

## **5. MITIGATION**

### **Prerequisites**

#### **5-1 Infrastructure Costs**

Identify the infrastructure costs to the host and surrounding communities from construction and operation of a gaming establishment. May reference response to question 5-2. (See related agreement in section B. Signature Forms).

#### **5-2 Impacts and Costs**

Provide completed studies and reports showing the proposed gaming establishment's: (i) cost to the host community and surrounding communities and the Commonwealth for the proposed gaming establishment to be located at the proposed location, and (ii) local and regional social, environmental, traffic and infrastructure impacts.

#### **5-3 Community Impact Fee**

Describe and identify the applicable section of the executed host community agreement, between the applicant and the host community, for the payment of a community impact fee including the timing as to when the fee will be paid in the event that the applicant is awarded a gaming license.

## **Host Community Agreement**

#### **5-4 Agreements**

Attach all host community agreements, including any appendices or attachments, into which the applicant has entered.

#### **5-5 Election Materials**

Provide the summary of the host community agreement that was provided to the voters along with a description of the election at which the project was approved of by the voters, including the date of the election, the polling procedures, and a certified copy of the election results provided by the city or town clerk.

### **5-6 Mitigation**

Describe how the applicant proposes to address host community impact and mitigation issues as set forth in the host community agreement during both the construction and operation of the proposed gaming establishment.

### **5-7 Election Related Advertising**

Attach a copy of all M22 forms filed in accordance with G.L c.55, §22 relative to expenditures made by the applicant with intent to influence the outcome of the host community ballot question and/or the M101 BQ and M102 forms filed relative to the forming and funding by the applicant of a host community related ballot question committee as prescribed by the Office of Campaign and Political Finance. Please provide these items as attachments 5-07-01 et seq.

State the total amount of money the applicant spent on advertising or organizing for a favorable election outcome.

Money Spent:

### **5-8 Negative Advertising**

Since November 22, 2011, has the applicant, any person or entity with a financial interest in the applicant, anyone acting at the direction or request of the applicant or anyone acting at the direction or request of a person or entity with a financial interest in the applicant made any monetary or in-kind contribution, directly or through an intermediary, to any entity, group or person who was urging voters to cast a negative vote in any election governed by G.L. c. 23K, §15(13)?

Yes      No

If yes, please use attachment "5-08-01 Contributions" to state the name of the donor, the date of the monetary or in-kind contribution, the amount or nature of the contribution and the name and address of the recipient of the contribution.

# Host Community Agreement

## **5-9 Contributions**

Attach a copy of all Form M119 prescribed by the Office of Campaign and Political Finance that have been filed by the applicant in accordance with G.L. c.23K, §47. Further, in accordance with 205 CMR 108.02, disclose all political contributions, community contributions, or contributions in kind made by an applicant or qualifier to a municipality or a municipal employee of the host community from January 15, 2013 through the date of submission of this application. Please provide these items as attachments 5-09-01 et seq.

## **5-10 Requests for Contribution**

Subject to the exemptions identified in 205 CMR 108.03(4), identify all requests of which the applicant is aware for any thing of substantial value, as defined by 205 CMR 108.03(1), made to an agent or employee of the applicant or any qualifier by persons or persons listed in 205 CMR 108.01(1) from January 15, 2013 through the date this application is filed. Each request identified shall include the name of the person who made the request, the date the request was made, and the nature of the request. (Note- the Commission is only interested in requests that are related in some fashion to the Massachusetts project, be it the nature of the request or the individual making the request. The Commission is not seeking disclosure of requests solely related to the applicant's business in other states or internationally. For example, a request received by the applicant to sponsor a youth sports team in Massachusetts should be disclosed. However, a similar request by an individual unconnected to Massachusetts to sponsor a youth sports team in Nevada need not be disclosed.)

## **5-11 Public Outreach**

Provide a description and documentation for all public outreach efforts that the applicant has made to local communities.

## **5-12 Public Support**

Describe in detail the public support for the project the applicant has obtained in the host and surrounding communities in addition to that reflected by the host community vote, including the names and affiliations of all individuals, including elected officials, organizations and groups that have given public support to the project, and describe any agreement relationships with local organizations.

### **5-13 Non Profit and Community Partnerships**

Describe and provide evidence of partnerships with or other support for non-profit and community groups in the host community.

## **Surrounding Community Agreements**

### **5-14 Executed Surrounding Community Agreements**

Provide a copy of all executed surrounding community agreements as described in 205 CMR 125.01(1)(b).

### **5-15 Designation of Surrounding Community w/o Executed Agreement**

List all municipalities that the applicant wishes to designate as a surrounding community in accordance with 205 CMR 125.01(1)(a) with which no surrounding community agreement has been executed as of the time of the filing of this application. Please briefly describe the nature of the discussions with any identified community. Please attach the notice of such designation that was provided to the chief executive officer of the community in accordance with 205 CMR 125.01(1)(a).

### **5-16 Declined Communities**

Identify any community that requested a surrounding community agreement or sought to discuss its status as a prospective surrounding community, which the applicant declined. Please explain the reasons for declining and describe the nature of the discussions or negotiations the applicant had with the community.

### **5-17 Mitigation**

Describe how the applicant proposes to address surrounding community impact and mitigation issues as set forth in the surrounding community agreements during both the construction and operation of the proposed gaming establishment.

