



# COMMUNITY MITIGATION FUND

**Massachusetts Gaming Commission  
Division of Community Affairs**

## **Community Mitigation Fund Fiscal Year 2025 Guidelines**

**November \_\_\_\_, 2023**

# FY2025 Community Mitigation Fund Guidelines

*Welcome to the FY 2025 Community Mitigation Fund (CMF) Guidelines. The below sections explain some of the major changes that have taken place to facilitate the awarding of CMF Grants.*

The Community Affairs Division has identified several challenges that have affected the utilization and administration of the Community Mitigation Fund (CMF) program. As a result of these challenges, the Massachusetts Gaming Commission (Commission) has created a new structure for the CMF Grant Program. The new process will provide municipalities with some certainty regarding the availability of mitigation funds and enable them to develop actionable, mitigation-based projects tailored their community.

## MAJOR CHANGES FOR FISCAL YEAR 2025

1. *Create a two-tiered Grant Program* – The proposed changes to the CMF will result in two types of grants – the Municipal Block Grant and the Regional Agency Grant. The Municipal Block Grant Program will establish a proposed grant amount for each eligible municipality based on a distribution formula. The formula is based on host and surrounding community status, proximity to the gaming establishment and traffic related impacts. The Regional Agency Grant Program will fund eligible regional agencies in workforce development grants, public safety grants and regional planning grants.
2. *Grant Applications for Municipal Block Grants* – Municipalities will be required to submit a single application for the entire community. Applications are due to the Commission by January 31, 2024. Applications will be in the form of a workplan that describes how the municipality will spend the proposed grant amount in accordance with the Program Guidelines. If a municipality does not submit a workplan by January 31, the community forfeits the funds for that year.
3. *More Detailed Project Guidance* – Through discussions with program stakeholders there was a consensus that more clearly outlining uses of the funds available by category would enable municipalities to develop their programs more efficiently by focusing specifically on eligible mitigation. In these new guidelines you will find clearly identified casino-related impacts by category pulled from previous successful grant applications and research on casino impacts.
4. *Administrative Costs* - This year the Commission has determined that up to 7.5% of the Grant may be applied toward the cost of administration up to a cap of \$50,000.
5. *Funding for Regional Planning Agencies* – The Commission is making available up to \$250,000 for the Regional Planning Agencies associated with each gaming establishment. These funds are for regional projects associated with a casino related impact.
6. *Conversion to a Fiscal Year* – Starting with this grant round, the CMF will operate on the State Fiscal Year (7/1/24-6/30/25). This will bring our program into line with how most of municipalities and state agencies work. Programmatically, grant recipients should not notice any changes to how grants are administered or how funds are disbursed.



# FY2025 Community Mitigation Fund Guidelines

## TABLE OF CONTENTS

MAJOR CHANGES FOR FISCAL YEAR 2025.....	2
1.0 COMMUNITY MITIGATION FUND GRANT PROGRAM .....	5
1.1 Program Eligibility .....	5
1.2 Ineligible Expenses for all Grants .....	5
1.3 Application Requirements.....	6
1.4 Funding Allocation.....	6
2.0 MUNICIPAL BLOCK GRANT PROGRAM .....	8
2.1 Program Eligibility .....	8
2.2 Key Programmatic Aspects.....	8
2.3 Proposed Municipal Grant Amounts.....	8
2.4 Application Requirements.....	9
2.5 Waivers.....	9
2.6 Grant Categories .....	10
2.6.1 Community Planning.....	10
2.6.2 Transportation.....	12
2.6.3 Public Safety.....	15
2.6.4 Gambling Harm Reduction.....	17
2.6.5 Specific Impact .....	19
3.0 REGIONAL AGENCY GRANT PROGRAM .....	20
3.1 Eligibility.....	20
3.2 Key Programmatic Aspects.....	20
3.3 Application Requirements.....	20
3.4 Waivers.....	21
3.5 Grant Categories.....	22
3.5.1 Regional Planning Grants .....	22
3.5.2 Regional Public Safety Grants.....	25
3.5.3 Regional Workforce Development Grants.....	27
Grantees will be expected to track numbers related to student participation and job placement across several defined parameters such as gender, minority status, and veteran status.....	27



