other garages (if any)?

Plainville has only one parking garage located at the Plainridge facility.

d. How successful is a truck versus other fire suppression system in a garage in Plainville or elsewhere?

Automatic fire suppression systems are effective at containing a fire until firefighters arrive to fully extinguish it. Due to cars having hoods and roofs, they prevent direct application of water from the sprinkler system. As a result they are not effective at full extinguishment. Parking garages by code do not require automatic suppression systems unless they are underground or fully enclosed. Plainridge has one enclosed level. This level has a full sprinkler system. Even with this sprinkler system we would need to make quick entry to finish extinguishing the fire that the sprinkler system is keeping in check. This small sized fire truck would allow this to happen.

e. Do you have any statistics on car fires in multi-story garages?

The National Fire Incident Reporting System (NIFRS) does not provide substantial statistical evidence to reference. Most of the data on car fires in multi-story parking garages is anecdotal and derived from after action reports when they do occur. The most common theme and lesson in all available data found, is that car fires in parking structures are not as common as other types of fires. When they do occur, the stakes are high, and the danger and property loss can be substantial.

One statistic that underscores how dangerous these fires can be and how quickly they spread is the amount of fuel that is permitted inside the Plainridge parking structure. When the parking structure was opened, Plainridge had to apply for a permit to store gasoline and diesel in the parking structure. This permit covers the fuel contained inside the fuel tanks of the patrons vehicles parked in the structure. This permit is for 22,000 gallons of fuel. This is a legally allowed amount by code for the size of the structure. This amount of fuel is the equivalent of more than two full sized tractor trailer fuel tanker trucks stored in the parking garage. On a Friday or Saturday night this amount is often approached. Quick control and extinguishment is critical to prevent a large scale incident.

- f. The application noted this purpose was not anticipated when the HCA was executed. If HCA funds are not anticipated for this purpose, can you please provide a brief and general of summary of how Plainville is prioritizing the use of such HCA funding?**

Plainville has, since the opening of Plainridge prioritized the HCA operating funds for the areas most impacted by the addition of a casino to Plainville. This was mainly done through adding additional staff to both the Fire and Police Departments. Both departments have experienced increases in incidents at Plainridge. The increases were anticipated at the time the HCA was executed and the costs associated were part of the HCA negotiations. These additional staffing increases continue to be funded through the ongoing HCA funds that Plainville receives.

- g. Are there any other uses for the truck?**

This truck would be primarily assigned to respond to the Plainridge facility for car fires and all other calls for service in the parking garage given the specific impact nature of the grant. This includes medical emergencies, fuel spills, and other non-fire related calls in the facility garage. In addition to these roles it could, in an overwhelming situation assist with brush fires, and also in searching for lost or injured people in our large wooded areas in town. We have apparatus already to fill the primary responses for these additional off Plainridge locations, but in the event of a large scale incident or mechanical failures it could provide assistance to mitigate the emergency.

- h. Would having this fire truck for a garage be unique or different than other communities?**

Having this fire truck would be an innovative method for this situation in our region. Communities in this region that have parking garages have significantly larger on duty staff to respond to these emergencies. Plainville is unique in the region. This truck would allow us to safely address the unique situation of a large parking structure in a small community.

2. Heart Monitor, Radios and Body Armor

a. What technology is required to enable the radios to be used in the casino and outside the casino? Will the radios be compatible with other radios used in Plainridge?

There are numerous differences between the older generation and newest generation of radios. We will highlight the most significant improvements relevant to a casino environment. Older radios were not specifically built for public safety as they are now. This change allowed for the addition of better software to improve radio performance including but not limited to, frequency control and clarity of voice, greatly improved antennas to help with reception and transmitting in difficult environments such as a casino, more powerful batteries to aid in transmitting, and improved abilities to resist interference from other electronic devices that a casino has in enormous quantity. Much like how computers from fifteen years ago operate similarly to today's equipment, the improvements to the basic operation principles from back then, has allows today's equipment to be exponentially better. Our radios follow this same pattern and handle difficult environments with great success.

The new radios will allow for interoperability between public safety agencies onsite as well as with our regional partners who may have to respond to Plainridge for various types of incidents. We will not be able to communicate with Plainridge Security directly. They operate a digital encrypted radio system to assure the sensitive nature of various aspects of gaming remain unable to be heard by those outside the company. Due to the significant differences in the radio system types we cannot purchase a radio that will do both public safety and business class encrypted communications like Plainridge utilized. We solve this issue when onsite by carrying a Plainridge radio issued while there to assure we can communicate with Plainridge Staff.

b. Please provide detail concerning how the radios will be evaluated. How will Plainville track and report to the Commission?

The newest radios in service with the town are the newest generation of radio. We have been using them since the Plainridge facility opened. This time inside the facility has provided ample real world evaluation time. It will be a straight forward process to take the identical new radios into the facility and assure they operate the same as the current new radios we already have. We are fortunate to already know in advance what works and what doesn't work inside the facility. Once this is completed we can report the success of the grant to the Commission.

c. How recently has the town updated its radios?

The Town has had an ongoing replacement program for its radios. The fire department recently updated more than half of our portable radios with state of the art radios. This was to replace radios that were two generations old and did not meet safety standards. The radios in question for this grant are one generation old and were expected to remain in service. The town has also updated radios that are mounted in the apparatus as well.

d. Will the maintenance of the requested equipment be part of operating costs of the Fire Department?

Maintenance of the requested equipment will be part of the operating budget of both the Fire and Police Departments.

e. We understand that body armor is fitted to the recipient. Will this likely be an ongoing need?

The body armor being requested is designed to be donned during an active shooter incident. The requested armor is in addition to the fitted armor that all officers already have and wear while on duty and at the Plainridge Facility. The requested armor is fitted in more general sizes such as small medium and large. It can be worn by any officer who happens to be assigned to the facility. The only anticipated ongoing need would be to replace the armor at the manufactures recommended replace time of five years in service.



May 12, 2017

Via Email

The Honorable Mayor Brian Arrigo
City of Revere - City Hall
281 Broadway
Revere, MA 02151

Scott Crabtree, Town Manager
Saugus Town Hall
298 Central Street
Saugus, MA 01906

Re: 2017 Transportation Mitigation Application

Dear Mayor Arrigo and Mr. Crabtree:

Thank you and your colleagues for speaking with the community mitigation review team recently. It was a pleasure discussing with you the Revere/Saugus application for community mitigation funds. The community mitigation review team found the conference to be very useful. As we discussed, the following are questions which the community mitigation review team would appreciate further clarification regarding your submission.

2016 Saugus Use of Reserve Grant

Saugus was awarded a \$35,000 use of reserve grant from the 2016 Community Mitigation Fund for a consultant to perform a baseline economic analysis. Could you provide the Commission with a brief status of current activities engendered by the award of these funds? If you have provided a description in your quarterly report to the Commission, please feel free to include that information.

2017 Transportation Mitigation Application

1. Transportation Planner

- a. Is there further detail or any update regarding the scope of work for the proposed Transportation Planner and the likely study areas?
- b. The 2017 Community Mitigation Fund Guidelines state that “[t]he planning projects must be clearly related to addressing transportation issues or impacts already related to the gaming facility”. As the funding must be related to the impacts from the casino, how does Revere/Saugus propose to delineate tasks of the Transportation Planner from non-casino related municipal work? During the meeting, we described a Mansfield example whereby the chief executive and responsible agency head certify to the Commission that all involved work of a funded position is gaming related. Do you



Massachusetts Gaming Commission

have any objections to this structure for the Transportation Planner? If the Commission determines to award a grant for the Transportation Planning position, could this be an acceptable model?

- c. Is it likely that a Planner would be fully utilized for just gaming related activities or would that likely instead represent just a significant percentage of the Planner's work, particularly after the start-up year?
 - d. The application mentions necessary planning for two vacant sites that have potential as land use sites, the Saugus Quarry and Weylu's/Caddy Farms property. How is the planning for these sites related to the casino?
 - e. How did Revere/Saugus estimate the amount of Transportation Planner?
 - f. Is it anticipated that the planner would be a municipal employee, or instead be a contract position/full-time consultant?
2. 2017 Guideline Compliance
- a. Please provide further detail regarding the timetable for your transportation planning project including the likely date for the hiring of a Transportation Planner.
 - b. Additionally, please provide details on what Revere/Saugus will contribute to the planning project such as in-kind services or planning funds, as outlined in the 2017 Guidelines (attached).
 - c. Our Guidelines require applicants to contact the Regional Planning Agency. Have you done so in regard to this project?
 - d. The 2017 Guidelines do not include provisions for joint grants. One complication involving joint grants is how to apply the Commission's Guidelines that reserve funds should be utilized before Transportation Planning Grant funds are allocated. With a \$150,000 Transportation Planner Grant application, a single community application would be required to utilize the \$100,000 reserve. How will Revere/Saugus fulfill this requirement?

The community mitigation review team would like to present to the Commission their recommendation in July. In order to meet this timetable, the community mitigation review team would greatly appreciate receiving your response by May 25, 2017.



The Honorable Mayor Brian Arrigo
Scott Crabtree, Town Manager
Page 3
May 12, 2017

We look forward to reviewing this application with the Commission. Please do not hesitate to contact us with any questions or concerns.

Very truly yours,



John S. Ziemba, Ombudsman

cc: Robert O'Brien, Economic Development Director
Steven Cole, Director of Planning and Development
Lloyd Macdonald, Commissioner
Catherine Blue, General Counsel
Derek Lennon, C.F.O.
Jill Griffin, Director of Workforce Development
Joseph Delaney, Construction Oversight Manager
Mary S. Thurlow, Program Manager



Massachusetts Gaming Commission

101 Federal Street, 12th Floor, Boston, Massachusetts 02110 | TEL 617.979.8400 | FAX 617.725.0258 | www.massgaming.com



May 24, 2017

Mr. John S. Ziemba, Ombudsman
Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA 02110

Re: 2017 Transportation Mitigation Application

Dear Mr. Ziemba:

The City of Revere and Town of Saugus are pleased to submit the following in response to questions presented to the City of Revere and Town of Saugus by Massachusetts Gaming Commission during our conference call and subsequent letter dated May 12, 2017. All statements are intended to help clarify the information contained in the pending joint-application to receive Transportation Planning Grant funding.

2016 Saugus Use of Reserve Grant

STATUS:

Consistent with MGC funding guidelines, the Town of Saugus has identified costs related to the operation of a gaming establishment in Everett. The Town was awarded \$35,000 out of \$100,000 reserve fund established by Massachusetts Gaming Commission (M.G.C.) for planning purposes to assist the community achieve future benefit or mitigate adverse impacts. The Town advertised a RFQ to select a qualified vendor to conduct an economic development analysis of potential opportunities for Saugus businesses from operations of the new Wynn Casino. The RFQ closed on February 14, 2017. Two qualified respondents submitted quotes. Camoin Associates Economic Development based in Cambridge, MA was selected as preferred vendor.

The Town's Department of Planning and Development is leading the project. On May 1, 2017, department staff met with Camoin representatives to tour the study areas, discuss the scope of work, project schedule, expectations and next steps. Camoin and Saugus will maintain bi-weekly phone calls to ensure the project remains on-time and within budget.

To begin, the Town provided Camoin with all existing reports documents, and studies that provide historical information, as well as, prospective data from proposed developments proposed along the Town's Route 1 commercial corridor and the RiverWalk.

NEXT STEPS:

Camoin is reviewing historical documents and data in order to establish a baseline understanding of the econometrics and commercial conditions along Route 1 and the RiverWalk. Saugus is identifying 8 individuals for Camoin to interview. Interviews will be conducted with business leaders, cultural anchors, and developers. Camoin and Saugus is scheduled for a phone call on May 23, 2017, at 10:00, to discuss the status and next steps.

short-term goals resulting from the study. The Town plans to encumber the balance of the funds by September 2017.

2017 Transportation Mitigation Application

1. Transportation Planner

- a. A detailed job description for the Saugus-Revere Shared Transportation Specialist is attached.
- b. The City of Revere and the Town of Saugus have existing planning staff who, as part of their duties, focus on transportation planning as it relates to other municipal initiatives. This would include MBTA rapid transit, commuter rail, and feeder bus service. The Town and City believe this planning effort is a distinct and separate dedicated effort and the communities are willing to certify that all work performed under this grant will be solely focused on traffic generation and mitigation issues related to the Wynn Casino in nearby Everett. Nonetheless, transportation planning is a highly specialized and nuanced field. In fact, the Town and City oftentimes require developers to submit traffic studies to the respective Planning Departments, and in many instances, each community requires the developer to fund the cost for an independent peer review. This is demonstrative of the chronic traffic conditions each community encounters, as well as, the need for a subject-matter expert, which the Transportation Planner would provide.
- c. The Shared Transportation Specialist engaged by the City of Revere and the Town of Saugus under this grant would be utilized only to focus on mitigation measures for added casino generated traffic at key locations. This effort will produce tangential benefit for future development opportunities in those areas.
- d. The two high-profile development sites, commonly referred to as Weylu's/Caddy Farms (approximately 35 acres) and the Saugus Quarry (approximately 60 acres), will inevitably be developed for mixed uses. Initial planning is underway for both sites but a complete master-planning process and subsequent Zoning By-Law change still needs to take place before redevelopment can actually occur on either site. Both sites are immediately proximate to Route 1 and Route 99, which have been identified as major arterials for Wynn Casino bound vehicular traffic. As one of its major goals, the project seeks to quantify the impacts of that casino traffic on Routes 1 and 99, particularly at the aforementioned sites and to devise sustainable mitigation strategies that will alleviate the impacts of the additional casino traffic against the backdrop of the projected traffic generation from future development of these sites.
- e. The City of Revere and the Town of Saugus have estimated the contract amount for the Planner by assessing the prior experiences of senior staff at these and other agencies. Senior staff have substantial work experience utilizing consultant services and transportation/engineering firms hired for specific projects. Staff have also had substantial interaction with regional and State transportation planners who occupy positions similar to the qualification level being sought for this position. On the basis of that experience Revere

and Saugus are confident that \$150,000 would enable us to contract a well-qualified transportation planner for a one year period. The position will not include any benefits since we anticipate an independent contract consultant will have built that expense into the project pricing.

- f. The regional Transportation Specialist/Planner will not be a municipal employee but will rather be a contracted full-time consultant specialist. If second year M.G.C. Transportation Mitigation funding is available for this effort, the shared Transportation Specialist will certainly have sufficient time to devise a comprehensive traffic mitigation strategy for Revere and Saugus at the identified problem areas. As the effort is envisioned as longer term, the aim is to have the position thereafter become self-sustaining through other grant sources, developer contributions and/or municipal funding.

2. 2017 Guideline Compliance

- a. Assuming a favorable decision on this application by the Massachusetts Gaming Commission in July, the Town of Saugus and the City of Revere will immediately undertake a search for the regional transportation planner with the goal of having an individual selected and under contract by September 1, 2017.
- b. Revere and Saugus will contribute various in-kind services to this effort. These will include office space and equipment, supplies, and access to communication and data systems in each community. Further, the City of Revere's Economic Development Director and the Town of Saugus's Director of Planning and Development will provide in-kind services in the form of their collaborative supervision of, provision of guidance to, and interaction with the shared transportation specialist. Further, the shared Transportation Specialist will be supported with in-kind services provided by other municipal planning staff, the respective Police/Traffic Departments, the respective Planning Boards and other municipal personnel with institutional knowledge of traffic and transportation matters related to the identified impacted roadways.
- c. The City of Revere, acting also on behalf of the Town of Saugus, has reviewed this proposed project with the Metropolitan Area Planning Council (MAPC). MAPC is supportive of this project initiative.
- d. The Town of Saugus has committed \$ \$21,744 of its M.G.C. reserve funds for an economic development analysis of existing conditions in two key Town business districts and the identification of potential business linkages therein to the Wynn Casino. The balance of the reserve is earmarked for specific implementation strategies that create opportunities identified in that analysis. The City of Revere has earmarked its \$100,000 reserve funding for coordinated master planning, including transportation related matters, for mixed use redevelopment of the now defunct 35 acre Wonderland Park greyhound race track. That effort is about to commence in conjunction with property owners.

We believe the above responses adequately address all the questions and concerns expressed by M.G.C. We will be pleased to submit any necessary content if you require additional information.

It is our sincere hope that the Massachusetts Gaming Commission favorably reviews our application. These funds will assist both communities to comprehensively address anticipated traffic impacts from Wynn Casino and simultaneously situate ourselves to promote well-conceived development of major sites located along the roadway arterials most impacted by casino bound traffic.

Very truly yours,



Mayor Brian Arrigo



Scott C. Crabtree, Esq.
Town Manager

cc: Robert O'Brien, Economic Development Director
Stephen Cole, Director of Planning and Development
Paul Rupp, Community Reinvestment Associates, Inc.
Speaker Robert DeLeo
Senator Thomas McGee
Representative Donald Wong
Representative RoseLee Vincent
Omar Boukili, Chief Admin. Officer

JOB DESCRIPTION FOR THE SHARED TRANSPORTATION SPECIALIST

Purpose: To identify and minimize/mitigate the adverse economic and environmental impacts and implications of additional casino-related traffic circulation at both the local and the regional levels in Revere and/or Saugus and to enhance/optimize its potential benefits.

Focus: The impacts, both positive and negative, of projected casino-related traffic on local and regional traffic circulation in Revere and Saugus and its related implications, both positive and negative, for planned and prospective economic development prospects and projects in both communities. Attention will be specifically, albeit not exclusively, devoted to traffic and development issues and opportunities that are shared between the two municipalities.

Responsibilities: The Transportation Specialist will be primarily responsible for the following series of related activities:

- !• Documenting the locations, times and quantities of additional traffic to and through Revere and/or Saugus as a result of the planned opening of the casino in Everett, based on traffic projections prepared and presented in conjunction with the planning and permitting of that facility.
- !• Quantifying the impacts of this additional traffic on local and regional traffic circulation in Revere and/or Saugus, with particular attention to those roadways that are already experiencing problematic levels of congestion.
- !• Identifying the potential economic and environmental consequences of those traffic impacts on the nature, scope and schedule of economic development in both communities and on the quality, convenience, safety and tranquility of their community life.
- !• Working with existing municipal planning, economic development and other executive staff to improve community understanding of these issues/opportunities and to prepare multi-modal, multi-dimensional, multi-disciplinary strategies to address them.
- !• Communicating with casino management on issues and opportunities relating to casino operations in general and casino traffic in particular to encourage collaborative strategies that minimize adverse traffic impacts at their source and that mitigate their impacts in Revere and/or Saugus.
- !• Formulating transportation policies, procedures and plans to address such issues and opportunities, and specifically identifying the local and regional transportation projects that would address and resolve the problems of circulation and congestion that are likely to be exacerbated by additional casino-related traffic in one or both communities.
- !• Facilitating the timely review, approval and implementation of such projects in and through the local and regional transportation planning, environmental evaluation and public permitting venues and agencies required for their implementation.
- !• Coordinating the implementation of those transportation projects with each other, with other public and private projects, and between the two municipalities.
- !• Advocating for the relevance and significance of transportation planning issues and opportunities for the region as a whole, including outreach and collaboration with nearby municipalities that have casino host or surrounding to address casino traffic issues of shared concern.



May 12, 2017

Via Email

Michael Glavin, Ex. Dir., Office of Strategic
Planning & Community Development
City of Somerville
City Hall
93 Highland Avenue
Somerville, MA 02143

Brad Rawson, Dir. of Transportation. & Infrastructure
Strategic Planning & Community Development
City of Somerville
City Hall
93 Highland Avenue
Somerville, MA 02143

Re: 2017 Transportation and Reserve Mitigation Applications

Dear Director Glavin and Director Rawson:

Thank you for meeting with the community mitigation review team recently. It was a pleasure discussing with you the city of Somerville applications for community mitigation funds. The community mitigation review team found the meeting to be very informative. As we discussed during the meeting, we are writing to ask you to please provide us with answers to the below questions. In asking these questions, we are mindful of the details of your application and are requesting any further information that is not included in your application.

1. Transportation Study

- a. The City has indicated concerns about the potential impact from the Wynn Boston Harbor casino on a number of intersections. In its application, the City noted the current need for improvements to this intersection, the potential for worsening conditions, and the potential for federal and state funding. Are these the primary reasons for advancing this application for this intersection first?
- b. Could you confirm that this intersection is not already part of the mitigation associated with the proposed 5 Middlesex Avenue project in Somerville?
- c. Can you provide further detail regarding the anticipated budget and timetable for the Interstate 93, Route 28, Route 38 study planning project? For example, how did you arrive at the estimate in the application that the \$150,000 would represent roughly 75% of the requested budget?
- d. Can you provide any update on your progress in seeking additional local funding to match and leverage grant resources?



Massachusetts Gaming Commission

- e. Will you inform the Metropolitan Area Planning Council about plans for this project as required by the 2017 Guidelines?
2. 2017 Use of Reserve
- a. It was indicated that Somerville has decided to further refine its Reserve request. Could you provide a detailed scope, budget and timetable for your research project?
 - b. What steps will you take to insure these studies are not duplicative of studies currently being undertaken?
 - c. Has the City of Somerville released its RFP to procure its researchers? If so, could you please provide a copy of that RFP to the Commission?

The community mitigation review team would like to present to the Commission their recommendation in June. In order to meet this timetable, the community mitigation review team would greatly appreciate receiving your response by May 25, 2017. We look forward to reviewing this application with the Commission. Please do not hesitate to contact us with any questions or concerns.

Very truly yours,



John S. Ziemba, Ombudsman

cc: The Honorable Mayor Joseph A. Curatone
Commissioner Lloyd Macdonald
Catherine Blue, General Counsel
Derek Lennon, C.F.O.
Jill Griffin, Director of Workforce Development
Joseph Delaney, Construction Oversight Manager
Mary S. Thurlow, Program Manager



Massachusetts Gaming Commission



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
JOSEPH A. CURTATONE
MAYOR

MICHAEL F. GLAVIN
EXECUTIVE DIRECTOR

Mr. John Ziemba, Ombudsman
Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA 02110

Re: 2017 Transportation and Reserve Mitigation Applications

Dear Mr. Ziemba,

The City of Somerville is pleased to respond to the community mitigation review team's follow-up questions to our applications for the 2017 mitigation program.

1. Transportation Study

- a. **The City has indicated concerns about the potential impact from the Wynn Boston Harbor casino on a number of intersections. In its application, the City noted the current need for improvements to this intersection, the potential for worsening conditions, and the potential for federal and state funding. Are these the primary reasons for advancing this application for the intersection first?**
 - *Answer: The City has advanced this application for the I-93 / 28 / 38 intersection first among all other identified intersections due to the magnitude of safety and operational concerns at this location. Complex roadway geometry, antiquated signalization, excessively vehicular traffic volumes / speeds and deficient bicycle and pedestrian accommodations result in hazardous, inefficient and inequitable conditions for all roadway users. MassDOT has identified this intersection as a high-crash cluster through its Highway Safety Improvement Program (HSIP), and formal Road Safety Audits (RSAs) were performed by and for MassDOT in 2016 and 2017 to diagnose opportunities for safety improvements at this location. The City believes that the documented project need, along with the body of work produced to date create a unique opportunity to advance regional partnerships aimed at improving safety and accessibility at this large and complex intersection.*

- b. **Confirm that this intersection is not already part of the mitigation associated with the proposed 5 Middlesex Avenue project in Somerville?**

- *Answer: This intersection is not currently part of any mitigation associated with the proposed 5 Middlesex Avenue project (EEA# 15595).*

c. Budget and timetable for the project

- *Answer: The City proposes to initiate planning and design work immediately in summer 2017 to best coordinate with several related studies and processes currently underway, including the MassDOT-led "Lower Mystic Regional Working Group" regional planning effort focused on Sullivan Square and surrounding intersections. Detailed scoping for the planning and engineering work will occur in partnership with MassDOT and Central Transportation Planning Staff (CTPS), and the City would explore use of existing on-call contracts to initiate various work tasks in an expedited timeframe. The City estimates a total budgetary need of \$200,000 based on recent comparable City and state projects in and around Somerville, including the recently-completed Interim Improvements for McGrath Highway.*

The proposed grant budget of \$150,000 would be conceptually programmed as follows:

- *Existing conditions data assessment - \$10,000*
- *Public and stakeholder engagement - \$10,000*
- *Alternatives analysis, including microsimulation modeling - \$30,000*
- *Conceptual design for roadway geometry, signalization and traffic calming interventions - \$100,000*

d. Updates on progress in seeking additional local funding to match and leverage grant resources?

- *Answer: The City is currently in negotiations with Eversource regarding its proposed 115kv electric transmission line, which will run underneath State Route 38 at this location. The City's proposed mitigation program for Eversource includes funding in support of pedestrian and bicycle upgrades in this area. In addition, the City has had preliminary discussions with various private development interests in the Assembly Square area which are likely to provide public-private collaborations to leverage and match grant resources. In the event that these third-party funding sources address other priorities, the City would allocate local funds to reach the target budget for the proposed study work.*

e. Will you inform MAPC about plans for this project?

- *Answer: The City would inform MAPC about plans for the project and work closely with MAPC's transportation division on all aspects of study work.*

2. 2017 Use of Reserve

- a. It was indicated that Somerville has decided to further refine its Reserve request. Could you provide a detailed scope, budget and timetable for your research project?**

- *Answer: The City proposes to focus on baseline data collection for two key areas that are related to its environmental justice legacy: near-highway air pollution (roughly \$50,000) and vehicular traffic patterns (roughly \$50,000).*

The gold-standard for particulate pollution data collection is to perform field work in the winter season, as prevailing winds and particulate dispersal patterns have been demonstrated to yield higher pollutant concentrations in cold weather. The City and its research partners wish to collect winter air pollution data during two consecutive winter seasons to build a longitudinal data record for near-highway pollution conditions. Data collection would be performed by the Tufts Mobile Air Pollution Laboratory, whose instruments and methods are described in the attached reports.