## **Impacted Live Entertainment Venue Agreements**

### **5-18 Executed Impacted Live Entertainment Venue Agreements**

Provide a copy of all impacted live entertainment venue agreements executed in accordance with 205 CMR 126.01(1)(a).

### **5-19 Declined ILEV Agreements**

Identify any venue that requested an impacted live entertainment venue agreement or sought to discuss its status as a prospective impacted live entertainment venue, which the applicant declined. Please explain the reasons for declining and describe the nature of the discussions or negotiations the applicant had with the venue.

### **5-20 Cross Marketing Agreements**

List all cross-marketing agreements with impacted live entertainment venues the applicant has entered. If more space is needed, please use an attachment.

### **5-21 Exclusivity with Entertainers**

Provide a statement as to whether the applicant intends to incorporate a geographic exclusivity clause into agreements with its entertainers engaged to perform at a venue within its proposed Massachusetts gaming establishment. If so, please explain the nature of the agreements.

## **Protect and Enhance Lottery**

### **5-22 State Lottery**

Describe the plans, measures and steps the applicant intends to take to avoid any negative impact on the revenues currently generated by the Massachusetts State Lottery, including cross-marketing strategies with the lottery and increasing ticket sales to out-of-state residents. Further, provide a written plan demonstrating the manner in which the lottery and keno games shall be made readily accessible to the guests of the gaming establishment including the designation of any lottery outlet retail floor space. (See associated agreement in section B. Signature Forms).

## **Implement Measures to Address Problem Gambling**

### **5-23 On Site Resources for Problem Gambling**

Describe the on-site resources that will be accessible to those affected by gambling-related problems. (See associated agreement in section B. Signature Forms)

### **5-24 Problem Gambling Signage**

Describe the signs, alerts and other information that will be available in the gaming establishment complex to identify the on-site resources available for those affected by gambling-related problems. (See associated agreement in section B. Signature Forms)

### **5-25 Self Exclusion Policies**

Describe the exclusion policies that will be available for gaming establishment patrons and employees, including the process that will be utilized to notify individuals of the availability of self-exclusion and the steps that will be taken to assist those who request exclusion. (See associated agreement in section B. Signature Forms)

### **5-26 Identification of Problem Gambling**

Describe the initial and ongoing training that will be used to help gaming establishment employees identify those who may have gambling-related problems, or self-identify, and assist them to obtain help for those problems.

## **Implement Measures to Address Problem Gambling**

### **5-27 Credit Extension Abuse**

Describe the policies the applicant will use to ensure that credit extensions are not being abused by those with gambling-related problems.

### **5-28 Code of Ethics**

Provide a copy of the code of ethics employees, including senior managers, are required to follow and the process by which the code is promulgated.

### **5-29 Metrics for Problem Gambling**

Describe the metrics the applicant will use to measure whether it is succeeding in its efforts to reduce gambling at its gaming establishment by those with gambling-related problems and the use to which those metrics will be put and provide the data those metrics have generated for each of the last five years at each of the applicant's facilities. Further, please describe how the applicant proposes to cooperate and support the Commission in the development of an annual research agenda as provided in G.L. c. 23K, §71.

### **5-30 Advertising Responsible Gambling**

Describe the extent to which responsible gambling messages will be part of the applicant's advertising.

### **5-31 Treatment and Prevention**

Describe the plans the applicant has to coordinate with local providers to facilitate assistance and treatment for those with gambling-related problems and plans to develop prevention programs targeted toward vulnerable populations as the term is defined by 205 CMR 102.02.

### **5-32 Historical Efforts Against Problem Gambling**

Describe the processes the applicant uses to address problem gambling at the other facilities it owns or controls, the effectiveness of those processes, and the metrics the applicant uses to determine the effects.

## **Traffic**

### **5-33 Traffic Control Measures**

Describe the plans for traffic control measures the applicant proposes for the gaming establishment complex and the surrounding areas, the expected total vehicle traffic generated by the site, and plans for mitigating vehicle trips to and from the site both during construction and operation of the facilities. Further, describe efforts to encourage public transportation options to access the site, and pedestrian access and amenities of the site and surrounding area.

### **5-34 Traffic for Special Events**

Describe the applicant's plans for accommodating special events and the traffic those events may generate.

### **5-35 Snow Removal**

Describe the applicant's snow-removal plans.

## **Other**

### **5-36 Housing**

Provide an assessment of the likely impact on the housing stock in the host and surrounding communities resulting from the new jobs the gaming establishment provides, and the steps the applicant plans to take to remedy any negative impacts.

### **5-37 School Population**

Provide an assessment of the likely impact on school populations in the host and surrounding communities resulting from new jobs the gaming establishment provides, and the steps the applicant plans to take to remedy any negative impacts. Also, please describe the proximity and potential impact of the gaming establishment to local schools, religious institutions and facilities, and public fields and parks, including any plans designed to avoid interference with school buses, student drop-offs, local athletic events, and other education related activities, especially during peak student transportation hours.

### **5-38 Emergency Services Available**

Provide an analysis of available police, fire and emergency medical services available to the gaming establishment complex, the adequacy of those resources, the steps the applicant plans to take to remedy any deficiencies, and the agreements the applicant has made with the service providers to ensure that the appropriate levels of protection are available.