Massachusetts Gaming Commission

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# FY2025 Community Mitigation Fund Guidelines

- APPENDIX ..... 29
- 1. Other Grants ..... 29
  - Emergency Mitigation Grants ..... 29
  - Tribal Gaming Technical Assistance Grants ..... 29
- 2. Administrative Costs ..... 29
- 3. Operational Costs ..... 29
- 4. Joint Applications ..... 29
- 5. Requests for Changes to Components of Grant Awards ..... 30
- 6. Waivers and Variances ..... 30
- 7. Rescission of Grants ..... 30
- 8. How Will the Commission Decide on Applications? ..... 31
- 9. Process for the CMF Municipal Block Grants ..... 31
- 10. Regional Agencies ..... 32
- 11. Who Should be Contacted for Questions? ..... 32
- WAIVER FORM** ..... 33

DRAFT

# FY2025 Community Mitigation Fund Guidelines

## 1.0 COMMUNITY MITIGATION FUND GRANT PROGRAM

The Expanded Gaming Act created the Community Mitigation Fund (CMF) to help communities and other entities offset costs related to the construction and operation of a gaming establishment. Applications for the fiscal year 2025 (FY 25) grant round are due **January 31, 2024**. The Massachusetts Gaming Commission (Commission) anticipates making funding decisions on any requests for grant assistance before July 2024.

For FY 25, there are two types of grants programs within the CMF:

- The Municipal Block Grant Program; and
- The Regional Agency Grant Program

The Municipal Block Grant Program will provide funds for eligible municipalities to mitigate casino-related impacts and the Regional Agency Grant Program will fund projects to be carried out by regional agencies in the area of Workforce Development, Public Safety and Regional Planning.

### 1.1 Program Eligibility

The Commission's regulations identify a range of eligible entities including, but not limited to:

- The host communities and surrounding communities; communities that entered into a nearby community agreement; any communities that petitioned to be a surrounding community; and any communities that are geographically adjacent to a host community
- Water and sewer districts in the vicinity of a gaming establishment
- Local and regional agencies involved in education, transportation, infrastructure, housing and environmental issues; governmental entities within communities such as redevelopment authorities or non-regional school districts must submit applications through a municipal administrator in its service area
- The county district attorney, police, fire, and emergency services

Any governmental entity seeking funding for mitigation is required to ensure that any planned use of funding complies with the provisions of the Massachusetts Constitution and with all applicable laws and regulations.

The Commission will not directly fund any applications for assistance for non-governmental entities. Private non-governmental parties may not apply for Community Mitigation Funds. Governmental entities may apply to the Commission for funds on behalf of a private party to mitigate impacts provided that the funding is used for a "public purpose" and not the direct benefit or maintenance of a private party in accordance with the "Anti-Aid Amendment" of the Massachusetts Constitution.

### 1.2 Ineligible Expenses for all Grants

The CMF will not fund the mitigation of impacts already being addressed by a Host or Surrounding Community Agreement. All applications must demonstrate that CMF funds will supplement and not supplant historical operations funding.

# FY2025 Community Mitigation Fund Guidelines

*FY2025 grant funds may **not** be used for the mitigation of:*

- Impacts that are projected or predicted but that are not occurring or have not occurred by January 31, 2024
- Impacts that are the responsibility (e.g. contractual, statutory, regulatory) of parties involved in the construction and operation of gaming establishments
- Requests related to utility outages, such as the mitigation of business interruptions
- Other impacts determined annually by the Commission

## 1.3 Application Requirements

The following requirements are applicable for all grants. Please see the individual grant guidelines for specific instructions regarding each type of grant.