The City has not yet prepared a detailed scope and budget for the proposed air pollution research; however, past air quality research projects performed by the Community Assessment for Freeway and Health Exposure (CAFEH) partnership have included budget lines as follows:

- 1. 3-week monitoring and data processing per site - \$5,000*
- 2. 5 sites monitored in the 2017-2018 winter data collection season (\$25,000)*
- 3. Repeat monitoring of five study sites in the 2018-2019 winter data collection season (\$25,000)*

The City wishes to establish a traffic monitoring program for residential neighborhoods adjacent to I-93, State Route 28 and State Route 38 to establish baseline data related to vehicular cut-through traffic. This monitoring program is conceptually envisioned as three consecutive seasons of monitoring for roughly twenty neighborhood streets in Winter Hill and East Somerville (data collection is best performed in fall and spring). Typical rates for 48-hour Automated Traffic Recorder (ATR) data collection, which provides continuous speed and volume data are be estimated at roughly \$6,000 for twenty locations.

In addition, the City has begun investigating origin-destination data made available by big-data / cellular communications vendors. These transportation planning products mimic the old license-plate video camera data collection methods used by traffic engineers, but offer greater functionality at lower cost. The City is currently researching service costs, but initial vendor quotes indicate that data and software licensing could be available at roughly \$10,000 for twenty origin-destination pairs.

The conceptual scope and budget for traffic monitoring and origin-destination monitoring is summarized as follows:

- *Fall 2017: ATR data @ \$6,000; O/D data analysis @ \$10,000.*
- *Spring 2018: ATR data @ \$6,000; O/D data analysis @ \$10,000.*
- *Fall 2018: ATR data @ \$6,000; O/D data analysis @ \$10,000.*

b. What steps will you take to insure these studies are not duplicative of studies currently being undertaken?

- *Answer: To date, the City has supported or directly funded several air pollution studies in Somerville. None of these would be duplicative of the proposed 2017-2019 study. The most closely related to the proposed new study is the original CAFEH study mobile data collection from 2009-2010. It is a goal of the research partnership to mimic the original CAFEH data collection and secure contemporary data on near-highway pollutant levels.*

To date, numerous traffic studies and origin-destination analyses have been performed on state highways and arterial roadways in the study area, but few or none have been performed on interior neighborhood streets that are likely susceptible to increased cut-through traffic.

c. Has City released RFP to researchers?

- *Answer: No procurement process has been initiated to date. The City would expect to initiate detailed scoping and procurement processes in early fall 2017.*

Thank you for your consideration of the City's application. Please do not hesitate to contact me with additional questions or concerns.

Sincerely,



Brad Rawson
Director, Transportation & Infrastructure



May 12, 2017

Via Email

Edward M. Pikula, City Solicitor
City of Springfield Law Department
36 Court Street – Room 210
Springfield, MA 01103

Re: 2017 Community Mitigation Fund –Focus Springfield Community Television Specific Application

Dear Attorney Pikula:

We would like to thank you and your colleagues for participating in the meeting with the community mitigation review team. It was a pleasure discussing Springfield's application for community mitigation funds. The community mitigation review team found the meeting to be very informative. As we discussed during the meeting, we are writing to ask you to please provide us with answers to the below questions. In asking these questions, we are mindful of the details of your application and are requesting any further information that is not included in your application.

1. In regard to applications involving mitigation of impacts to private parties, the Guidelines call for a dollar for dollar match by MGM Springfield or the city or a request for a waiver. Please provide further information in this regard.
2. Please provide details regarding the current state of the lease with MGM Springfield and the payment of any termination payment. During the meeting, it was explained that MGM Springfield became a party to the lease when it acquired the building and that the termination payment was included in the original lease. Given this, why should the Commission view the termination payment as a match contributed by MGM Springfield or the City of Springfield, as requested by the 2017 Community Mitigation Fund Guidelines?
3. Please provide the Commission with a detailed updated breakdown of all estimated costs related to the relocation of the television station.
4. The 2017 Community Mitigation Guidelines state that "...[a]ny community seeking funding for mitigation involving non-public entities should provide detail how its planned use is in conformity with this provision of the Massachusetts Constitution and with Municipal Finance Law." Please provide further clarification to demonstrate that the television station serves a public purpose through its programming and service, in conformance with the Guidelines.



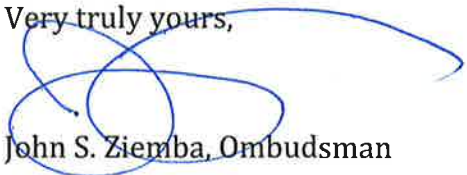
Massachusetts Gaming Commission

5. How much funding is provided annually to Focus Springfield from the city's agreement with Comcast, the cable provider? How much of this funding is required for the operation of Springfield Media and Telecommunications Group? Would any portion of this be available to pay for relocation?
6. What process will Focus Springfield use to determine a new location? How many locations did Focus Springfield consider? How many is it currently considering? Does Focus Springfield need to be proximate to a fiber access cable? If yes, does this pose a challenge in determining a place to relocate?
7. Please provide information regarding the regional benefits of this service.
8. Significant funding is being provided to the City of Springfield prior to the MGM Springfield opening through Springfield's Host Community Agreement ("HCA"). Was this use anticipated when the HCA was executed? If HCA funds are not anticipated for this purpose, can you please provide a brief and general of summary of how Springfield is prioritizing the use of such HCA funding?

The review committee would like to present to the Commission their recommendation in June. In order to meet this timetable, the community mitigation review team would greatly appreciate receiving your response by May 25, 2017.

We look forward to working with you on this grant process. Please do not hesitate to contact us with any questions or concerns.

Very truly yours,


John S. Ziemba, Ombudsman

cc: The Honorable Mayor Domenic J. Sarno
Timothy J. Plante, Chief Administrative & Finance Officer
John Abbott, Executive Director Focus Springfield
Commissioner Lloyd Macdonald
Catherine Blue, General Counsel
Derek Lennon, C.F.O.
Jill Griffin, Director of Workforce Development
Joseph Delaney, Construction Oversight Manager
Mary Thurlow, Program Manager



Edward M. Pikula, Esq.
City Solicitor

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THE CITY OF SPRINGFIELD, MASSACHUSETTS

May 23, 2017

John S. Ziemba, Ombudsman
Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA 02110

Re: 2017- Community Mitigation Fund
- Focus Springfield Community Television Specific Application

Thank you for the Commission's continued thorough review of the above referenced Application. Below please find responses to your May 12th request for further information in this regard. The below numbered responses reference and correlate to those numbered requests contained in your May 12th correspondence.

Response 1 and 2:

As the Commission is aware from the City's Application, MGM will be providing \$300,000 toward the relocation by virtue of Lease termination fee payment to be paid to Focus Springfield (Focus) as tenant under the Lease. While it is undisputed that said amount is contractually obligated to be provided by MGM in this regard as a result as such lease termination, such payment should not be disqualified on such basis. The Mitigation Fund Guidelines do not disqualify the fact that the Licensee provide "significant funding to match or *partially* match" (italics added) on the basis of a concurrent contractual obligation.

Response 3. The estimated costs for the studio relocation total approximately \$995,958.00, which is comprised of the following:

- Construction of new facility: \$848,958 (Includes architects fees, building permits, materials, labor, etc.)
- Dismantling, moving, and reinstalling studio lighting equipment: \$118,000.
- Dismantling, moving and reinstalling studio cameras and controls, \$5000.

- Design studio control room, servers, a production workflow, and construction oversight, and \$10,000.
- Moving office equipment, \$3000.
- Professional services and legal fees, \$8,000.
- Fiber Connections, \$3000.

Response 4. Focus Springfield is a public, educational and government (PEG) public access television station, funded pursuant to the cable television licensing agreement between the City of Springfield and Comcast, the City's cable television provider. In accordance with its Articles of Organization, the 'public purpose' of Focus Springfield is endemic in the PEG designation: the 'P' stands for Public; the 'E' stands for Education and the 'G' stands for government. Virtually every activity conducted by Focus satisfies one or more aspects of its PEG designation, each of which provide programming for residents of the City and the region.

In addition to broadcasting government meetings, Focus provides physical and fiscal resources and support for facilities used by City Agencies. The predecessor to Focus was named Springfield Media and Telecommunications Group (SMTG). SMTG installed the ShotSpotter gunshot detection system for the City police Department, and began building a fiber hybrid optic / microwave system to support the ShotSpotter. Focus assumed all SMTG responsibilities at its inception in 2012, with the additional responsibility of expanding the City's institutional network (INet), which connects major municipal buildings, such as as City Hall, Police and Fire Departments headquarters, the DPW and School Department headquarters for data and telecommunication. Focus contracts for maintenance of the INet, a 240 ft. tall radio antenna used by the local and regional public safety agencies (Springfield Police and Fire, Massachusetts State Police, regional Ambulance service, the Pioneer Valley Transportation Agency, and other public safety agencies serving the region.

Response 5. The Comcast funds dedicated to Focus for 2016 totalled \$834,203.00. The annual payments in this regard fluctuate each year by 3-5% depending on the number of cable subscribers and the revenues collected by Comcast in this regard.

In 2016, \$168,354 of the Focus budget was utilized to support SMTG / INet projects. This number included:

- \$38,725 for engineering work on the Radio Tower for the Police radio system; --
- \$50,304 for scheduled maintenance of the fiber INet network, the radios and cameras in the ShotSpotter gunshot detection system;
- \$71,515 for installation of new fiber, new cameras and radios, and replacing old cameras.

--\$7810 for electricity for the Tower (powers radio transmitters and HVAC).

A portion of the Comcast funding would be anticipated to be used to help relocation costs, but that amount would be limited as a result of an already tight budget. Indeed, in 2016, Focus operating costs in 2016 totalled \$701,000.00, leaving a surplus of \$133,000.00. Focus maintains approximately \$66,000.00 in a conservative, bond investment account for purposes of a reserve account to support emergency and extraordinary working capital needs.

Response 6. Focus consulted with a renowned commercial real estate broker familiar with Springfield real estate to conduct its replacement facility search. Focus had conducted a similar search in 2011 to locate the current facility, which provided a foundation for this renewed search.

In determining a new studio location, Focus has several key parameters and site requirements essential to its needs and public purpose:

--A location on or very close to city bus lines, as many of our community producers, high school & college interns rely on public transportation.

--A location in or near downtown, making it convenient for elected officials to attend events in the studio. Also, we partner with many cultural, educational and entertainment institutions located in downtown.

--Off street parking for at least 15 vehicles and proximity to additional public parking. Many of the visitors our community events in the studio drive, especially for evening events.

--A space at least 6500 sq.ft, to accommodate our studio production, training, and business needs. A primary consideration is the need for approximately 2,000 sq. ft. with ceiling heights of 16 feet for the TV lighting. This has proven to be a limiting g factor, as few buildings in the downtown area offer this.

--A street level location is desirable to accommodate the regular loading in/out of equipment, set pieces, musical instruments, wardrobe etc.

--Accessibility for persons with disabilities is necessary, as some of our community producers require this, as well as members of the public who attend studio events

In its search, Focus Springfield considered over 24 locations, many of which came from unsolicited calls from commercial realtors and brokers who read about our eviction. Focus narrowed its consideration to approximately a dozen locations.

Presently Focus is considering 2 locations as the likely finalists for the relocation: (i) Springfield Technical Community College Technology Park at One Federal Street; and (ii) the former Women's City Club on Frost St. Both sites offer parking, public transportation, and high ceilings.

Focus Springfield operates via fiber access cable, so any location needs to proximate to fiber connectivity.

Response 7. Focus Springfield's funding is provided through Springfield's cable television franchise agreement with Comcast customers, and is thus obligated pursuant to its Articles of Organization and applicable law to support the City's cable-related needs and interests.

However, there are several regional benefits from its service which technology permits to provide without cost to Springfield residents. They fall into a three different categories which are known in public access television circles as P.E.G. programming (for Public, Education & Government).

PUBLIC

Performances enjoyed by the public include athletics, drama and live music recordings.

For Athletics, we cover many Springfield high school sports teams competing against other cities and towns. Most notable are the MIAA state basketball championships that take place in Springfield, Worcester and UMass Amherst.

Focus Springfield always provides competitor communities with a file of the game for their public access TV stations in addition to sharing online viewing. Each January we partner with the Naismith Memorial Basketball Hall of Fame to cover the Hoop-hall Classic at Springfield College as the nations top high school players compete and we share those games the same way with a broad audience.

Music & the Arts is a staple for stations such as ours and an area we strive to cover. Every summer the city of Springfield hosts a free outdoor jazz concert series. local, national & international acts perform at The Springfield JazzFest. We broadcast the performance throughout the year and also make it available online.

“Live @ FOCUS” is another show with regional roots that reach far out of the city of Springfield. This show invites original musicians into the studio to record live performances. So far we have featured bands from MA & CT that include jazz, folk, rock, gospel, Spanish & African music. Not only does the show serve to entertain viewers, but the artists can share professional productions as a means to reach new audiences & promote themselves in new venues.

Our initial “live” streamed musical performance was in January 2016 in a partnership with Community Music School of Springfield (CMSS). The Martin Luther King celebration in the MassMutual Center features over 400 children performing civil rights music in front of over a thousand people.

CMSS approached us to produce and stream the show online because many family members lived far away. We received feedback from people as far away as Asia & Europe. We have also partnered w/CMSS to produce coverage of the Youth Wind Ensemble, which features high school wind musicians from MA & CT.

EDUCATION

Besides producing a monthly show for the Springfield Public Schools, Focus has many educational programs with regional reach.

Recently Sen. Eric Lesser, Dr. John Cook president of Springfield Technical Community College & Dr. Christina Royal president of Holyoke Community College participate in a town meeting style show about student debt. They spoke about student debt, its impact on community college students, and legislation Sen. Lesser is working on to reduce students' financial burden.

Focus has partnered with several groups to educate people about a variety of health & wellness issues from asthma and diabetes, to social challenges and addiction.

In 2015 Focus started working with the Hampden County District Attorney's Youth Advisory Board to deliver messages about cyber-bullying, improper relationships, social media, substance abuse and violence. Focus began working with the teens to produce PSA's for county wide use, but with the hopes the videos would find a larger audience online.

In the past year Focus has participated in productions centering around addiction & recovery. In a partnership with Baystate Medical Center and the Hampden County DA's office, Focus streamed a panel discussion about the opioid epidemic. The featured former addicts, recovery specialists, medical professionals and law enforcement officials as well as a question and answer discussion.

Another large scale production called "After the Pain" featured a panel discussion presenting treatment options for those afflicted with addiction, sexual abuse, criminal activity and suicide. The sensitive topics included in this program made it important to allow viewers who might not want to attend this public event an opportunity to view it privately online.

GOVERNMENT

Whenever Focus streams a program "live", it is available immediately after the live broadcast. The benefit to this is viewers often "share" the link to our shows during the live portion on social media. If someone misses the live event, they can still watch the

show afterwards. This “on-demand” aspect allows not only greater flexibility for a potential audience, but a higher chance of being shared out of the immediate region.

Focus’ most popular productions so far (in terms of verified numbers of viewers) are found in the political debates hosted at Focus Springfield’s studio. While Focus cannot verify the data from cable television audiences, a series of debates streamed live on-line provide the most compelling numbers for the Focus organization.

In 2016 Focus hosted the Hampden County Sheriff’s debate and in that single event, Focus logged about 10,000 viewers. In other regional debates, Focus also hosted the 1st Hampden and Hampshire District’s State Senate debate and the state wide race for Governor’s Council. Focus Springfield has partnered with a diverse media group from these debates to extend its reach beyond the city line. Among these are the Reminder, MassLive, the Republican, WNEPR, WAMC, CBS3, WWLP-TV and WGBY.

Focus also produce a show called “Government Matters” which features elected officials and department heads. Guests who serve beyond the city limits thus far include Congressman Richard E. Neal, State Senator Eric Lesser and State Auditor Suzanne Bump. These shows are widely shared in the cities and towns where the officials represent.

Focus’ goal is to attract increasing numbers of statewide officials to be guests on “Government Matters” as their business brings them to Western MA. In the past Focus delivered DVD’s and electronic files to interested contiguous communities, but now through file sharing advances in technology, Focus Springfield shares relevant programming with other communities with the click of a mouse.

Response 8: The HCA negotiation and execution process ended with the signing of the HCA by the parties in May of 2013. Negotiations as to potential impacts incorporated the expertise of outside consultants with experience as to the likely impacts faced by the other Cities and Towns where casinos have been developed. These included impacts on schools, public safety, infrastructure requirements for public works, health and the like. In the meantime, the leasing and construction of the FOCUS studio was ongoing, and was not anticipated as an impact that needed to be mitigated in any manner distinguishable from other tenants that may need or desire relocation due to any inconsistency with the development of the casino. As such, other than relocation payments in accord with the Displaced Tenant Payment provisions set forth in Exhibit E (Other Obligations of Developer) paragraph 9, the HCA does not provide for any impact payments for relocating the studio. However, under the circumstances faced by FOCUS, the relocation payments set forth in the HCA, while consistent and relocation of most displaced office tenants, are not sufficient to address the unique circumstances faced by FOCUS. As such, FOCUS must utilize funds obtained from other sources as part of matching funds along

with the relocation payments under the HCA together with the mitigation grant funds to cover the unanticipated costs.

Thank you for your consideration of this gran, and please feel free to contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward M. Pikula". The signature is fluid and cursive, with a long horizontal stroke at the end.

Edward M. Pikula, Esq.
City Solicitor

cc: Mayor
CDO
FOCUS Springfield



May 12, 2017

Via Email

Edward M. Pikula, City Solicitor
City of Springfield Law Department
36 Court Street – Room 210
Springfield, MA 01103

Thomas D. Moore, Esq., General Counsel
Springfield Redevelopment Authority
70 Tapley Street
Springfield, MA 01104

Re: Valet Program - 2017 Community Mitigation Fund Specific Application

Dear Attorney Pikula and Attorney Moore:

We would like to thank you and your colleagues for participating in the meeting with the community mitigation review team. It was a pleasure discussing Springfield's application for community mitigation funds. The community mitigation review team found the meeting to be very informative. As we discussed during the meeting, we are writing to ask you to please provide us with answers to the below questions. In asking these questions, we are mindful of the details of your application and are requesting any further information that is not included in your application.

2016 Use of Reserve/Specific Grant

Springfield was awarded \$200,000 for the Valet Program and \$350,000 for the Springfield Historic Preservation Trust from the 2016 Community Mitigation Fund. Could you provide the Commission with a brief status of current activities engendered by the award of these funds? If you have provided a description in your quarterly report to the Commission, please feel free to include that information.

2017 Transportation Grant

1. The application calls for “[f]ull funding and continuation of the successful valet parking pilot project service for patients to the Richard E. Neal Caring Health Community Health Center complex at 1049 Main Street, Springfield for another year and for Main Street businesses between state and Union Street.” However, much of the application is specific to the Caring Health Center. Can you please clarify that this application is for a continuation of the currently funded program including all area businesses?
2. What is the proposed end date for the Valet Program?
3. How can the City achieve greater neighborhood benefits from this Valet Parking Program?



Massachusetts Gaming Commission

4. What parking is currently being provided for staff, patients and visitors of Caring Health Center in coordination with MGM Springfield? Are changes regarding this parking anticipated in the near term?
5. What other parking does Caring Health Center have in the area?
6. The application noted that the continued availability of the lot Caring Health Center is currently leasing is uncertain beyond June 2017. What lots will be utilized for this program? How many spaces will be available in such lots for any Caring Health Center patients and non-Caring Health partners? How does that compare to currently provided spaces?
7. The budget contains approximately \$6,500 for parking and postage of informational materials. How does the City plan to create a fair process to allow businesses in the program area to use such resources?
8. The chart on page 14 states that \$151,280 would be necessary for the continuation of the program for 15 months. The Commission authorized \$200,000 for the program out of 2016 Community Mitigation Funds. Given current spending, please provide a budget for the current program and a date when such funding will be exhausted.
9. It is our understanding (subject to further confirmation (see question 1)) that the latest date for the need for the Valet Pilot Program would be the MGM Springfield opening date (the first week of September 2018). Given this date and projected spending, please provide an updated budget for further continuation of the Valet Program requested in this 2017 application (assuming full utilization of the \$200,000 Community Mitigation Funds authorized).
10. Significant funding is being provided to the City of Springfield prior to the MGM Springfield opening through Springfield's Host Community Agreement ("HCA"). Was this use anticipated when the HCA was executed? If HCA funds are not anticipated for this purpose, can you please provide a brief and general of summary of how Springfield is prioritizing the use of such HCA funding?

The review committee would like to present to the Commission their recommendation in June. In order to meet this timetable, the community mitigation review team would greatly appreciate receiving your response by May 25th.



Edward M. Pikula, City Solicitor
Thomas D. Moore, Esq., General Counsel
Page 3
May 12, 2017

We look forward to working with you on this grant process. Please do not hesitate to contact us with any questions or concerns.

Very truly yours,



John S. Ziemba, Ombudsman

cc: The Honorable Mayor Domenic J. Sarno
Timothy J. Plante, Chief Administrative & Finance Officer
Helen Caulton-Harris, Commissioner of HHS
Tom Moore, Director of the Parking Authority
Denise Jordan, Chief of Staff
Commissioner Lloyd Macdonald
Catherine Blue, General Counsel
Derek Lennon, C.F.O.
Jill Griffin, Director of Workforce Development
Joseph Delaney, Construction Oversight Manager
Mary Thurlow, Program Manager



Massachusetts Gaming Commission

Edward M. Pikula, Esq.
City Solicitor

Law Department
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Springfield, MA 01103
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Direct Dial: (413) 787-6088
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Email: epikula@springfieldcityhall.com



THE CITY OF SPRINGFIELD, MASSACHUSETTS

June 2, 2017

Mr. John Ziemba, Ombudsman
Massachusetts Gaming Commission
101 Federal Street 12th floor
Boston, MA 02110

Re: 2017 Community Mitigation Fund Reserve/
Special Impact Grant – Valet Parking Program

Dear Mr. Ziemba:

The following information is being provided in response to your May 12, 2017 letter to me and Thomas D. Moore, Esq., Interim Executive Director of the Springfield Parking Authority (“SPA”) requesting further information related to the City of Springfield’s 2017 Community Mitigation Fund Specific Application (the “Application”) for funding continued operation of the Valet Parking Program (the “Program”) for businesses affected by the current construction of the MGM Springfield Casino Project.

I. 2016 Use of Reserve/Specific Grant

1. Brief report on status of current activities under the \$200,000 Valet Parking Program.

Valet parking activities are continuing under the program’s extension until June 30th, servicing impacted businesses within the affected area.

2. Brief report on status of current activities under the \$350,000 Springfield Historic Preservation Trust

Information will be provided in a separate letter or email as soon as it is obtained from the Trust.

II. 2017 Transportation Grant

1. Clarify that the Application is for a continuation of the currently funded Program that includes all area businesses.

The Application is for additional funding needed to continue the existing program which is intended to benefit all businesses located on Main Street in the blocks bounded on the north by State Street and on the south by Union Street. As stated on page 14 of Exhibit A to the Application, the Program would be extended through an Amendment to the current Memorandum of Agreement between the City of Springfield and the Springfield Parking Authority.

2. What is the proposed end date for the Valet Parking Program?

The earlier of September 30, 2018, or the date that MGM Springfield opens its new parking garage for use by the general public.

3. How can the City achieve greater neighborhood benefits from the Valet Parking Program?

The SPA and Valet Park of America are performing additional door-to-door outreach to all businesses in the affected area, and will be disseminating promotional materials as well, in order to promote use of the Program by as many users as possible.

4. What parking is currently being provided for Caring Health Center staff, patients and visitors in coordination with MGM Springfield?

Please refer to initial application submitted to MGC. Additionally, the City is not aware of any agreements with Caring Health Center and MGM Springfield relative to parking.

5. What other parking does Caring Health Center have in the area?

Please refer to initial application submitted to MGC. Additionally, the City is not aware of other parking utilized by Caring Health Center in the area.

6. What lots will be utilized for the Valet Parking Program? How many spaces will be available? How does this compare to the number of spaces currently available?

The Program currently uses a parking lot on Hubbard Avenue and a parking lot off of Union Street owned by the Dakin Humane Society. It is anticipated that the Program will continue to use these locations for the duration of the Program's term. There is currently a total of 20 spaces available between the two lots. That number is anticipated to remain the same.

7. How will the City create a fair process to allow all businesses in the area to make use of the informational materials?

Informational materials were handed out to said businesses by hand before the start of the program in January, and the SPA will be providing additional materials via mailing to said businesses to further promote a diverse use of the Program.

8. Provide a budget for the current Program and the anticipated date when the initial \$200,000 grant will be exhausted.

The Program costs over the first 90 day period came in at approximately \$46,000.00, which was under the projected roughly \$49,000 budget submitted to the MGC. The budgeted costs for the Program going forward would be about \$43,000.00 per 90 day period, which would exhaust the initial \$200,000.00 grant funds by approximately the middle of March of 2018

9. Provide an updated budget for continuation of the Program from the estimated date on which the initial \$200,000 grant will be exhausted to September 2018.

The budget for the Program during that period of time would be consistent with the existing budget for the Program.

10. Was the Valet Parking Program anticipated when the Host Community Agreement between the City of Springfield and MGM Springfield was executed? Provide a brief and general summary of how the City of Springfield is prioritizing use of funds received from MGM Springfield under the Host Community Agreement.

While parking was one of the impacts considered, the valet parking was not a consideration during the selection of a casino operator and negotiation of the Host Community Agreement. Impact fees are built into the HCA for offsite improvements required for Riverfront Park, Union Station, Public Safety, Schools, Health and Human Services and General Government. The impacts on these areas with regard to construction and operation of the casino was the subject of review by expert consultants retained during the selection and negotiation process and funds were allocated accordingly. Downtown parking was considered

as an impact. The casino site is located within a previously developed urban core that has significant existing parking infrastructure. The Springfield Parking Authority (SPA) works to provide public parking prices for citizens at low costs. In this regard, the impact on parking spaces eliminated and created by the proposal was considered during the Host Community Agreement (HCA) negotiations. The negotiations considered spaces that were currently used by employees and patrons of area businesses which would remain operational during construction and following redevelopment of the casino site. However, the casino construction anticipated in the HCA was delayed as a result of the statewide referendum and then further delayed by the reconstruction of the Interstate 91 viaduct. As a result, the viaduct reconstruction also resulted in the elimination of parking garage spaces operated by SPA under the I-91 viaduct. Arrangements were then made to set aside parking garage spaces and locate additional surface lots to accommodate the influx of construction workers. The valet parking arrangement is an example of "fine tuning" in response to the additional impacts caused by the referendum and viaduct construction delays and not included in the original impact mitigation funds provided for in the HCA.

Please contact me if you or the Commission require any further information.

In consideration of the application and supplemental information provided, it is the City's hope that the Commission will vote to support the application. Should you have any questions or need any further clarification, do not hesitate to contact me.

Very truly yours,



Edward M. Pikula, City Solicitor

cc: Mayor
H&HS Commissioner
CHC Executive VP
SPA Executive Director



May 12, 2017

Via Email

Jeffrey Walker, Executive Director
Southeastern Regional Planning and
Economic Development District
88 Broadway
Taunton, MA 02780

Sandy Conaty, Deputy Director
Southeastern Regional Planning and
Economic Development District
88 Broadway
Taunton, MA 02780

Re: 2017 Planning Project Application (Tribal Gaming)

Dear Executive Director Walker and Deputy Director Conaty:

Thank you for speaking with the community mitigation review team recently. It was a pleasure discussing with you the Southeastern Regional Planning and Economic Development District application for community mitigation funds. The community mitigation review team found the conference to be very informational. As we discussed during the meeting, we are writing to ask you to please provide us with answers to the below questions. In asking these questions, we are mindful of the details of your application and are requesting any further information that is not included in your application.

As we discussed, the following are questions which the community mitigation review team would appreciate further clarification regarding your submission. In asking these questions, we are mindful of the details of your application and are requesting any further information that is not included in your application.

1. Do you anticipate the need for consultants to assist SRPEDD with a technical assistance program, if approved?
2. If yes, how would SRPEDD anticipate acquiring such consultants?
3. How much time do you estimate it would take to develop a detailed scope of work after any determination by the Commission to move forward with a technical assistance program?

The community mitigation review team would like to present to the Commission their recommendation in June. In order to meet this timetable, the community mitigation review team would greatly appreciate receiving your response by May 25, 2017.

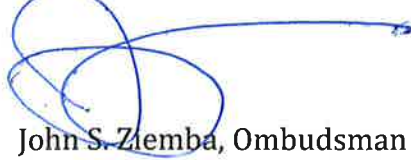


Massachusetts Gaming Commission

Jeffrey Walker, Executive Director
Sandy Conaty, Deputy Director
Page 2
May 12, 2017

We look forward to reviewing this application with the Commission. Please do not hesitate to contact us with any questions or concerns.

Very truly yours,



John S. Ziemba, Ombudsman

cc: Ling Ling Chang, Chief Financial Officer, SRPEDD
Commissioner Lloyd Macdonald
Catherine Blue, General Counsel
Derek Lennon, C.F.O.
Jill Griffin, Director of Workforce Development
Joseph Delaney, Construction Oversight Manager
Mary Thurlow, Program Manager



Massachusetts Gaming Commission



May 24, 2017

Via Email

Mr. John S. Ziemba, Ombudsman
Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, Massachusetts 02110

Re: 2017 Planning Project Application (Tribal Gaming)

Dear Mr. Ziemba:

Thank you for the opportunity to discuss our 2017 Community Mitigation Fund application with the review team. In response to the community mitigation review team's further inquiries, SRPEDD offers the following clarification:

1. Do you anticipate the need for consultants to assist SRPEDD with a technical assistance program, if approved?

At this time, SRPEDD does not anticipate the need to procure the services of consultants to assist with a technical assistance request. The anticipation is that requests to determine potential impacts would be completed by SRPEDD staff.

2. If yes, how would SRPEDD anticipate acquiring such consultants?

While not anticipated, should a request for technical assistance be submitted that is outside of SRPEDD's areas of expertise, SRPEDD would acquire a consultant per M.G.L. c. 30B procurement requirements.

3. How much time do you estimate it would take to develop a detailed scope of work after any determination by the Commission to move forward with a technical assistance program?

SRPEDD estimates that it would take approximately two weeks to develop a detailed scope of work to move forward with a technical assistance program.



John S. Ziemba, Ombudsman

Page 2

May 24, 2017

Please contact us should you have any further questions.

Respectfully,

Jeff Walker, Executive Director

Sandy Conaty, Deputy Director

cc: Mary Thurlow, Program Manager
Ling Ling Chang, Chief Financial Officer, SRPEDD



May 12, 2017

Via Email

The Honorable Mayor William Reichelt
Sharon Wilcox, C.F.O.
James Czach, P.E., Town Engineer
West Springfield Town Hall
26 Central Street
West Springfield, MA 01089

Re: 2017 Transportation Planning Grant Application

Dear Mayor Reichelt, Ms. Wilcox and Mr. Czach:

Thank you and Attorney Silverstein for participating in the conference call with the community mitigation review team. The community mitigation review team found the meeting to be very informative.

2016 Transportation Planning Grant

West Springfield was awarded a \$247,500.00 Transportation Grant from the 2016 Community Mitigation Fund. Could you provide the Commission with a brief status of current activities engendered by the award of these funds? If you have provided a description in your quarterly report to the Commission, please feel free to include that information.

2017 Transportation Planning Application

As we discussed during the meeting, we are writing to ask you to please provide us with answers to the below questions. In asking these questions, we are mindful of the details of your application and are requesting any further information that is not included in your application.

1. How does the Town plan to advance construction projects resulting from work related to this grant?
2. Could you provide additional detail regarding the commitment and status of additional funds up to \$49,995 to advance this project?
3. Can you describe the MassDOT requirements for complete streets project elements and other changing state standards that impact the design budget?



Massachusetts Gaming Commission

The Honorable Mayor William Reichelt
Sharon Wilcox, C.F.O.
Jim Czach, P.E., Town Engineer
Page 2
May 12, 2017

4. Please provide a timetable for completion of the work anticipated to be completed through this grant, if awarded.
5. What regional benefits do you anticipate will result from these mitigation funds, if awarded?
6. The town's application states the town hopes to "ensure casino related traffic can be accommodated while maintaining a vibrant and safe downtown area for the various modes of transportation." Can you provide further detail regarding current or historical pedestrian or bicyclist safety concerns that involve the area? We note that some references to such concerns are included in the proposals from consultants in the exhibits to the application.
7. The application states that the "project will help enhance bicycle accommodations in the study area" noting that the "project area is just under 2.5 miles from the casino area." Can you please provide more detail how the project can help accomplish this through available bicycle routes? Can you please provide further detail regarding potential and planned bicycle improvements in the area between the potential project site and MGM Springfield?

The community mitigation review team would like to present to the Commission their recommendation in June. In order to meet this timetable, the community mitigation review team would greatly appreciate receiving your response by May 25, 2017.

We look forward to reviewing this application with the Commission. Please do not hesitate to contact us with any questions or concerns.

Very truly yours,


John S. Ziemba, Ombudsman

cc: Commissioner Lloyd Macdonald
Jonathan Silverstein, Esquire
Catherine Blue, General Counsel
Derek Lennon, C.F.O.
Jill Griffin, Director of Workforce Development
Joseph E. Delaney, Construction Project Oversight Manager
Mary S. Thurlow, Program Manager



Massachusetts Gaming Commission

Town of West Springfield

26 Central Street, Suite 23
West Springfield, MA 01089-2785



(413) 263-3041
wreichelt@West-Springfield.ma.us

William C. Reichelt
Mayor

May 25, 2017

John S. Ziemba, Ombudsman
Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA 02110

Dear Mr. Ziemba,

Thank you for your letter of May 12, 2017 regarding the Town of West Springfield's 2017 Transportation Planning Grant application for community mitigation funds. You asked for clarification on a few topics that were discussed during a conference call with the community mitigation review team related to the application. I have addressed each of the questions below and have attached supporting documentation as referenced in the responses.

2016 Transportation Planning Grant

West Springfield was awarded a \$247,500.00 Transportation Grant from the 2016 Community Mitigation Fund. Could you provide the Commission with a brief status of current activities engendered by the award of these funds? If you have provided a description in your quarterly report to the Commission, please feel free to include that information.

The \$247,500 2016 Transportation Grant awarded was to cover the additional design expenses associated with the Town's contract with Greenman-Pedersen, Inc. ("GPI"). \$147,500 of the grant is to fund the full design contract amount of \$812,500 (\$665,000 of which was originally included and funded in the Town's Surrounding Community Agreement). To date, \$295,100.95 has been expended from the initial SCA funding of \$665,000. Work is currently in progress and the full \$812,500 is anticipated to be expended March of 2018 based on our current contract with Greenman Pedersen. The other \$100,000 is for additional work associated with transforming the design into a Complete Streets project consistent with the Massachusetts Department of Transportation's (MassDOTs) program and policies as well as the Towns Complete Streets Ordinance approved by MassDOT. To date, approximately \$90,000.00 has been billed for the extra work. Final roadway cross sections have

been finalized for advancing the design and the project has been approved by MassDOT. Once a roadway safety audit is completed (currently in the process of being scheduled), the 25% design work will be able to be completed and be submitted to MassDOT. We anticipate this occurring during the summer of this year. At that time the additional funds will have been expended.

2017 Transportation Planning Application

QUESTION 1

How does the Town plan to advance construction projects resulting from work related to this grant?

RESPONSE

If awarded the grant, the Town is committed to advancing the project to construction and bringing the improvements to fruition in a timely fashion. The Town solicited engineering design proposals earlier this year for this work to help expedite the process if awarded this grant.

The Town will engage one of the Engineering firms and begin the design process as soon as grant funds are available. Based on 2 of the 3 design proposals received, final design plans can be completed approximately 7-11 months after a notice to proceed is issued. Once the design is completed it would be advertised, and construction could begin approximately 3-4 months thereafter. The third proposal provides for short and long term improvements. The design schedule for completing the short term improvements is a similar 7-11 month schedule, with construction commencing 3-4 months thereafter, while it would take approximately 12 months to complete a 25% design submittal to the Massachusetts Department of Transportation (MassDOT) for the longer term "phase II" improvements. The long term improvements would follow a timetable that would extend multiple years, depending on availability of State and Federal Funds in the Pioneer Valley Transportation Improvement Program. The Town would commit to the additional design costs associated with bringing the long term improvements to bidding documents approved by MassDOT.

In summary, the selected consultant's design would be complete within 7- 12 months and we estimate construction could begin 3-4 months subsequent to that. The Town is tending toward selecting the firm that has the most aggressive design schedule who also happens to have the lowest design fee. This would allow the Town to expedite the project as quickly as possible and direct more municipal funding to the construction of the improvements.

QUESTION 2

Could you provide additional detail regarding the commitment and status of additional funds up to \$49,996 to advance this project?

RESPONSE

As previously stated, the Town solicited proposals from three engineering firms. The following is a summary of the fees associated with the three proposals along with the amount that the Town would be contributing:

<u>Engineering Consultant</u>	<u>Total Fee</u>	<u>Grant Amount</u>	<u>Town Contribution</u>
TOOL DESIGN GROUP	\$175,840	\$150,000	\$25,840
GREENMAN-PEDERSON, INC. (GPI)	\$185,380	\$150,000	\$35,380
HOWARD STEIN HUDSON	\$199,995	\$150,000	\$49,995

As indicated in the application, the Town is still committed to providing up to \$49,996 in municipal funds to supplement the \$150,000 requested for the selected engineering contract. These funds will be appropriated from available funds upon award of the grant.

QUESTION 3

Can you describe the MassDOT requirements for complete streets project elements and other changing standards that impact the design budget?

RESPONSE

The Town of West Springfield is part of the Massachusetts Department of Transportation (MassDOT) complete streets program. We developed a Complete Streets municipal ordinance and project prioritization plan both approved by MassDOT.

Complete Streets design criteria as outlined in our ordinance that will be used as a minimum is as follows:

"7. Design Criteria

In the fulfillment of the goals of this Complete Streets Ordinance, the Town will follow the latest design manuals, standards and guidelines. This includes documents that are listed below but should not be precluded from considering innovative and non-traditional design options where a comparable level of safety for users in present or provided:

- The Massachusetts Department of Transportation Project Design and Development Guidebook
- Massachusetts Department of Transportation Engineering Directives
- Massachusetts Department of Transportation Separated Bike Lane Planning & Design Guide
- The latest edition of American Association of State Highway Transportation Officials (AASHTO) A Policy on Geometric Design of Highway and Streets

- *ITE Designing Walkable Urban Thoroughfares: A Context Sensitive Approach*
- *National Association of City Transportation Officials Urban Bikeway Design Guide*
- *The United States Department of Transportation Federal Highway Administration’s Manual on Uniform Traffic Design Controls (2009).*
- *The Architectural Access Board (AAB) 521CMR Rules and Regulations*
- *Documents and plans created for the Town of West Springfield, such as bicycle and pedestrian network plans.”*

Complete Streets elements that will be considered, but not limited to are the following: Bike Lanes, Curb Extensions, Transit Amenities (bike racks/shelters), rectangular rapid flashing beacons for pedestrian crossings, raised pedestrian crossings, ADA compliant curb ramps, countdown pedestrian crossing signals and sidewalks.

This project is a product of our prioritization plan and will be designed in harmony with our municipal ordinance that requires us to follow current design standards. As noted in the response to question 1, designs would be completed in a relatively short amount of time (7-12 months). We do not foresee or are aware of any possible changing state requirements that would impact the design. If the Town chose the designer with the short and long term improvements, we would be responsible for all additional design costs to bring the long term portion of the project beyond the MassDOT 25% design stage. Therefore, in summary we do not anticipate any changing standards that would impact the design budgets funded by this grant.

QUESTION 4

Provide a timetable for completion of the work anticipated to be completed through this grant if awarded.

The following schedule is developed based upon receiving the grant funding for July 1, 2017 and a 5 month construction duration. The range of dates reflects the windows of completion depending on the designer selected.

<i>July 2017</i>	<i>Municipality awarded the grant funding.</i>
<i>August 2017</i>	<i>Town is under contract with engineering designer and design underway.</i>
<i>February 2018-June 2018</i>	<i>Design is completed.</i>
<i>June 2018-October 2018</i>	<i>Construction begins</i>
<i>October 2018-June 2019</i>	<i>Construction completed</i>

Please note this is an estimated schedule. It is the Town’s intent to expedite the process as much as possible so that improvements will be completed or substantially complete when the MGM facility in Springfield opens.

QUESTION 5

What regional benefits do you anticipate will result from these mitigation funds, if awarded?

RESPONSE

The intersection of Westfield Street (Route 20) and Elm Street is a crossroads for two Pioneer Valley Transit Authority (PVTA) bus routes (R10 and P20). Both routes use Elm Street within the project area. Enhancements to this area will improve flow through the project area as well as better opportunities to access the system to travel to/from the casino. Exhibit 1 is an excerpt from the Town's Complete Streets prioritization plan depicting a significant volume of on/off the bus within the project area. These routes also service the cities of Westfield and Holyoke and directly access the MGM site through the project area. Exhibit 2 depicts a map of the general routes and notes there are a total of 248 apartment/condominium complexes along these routes within a 3/4 mile radius. These are areas of concentrated housing where many patrons and/or employees of the Casino who don't own an automobile could reside and would need to utilize alternative modes of transportation (e.g. bus and bicycle) to travel to the MGM site.

Westfield Street (Route 20) is a primary regional travel route to and from the casino and will be used by patrons and visitors from westerly communities such as the City of Westfield. Enhancements to the project area will improve traffic operations, safety and flow along the route.

The Town finished significant improvements to the Westfield Street (Route 20) corridor west of the project area in 2012. The roadway was signed with "Share the Road" to improve driver awareness of the bicycle travel route along the corridor. Exhibit 3 depict pictures of these signs at a two locations. The Pioneer Valley Planning Commission (PVPC) Draft Bike Linkage Work Map identifies Westfield Street (Route 20) and the project area as bicycle routes which are part of the regional network. This is depicted in Exhibit 4.

*This project supports a multitude of regional needs and strategies in The Pioneer Valley Planning Commission's 2016 Regional Transportation Plan (RTP). One of the Strategies to Assist in the Movements of People is "**n) Encourage private connections to the regional bikeway network**". Work with local communities and interested private developers to develop incentives to enhance connections to the regional bikeway network. Review Environmental Notification Forms and Environmental Impact Reports completed as part of the Massachusetts Environmental Policy Act (MEPA) to identify areas that could benefit from enhanced bicycle connections. Provide local assistance with communities to identify incentives and potential funding sources to encourage private bikeway connections." See Exhibit 5 (page 387) This is precisely what this project is intended to accomplish by bringing bicyclists (either via bus—all PVTA buses have bicycle racks—or via the bike path along the Connecticut River in Springfield, which can be accessed from the project area by crossing the North End Bridge) to the new infrastructure at and surrounding the casino.*

Other major areas of the Regional Transportation Plan that this project addresses are as follows (excerpts are also presented in Exhibit 5):

- *GreenDOT incorporation of Mode Shift goal to triple the percentage of trips made by bicycling, transit and walking” (pages 43-44)*
- *Sustainable Transportation – Reducing Vehicle Miles Traveled (VMT) by providing transit options, pedestrian and bicycle facilities.....(Pages 273-274)*
- *Regional Performance Targets – “Increase the total mileage of on road bicycle facilities by 10% by 2025” “Demonstrate an overall annual increase in PVTA and FRTA ridership” (Pages 318-319)*
- *Needs – Summary of Safety and Security Needs – Reduce the number of fatal and personal injury crashes for both pedestrians and vehicles in the region.” (Page 368)*
- *Summary of Needs to Enhance the Movement of People – “Increase opportunities for non-motorized transportation use., Maintain and expand the regional bike network connectivity., Provide opportunities for bicycle access to other modes of transport” (page 378)*
- *Strategies To assist in the Movement of People – Promote the implementation of Bicycle Lanes where Practical, Encourage private connection to the regional bikeway network.” (Page 383)*

QUESTION 6

The Town’s application states the hopes to “ensure casino related traffic can be accommodated while maintaining a vibrant and safe downtown area for the various modes of transportation.” Can you provide further detail regarding current or historical pedestrian or bicyclist safety concerns that involve that area? We note some references to such concerns are included in the proposals from consultants in the exhibits to the application.

RESPONSE

On December 15, 2014 there were two accidents that occurred along the northbound section of Elm Street within hours and only about 600 yards apart. One accident occurred within the project area at the Post Office located at 70 Elm Street. The Town took action by installing Rectangular Rapid Flashing Beacons (RRFB’s) on the existing curb extensions at this crossing to improve safety. The second accident on the same morning occurred along the stretch of roadway just 100 yards north of this project area at the Garden Street intersection. This accident involved a fatality of a school crossing guard. Exhibit 6 are two news articles related to the incidents. The Town is currently in the process of implementing curb extensions and RRFB’s at the intersection as well as on the southbound section of Elm Street near Worthen Street. Last year the Town recently upgraded all the pedestrian crossings at the intersections of Park Street, Park Avenue, Elm Street and Union Street to further improve safety along the corridor. Exhibit 7 illustrates these areas. This project will tie together all these improvements to further improve bicycle and pedestrian safety while maintaining smooth traffic flow along the corridor.

During calendar years 2012-2014 there were 35 accidents in the study area. Three of which involved pedestrians and one a cyclist. Exhibit 8A and 8B are maps from the Town’s Complete Streets Prioritization plan that illustrates locations of both bicycle and pedestrian crashes from 2012-2014.

During a public meeting on November 17, 2016 related to the Town's Complete Streets Prioritization Plan, attendees raised concerns about the Elm Street corridor in the project area. These were related to speeding and being able to safely cross the street.

The project area is has been identified by MassDOT's Highway Safety Improvement Program (HSIP) as as a Pedestrian Crash Cluster. The southerly terminus of the project area is also identified as High Crash Cluster. Excerpts from the MassDOT Top Crash Locations Map depicting thas are presented in Exhibits 9A and 9B.

As previously stated this project will build upon improvements completed and beginning this spring to further enhance safety and traffic operations along the Elm Street corridor. Therefore, it is essential for the Town to continue implementing safety measures to ensure our downtown can safely process additional casino traffic and ensure safe pedestrian circulation and bicycle travel.

QUESTION 7

The application states that the “project will help enhance bicycle accommodations in the study area” noting that the “project area is just under 2.5 miles from the casino area.” Can you please provide more detail how the project can accomplish this through bicycle routes? Can you please provide further detail regarding potential and planned bicycle improvements in the area between the potential project site and MGM Springfield?

RESPONSE

The distance from the intersection of Westfield Street (Route 20) at Elm Street to the casino site frontage on State Street is 2.4 miles. This is via the route shown in Exhibit 10 which utilizes the Springfield Riverwalk. The distance to the North Riverfront Park Entrance to the Springfield Riverwalk/bikepath (as shown in Exhibit 11) is less than $\frac{3}{4}$ of a mile from the project area.

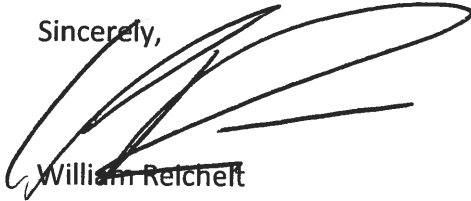
Google maps estimates a bicycle travel time of 14 minutes and a walk time of 48 minutes as shown in Exhibits 10 and 12 respectively from the project area to the casino site. To verify this we had someone ride their bicycle and another person walk the route. A portion of the Springfield Riverwalk was closed (due to construction work adjacent to the path) and therefore a slight detour on city roadways was used that parallels the Riverwalk. It should be noted that this detour has traffic signals that would be avoided when using the Riverwalk. Therefore, measured times could be shorter. Based on our verification trips, the average bicycle time was 15 minutes and walk time at 43 minutes. Therefore, these are generally consistent with the Google maps estimate.

The Town's Complete Streets Prioritization Plan identifies projects both within the project corridor and along both Park Street and Park Avenue. Various concepts for on-road (bicycle lanes) and off-street bicycle (buffered bicycle facility) accommodations are noted within the plan. Exhibits 13 and 14 are excerpts from the plan and depict these planned projects. It is the Town's intent to continue advancing projects in the Complete Streets Plan.

bicycle (buffered bicycle facility) accommodations are noted within the plan. Exhibits 13 and 14 are excerpts from the plan and depict these planned projects. It is the Town's intent to continue advancing projects in the Complete Streets Plan.

I hope that these responses provide the further clarification you requested in your May 12, 2017 letter. If you have any additional questions regarding the application or these responses, please contact me at your convenience.