- Applicants are required to fully complete the grant application appropriate to their type of grant.
- All applications must identify an impact associated with the casino and describe how the project will address the impact.
- **All applications must be submitted by 11:59 PM January 31, 2024. Submissions must be sent via e-mail to MGCCMF@massgaming.gov. Any application received after the deadline will not be considered for funding in FY 25.**

## 1.4 Funding Allocation

The Commission intends to allocate FY 25 CMF funding based on the proportion of funds paid into the CMF from the taxes and fines generated by the MGM Springfield and Encore Boston Harbor facilities.<sup>1</sup>

For FY 25, the Commission plans to allocate \$16.3 million to the eligible municipalities in Region A, Region B and the Category 2 facility:

- Region A \$11.5 million
- Region B \$ 4.3 million
- Category 2 \$ 0.5 million

Category 2 grants will be funded from CMF revenues generated in Region A as Plainridge Park Casino lies within the boundaries of Region A.

For FY 25, the Regional Agency Grants will be funded with unspent funds from previous grant rounds. Targeted spending may be found in the detailed descriptions of the Regional Agency Grant categories. The Commission determined in grant year 2020, that any unused funds allocated to each Category 1 Region will be set aside for that Region for a period of three years. After the three-year period, the funds shall be allocated back into a combined fund for all

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<sup>1</sup> These Guidelines do not describe revenue estimates from the potential Tribal facility in Taunton or the participation of a Region C facility, as no Region C license or Tribal facility has yet been fully authorized.

# FY2025 Community Mitigation Fund Guidelines

regions and for Category 2 impacts. It is the intention of the Commission to count any allocated regional balances first toward FY 25 spending targets.

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# FY2025 Community Mitigation Fund Guidelines

## 2.0 MUNICIPAL BLOCK GRANT PROGRAM

The Municipal Block Grant Program is designed to give municipalities in the vicinity of the gaming establishments some certainty regarding the availability of mitigation funds to their communities.

### 2.1 Program Eligibility

The Municipal Block Grant Program will include all eligible municipalities. Eligible municipalities are:

- **Region A-** Everett, Boston, Cambridge, Chelsea, Lynn, Malden, Medford, Melrose, Revere, Somerville, and Saugus
- **Category 2** – Attleboro, Foxborough, Mansfield, North Attleboro, Plainville, and Wrentham
- **Region B-** Springfield, Agawam, Chicopee, Holyoke, East Longmeadow, Hampden, Longmeadow, Ludlow, Northampton, West Springfield, and Wilbraham

### 2.2 Key Programmatic Aspects

The Municipal Block Grant will fund projects in several categories – Community Planning, Transportation, Public Safety, Gambling Harm Reduction and Specific Impact. These categories are further described in Section 2.6 of the Guidelines. The following are some of the key aspects of the program:

- The proposed grant amount for each eligible municipality is based on a distribution formula that considers host and surrounding community status, proximity to the gaming establishment and traffic related impacts.
- For each category of grant, the Commission has identified impacts that are likely to be caused by, or associated with, the gaming establishments. For these identified impacts, applicants do not need to go to extraordinary lengths to quantify casino related impacts.
- For each category of grant, the Commission has identified the types of projects that are generally acceptable to address casino related impacts.
- For each category of grant, the Commission has identified any ineligible projects or items.

### 2.3 Proposed Municipal Grant Amounts

The funding formula and proposed grant amounts for FY 2025 can be found here [\\_\\_\\_\\_\\_](#). Once proposed grant amounts are voted by the Commission, each municipality will receive a letter outlining the proposed grant amount for that municipality and the steps that must be taken to receive that award.

### **Suggested Grant Spending**

The Commission would like to see spending spread among the several project categories to address as many casino-related impacts as possible. Therefore, a suggested minimum of 15% of the grant should be targeted to each of the Community Planning, Transportation, Public Safety,



# FY2025 Community Mitigation Fund Guidelines

Gambling Harm Reduction categories. This would allow the municipality to spend up to 40% of the grant on whichever categories they choose. For the first year of this program, these are not mandated minimums. If a municipality is not targeting any funds to one or more of the specified categories, there should be an explanation in the workplan identifying why the suggested minimum spending is not being achieved.