Sincerely,



William Retchelt
Mayor, West Springfield

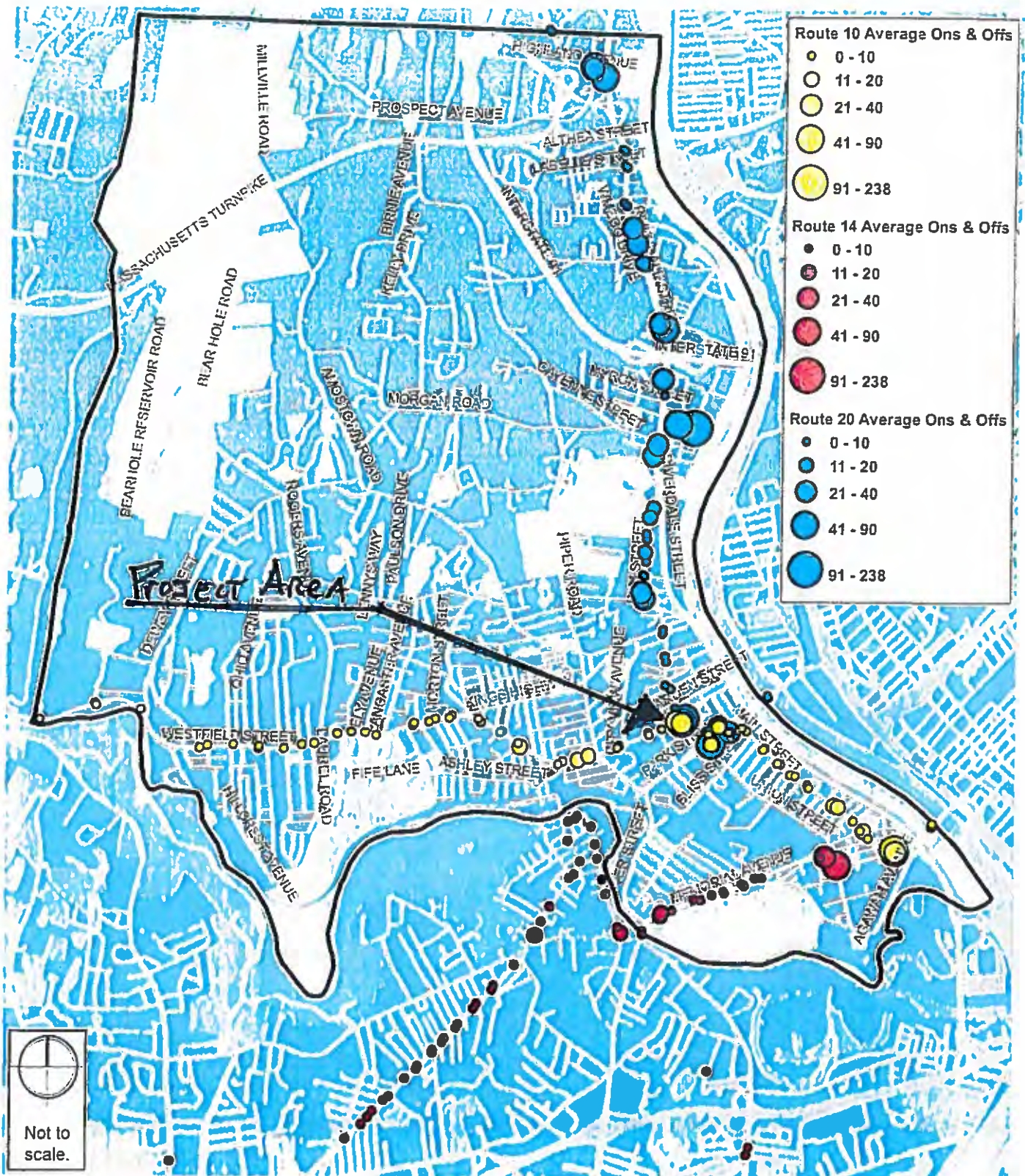
Exhibits Enclosed

CC: Sharon Wilcox, Chief Financial Officer
Jonathan Silverstein, Esq.
James Czach, P.E., Town Engineer
File

Exhibit 1



Figure 14. *PVTA Routes 14, 20, and 10 Average Daily Ons and Offs*



Data Source: PVPC, MassGIS

EXHIBIT 2

PVTA Bus Routes & High Density Housing Complexes

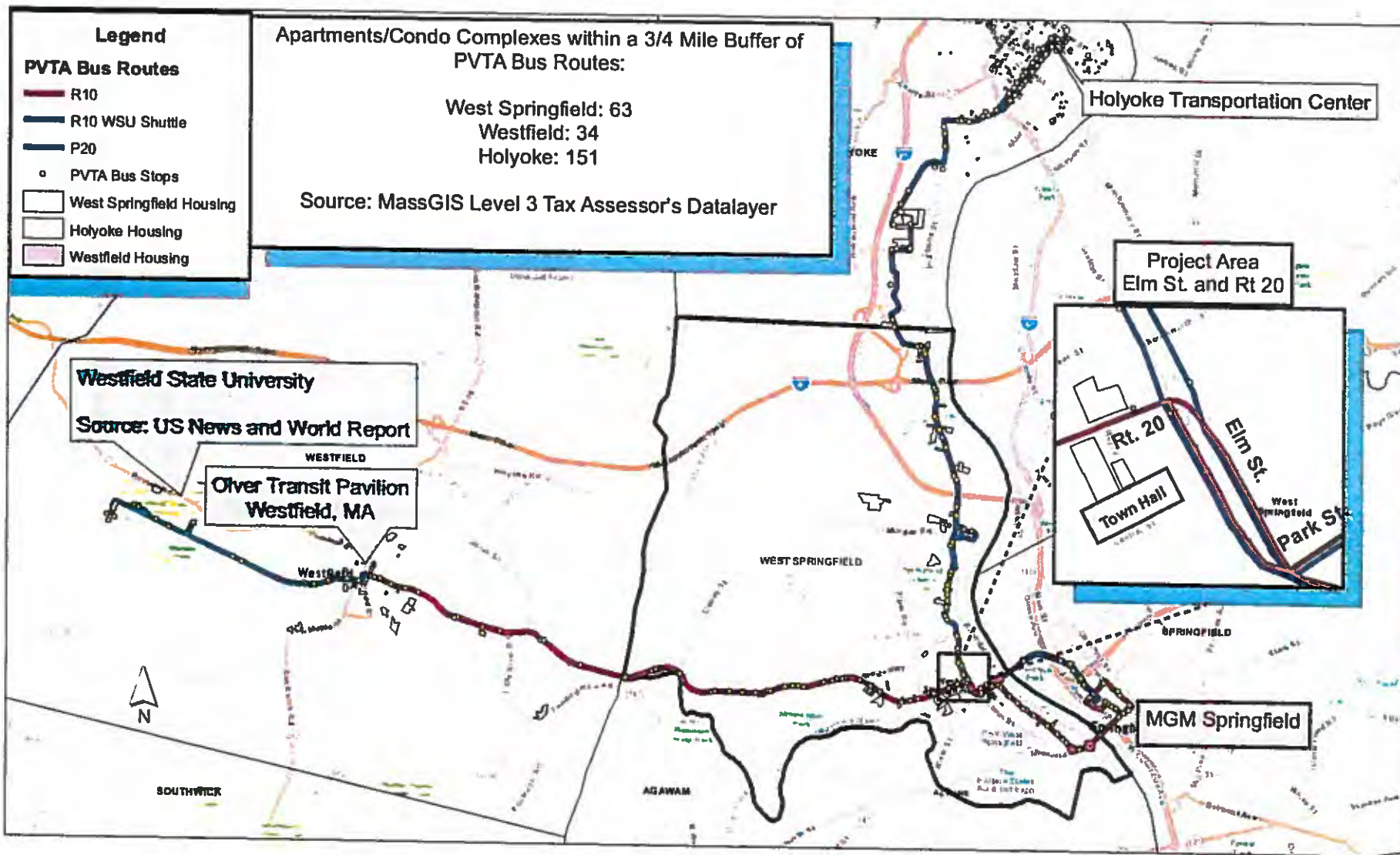


EXHIBIT 3 1 of 2



SHARE
THE
ROAD



EXHIBIT 3 2 of 2



SHARE
THE
ROAD



PVPC Bike Linkage Work Map

EXHIBIT 4

DRAFT

1 of 2

Legend

- Colleges and Universities
 - Private
 - Public
- Schools (PK - High School)
 - Public
 - Private
 - Charter
 - Collaborative Program
 - Special Education
- Proposed Bike Share Locations
 - Phase 1 Bike Share Locations
 - Phase 2 Bike Share Locations
- Protected & Recreational Land
- Unpaved Roads and Drives
- Aqueducts
- Transmission Lines
- Rail Lines
- Roads
- Potential Linkage
- Considered Bike Trail
- Feasibility Study Completed
- Design Completed or Ongoing
- Trails (Planned, Funded, or Completed)
- Bike Lane Preliminary Study
- Bike Lanes
- Cycle Route
- Alternate Route

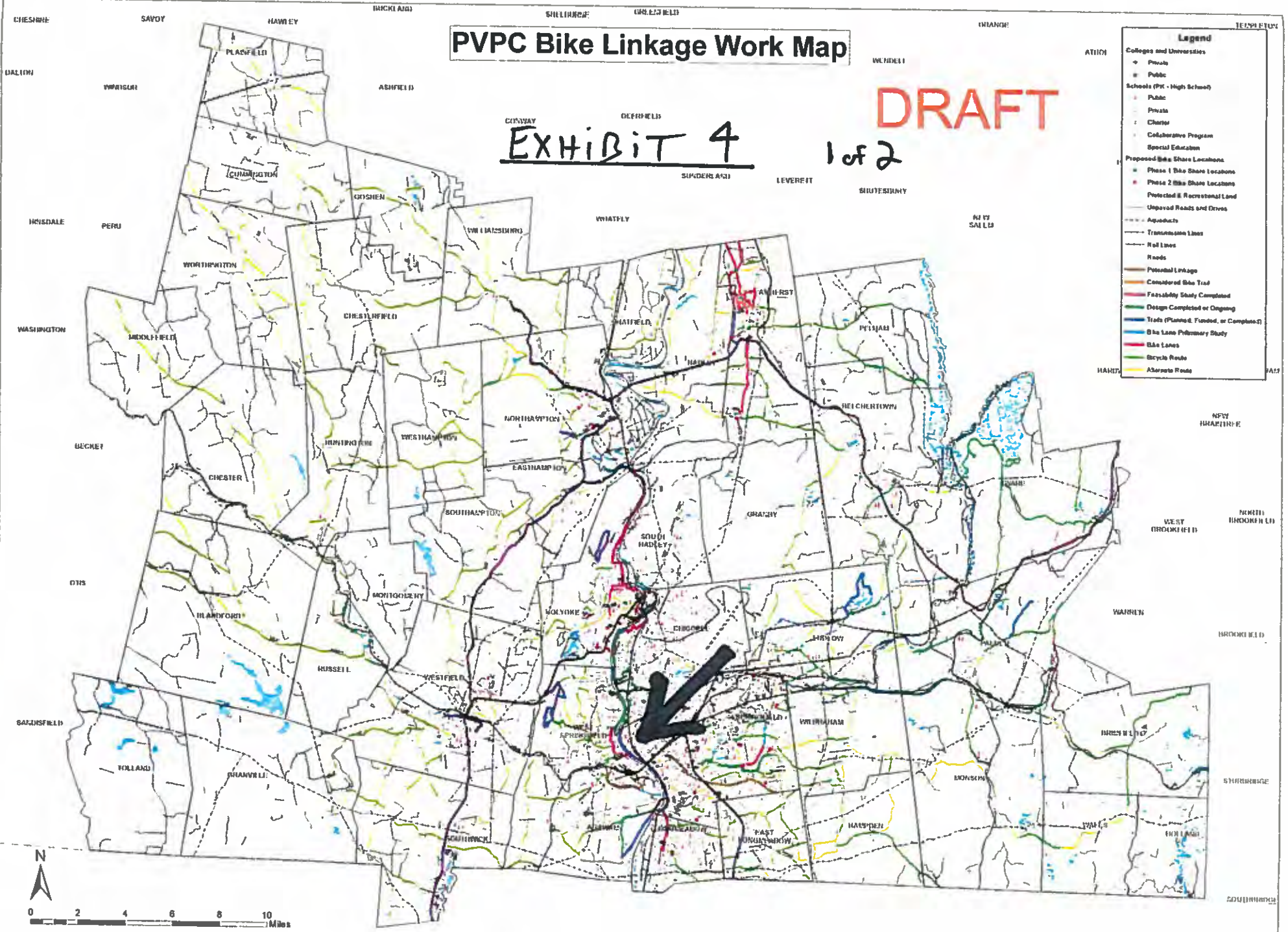
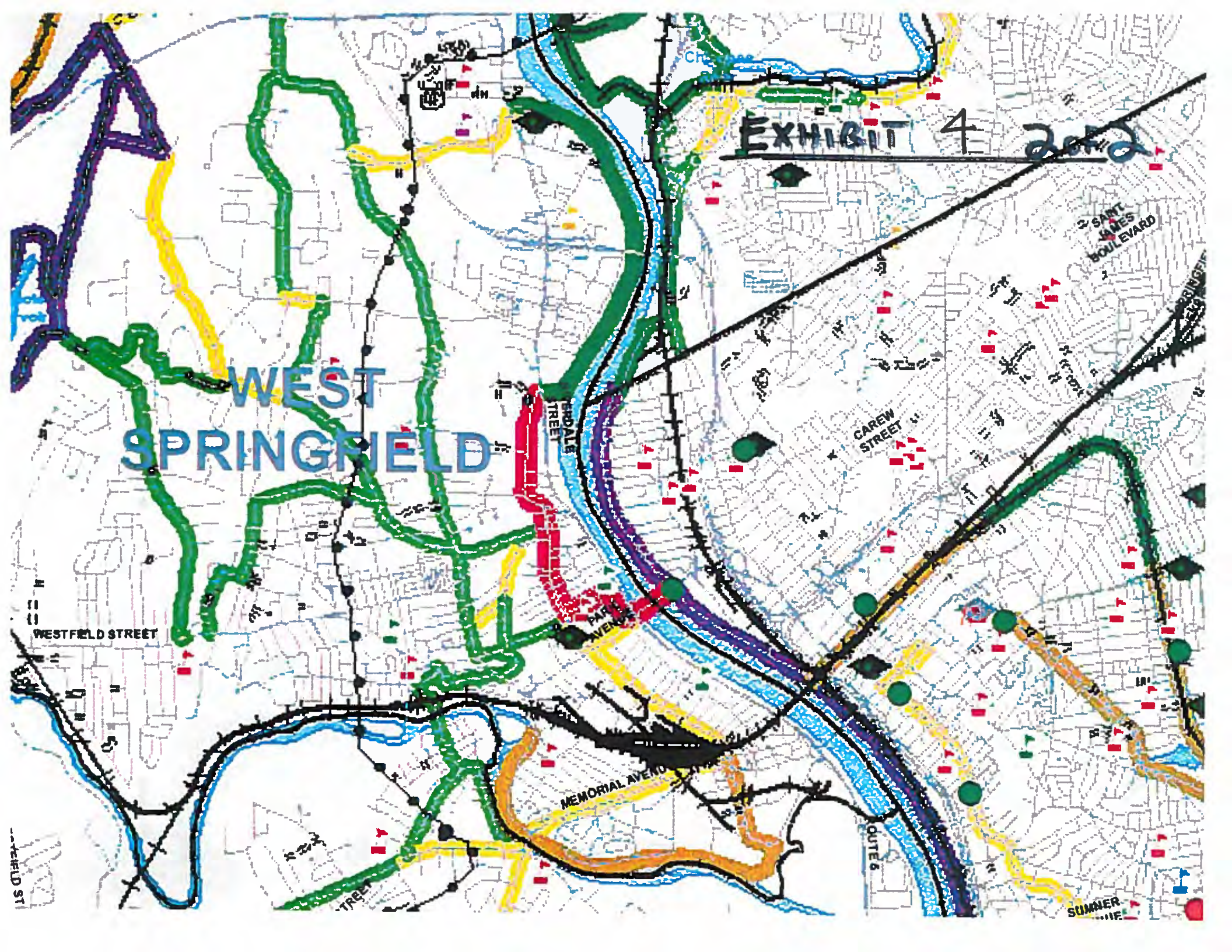


EXHIBIT 4 *2012*

WEST SPRINGFIELD



SANT JAMES BOULEVARD

CAREW STREET

MEMORIAL AVENUE

WESTFIELD STREET

BROADALE STREET

PARK AVENUE

ROUTE 6

SUMMER ST

2016

Regional Transportation Plan

for the Pioneer Valley Metropolitan Planning Organization



Prepared by
Pioneer Valley Planning Commission

m) Identify sources of revenue for local transportation projects.

Many local communities are dependent on the Chapter 90 Program to fund transportation improvement projects on locally maintained roadways. As demonstrated in Chapter 15 of this document, this funding is not adequate to keep locally maintained roadways operating as acceptable levels. The Pioneer Valley MPO should continue to work with MassDOT and local communities to identify an equitable source of revenue for transportation improvements projects that address local needs.

n) Encourage private connections to the regional bikeway network.

Work with local communities and interested private developers to develop incentives to enhance connections to the regional bikeway network. Review Environmental Notification Forms and Environmental Impact Reports completed as part of the Massachusetts Environmental Policy Act (MEPA) to identify areas that could benefit from enhanced bicycle connections. Provide local assistance with communities to identify incentives and potential funding sources to encourage private bikeway connections.

C. THE MOVEMENT OF GOODS

The Pioneer Valley Region is strategically located at a geographic crossroads in which more than one third of the total population of the United States can be reached by an overnight delivery. The availability of an efficient, multimodal transportation network to move goods through the region is essential to maintain economic vitality. Several modes of transportation are available in the region to facilitate the movement of goods. These modes include truck, rail, air, and pipeline. As a result, the goods movement network provides vital connections between producers and consumers within the state, nationally and internationally.

A large portion of the freight transportation system is privately owned and operated. As a result, it is critical to develop partnerships between state, regional and local agencies with the private sector to coordinate and maintain efficient freight planning and implementation.

1. Needs

A series of needs to enhance the movement of goods in the Pioneer Valley region have been identified and are summarized in Table 14-5. These needs have been categorized as immediate, future and ongoing. Ongoing needs are areas that may already be considered as part of an existing program that will require updating as part of existing planning efforts or analyzed for inclusion as part of a transportation improvement project. Immediate needs will require attention in the short term to advance transportation planning

while creating thousands of construction jobs. Since 2008, the number of former MassHighway and DCR structurally deficient bridges has dropped from 543 to 416, a decline of 23%. As of October 1, 2014, the ABP has completed 160 bridge projects, with another 29 bridge projects in construction, and an additional 5 bridge projects scheduled to start construction within the next calendar year. Over the course of the eight year program, well over 250 bridges are planned to be repaired or replaced.

Another form of infrastructure preservation consists of the efforts within the region to preserve abandoned rail corridors and toe path canal beds. These right of ways are maintained for future non-motorized transportation uses. The Norwottuck Rail Trail, Connecticut Riverwalk and the Manhan Rail Trail are all examples of projects that reuse existing transportation rights of way in the region.

2. GreenDOT

MassDOT launched its GreenDOT initiative on June 2, 2010. GreenDOT was developed to assure a coordinated approach to sustainability and to integrate sustainability into the responsibilities and decision-making of all MassDOT employees. The following three mutually-reinforcing goals form the foundation of GreenDOT:

- Reduce greenhouse gas (GHG) emissions
- Promote the healthy transportation modes of walking, bicycling, and public transit
- Support smart growth development

The initiative is a comprehensive response to a range of state and MassDOT laws, policies and initiatives including: the Global Warming Solutions Act, the Green Communities Act, the Healthy Transportation Compact, Leading by Example, YouMoveMassachusetts, and Complete Streets. The Global Warming Solutions Act requires Massachusetts to reduce economy wide GHG emissions: 10% -25% below 1990 levels by 2020 and an 80% reduction below 1990 levels by 2050. The transportation sector is the largest GHG emitter, producing 31% of 1990 emissions and projected to produce 38% of 2020 emissions. GreenDOT also incorporates a statewide mode shift goal to triple the percentage of trips made by bicycling, transit and walking.

GreenDOT is also comprised on an additional by seven goals that can be tied to regional planning efforts. In the Pioneer Valley region, these goals and their recommended strategies have been incorporated into the new Transportation Evaluation Criteria (TEC) used to prioritize transportation improvement projects included as part of the TIP. The TEC is described in greater detail in Chapter 12 of the RTP. Table 2-2 summarizes the seven

GreenDOT goals, their associated strategies and how they are addressed in the TEC for the Pioneer Valley.

Table 2-2 – Integration of GreenDOT Goals into the RTP

Policy/Planning - Design a Multi-Modal Transportation System, Triple Mode Share of Bicycling, Transit, and Walking, & Promote Healthy Transportation and Livable Communities	
Associated Strategy	RTP/TEC Integration
Providing secure and/or covered bicycle parking and shared used paths	Projects are eligible to receive up to 12 points for bicycle and pedestrian improvements in the "Livability" category. Projects receive 1 point for providing bicycle amenities such as bicycle parking.
Improving access to transit and other vital community services	Projects are eligible to receive up to 4 points by improving access to transit.
Designing complete street projects with municipalities	Complete Streets consistency is worth up to 3 points.
Encouraging Safe Routes to Schools projects	Projects that provide safe and reliable access to education receive 0.5 point.
Incorporating public health impacts in the transportation planning process	Projects that complete a Health Impact Assessment will receive 1 point.
Coordinating on regional and statewide bicycle and pedestrian planning efforts.	Many "Livability" subcategories in the TEC support regional and statewide bicycle and pedestrian planning efforts.
Supporting Bike Share programs locally and regionally.	Projects can receive 2 points for being part of a locally adopted Bike Share Program.
Prioritizing critical pedestrian and bicycle network gaps, i.e. Bay State Greenway	Critical Gaps are identified as part of PVPC's Regional Bicycle Linkages Map. Projects that provide connections to regional bikeways/walkways receive 1 point.
Improving bicycle and pedestrian counts	PVPC collects bicycle and pedestrian movements as part of all intersection turning movement counts.
Air - Reduce Greenhouse Gas Emissions & Improve Air Quality	
Associated Strategy	RTP/TEC Integration
Developing projects to improve air quality	Projects that demonstrate improvements to air quality can receive up to 1 point.
Analyzing GHG reduction strategies in transportation improvement projects and tracking progress	PVPC performs GHG analysis for all proposed RTP and TIP projects.
Setting regional goals for reducing VMT (travel demand)	Projects that demonstrate a significant reduction in single occupant vehicle use will receive 1 point.
Analyzing fleet fuel usage and supporting retrofits and procurement of alternative fuel vehicles	The RTP supports the use of alternatively fueled vehicles. PVTA has hybrid transit vehicles and is in the process of purchasing electric buses.
Supporting alternative fuels vehicle infrastructure	PVTA is in the process of purchasing an electric vehicle charging station.
Increasing bus and transit route efficiency	The PVPC has an ongoing task in its UPWP to study transit route efficiency.
Promoting anti-idling policies and educational outreach	Not specifically addressed in the TEC but included as a Need in the RTP

C. SUSTAINABLE TRANSPORTATION ELEMENT PLAN

The Pioneer Valley has actively incorporated sustainability planning practices to improve the regional quality of life. These projects improve livability of neighborhoods, promote alternate modes of transportations to reduce environmental impacts and enhance access for pedestrian, bicycle and transit use. Increased access to bicycling, transit and walking reduces individual reliance on automobiles and can improve the local environment by using a cleaner and healthier mode of transportation.

The Sustainable Transportation Element Plan is a recent document prepared by PVPC in February, 2014. The document identifies the existing sustainable transportation initiatives in the region and develops strategies to improve the sustainability of the regional transportation system. The plan identified how sustainability can be incorporated into the transportation planning process in order to meet existing needs without compromising the assets of future generations.

While sustainability can be measured using a wide variety of indicators, the indicators used in Table 8-1 were chosen because they have a direct relationship to transportation planning practices. Each sustainability project has a relationship to one of the transportation sustainability indicators seen in Table 10-1. Each indicator has a correlating recommending agency: Federal Highway Administration (FHWA), MassDOT, or the PVSustain Network. The FHWA recommendations were formulated through information from "Context Sensitive Solutions: Integrating Sustainability and Climate Change Concerns and CSS Principle" and "Four Strategies to Reduce Green House Gases." MassDOT recommendations were formulated through "GreenDOT's Policy Directive." Lastly, transportation related sustainability indicators were selected from the Pioneer Valley Sustainability Network. These three agencies were used to integrate federal, state and regional sustainability goals.

EXHIBIT 5 6 of 11

Table 10-1 – Transportation Sustainability Indicators

Transportation Sustainability Indicators	Effect	Recommending Agency
Reduce VMT	Implementing land use strategies and transportation alternatives that lessen the need to drive. Providing transit options, pedestrian and bicycle facilities, park and ride facilities, telecommuting and travel demand management programs.	FHWA (Context Sensitive Solutions, Strategy to Reduce GHG)
Reduced GHG Emissions	Reduce GHG emissions from transportation construction and operations. Reduced GHG would improve regional air quality as well as the health of the region's population.	FHWA, MassDOT, PVSustain
Improved Transit Accessibility	Investment in transit infrastructure to expand services to larger population and improve the system's ease of use.	MassDOT
Livability	Livability is about tying the quality and location of transportation facilities to broader opportunities such as access to good jobs, affordable housing, quality schools, and safe streets. This includes addressing safety and capacity issues on all roads through better planning and design, maximizing and expanding new technologies such as ITS and the use of quiet pavements, using Travel Demand Management approaches to system planning and operations, etc.	FHWA, GreenDOT (Smart Growth)
Promote Healthy Transportation Modes	Reducing automobile travel resulting from transportation investments that improve pedestrian, bicycle and public transit infrastructure and operation.	FHWA and MassDOT
Transition to Lower GHG Fuels	Replacing gasoline and diesel with fuels and systems which emit less GHG over the lifecycle.	FHWA, PVSustain
Water Quality	Water nourishes human communities, wildlife and the natural and built landscape. It contributes to aesthetic and recreational values that often translate into higher property values. Drinking water quality is a community and public health asset. Protecting water quality in our streams, ponds, lakes, rivers and aquifers is the focus of much regulatory policy at all levels of government.	PVSustain

1. Bus System

The bus system is operated by the Pioneer Valley Transit Authority (PVTA) and is one of the primary mechanisms the Pioneer Valley possesses to attain greater sustainability. The system currently operates in 24 of the region's 43 communities and provides connection to academic institutions, major places of employment, shopping centers, and recreational areas. The transit system promotes regional

Based on the existing performance based planning activities and ongoing statewide planning activities, the JTC identified the existing performance measures that could best advance the seven national goals of MAP-21, the eight planning factors of SAFETEA-LU and the goals of the RTP. These performance measures were grouped into seven different planning areas and linked to the appropriate RTP goals and emphasis areas. This information is summarized in Table 12-2.

Table 12-2 – Regional Performance Measures for the Pioneer Valley MPO

Planning Area	Regional Performance Measures
Operations and Maintenance	<ul style="list-style-type: none"> • Structurally Deficient Bridges • Overall Condition Index
Safety	<ul style="list-style-type: none"> • Equivalent Property Damage Only (EPDO) • Fatality Rate • Top 100 High Crash Intersections
Congestion	<ul style="list-style-type: none"> • Travel Time Index • Regional Bottlenecks • Bicycle Condition Index • Passengers per Revenue Hour • Passengers per Trip
Green House Gas/Air Quality	<ul style="list-style-type: none"> • Transportation Related Green House Gas Levels • CMAQ Projects
Freight	<ul style="list-style-type: none"> • Restricted and Closed Bridges and Overpasses
Intermodal	<ul style="list-style-type: none"> • Park and Ride Occupancy • Bike Path Use Volumes
Multimodal	<ul style="list-style-type: none"> • Fixed Route Transit Ridership • Miles of Multi-use Paths, On-road Bike Facilities and Sidewalks.

1. Regional Performance Targets

A series of regional performance targets were developed based on the regional performance measures. Performance targets were developed to serve as indicators on how well the MPO is doing in advancing planning activities and projects to advance the goals of the RTP. Each performance target is based off of a baseline level and identifies a specific outcome over a defined timeframe. In some cases, the regional target is identical to established MassDOT targets when it was felt the state target was appropriate to advance the goals of the RTP, or that MassDOT typically plays the lead role in the advancement of projects and programs that can meet the performance target. One example is the advancement of bridge improvement projects through the TIP which is based off information received from MassDOT. The regional performance targets are summarized in Table 12-3. Tables 12-4 – 12-10 link each of the performance targets to RTP goals, emphasis areas, and state performance measures and targets.

Table 12-3 – Regional Performance Targets for the Pioneer Valley MPO

Reduce the number of structurally deficient bridges below 2014 levels.
Increase the average Overall Condition Index (OCI) for federal aid eligible roadways by 5% by 2025.
Reduce motor vehicle fatalities by 20% over five years.
Reduce the number of roadway fatalities and serious injuries by 50% by 2030.
Complete at least one safety study per year as part of the UPWP.
Reduce the average regional travel time index to less than 1.5 by 2025.
Fund at least one congestion improvement project through the TIP every 5 years.
Complete one planning study to reduce congestion per year as part of the UPWP.
Increase the total mileage of on road bicycle facilities by 10% by 2025.
Meet the minimum number of Passengers per Trip and Passengers per Revenue Hour for fixed route transit service consistent with PVTA's established tiers of service.
Reduce green house gas from the transportation sector by 25% by 2020 and 80% by 2050.
Fund at least one air quality improvement project through the TIP each year.
Minimize the impact of weight restricted, height restricted, and closed bridges.
Increase average park and ride lot use by 5% by 2025.
Demonstrate an overall annual increase in the use of regional bike paths.
Demonstrate an overall annual increase in PVTA and FRTA ridership.
Increase the total mileage of all bicycle and pedestrian infrastructure by 10% by 2025.

The security of the regional transportation system is an ever increasing priority. It is critical to ensure that the highest levels of security are provided for the users of our regional transportation system and that appropriate measures are taken to restrict access to our critical transportation infrastructure.

1. Needs

A number of needs in the areas of Safety and Security have been identified for inclusion in the RTP. These needs have been summarized in Table 14-1. Each need has been prioritized as either “Immediate,” “Future,” or “Ongoing.” Immediate needs are areas that are a high priority and must be addressed through the implementation of future planning studies and projects. Future needs are considered to be areas of a medium importance that should be addressed in the development of future projects. Ongoing needs are areas that require routine attention and that are typically already included as part of the regional transportation planning process.

Table 14-1 – Summary of Safety and Security Needs

Reduce the number of fatal and personal injury crashes for both pedestrians and vehicles in the region.	Ongoing
Improve coordination and information exchange between emergency service providers and transportation agencies.	Ongoing
Examine the safety of at-grade railroad crossings.	Ongoing
Improve the safety and security of existing freight railyards and facilities.	Ongoing
Reduce the number of roadway departure crashes.	Ongoing
Improve knowledge and compliance with existing Emergency Evacuation plans.	Ongoing
Protect regional transportation choke points such as bridges, airports, railyards, bus terminals, etc.	Ongoing
Ensure the safety and security of mass transit facilities and equipment.	Ongoing
Provide for the safety and security of hazardous material transportation in and through the region.	Immediate
Improve access to driver, bicycle, and pedestrian education.	Immediate
Identify deficiencies to make major routes more suitable for non-motorized traffic and transit users.	Immediate

a) Reduce the number of fatal and personal injury crashes for both pedestrians and vehicles in the region.

Chapter 6 of this document summarizes recent safety trends in the Pioneer Valley region. In order to assist in the reduction of personal injury and fatal crashes, MassDOT developed a Strategic Highway Safety Plan (SHSP). The goals of the SHSP have been integrated into the regional performance targets

Table 14-3 – Summary of Needs to Enhance the Movement of People

Increase opportunities for non-motorized transportation use.	Ongoing
Monitor peak hour congestion in the region.	Ongoing
Incorporate traffic calming measures where appropriate.	Ongoing
Maintain and expand the regional bike network connectivity.	Ongoing
Maintain equity in providing transportation services and access throughout the region.	Ongoing
Maintain and increase access to national passenger rail service in the Pioneer Valley.	Ongoing
Increase opportunities for enhanced air passenger service in the Pioneer Valley.	Ongoing
Provide opportunities for bicycle access to other modes of transport.	Ongoing
Incorporate ITS technologies to improve traffic flow on major regional roadways.	Ongoing
Enhance Paratransit scheduling software to utilize vans more efficiently.	Immediate
Secure adequate funding for a balanced regional transportation system.	Immediate
Provide adequate curb space for dropoff/pickups when considering future construction projects.	Immediate
Increase the number of riders using transit to commute to work and school.	Immediate
Enhance opportunities for inter-city, inter-regional passenger trips.	Immediate
Identify dependable and equitable funding sources for the Pioneer Valley transit system.	Immediate
Improve coordination and notification of the review of roadway improvement projects.	Future

a) Increase opportunities for non-motorized transportation use.

All roadway improvement projects in Massachusetts are required to provide access to bicycles and pedestrians. Incorporating bicycle and pedestrian features into road reconstruction projects create environments that support bicycling and walking, increasing bicycle and pedestrian safety, and promoting bicycling and pedestrian activities as alternative transportation choices.

Community interest in the Pioneer Valley Region has strongly supported the creation of off road, multi-use trails, bike lanes, and wide curb lanes for bicyclists. These off-road and on-street projects allow for easy access into residential neighborhoods and central business districts; are suitable for making short, local trips; and promote healthy lifestyles.

Complete Streets is an approach to configuring local roads to better balance the needs of all people who use a street: motor vehicle drivers, public transit riders, pedestrians, bicyclists, people with disabilities, shoppers, school

2. Strategies

A series of strategies were developed to address the needs that restrict the efficient movement of people in the region. These strategies are summarized in Table 14-4. A summary of each strategy follows.

Table 14-4 – Strategies to Assist in the Movement of People

Seek innovative methods to increase transit ridership, including express routes and flex vans.	Ongoing
Monitor congested areas using the regional Congestion Management Process (CMP).	Ongoing
Develop a regional list of top congested locations.	Ongoing
Promote the implementation of bicycle lanes where practical.	Ongoing
Advance and promote the principles of pavement management.	Ongoing
Conduct parking studies for downtown areas.	Ongoing
Enhance directional and guide signs to/from the regional highway system.	Ongoing
Seed to develop a TOD Investment Fund	Ongoing
Maintain equity in providing transportation services and access throughout the region.	Ongoing
Develop a comprehensive Commuter Rail network.	Immediate
Identify locations for park and ride lots and supporting express transit service.	Immediate
Work with the State and local communities to implement the recommendations of regional transportation studies.	Immediate
Identify sources of revenue for local transportation projects.	Immediate
Encourage private connections to the regional bikeway network.	Future

a) Seek innovative methods to increase transit ridership, including express routes and flex vans.

The Pioneer Valley MPO should work in consultation with local communities and the PVTA to identify future transit studies to include as part of the UPWP. These studies should identify areas that could benefit from additional or improved transit service. A combination of transit surveys, existing ridership data, the regional transportation model, and other appropriate analysis techniques should be utilized to develop recommendations to increase transit ridership.

b) Monitor congested areas using the regional Congestion Management Process (CMP).

Areas of congestion or travel conditions in the Pioneer Valley region that are no longer acceptable to the public must be identified as target areas for improvement. Improvement strategies must first consider maximizing the

Man seriously injured when struck by car in West Springfield; 2nd pedestrian accident on Elm Street within hours



By Patrick Johnson | pjohnson@repub.com

[Follow on Twitter](#)

on December 15, 2014 at 12:28 PM, updated December 15, 2014 at 1:20 PM

WEST SPRINGFIELD — A man crossing Elm Street near the post office suffered serious injuries Monday morning when he was struck by a car, police said.

The accident, occurring at around 11 a.m., was the second serious accident involving a pedestrian on Elm Street in just a few hours.

A school crossing guard was struck just before 8 a.m. on Elm Street near Gardner Street. She later died of injuries.

The two accident scenes are about 600 yards apart.

In the later accident, the man suffered head injuries when he was hit by the car and then thrown to the ground, Police Chief Ronald Campurciani said.

The man, whose identity was not available, was taken by ambulance to Baystate Medical Center. Campurciani said his condition was not known.

Police are still trying to sort out what happened, he said. He said it appeared the man had just left the post office and was crossing Elm Street when he was hit.

Campurciani said it is not clear if the pedestrian was in the crosswalk just outside the front door to the post office, or if he was hit when he walked between cars.

A pile of clothing and some blood remained in the center of the road some 50 feet from the crosswalk. Campurciani said the man was apparently carried a distance down the road, and investigators still have to determine the point of impact.

The driver of the car involved stopped at the scene and was cooperating with police, he said.

The side of Elm Street closest to the post office was shut down to traffic while police investigated the scene.

One man crossing the street near the post office said cars commonly fail to stop for people in crosswalks. "They don't stop here. They never stop," he said.

TRAFFIC

Drugs and alcohol factors in unrelated crashes on I-91 in Springfield and Longmeadow

Memorial Day 2017 travel: Traffic hot spots, gas prices, tips and more

2-vehicle crash in Deerfield sends 1 to hospital

Traffic reroute for 'The X' in Springfield gets closer

Aaron Hoare indicted by Hampden County Grand Jury for role in Springfield crash that killed 4 passengers

EXHIBIT 6 2 of 3



Crossing guard killed in West Springfield accident

By [Anthony Fay \(http://wwlp.com/author/wwlp_tonyfay/\)](http://wwlp.com/author/wwlp_tonyfay/)

Published: December 15, 2014, 6:22 pm | Updated: December 16, 2014, 12:17 am



WEST SPRINGFIELD, Mass. (WWLP) – A West Springfield school crossing guard has died, following the first of two accidents involving pedestrians on Elm Street in West Springfield Monday morning.

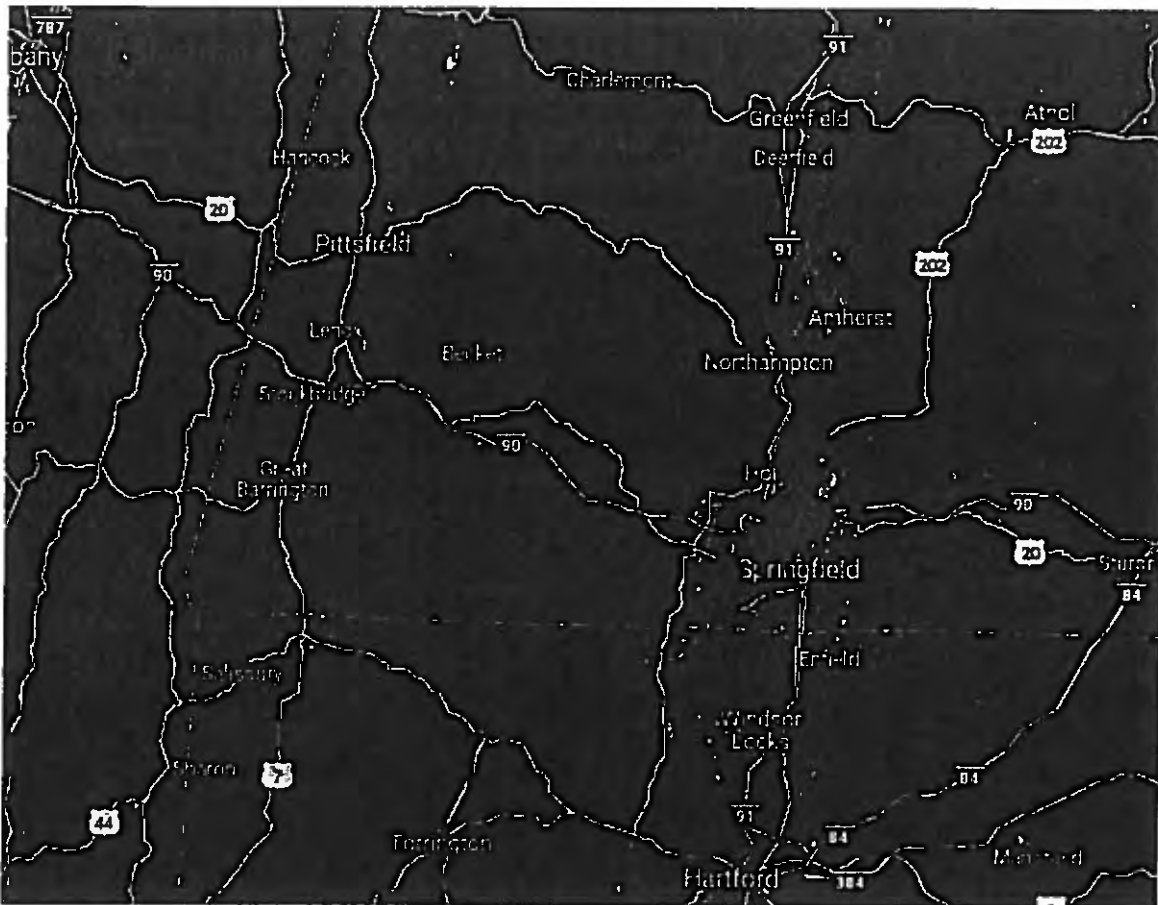
[On his official Twitter account](#)

https://www.facebook.com/WestSpringfieldPoliceDepartment/app_103946966394976, Chief Ronald Campurciani confirmed that the accident at Elm and Garden Streets was a deadly accident, and they are looking into whether they will file charges in the case.

EXHIBIT 6 3 of 3

Superintendent of Schools Michael Richard told 22News that there were no children hurt in the incident. He said that the crossing guard helped children cross the busy street near the Coburn Elementary School.

Just a short time following the accident involving the crossing guard, a second pedestrian was struck by a car (<http://wwlp.com/2014/12/15/pedestrian-struck-by-car-near-west-springfield-post-office/>) on Elm Street in front of the post office. That person's condition is not immediately known.



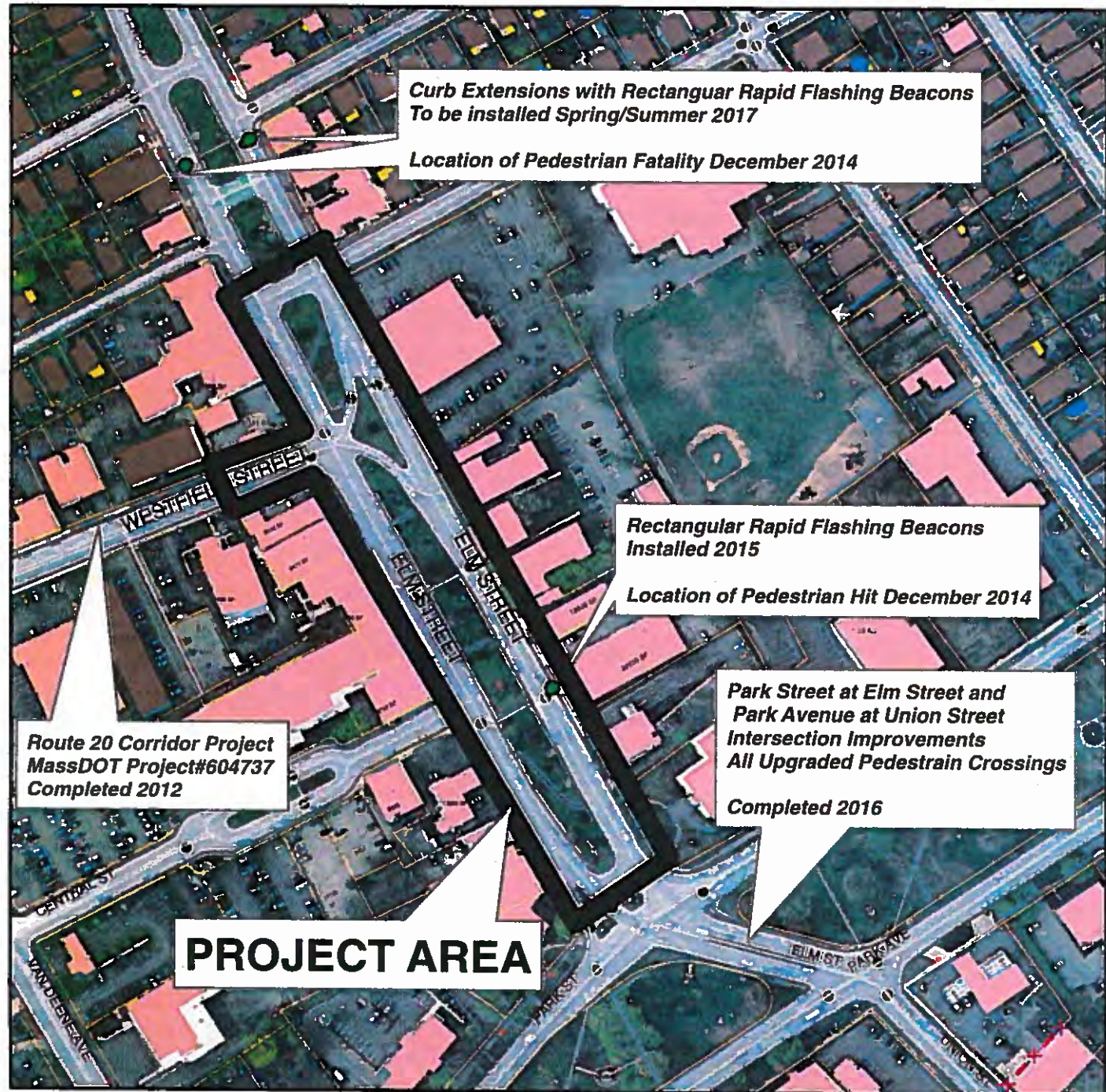
Top News



Bikers "Storm the State House" in support of road safety...
22News spoke with western Massachusetts bikers who support...



Exhibit 7



Legend

- | | |
|----------------------|---------------------|
| Streets Centerline | Buildings |
| — Paved | — Deck or Porch |
| — Unpaved | — Garage (Detached) |
| Major Roads | — Residential |
| — Local Roads | — Commercial |
| — State Highway | — Industrial |
| — Interstate Highway | — Demolished |
| — Easements | — Proposed |
| — Right of Way | — Parcels |
| — Public | — New Lot Line |
| — Private | — Line Removed |
| — Railroad | — Pavc Edges |
| — Paper Street | — Pavement |
| — Old Lot Lines | — Wetland |
| — Swimming Pools | — Streams |



Planimetric & Topographic Features were derived from aerial photography taken on March 30th, 1998 and April 3, 2010. These features meet ASPRS Standards for 1" = 40' Class 1 map accuracy. All maps are projected to the Stateplane grid coordinate system, Zone 4151, Datum NAD83 & Units feet.

This data should not be used for legal description or conveyance purposes.



Town of West Springfield, MA, GIS

2011 Aerial Photo © DigitalGlobe, Inc. All rights Reserved

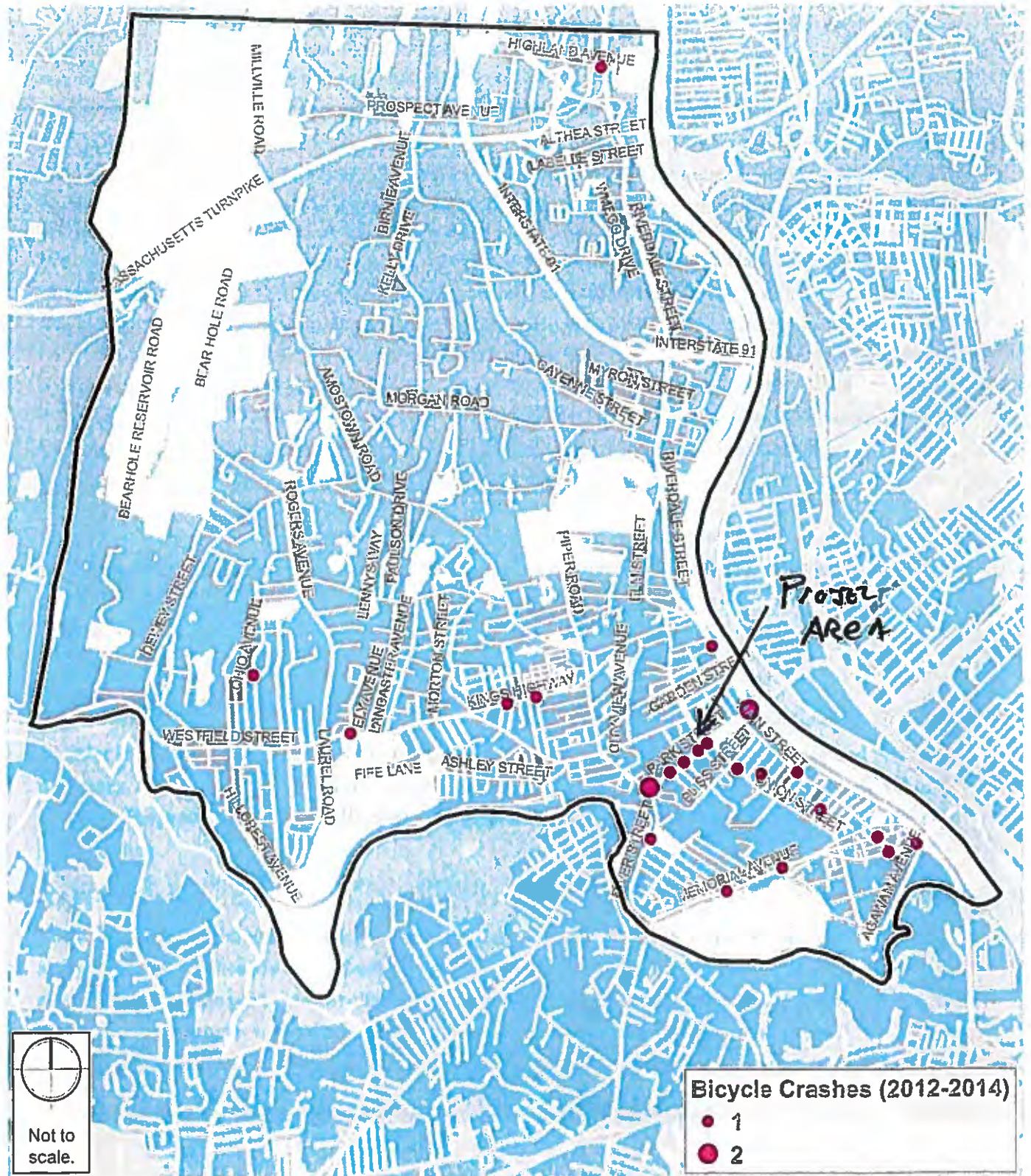
Created By: jczach

Date: 5/22/2017

EXHIBIT 8 A



Figure 1. *Bicycle Crashes*

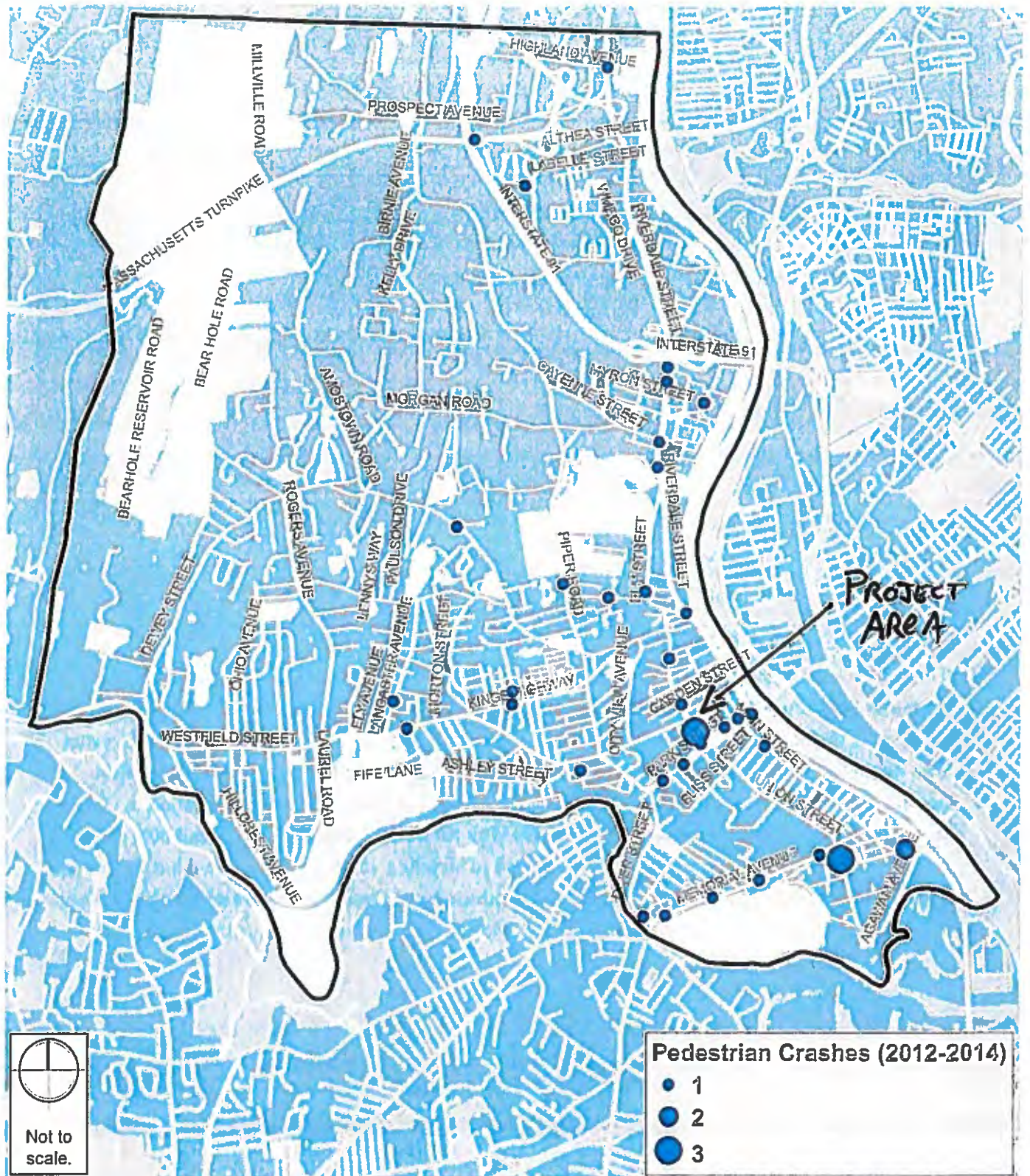


Data Source: HSH, MassGIS, MassDOT

EXHIBIT 8B



Figure 2. Pedestrian Crashes



Data Source: HSH, MassGIS, MassDOT

EXHIBIT 9A

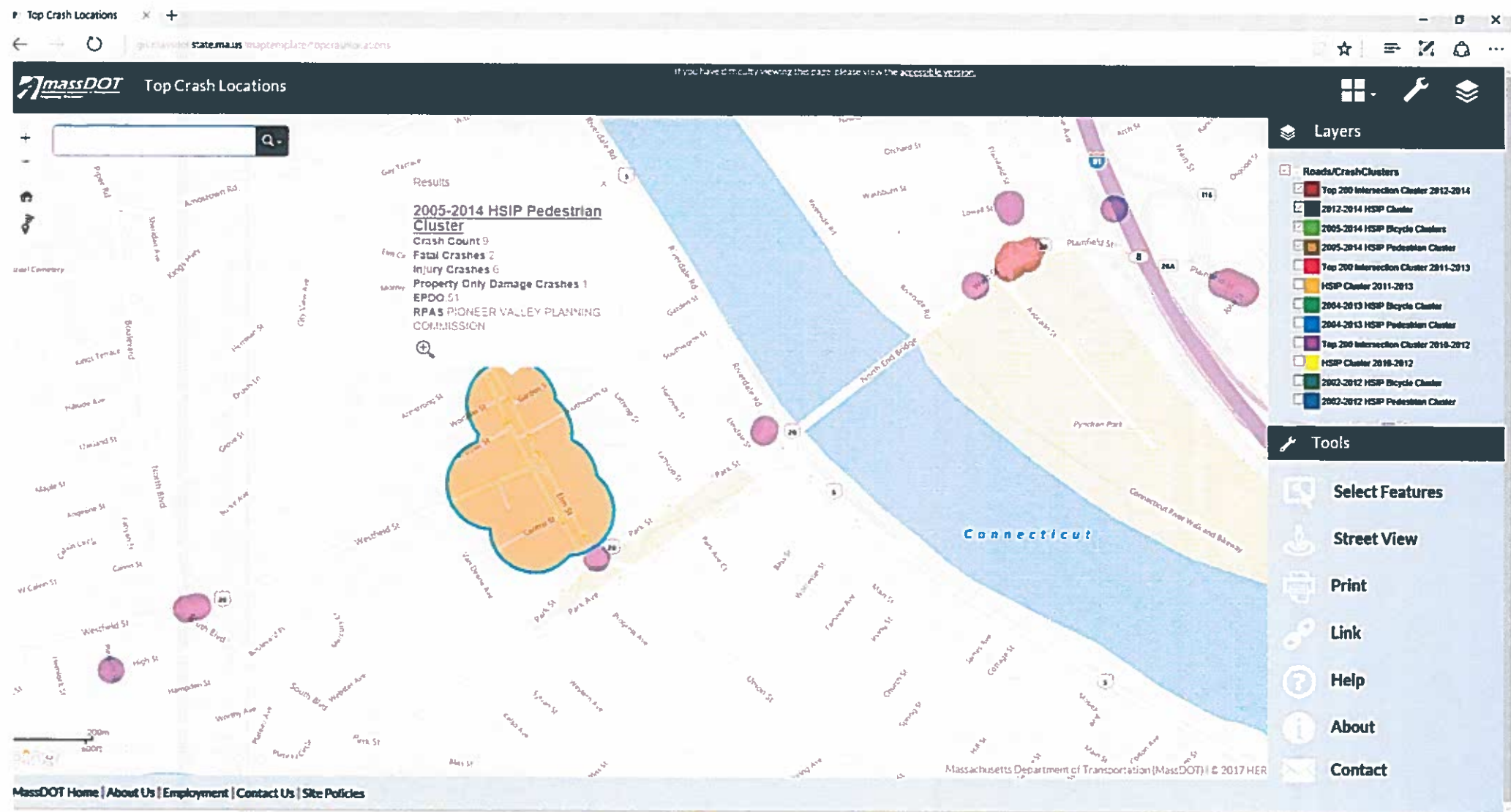


EXHIBIT 9B

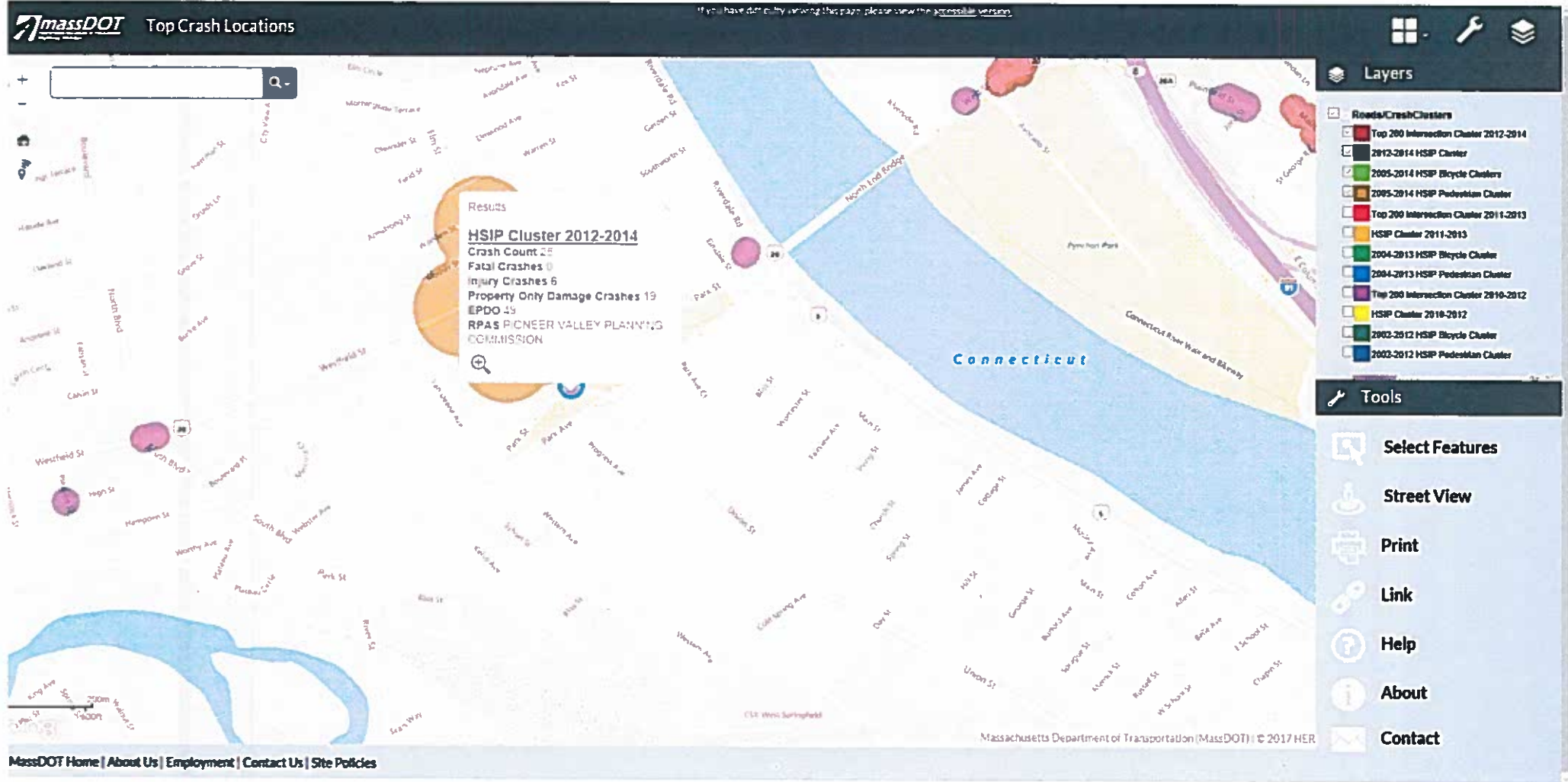
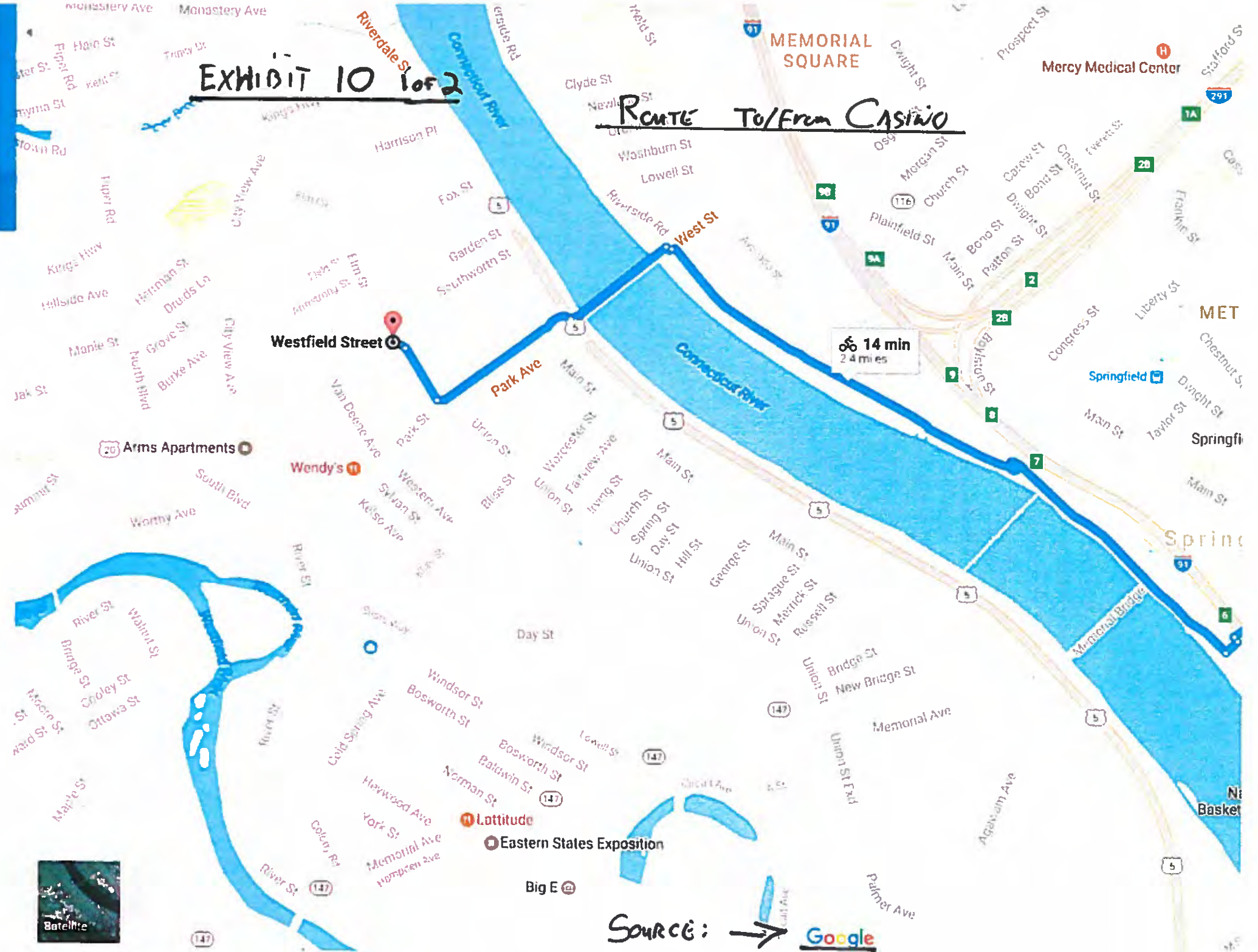


EXHIBIT 10 1 of 2

ROUTE To/From CASINO



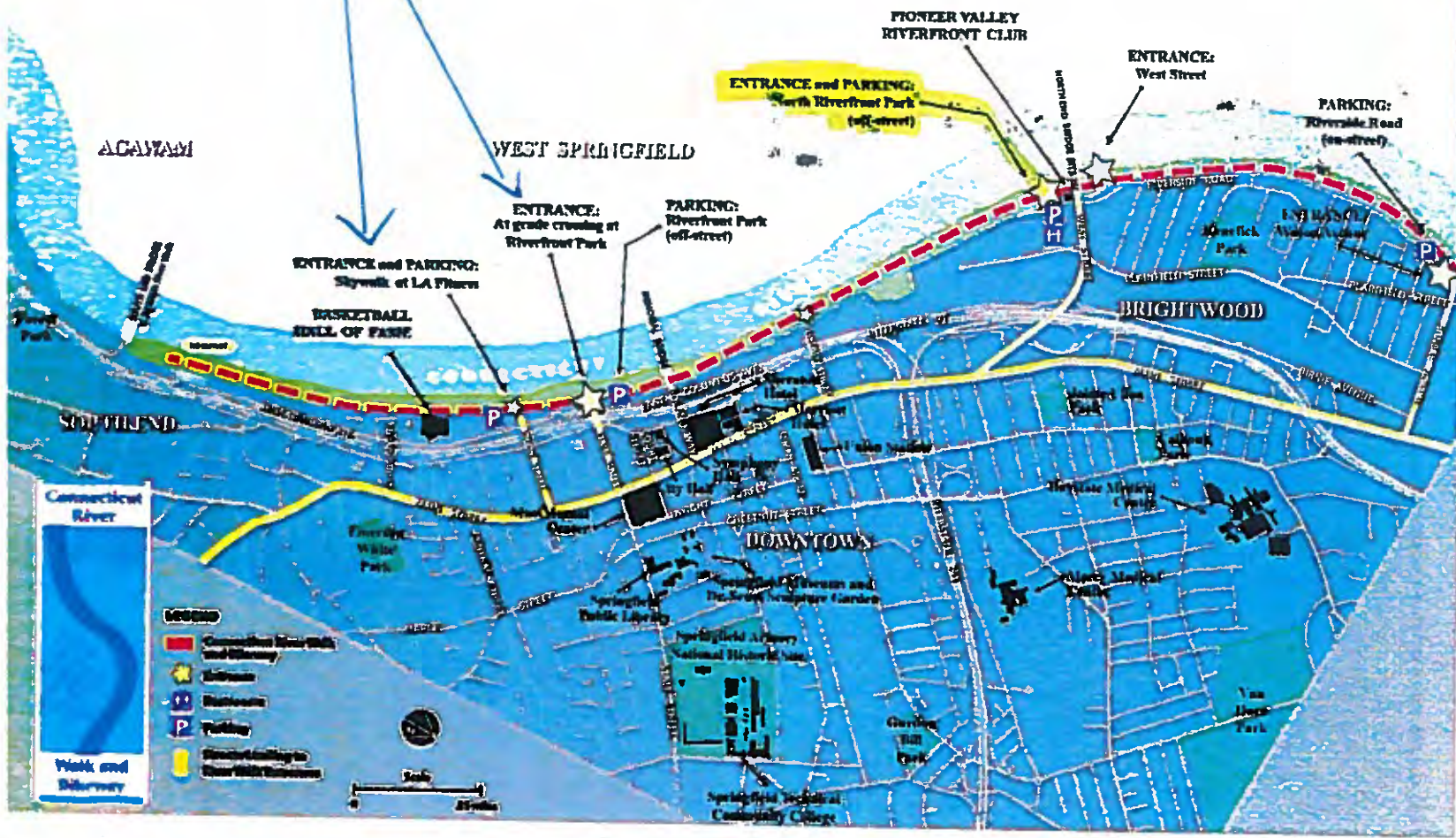
SOURCE: Google



ACCESS TO/FROM RIVERWALK

State Street
Union Street

Route From West Springfield
NORTH RIVERFRONT PARK
ENTRANCE





SPRINGFIELD RIVERWALK
NORTH RIVERFRONT ENTRANCE

FROM THE RIVERWALK
APPROXIMATELY .6 MILES

PROJECT AREA

TO THE RIVERWALK
APPROXIMATELY .65 MILES

- Legend**
- | | |
|----------------------|---------------------|
| Streets Centerline | Buildings |
| - Paved | - Deck or Porch |
| - Unpaved | - Garage (Detached) |
| Major Roads | - Residential |
| - Local Roads | - Commercial |
| - State Highway | - Industrial |
| - Interstate Highway | - Demolished |
| - Easements | - Proposed |
| Right of Way | - Parcels |
| - Public | - New Lot Line |
| - Private | - Line Removed |
| - Railroad | - Pavement Edges |
| - Paper Street | - Pavement |
| - Old Lot Lines | - Wetland |
| - Swimming Pools | - Streams |



Planimetric & Topographic Features were derived from aerial photography taken on March 30th, 1998 and April 3, 2010. These features meet ASPRS Standards for 1" = 40' Class 1 map accuracy. All maps are projected to the Stateplane grid coordinate system, Zone 4151, Datum NAD83 & Units feet.

This data should not be used for legal description or conveyance purposes.



1 inch = 547.510163 feet
Town of West Springfield, MA, GIS

2011 Aerial Photo © DigitalGlobe, Inc. All rights Reserved

EXHIBIT 12



- 1.4 miles
- Connecticut Riverwalk and Bikeway
- State St
- Head southwest on State St toward E Columbus Ave
- Turn left toward Connecticut Riverwalk and Bikeway
- Turn right toward Connecticut Riverwalk and Bikeway
- Turn right onto Connecticut Riverwalk and Bikeway
- Turn left to stay on Connecticut Riverwalk and Bikeway
- Turn right to stay on Connecticut Riverwalk and Bikeway
- Turn left onto West St
- Continue onto North End Bridge

SOURCE: GOOGLE

EXHIBIT 13



Elm Street

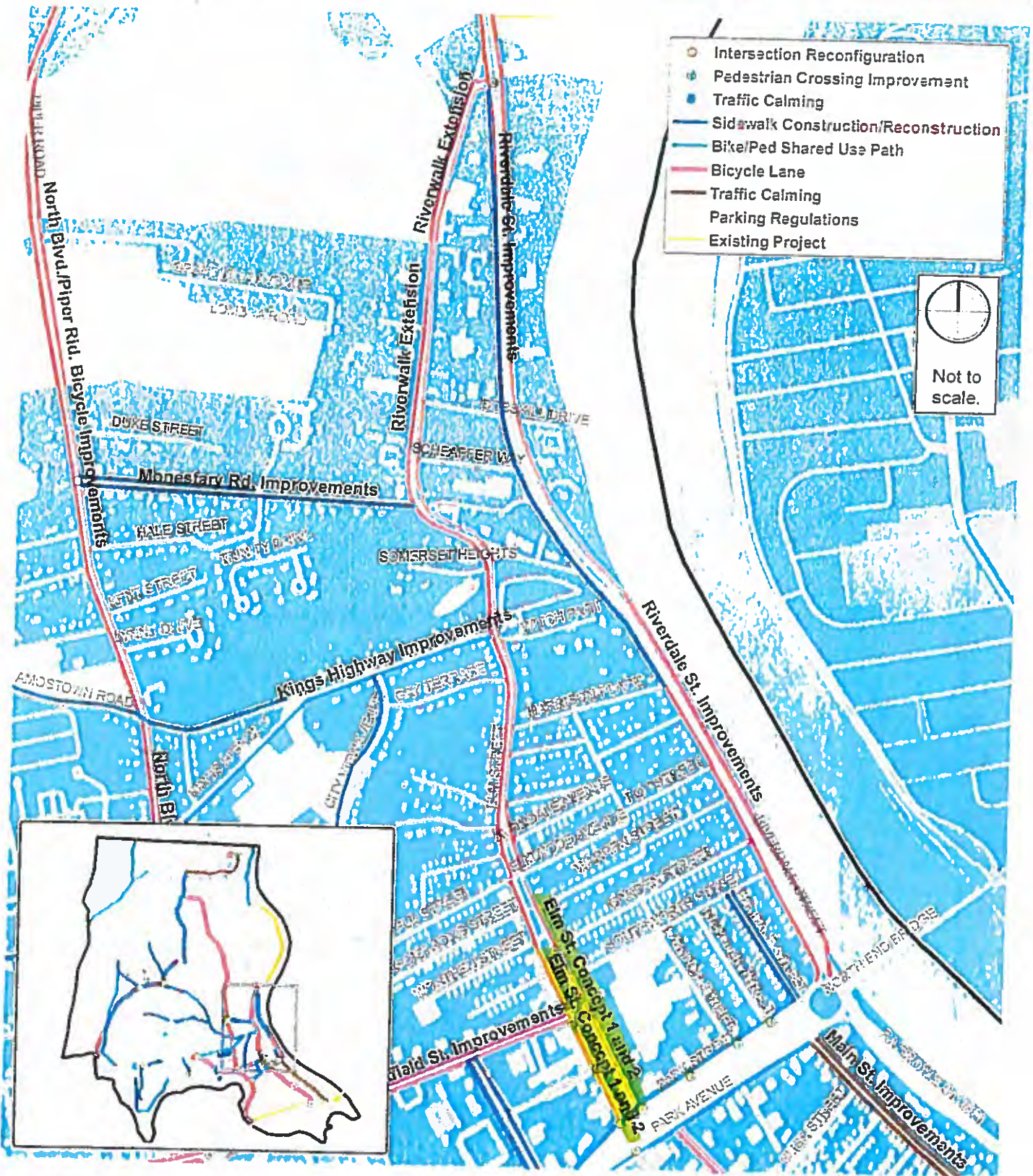




EXHIBIT 14

Park Street/Park Avenue



EXHIBIT B

Comments Received



Massachusetts Gaming Commission



CARING HEALTH CENTER
RICHARD E. NEAL COMPLEX

Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA 02110

June 20, 2017


Dear Massachusetts Gaming Commission,

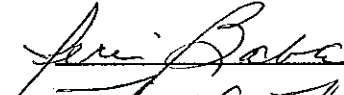
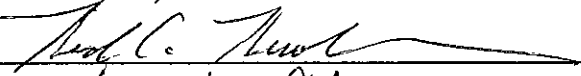
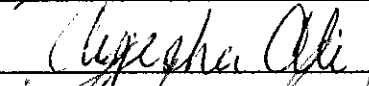

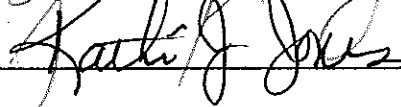
On behalf of the entire Caring Health Center Board of Directors, I, Rashad A. Collins, would like to thank the Massachusetts Gaming Commission (MGC) for recognizing the City's need for a valet parking program in Springfield's South End corridor. As a federally qualified health center, fifty one percent of our board members are patients and have had the opportunity to use the wonderful program. They have given positive praise about it's ease of use and swift turnaround times.

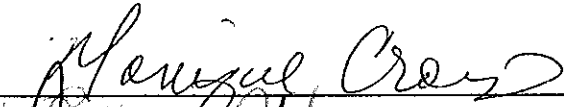
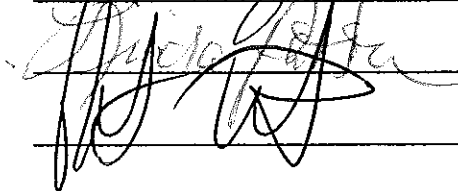
It is evident by the general patient feedback and number of cars parked, the program has been wildly successful. Valet Park of America has stated the program was more successful than anticipated with thousands of consumers already being served. The Springfield Parking Authority, under Tom Moore, has efficiently and effectively administered the program and are considered true partners in ensuring continued success of the area businesses. Without a doubt, valet parking has increased access to parking for the South End as a whole.

The need for this service continues and will increase as the City recently announced a collaboration to renovate the Main Street coridor including sidewalks, streets, and lighting. We look forward to MGC's continued support of this program.

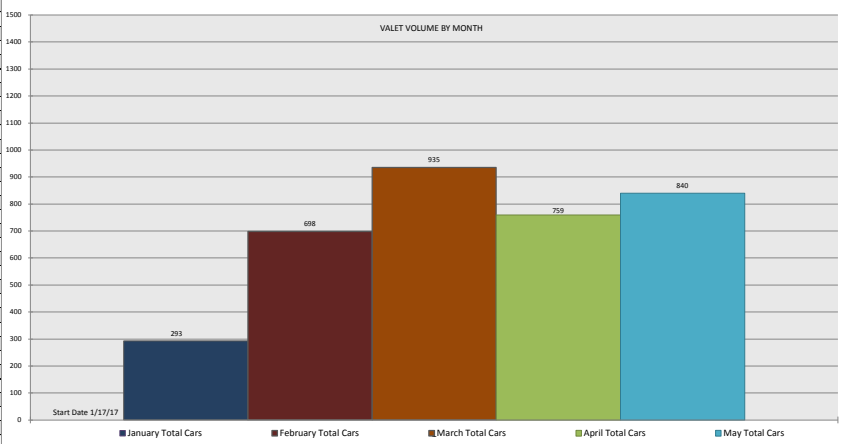
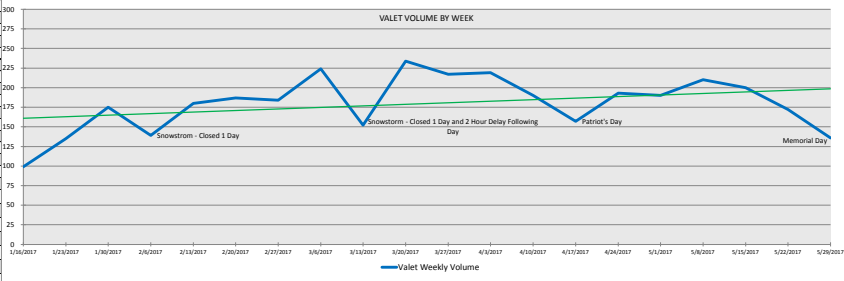
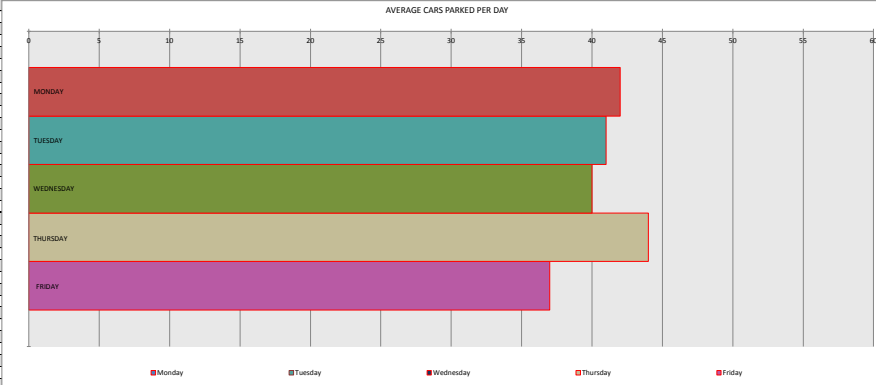
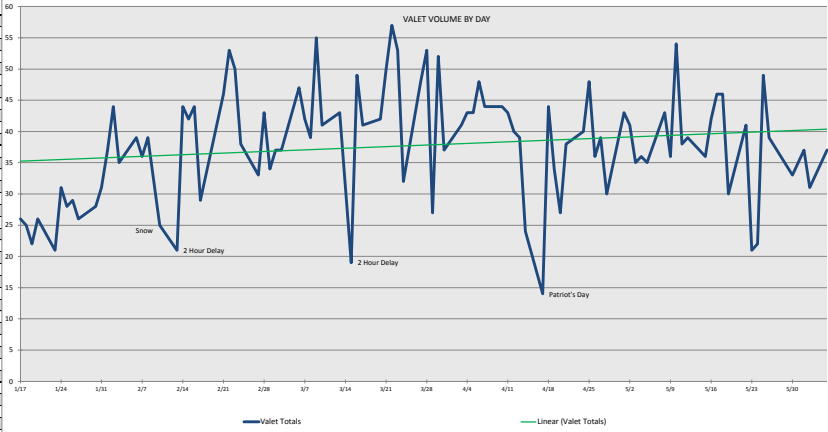
With much appreciation,


Rashad A. Collins
Board Chair

Month	Day	Date	Valet Totals	Notes
JAN	Tuesday	1/17	26	
	Wednesday	1/18	25	First Day
	Thursday	1/19	22	
	Friday	1/20	26	
	Monday	1/23	23	
	Tuesday	1/24	31	
	Wednesday	1/25	28	
Thursday	1/26	29		
Friday	1/27	26		
Monday	1/30	28		
Tuesday	1/31	31	1 Hour Delay - Snowstorm	
FEB	Wednesday	2/1	37	
	Thursday	2/2	44	
	Friday	2/3	35	
	Monday	2/6	39	
	Tuesday	2/7	36	
	Wednesday	2/8	39	
	Thursday	2/9	0	CLOSED - Snowstorm
	Friday	2/10	25	Slow - Post Storm
	Monday	2/13	21	2 Hour Delay - Snowstorm
	Tuesday	2/14	44	
	Wednesday	2/15	42	
	Thursday	2/16	44	
	Friday	2/17	29	
Monday	2/20	0	CLOSED - President's Day	
Tuesday	2/21	46		
Wednesday	2/22	53		
Thursday	2/23	50		
Friday	2/24	38		
Monday	2/27	33		
Tuesday	2/28	43		
MAR	Wednesday	3/1	34	
	Thursday	3/2	37	
	Friday	3/3	37	
	Monday	3/6	47	
	Tuesday	3/7	42	
	Wednesday	3/8	39	
	Thursday	3/9	55	
	Friday	3/10	41	
	Monday	3/13	43	
	Tuesday	3/14	0	CLOSED - Snowstorm
	Wednesday	3/15	19	2 Hour Delay - Snowstorm
	Thursday	3/16	49	
	Friday	3/17	41	
Monday	3/20	42		
Tuesday	3/21	50		
Wednesday	3/22	57		
Thursday	3/23	53		
Friday	3/24	32		
Monday	3/27	48		
Tuesday	3/28	53		
Wednesday	3/29	27		
Thursday	3/30	52		
Friday	3/31	37		
APR	Monday	4/3	43	
	Tuesday	4/4	43	
	Wednesday	4/5	43	
	Thursday	4/6	48	
	Friday	4/7	44	
	Monday	4/10	44	
	Tuesday	4/11	43	
	Wednesday	4/12	40	
	Thursday	4/13	39	
	Friday	4/14	24	
	Monday	4/17	14	SLOW - Patriot's Day
	Tuesday	4/18	44	
	Wednesday	4/19	34	
Thursday	4/20	27		
Friday	4/21	38		
Monday	4/24	40		
Tuesday	4/25	48		
Wednesday	4/26	36		
Thursday	4/27	39		
Friday	4/28	30		
Monday	5/1	43		
Tuesday	5/2	41		
Wednesday	5/3	35		
Thursday	5/4	36		
Friday	5/5	35		
Monday	5/8	43		
Tuesday	5/9	36		
Wednesday	5/10	54		
Thursday	5/11	38		
Friday	5/12	39		
Monday	5/15	36		
Tuesday	5/16	42		
Wednesday	5/17	46		
Thursday	5/18	46		
Friday	5/19	30		
Monday	5/22	41		
Tuesday	5/23	21		
Wednesday	5/24	22		
Thursday	5/25	49		
Friday	5/26	39		
Monday	5/29	0	CLOSED - Memorial Day	
Tuesday	5/30	33		
Wednesday	5/31	35		
Thursday	6/1	37		
Friday	6/2	31		
Monday	6/5	37		
Tuesday	6/6			
Wednesday	6/7			
Thursday	6/8			
Friday	6/9			
Monday	6/12			
Tuesday	6/13			
Wednesday	6/14			
Thursday	6/15			
Friday	6/16			
Monday	6/19			
Tuesday	6/20			
Wednesday	6/21			
Thursday	6/22			
Friday	6/23			
Monday	6/26			
Tuesday	6/27			
Wednesday	6/28			
Thursday	6/29			
Friday	6/30			
JUL	Monday	7/3		
	Tuesday	7/4		
	Wednesday	7/5		
	Thursday	7/6		
	Friday	7/7		
	Monday	7/10		
	Tuesday	7/11		
Wednesday	7/12			
Thursday	7/13			
Friday	7/14			
Monday	7/17			
Tuesday	7/18			
Wednesday	7/19			
Thursday	7/20			
Friday	7/21			
Monday	7/24			
Tuesday	7/25			
Wednesday	7/26			
Thursday	7/27			
Friday	7/28			
Monday	7/31			



TOTAL CARS PARKED
3630

Thurlow, Mary (MGC)

From: Stefan Davis <ifoundlightao1@gmail.com>
Sent: Thursday, May 18, 2017 1:15 PM
To: MGCcomments (MGC)
Cc: info@focusspringfield.com
Subject: 2017 Mitigation Fund Applications

Categories: Green Category

To Whom It May Concern:

I have recently heard of the news that Focus Springfield Community TV will need to relocate their studio from their existing location. I am writing to support them with the hope that they will receive a Mitigation grant to secure the funds to continue operations at a new location.

My name is Stefan Davis and I am the CEO and President of a local non-profit organization. I am also a TV Talk Show Host and Co-Producer of 'I Found Light, Against All Odds', which has aired 7 episodes (with more to come) on Focus Springfield Community TV. Our show is designed to address social, emotional and economic issues that today's youth are experiencing in their lives and that have brought them to darkness. The show allows youth and families to share the challenges that they have had and ensures that they have a safe and supportive platform to engage in conversations. Our mission is to help others get the support that they need to find light from the darkness in their lives.

All of the staff at Focus Springfield have been tremendously supportive and helpful in assisting us with production of the show. They are always committed in making myself and my guests feel comfortable in the studio before, during and after the production of the show. They are extremely professional with everything that they do.

Thank you for your time and I hope you consider helping Focus move to a new location so they can continue to provide unique resources to the community, including by not limited to my show.

Sincerely,

Stefan B. Davis

SUBJECT: 2017 Community Mitigation Fund Applications

To whom it may concern,

I am writing to you in regards that FOCUS Springfield are to be evicted from their current facility, and are searching to find a new location so we can all work in. As a new producer to FOCUS, this news is unfortunate because I loved how they are conveniently located in the heart of Springfield. Yet I know FOCUS will find a proper location that will allow them to do the same amazing and great work they have been doing for the community. But this cannot happen without the proper funds.

A little about myself and how FOCUS has and still is a big part of my life. I've lived in Springfield a majority of my life and love this city. FOCUS has always been the go to channel for local talent to have a chance to perform live, to all my community gossip. I enjoy watching live debates, events and even shows on FOCUS. To the point I eventually went to join FOCUS last year, and am learning how to produce a talk show that will be great for my community and fulfill my dream of having my own talk show.

I know this dream will be achieved, and can I say 'FREE' thanks to FOCUS. The staff here are helpful beyond the call. For a small group they have made the sacrifice and effort to provide Springfield residence with free education about media, sound, editing. That most people have to pay top dollar to gain the experience these folk so willing help out. Yet to do this with the eviction, FOCUS will need the proper funding as I stated earlier. And I know once FOCUS does get the proper funding to make their moving transition, they will continue to work hard, even harder for Springfield.

Closing I really wish to continue with FOCUS and get my show started. Basically this is not only a FOCUS issue, but a community. We are all relying on the proper funding FOCUS should get from being evicted. The community needs FOCUS, as does young and ambitious people like myself. I really hope this letter opens your eyes to see the importance of FOCUS so they may gain the funds needed to do what they do best; 'Serve Springfield.'

Thank You

Derryl Gibbs Jr

Thurlow, Mary (MGC)

From: Shelxander TV <shelxandertv@gmail.com>
Sent: Friday, March 31, 2017 2:37 PM
To: MGCcomments (MGC)
Cc: Info@focusspringfield.com
Subject: 2017 Mitigation Fund Applications

I am writing in support of Focus Springfield Community TV with the hope that they will receive a mitigation grant to secure the funds to continue operations at a new location.

I started working with focus Springfield in January in 2017.

I've done some video, filming and editing but to finally be in a studio and to actually film more content and have the access to it is much more satisfying. Being a native in Springfield, we here things a lot about this great city - unfortunately it primarily is negative. Things like "lack of support, no arts, or nothing here" is a constant conversation people will come across. I completely disagree. I've been co-running events with many community leaders that support black college tours, scholarships, funerals, fundraisers, poetry and music events, comedy, local business plugs and more. To have the ability to showcase it through Focus Springfield and highlight the support, love as well as entertainment; focus Springfield has become and still is transforming the way media is consumed in the area as far as government and local. I've had the please of working with many talented people in focus- some I already knew and some I didn't. But the love and respect we have for one another is genuine, the things I learned through them is very essential to the growth of individuals such as myself that not only ripples through the community but reflects how the city should be and can be perceived. A city that focuses on its citizens with creative endeavors and leadership capabilities.

hope that this email can move you to help move us to a location that keeps Focus Springfield in tact like it does with our community.

Thank you for your time, and I hope you consider helping Focus Springfield move to a new location so they can continue to provide unique resources to the community.

Sincerely,
Sheldon Gaynor

Thurlow, Mary (MGC)

From: Leydon, James (DAA) <james.leydon2@massmail.state.ma.us>
Sent: Thursday, March 30, 2017 2:46 PM
To: MGCcomments (MGC)
Subject: 2017 Community Mitigation Fund applications

March 30, 2017

Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA 02110

Dear Commissioners:

It has come to my attention that the City of Springfield has filed an application for mitigation funding on behalf of Focus Springfield.

Since re-locating to its new studio on the corner of State and Main Street in the City of Springfield, Focus Springfield has become an increasingly important resource for my office. The investment made into its new studio has provided a resource to the community that was not previously available.

Specifically, our partnership centers around my office's Youth Advisory Board and the work the board does in engaging their peers in the consequences of risky behavior. The initiative, ***It Only Takes One***, has been a successful endeavor in my office's overall mission of prevention and education.

Without Focus Springfield it would not have been possible for my office to develop such a robust initiative that directly engages young people, not just in Springfield, but across Hampden County.

I fully endorse the City of Springfield's mitigation funding application on behalf of Focus Springfield. If you wish to discuss this issue further, please contact me at your convenience at (413) 747-1000 or by e-mail at agulluni@MassMail.state.ma.us.

Thank you in advance for your time and consideration into this matter.

Respectfully,

Anthony D. Gulluni
Hampden District Attorney

Jim Leydon



ANTHONY D. GULLUNI
DISTRICT ATTORNEY

COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE DISTRICT ATTORNEY
HAMPDEN DISTRICT

HALL OF JUSTICE
50 STATE STREET
SPRINGFIELD, MASSACHUSETTS 01102-0559

SUPERIOR COURT
TEL: 413-747-1000
FAX: 413-781-4745

SPRINGFIELD DISTRICT COURT
TEL: 413-747-1001
FAX: 413-747-5628

March 22, 2017

Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA 02110

Dear Commissioners:

It has come to my attention the City of Springfield has filed an application for mitigation funding on behalf of Focus Springfield.

Over the past several years in both my previous position as the communications director for the City of Springfield and now in the same role for the Hampden District Attorney's Office, I can personally attest to the significant role Focus Springfield plays here in our community.

Since re-locating to their new state-of-the-art studio on State and Main Streets in Springfield, Focus Springfield has been a critical resource for local government to engage residents in an ever increasing multi-media/digital world. There is no other organization in the area that can replicate the resources and services provided by Focus Springfield.

Please consider the adverse impact a pared down Focus Springfield will have on the local community while considering the mitigation funding application. If you wish to discuss this issue further, please contact me at your convenience at (413) 505-5939 or by e-mail at James.Leydon@state.ma.us .

Thank you in advance for your time and consideration into this matter.

Respectfully,

Jim Leydon

James F. Leydon
Communications Director
Hampden District Attorney's Office

From: Oyola, Gladys [mailto:goyola@springfieldcityhall.com]
Sent: Tuesday, March 21, 2017 4:36 PM
To: MGCcomments (MGC)
Subject: 2017 Community Mitigation Fund application

To Whom It May Concern:

My name is Gladys Oyola and I am the Election Commissioner for the City of Springfield, Massachusetts. I am writing this email in support of the City of Springfield's application for Mitigation Funding for Focus Springfield.

As the 3rd largest city in the Commonwealth, Springfield is an extremely diverse city. Our citizens run the gamut economically, socially, educationally and culturally. Part of the mission of Focus Springfield is to improve the quality of life for Springfield residents by education and training. To that end they have partnered with the Board of Elections in our voter outreach efforts. Focus Springfield has worked with us to produce educational content that is accessible to the entire city. In collaboration with Focus Springfield, we have been able to produce training videos for our poll workers and educational videos for our voters. These painstakingly created videos have been viewed thousands of times and serve as an invaluable resource for the City of Springfield's Board of Elections.

In 2016 Springfield Public School students participated in a mock election in which they cast "votes" for President/Vice President. With the help of Focus Springfield the City of Springfield became the first municipality in the Commonwealth to broadcast live results of a Kids Vote election. Students were able to view the results live in school and on the web as they were announced. This first of its kind broadcast was the culmination of months of collaboration between the City of Springfield, The Springfield Public Schools and Focus Springfield.

As Focus Springfield looks for a new home in Springfield we ask that you consider the vital work they do and look favorably on their application for Mitigation Funding. We at The Springfield Board of Elections count ourselves lucky to have such an invaluable resource at our disposal.

Thank you in advance for your time.

GO

Gladys Oyola
Election Commissioner / Deputy City Clerk
City of Springfield
36 Court Street, Room 8
Springfield, MA 01103
P- 413-787-6189
F- 413-787-6186

Thurlow, Mary (MGC)

From: Morgan Drewniany <morgan@springfieldculture.org>
Sent: Tuesday, March 21, 2017 1:21 PM
To: MGCcomments (MGC)
Cc: info@focusspringfield.com; steve@focusspringfield.com; John Abbott; Brendon Holland
Subject: 2017 Mitigation Fund Applications

Good afternoon,

I am writing in support of Focus Springfield Community Television receiving a mitigation grant from the Massachusetts Gaming Commission in order to secure funds necessary to continue the high level of programming and community support they provide on a day-to-day basis in Springfield, MA.

Focus Springfield is one of the over fifty-five members of the Springfield Central Cultural District (SCCD), a Massachusetts Cultural Council (MCC) designated district and private nonprofit, and have provided immeasurable value to not just our organization, but to our City over the two years that they have worked with the partnership.

In just the past fiscal year, Focus Springfield has produced various content for the SCCD including, but not limited to, a video map showing cultural and architectural highlights of Downtown Springfield, a short piece on how arts affect economic development, and regular video updates from the SCCD to the community. These products have benefited our entire Downtown in that they are part of the larger resurgence in the area - attracting visitors and their dollars, increasing positive perception of the City, and encouraging an increase in walkability and quality-of-life. Without the in-kind support of Focus Springfield, which is part of their mission, these pieces would not have been created due to lack of SCCD funding. With their assistance, we have several professionally shot and produced pieces that continue to serve our City and its cultural life.

Focus Springfield does not simply provide support to organizations such as my own, but to individuals throughout the city as well, empowering them to share their stories and participate in creative placemaking. Equipment accessibility and training is certainly a large asset, but their talented staff are also unwavering in their commitment to making video accessible to every person who may walk through their doors. I cannot speak highly enough of the impact this has on a community which is largely comprised of low-income citizens of color. Creative expression has been clinically shown to increase public health, public safety, and economic viability of disadvantaged cities and diverse communities. If Focus were to cut back programs, resources, or staff hours due to lack of funding, the community at large would be immediately and dramatically impacted.

Alongside the City's mission to rebuild Springfield, the Cultural District is working with arts organizations such as Focus Springfield to impact economic development. As is well studied and published, every \$1 invested in the creative economy has a \$7 economic return, and I'm confident the work that Focus is doing moves the needle forward in this realm, as I have seen firsthand. To build a strong state and City, local efforts are the first step. Focus Springfield is critical to building and maintaining a strong and equitable City, and in order to maintain their momentum, they cannot afford to lose resources in a move they are happy to make, but did not choose.

I thank you for your time and consideration, and sincerely urge you to consider supporting Focus Springfield's move to a new location where they will continue to provide consistent, quality programming and resources to our City.

3/21/17

SUBJECT: 2017 Mitigation Fund Applications

I am writing in support of Focus Springfield Community TV with the hope that they will receive a Mitigation grant to secure the funds to continue operations at new location.

I am writing in regard to the recent news that FOCUS Springfield will be evicted from their current facility and forced to find a new one. While this news is unfortunate, and sad to hear know that the dedicated staff at FOCUS will continue to work tirelessly to bring the best content they can to community television. The Live @ FOCUS music series is especially entertaining and extremely well recorded. It has opened my eyes to the music community in my own backyard that I may never have been aware of otherwise. I have had the chance to watch this show live and have also noticed an aspect that may be overlooked. FOCUS allows students from various high schools in the Springfield area to intern and learn how to use professional video and audio equipment. Having access to this type of education is critical to the future success of not only FOCUS but the arts in general within our community. It is helping to build a passion for television production, and allow these students a window into what a career in the field can be. The facility used for this series is critical to the success of the program. If FOCUS is unable to secure enough funding to adequately replace their current facility programs like Live @ FOCUS may go away, and we could lose that insight into the culture and talent that lies in the Pioneer Valley. In my mind FOCUS is an integral part of our community and is well worth the investment.

I am a Producer at FOCUS Springfield and have produced Pentecostal/Evangelical programming for our Hispanic community Church Council Fishermen for Christ Inc. for the fast five years. I am grateful for their service and commitment towards their Producers such as myself. They have provided excellence with the help and assistance in every aspect of Video Production.

Thank you for your time, and I hope you consider helping Focus move to a new location so they can continue to provide unique resources to the community.

Sincerely,
Rev. Peter Melendez
The Int'l Council of Churches Fishermen for Christ Inc.

From: [Cavaan, Azell](#)
To: [MGComments \(MGC\)](#)
Subject: 2017 Community Fund Application
Date: Friday, March 17, 2017 8:59:47 AM

Dear Sirs and Madams of The Massachusetts Gaming Commission,

I hope this email finds you well.

I am emailing to express my utmost support for Focus Springfield and the value of their work to the Springfield Public Schools community.

As Chief Communications Officer for Springfield Public Schools (SPS), I work closely with SPS teachers, administrators, students and families. The most recurring comment that I hear from individuals in all of those groups centers around the broadcasts aired on Focus Springfield. Comments such as: "You interviewed my son on TV about his AP courses." "I saw that show about the student artist at Commerce. That kid has real talent." "That show on how to find money for college was great. I really helped us a lot."

Those are just a few examples of the positive responses I receive about the SPS programming aired on Focus Springfield. There is great depth and variety to the broadcasts and the community appreciates that. Through in-studio interviews with everyone from Superintendent Daniel Warwick to school counselors, students and SPS program directors, Focus Springfield has provided a medium for the school district to communicate important concepts and developments to the community. Our topics range from budget and finance to academics and athletics.

But Focus Springfield produces and broadcasts much more than in-studio interviews. On countless occasions, they have gone out to schools to cover newsworthy events and developments. Their coverage is much more in depth than the local NBC, CBS and ABC affiliates that cover the same event. The team at Focus takes the time to conduct thoughtful interviews with the main characters of the event, record great footage and then edit all of that into a piece that is filled with perspective, information and relevance. For example, when Chestnut Accelerated Middle School had an event to highlight a revolutionary way of teaching math to their students, Focus Springfield was front and center, interviewing the major players such as Chris Gabrieli, math teachers, students, the Mayor and the Superintendent. Their coverage was the best the program received that day. Most importantly, the broadcast of that event will educate the community on the new development taking place at Chestnut and they will learn that the program is a pilot one for the district and could be coming to their child's school in the future.

Here's another example: During the recent presidential election, the school district embarked on an elaborate mock election with students. The initiative was a partnership between SPS and The Office of the Mayor and involved real voting booths, authentic ballots and several months of planning. Focus Springfield got wind of this initiative and provided that extra edge that propelled the initiative to an even higher level. The City of Springfield Office of Elections and SPS worked with Focus Springfield to produce a live broadcast of the student mock-election results! This project was highly successful and marked the first time any school district in the state had successfully undertaken such

an endeavor.

An additional example of the great value of Focus Springfield to SPS is the role they play in our annual Convocation. Convocation is ceremony that occurs on the Friday before the first day of school. It is an event attended by the entire school district. That translates to more than 4,000 attendees. Efforts to bus all SPS staff from their schools to the event location proved extremely inefficient and unwieldy in the past, leading to frustration amongst the staff (and defeating the purpose of the uplifting event). But thanks to Focus, we now are able to allow staff to remain in their school buildings while watching the live broadcast of the Convocation. Since Focus Springfield began working with us to enable the live broadcast, Convocation has become one of the most anticipated and talked about events of the school year!

Finally, Focus Springfield plays a critical role in keeping the community informed of SPS governance developments by covering every School Committee meeting live and airing re-broadcasts.

All of this contributes to the transparency of our public school system. Focus Springfield has contributed significantly to Springfield Public School's efforts to define ourselves to the community. The organization is critical to my mission to communicate important news and developments to our community. Because of the overwhelming community response to programming, Focus Springfield has become my foremost communication tool.

Please feel free to contact me should you have any questions. Thank you for your time and consideration in this matter.

Sincerely,

Azell Cavaan

Chief Communications Officer

Springfield Public Schools

1550 Main St.

Springfield, MA 01103

(O) 413.787.7575

(C) 413.265.8617

(F) 413.787.7171

www.springfieldpublicschools.com

Thurlow, Mary (MGC)

From: Barbieri, John <JBarbieri@springfieldpolice.net>
Sent: Thursday, March 16, 2017 3:02 PM
To: MGCcomments (MGC)
Subject: Focus Springfield application for assistance 2017 Community Mitigation Fund

To whom it may concern,

I am contacting you to ardently endorse Focus Springfield's efforts to receive assistance via the 2017 Community Mitigation Fund.

They are currently being evicted from their studio by MGM. They had occupied an unused space in our metro area, and spent around \$800,000 building their current studio.

Focus Springfield has been of invaluable assistance with community outreach efforts including coverage of community functions/meetings; assisted with building and maintaining the first installation of Springfield's ShotSpotter gunshot detection system; and partnering to cover costs of maintenance and installation issues of our radio antennae, critical for communication and infrastructure.

I strongly support their application,

John R. Barbieri
Police Commissioner
100 Pearl Street
Springfield, MA 01101
413.787.6313

Thurlow, Mary (MGC)

From: Dan Frye <djfrye112@gmail.com>
Sent: Wednesday, March 08, 2017 9:02 AM
To: MGCcomments (MGC); info@focusspringfield.com
Subject: 2017 Community Mitigation Fund applications

Follow Up Flag: Follow up
Flag Status: Flagged

To whom it may concern,

I am writing in regard to the recent news that FOCUS Springfield will be evicted from their current facility and forced to find a new one. While this news is unfortunate, and sad to hear I know that the dedicated staff at FOCUS will continue to work tirelessly to bring the best content they can to community television. I personally have never produced a show with FOCUS but I have been a consumer of their content for several years. The Live @ FOCUS music series is especially entertaining and extremely well recorded. It has opened my eyes to the music community in my own backyard that I may never have been aware of otherwise.

I have had the chance to watch this show live and have also noticed an aspect that may be overlooked. FOCUS allows students from various high schools in the Springfield area to intern and learn how to use professional video and audio equipment. Having access to this type of education is critical to the future success of not only FOCUS but the arts in general within our community. It is helping to build a passion for television production, and allow these students a window into what a career in the field can be.

The facility used for this series is critical to the success of the program. If FOCUS is unable to secure enough funding to adequately replace their current facility programs like Live @ FOCUS may go away, and we could lose that insight into the culture and talent that lies in the Pioneer Valley. In my mind FOCUS is an integral part of our community and is well worth the investment.

Thank you,

Dan Frye

24 Manchester Ter Springfield MA 01108

Thurlow, Mary (MGC)

m: Zulfiqar Manzi <zumanzi29@gmail.com>
Sent: Wednesday, March 08, 2017 1:16 PM
To: MGCcomments (MGC)
Subject: 2017 Community Mitigation Fund applications

Follow Up Flag: Follow up
Flag Status: Flagged

Greetings Massachusetts Gaming Commission,

My name is Zulfiqar Manzi, and I am a current intern at Focus Springfield Community Television. I was first intrigued about Focus when I was a junior in high school, producing sketch comedy videos at my school's public-access tv station called *"Real Stories with Zulfiqar Manzi"*. I was in the car with my family driving down State street, going into Main street, and I was amazed by the Focus logo, and the changing lights in the building as well. As soon as I went back home, I started doing research about Focus and I was stoked that its a public-access tv station. I signed up to become a producer when I was 17, but since I was a minor, my Dad signed it. I was given a tour around the facility and I was amazed by the state of the art studios, cameras, lights, green room, equipment, and availability.

Very shortly, I started to submit the content that I made in school to Focus, to air on television. I began to take a workshop on Final Cut Pro X at Focus, which helps me a lot to edit videos more professionally. Shortly afterwards, I started to produce my content at Focus, instead of my high school, because Focus has the best quality equipment around, that is used for free. I use the green screen abundantly in my comedy skits, and their green screen is large enough to fit a couple people walking around on it.

By the time I started my senior year of high school, I began interning at Focus. As an intern, what I have done so far are commentating for sports games, filming live musicians in the large studio, work the camera switcher and audio board for city hall and school committee meetings, MMA fighting tournaments, Springfield Jazz & Roots Festival, Springfield Public School events, PSA video about underage teen drinking and drugs for the District Attorney Office, interview talk shows, and plenty of more.

Through working as an intern, I began saving my money, and started to invest more on equipment, costumes, and props for my content. Since I've been doing that, my content has grown significantly. Just recently, my latest skit I filmed "How African Men Flirt with Women", surpassed over 1,100 views in about two days, which is more than any other skit I've done in the past four months combined.

I am currently in my second semester at STCC and I am 19 years old, and through Focus Springfield, I have gained so much knowledge about TV and Film Production by having hands on experience in the real world. At STCC, I major in Digital Media Production, mainly focusing on TV Production such as camera operation, speaking on tv, and writing for tv. From interning at Focus, I am large steps ahead from the rest of my classmates in this field. Without Focus Springfield giving me the opportunity to become a producer and intern as a young kid as myself, I don't know what else I would be doing right now in my life. If Focus Springfield didn't exist, I wouldn't be the person I am today, and soon to become, which is successful.



COMMONWEALTH OF MASSACHUSETTS
THE GENERAL COURT
STATE HOUSE, BOSTON 02133-1053

2017 FEB 15 PM 1:41

MASSACHUSETTS GENERAL COURT

Mr. John S. Ziemba,
Ombudsman
Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, Massachusetts 02110

February 15, 2017

Dear Mr. Ziemba,

We write to you to express our support for the Town of Plainville's application for funding through the 2016 and 2017 Community Mitigation Fund in order to ensure the safety of their first responders and visitors to Plainridge Park Casino. This grant would supply Plainville's Fire Department with an additional cardiac monitor, portable radios for police personnel and a specialized squad truck that can fight vehicle fires in the parking garage at Plainridge.

This grant is critical in ensuring Plainville's firefighters are prevented from engaging in dangerous situations unnecessarily. Being a small town, Plainville does not possess the man power necessary for what could eventually ensue within the Plainridge garage facility. This grant will also ensure the vital safety of visitors to Plainridge. Only having one ambulance assigned the gaming facility has caused an increased use of the cardiac monitor which in turn threatens the reliability of our safety unit.

Additionally, a second cardiac monitor as well as portable radios for police personnel provided by this grant would increase efficiency as well as dependability within the Plainridge facility. The protection of the Plainville community is of the utmost importance and we look forward to working to see that the town can utilize these important tools.

We appreciate your consideration of the Town of Plainville's application for the 2016 and 2017 Community Mitigation Fund provided by the Massachusetts Gaming Commission. Please do not hesitate to contact us if we can provide any additional information.

Sincerely,

RICHARD J. ROSS
State Senator

SHAWN DOOLEY
State Representative



The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES
STATE HOUSE, BOSTON 02133-1008

ROBERT A. DeLEO

Speaker

ROOM 356

OFFICE PHONE
(617) 722-2500

2017 FEB 16 PM 12:03

MASSACHUSETTS
COMMISSIONER
OF REVENUE

February 10, 2017

Stephen P. Crosby, Chairman
Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA 02110

Dear Commissioner Crosby:

I am writing to endorse the application submitted on February 1st by the City of Revere and the Town of Saugus, for a Transportation Planning Grant under the 2017 Community Mitigation Fund.

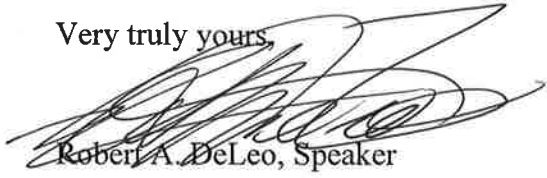
Revere and neighboring Saugus have demonstrated great creativity in seeking to jointly address common transportation problems through the mechanism of this grant program. The Town and the City propose to join forces and use these Community Mitigation funds to focus on common traffic problems which they firmly believe will be exacerbated by traffic generated by the Wynn Casino in nearby Everett. A MGC 2017 Transportation Planning Grant would empower the two communities to engage a highly-experienced transportation planner who would begin to chart a path to achieving badly needed road improvements at key problem locations.

Revere and Saugus are committed to working together to sustain this effort beyond the MGC grant funded start-up year. They will forge a collaboration of private and public interests who will stand to benefit from roadway improvements and will work to assemble public and private resources to continue this initiative over the longer term.

I applaud the Town and City for allying with the aim of addressing pressing transportation needs common to them both. I believe this innovative approach represents an excellent example of what the General Court envisioned when it mandated in MGL c 23K, section 61, mitigation measures for surrounding communities impacted by the introduction of gaming facilities.

Thank you for your consideration of the Revere-Saugus grant request. I hope the Massachusetts Gaming Commission will act favorably on this application.

Very truly yours,

A handwritten signature in black ink, appearing to read "Robert A. DeLeo". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Robert A. DeLeo, Speaker
Massachusetts House of Representatives

Cc: Mayor Brian Arrigo
Town Manager Scott Crabtree

EXHIBIT C

Revised Memorandum To Commissioners dated February 10, 2017



Massachusetts Gaming Commission



Exhibit C

TO: Commissioners

FROM: John S. Ziembra
Mary S. Thurlow

CC: Edward R. Bedrosian

DATE: February 10, 2017 revised 6/6/17

RE: 2017 Community Mitigation Fund Guidelines

In December 2016, the Commission issued the 2017 Community Mitigation Fund Guidelines for the Community Mitigation Fund under M.G.L. c. 23K §61. In order to access funding from the Community Mitigation Fund, communities and governmental entities were required to submit an application by February 1, 2017.

This memorandum summarizes the Community Mitigation Fund applications received by the February 1, 2017 deadline. These applications will be put on our website for comment and sent to the licensees for their input pursuant to the Guidelines. If the Commission or Commission staff determines that additional information and detail is required to make a decision on any of these applications, the applicants will be notified. The staff's goal is to have the Commission determine the status of the grants before the fiscal year begins to enable communities to do their fiscal year planning.

Summary of the Community Mitigation Funds:

In sum, a total of \$17.5 million from the current licensees was deposited in the Community Mitigation Fund for use until Category 1 gross gaming revenues are generated, or thereafter (if all such funds are not used prior to that date). After the deduction of purposes approved in 2015 and 2016, the fund has approximately \$12 million available after accounting for potential future awards of previously authorized grants.¹

The following chart shows the anticipated spending targets in the 2017 Guidelines compared to the funding requests received by the deadline:

¹Last year the Commission awarded the Hampden County Sheriff Department ("HCSD") lease assistance of \$280,000 for the first year and specified that it would fund no more than \$2,000,000 for no more than five years of the lease. The Commission also specified that the HCSD would need to annually re-apply for lease assistance. The Commission did not receive an application from the HCSD this year after receiving \$280,000 in lease assistance in 2016.



Massachusetts Gaming Commission

	Guidelines Targeted Spending	Applications
Tribal Gaming Technical Assistance	\$200,000.00	\$200,000.00
Specific Impact*	\$2,000,000.00	\$1,984,560.60
Transportation Planning (no more than \$150,000 per application)	\$800,000.00	\$1,200,000.00
Workforce Development (2 Regional pilots programs of \$200,000)	\$400,000.00	\$592,531.03
Totals:	\$3,400,000.00	\$3,973,115.63

*While the Commission established a \$3.4 million target for overall awards in the 2017 Fund, there is no specified target for specific impact applications in the 2017 Guidelines. The \$2,000,000 reflects the balance remaining after the other application categories have been subtracted from the total. The Guidelines specify that no more than \$500,000 Category 2 operational impacts may be funded unless otherwise determined by the Commission.

Below please find further detail on the applications by Category: Tribal Gaming Technical Assistance; Specific Impact, Transportation Planning, Workforce Development Pilot Project and Reserve Applications.

TRIBAL GAMING TECHNICAL ASSISTANCE

Applicant	Description	Amount Requested
Southeastern Regional Planning and Economic Development District ("SRPEDD") <i>(no amount specified)</i>	Tribal technical assistance planning studies to assist communities surrounding Taunton	\$200,000.00 maximum amount allowed

SRPEDD anticipates planning requests for studies to assist communities in geographic proximity to the potential Tribal Gaming facility in Taunton with regard to traffic capacity and operational impacts should the construction of the Tribal Gaming facility move forward.

2017 SPECIFIC IMPACT APPLICATION

The 2017 Guidelines established that no application for a specific impact grant shall exceed \$400,000, unless a waiver has been granted by the Commission. Below are detailed descriptions of the applications for a Specific Impact Grant.

Community	Description	Amount Requested
Attleboro (<i>no amount specified</i>)	Creation of a joint Police/Fire Dispatch Facility costing \$2.3M.	\$400,000.00 (maximum allowed) \$2.3M (need indicated)
Everett	Bike Sharing System	\$400,000.00
Lynn	Alleviate traffic issues and maximize economic development planning	\$400,000.00
Norfolk District Attorney	Assistant District Attorney costs and victim witness advocate costs	\$74,031.60
Plainville	A small-sized fire truck for the Plainridge parking garage	\$148,750.00
Springfield	Relocation of public access television studio	\$400,000.00
Springfield - 3/16/17	Valet Service	157,803.00
Total:		\$1,980,584.60

Attleboro:

The city of Attleboro seeks funding to assist in the design and construction of a combined Fire, EMS and Police dispatch center to help offset police and fire service calls that may be attributable to the operation of Plainridge Casino. Attleboro’s application noted that in Christopher Bruce’s “*Assessing the Impact of Gambling on Public Safety in Massachusetts Cities and Towns*” study Mr. Bruce said, “when compared to previous years, there were several categories of crime and calls for service that may have been negatively impacted by its opening during that timeframe. At the time of his analyses, he observed significant increases in motor vehicle accidents, traffic-related calls, and credit card fraud and identity theft. However, Bruce pointed out that “it may be too early to tell” if this data has statistical significance”

Attleboro stated in their application that “we find it plausible that the city’s increased calls for service, as well as several crime offense categories, may be due to the neighboring Plainridge Casino in Plainville. It is also our belief that certain calls for service categories, most notably motor vehicle accidents and domestic-related service calls, will continue to grow significantly in the future and that a combined dispatch center is needed for more efficient operation and handling of increased call volume.”

Everett:

The City of Everett is requesting funds to “be used to help build, operate and maintain a bike sharing service in Everett that would provide alternative mobility to Everett residents and workers.” Everett stated that this is an unanticipated impact due to the level of traffic congestion being experienced now which includes the construction of an access road and the volume of utility work upgrades in addition to the implementation of the Complete Street framework. “A Complete Street is one that provides safe and accessible options for all travel modes - walking, biking, transit and vehicles - for people of all ages and abilities, and we have enthusiastically embraced this model.”

Lynn:

The City of Lynn is seeking funding to alleviate traffic by creating a left-hand turn into the ferry entrance for commuters traveling south on Route 1A. The city is also actively seeking to operate the Lynn ferry this summer. The city also would like synchronize the traffic lights on Routes 107 to alleviate congestion and add stops on the Rockport/Newburyport Commuter Rail Line.

Norfolk District Attorney:

The Norfolk District Attorney is requesting funds to pay for one-half of the annual salary of an Assistant District Attorney at Wrentham District Court including the comptroller mandated fringe and indirect costs associated with the salary. This Assistant District Attorney would be in charge of all criminal cases arising from the Plainridge Park Casino. The application also requests one-half of the annual salary of one Victim Witness Advocate at the Wrentham District Court and tracking all facility related crimes.

Plainville:

Plainville is requesting funding to cover an unanticipated consequence of having a multi-storied parking garage. “There are no relevant sections of the HCA to address this issue due the fact that this is the first gaming facility in the state, as well as the lack of specifications on the parking garage during negotiations, there was an inability to predict and mitigate this in the HCA.” Plainville has determined that it does not have an adequate fire prevention vehicle that could address a fire occurring in the upper levels of the garage.

Springfield – Focus Springfield Public Access Television:

The City of Springfield is requesting mitigation funds to cover the costs of relocating Focus Springfield, which operates a public access television studio and training facility. The City notes that “[t]he City of Springfield is dependent on Focus Springfield to provide public access to broadcast public meetings.”

Springfield – Valet Parking Program²

The City of Springfield on behalf of Caring Health Center and other businesses seeks full funding for the continuation of the valet parking pilot program for an additional year.

2017 TRANSPORTATION PLANNING APPLICATION

The Commission made funding available for certain transportation planning activities. The Guidelines’ budget for 2017 Transportation Planning Grants is targeted not to exceed

² Although filed timely, due to a technical error in Comm-Buys, MGC was not aware of the application submittal. This application was not covered in the original memorandum.

\$800,000. No application for a Transportation Planning Grant shall exceed \$150,000. The Commission received the following applications:

Community	Description	Amount Requested
Boston	Sullivan Square/Rutherford Avenue	\$150,000
Everett	Design of Bus Only Lane on Rt. 99	\$150,000
Lynn	Ferry Dredging	\$150,000
Malden	Design for Reconstruction of Exchange St.	\$150,000
Medford	Year 2 of Transportation Planner/Consultant	\$150,000
Revere and Saugus	Transportation Planner	\$150,000
Somerville	Analysis and Design Roadways	\$150,000
West Springfield	Development of improvement to Westfield St.	\$150,000
Total:		\$1,200,000.00

Boston:

The City of Boston is requesting \$150,000 to cover costs associated with the engineering and design services for the reconstruction of Sullivan Square/Rutherford Avenue in Charlestown

Everett:

The City of Everett is requesting \$150,000 for the preliminary design and engineering of a bus-only lane on the west side of Broadway/Route 99 from the Everett city line to Route 16/Sweetser Circle. Included in this request would be efforts consistent with the Section 61 findings.

Lynn:

The City of Lynn is requesting funds to be used to fund a cost sharing agreement with the US Army Corp of engineers for Lynn’s dredging navigation improvement project. “The dredging would afford the Ferry Service and other vessels faster and direct deep water access from our Blossom Street terminal to Boston.” Lynn would also use the funds to conduct a study to determine the feasibility and cost of a direct left-hand turn into Blossom Street Ferry Terminal.

Malden:

The City of Malden is requesting funds to complete planning and design work for the reconstruction of the full length of Exchange Street from Pleasant Street to Main Street. “The total design cost is estimated to be \$170,720. This cost includes \$137,820 in general design costs (see the attached spreadsheet), \$14,900 to complete the roadside safety audit, and \$18,000 to complete the modified functional design report. The City of Malden will cover the remaining design costs....”

Medford:

The City is requesting funding for the 2nd year of a transportation planner/consultants to work with Wynn, private property owners and state transportation officials to identify financing and implementation of transportation improvements within the City of Medford. The City is also requesting funding to assess land use impacts of the casino's construction in the Wellington Circle area. Further, the City requests funding for an engineering feasibility study for a new multi-use path on the southern side of the Mystic River between the Craddock Bridge in Medford Square and the Somerville Line.

Revere and Saugus:

The application notes that Revere and Saugus do not have Surrounding Community Agreements with the Wynn Boston Harbor. "The City of Revere and Town of Saugus plan to use funds to hire a sub-regional transportation planner for one year. Revere and Saugus would like the funding to pay the salary, benefits and reasonable direct expenses of a qualified and experienced transportation planner. The application noted that "[t]he City and the Town believe the Wynn Casino will bring substantial volumes of new traffic onto the Route 1-Route 99 corridor."

"Saugus believes...some casino generated traffic impact may bypass lower Route 1 and exiting the highway onto Walnut Street-Central Street or Main Street-Center Street and onto Winter Street then Ballard Street and then Route 107 as an alternative way to access route 16 towards Everett."

The impact area for Revere would be "traffic heading to Route 16 west from Route 1 south and some northeast originated traffic will choose to follow route 107 through the heart of the city to access route 16 west."

"The City and the Town hope to work together to affect key roadway improvements along these arterials that will help alleviate existing traffic and offset anticipated traffic problems resulting from increased volume attributable to the new casino."

In regard to the proposed joint application, we note that prior to the application due date, the Commission received numerous questions regarding the possibility of joint applications. The following was posted on our website as well as in the RFP.

"Q: Can communities submit a joint application for a transportation planning grant?"

A: There is no provision in the 2017 Community Mitigation Fund Guidelines ("Guidelines") for joint applications by municipalities for transportation planning grants. However, each community should feel free to include in its narrative how its application could work with one or more applications from a neighboring community. The Commission has encouraged communities to work regionally. Indeed, we required Regional Planning Agency notification of planning proposals to encourage communities to work together."

Since the total amount of the application is \$150,000, the limit of funding for a single application, our recommendation is that the Commission treat this application as an eligible application despite being submitted by two communities.

Somerville:

Somerville seeks funding to mitigate the “intersection of Interstate 93, State Route 28 (Fellsway/McGrath Highway) and State Route 38 (Mystic Avenue In Somerville).” “The City of Somerville proposes to use MGC Transportation Planning funds to initiate a formal planning study of the facility, which would implement a key recommendation of the 2017 RSA. A consultant team would be engaged to conduct public engagement, alternatives analysis and concept design. This step is consistent with the formal project development process used by MassDOT for highway capital projects.”

“Transportation Planning Funds in the amount of \$150,000 will be used to secure contractual consultant services.”

West Springfield:

The Town is requesting a transportation planning grant for the impact area of Route 20 which connects to Route 5 and the Interstate. West Springfield considers this to be a primary travel route to and from the MGM site for construction. The application notes that “[t]hese funds...will be used to contract with an engineering firm to develop improvements.”

“The Town is committed to funding the additional \$25,840 to \$49,995 in excess of the grant.”

2017 WORKFORCE DEVELOPMENT PILOT PROGRAM GRANT

The total funding target specified in the Guidelines for the 2017 Workforce Development Pilot Program Grants is \$400,000. No application for a grant in each Region may exceed \$200,000. One grant will be considered for each Region. Each governmental entity applying for workforce development funds will also need to provide detail on what it will contribute to the workforce development project such as in-kind services or workforce development funds.

Applicant	Description	Amount Requested
MetroNorth Regional Employment Board	Consortium to address workforce needs; job training programs	\$200,000.00
Springfield Public Schools	“Ahead of the Game initiative” targeting low-skills, low income adults	\$192,531.03
Springfield Technical Community College	Hampden Prep	\$200,000.00
	Total	\$592,531.03

MetroNorth Regional Employment Board (“MNREB”)

The MNREB proposes the creation of a regional consortium called the Metro North Casino Careers Consortium (“MNCCC”). The purpose of the MNCCC is to prepare and train local residents for jobs related to the construction of the Wynn Boston Harbor gaming facility.” and “create a system in which local residents are able to start a career pathway leading to any number of casino-related careers, which may not be in the culinary arts.”

Springfield Public Schools

The Springfield Public Schools would like to establish an initiative called “Ahead of the Game” program which will target low-skill, low-income adults, interested in pursuing long term careers with MGM Springfield. The Ahead of the Game program will focus on individuals looking to obtain their adult basic education (ABE) or GED, in order to pursue higher education. The goal of this program will be to prepare low-income adults for enrollment into post-secondary workforce training programs relevant to the needs of MGM Springfield.”

“The Ahead of Game program will serve approximately 100 adult students annually. Participants will receive a wide variety of resources including; basic literacy, basic mathematics, high school equivalency test preparation and testing, adult diploma program, English for Speakers of Other Languages (ESOL), job skills and work readiness training, computer literacy, and family literacy.”

“Upon completion of this program, eligible students will be encouraged to apply and enroll into local post-secondary MGM workforce training programs.”

Springfield Technical Community College

“Springfield Technical Community College (STCC), in collaboration with Holyoke Community College (HCC) ...proposes to develop and implement an innovative High School Equivalency (HSE) and workforce readiness program, Hampden Prep.”

“The overarching goal of Hampden Prep is to accelerate ABE, HiSET prep and developmental programs for Hampden County residents and to provide non-traditional students the supports needed to complete postsecondary credentials in areas recognized by employers in the Springfield labor market.”³

COMMUNITIES THAT FILED TO USE THEIR RESERVE GRANT

In order to access funding from the Community Mitigation Reserve Fund, communities are required to submit an application describing the anticipated use and receive Commission approval. This reserve can be used to cover impacts that may arise in 2017 or thereafter. It may also be used for planning, either to determine how to achieve further benefits from a facility or to avoid or minimize any adverse impacts. Reserve applications are not required

³ Please note that the Guidelines specified that “communities” or “governmental entities” could apply for the Workforce Development Pilot Project. Inclusion of a summary for the applications here is not indicative of whether each applicant is a community or a governmental entity.

to be filed by the February 2017 deadline. However, some were. The below are under review by the Commission staff.

Community	Description	Amount Requested
Boston	Sullivan Square/Rutherford Avenue Planning	\$100,000.00
Plainville	Purchase public safety items	\$98,397.92
Somerville	Air/water/noise traffic baseline study	\$100,000.00
	Total	\$298,397.92

Boston:

The City of Boston would like to use its reserve to provide design studies of the Sullivan Square/Rutherford Avenue project. (See also Transportation Planning.)

Plainville:

The town of Plainville would like to use its reserve to purchase public safety items it notes were unanticipated in the Host Community Agreement such as a cardiac monitor, 23 portable radios to replace the old “non-compatible technology” radios and a set of body armor for the Gaming Enforcement Unit Officers at the gaming facility.

Somerville:

The City of Somerville is requesting the use of funds for contractual consultant services for studies on “transportation, pollution, and air and water quality data. This baseline data will be used by the City to assess and mitigate any future adverse impacts of the Everett gaming facility.”

“The final product resulting from this data collection effort will be a comprehensive report compiling the baseline transportation and environmental data for the City of Somerville. This report will then be used to monitor and assess changes to traffic patterns and the environment in subsequent years. Somerville is committed to employing national and international best practices when creating and supporting convenient and healthy modes of transportation, and improving the health of all residents by directly and immediately addressing any changes in environmental and transportation related pollutants. This data will be integral to the City’s ability to assess, monitor, and address future impacts from the casino.”

The Commission staff is also working with other communities on other pending applications that have not been submitted in final form.