## 2.4 Application Requirements

**Grant applications are due to the Commission by 11:59 PM on January 31, 2024 via e-mail at [MGCCMF@massgaming.gov](mailto:MGCCMF@massgaming.gov). Applications received after this time will not be considered for funding. Each municipality may submit only one application for the entire municipality.**

**Applications should include the following elements. [Please click here](#) for application template/example.**

- a. Applicants are required to fully complete the CMF Municipal Block Grant Application and select the appropriate categories for their workplan.
- b. Applicants must identify an impact associated with the casino, describe how the project will address it, and provide justification for any funds requested.
- c. Applicants need to describe if and how such impacts were addressed or not addressed in any host or surrounding community agreements. Impacts that were addressed under a host or surrounding community agreement are not eligible for funding.
- d. The municipality must submit a separate workplan for each grant category detailing the scope, schedule, and budget which provides details on how the municipality will spend the money in accordance with the Guidelines. Applicants may submit additional supporting materials.
- e. If a municipality cannot identify sufficient projects that will expend the entire proposed grant amount, a municipality may apply for a lower amount of funding. Any unused funding for that FY will be forfeited by the municipality.

## 2.5 Waivers

The Commission may in its discretion waive or grant a variance from any provision or requirement contained in these Guidelines. Any requests for waivers shall be submitted with the Grant Application. The following waiver provision is only applicable to the Municipal Block Grant Program.

- **Funding Waiver** - If any municipality determines that the proposed grant amount is insufficient to mitigate identified casino related impacts, it may request a waiver for those specific projects. These will be evaluated on a case-by-case basis and award decisions will be based on available funding.

Please see Section 6 of the Appendix for additional detail regarding waivers.

# FY2025 Community Mitigation Fund Guidelines

## 2.6 Grant Categories

### 2.6.1 Community Planning

The Community Planning grant category is designed to help municipalities either address negative impacts of the gaming establishment on the local community or take advantage of opportunities that the gaming establishment presents.

Community Planning projects must address an identified casino related impact. Grant funds may be used for both project planning and project implementation. Past projects have included the development of marketing and tourism plans, design and implementation of web sites highlighting local businesses, wayfinding projects, rezoning studies and projects to enhance local businesses.

Applicants should consult with the Regional Planning Agency (RPA) or nearby communities to determine the potential for cooperative regional efforts regarding planning activities. Details of these consultations should be provided in the application.

A project may identify the addition of staff to implement the project. The Commission will not fund any municipal employee for more than two years and will not pay the full cost of any municipal employee. The municipality would need to provide the remaining amount of any employee cost and certify that all such expenses are casino related.

**Identified Impacts** – The Commission has identified impacts associated with the gaming establishment, which municipalities may cite in their workplans. There may be other impacts that have not been identified by the Commission that could be eligible for grant funds. If a municipality has identified an additional impact to be addressed, the workplan must identify the impact and provide sufficient evidence that the impact is caused or is associated with a gaming establishment.

#### **Positive Impacts**

- Gaming establishments attract a large group of patrons and employees to their establishments that would not otherwise be present in the area. This provides opportunities for local communities and businesses to attract these patrons and employees to their communities and business establishments.
- Gaming establishments typically purchase millions of dollars of goods and services each year, much of which is purchased locally. This provides the opportunity for local businesses to provide these goods and services.
- Gaming establishments require a significant number of workers, which provide employment opportunities for local residents.

#### **Negative Impacts**

- Competition from the gaming establishment may have negative impacts on other businesses competing in the hospitality industry.

## FY2025 Community Mitigation Fund Guidelines

- The presence of a gaming establishment may result in reallocated spending. Reallocated spending is spending on goods and services which would have occurred had the casinos never opened, but which did not occur because an individual chose to spend their money at the casino instead. The main areas where monies are reallocated are transportation, retail items, hotels and travel, restaurants and bars, recreation and non-live entertainment and live entertainment.
- The marketing capabilities of the gaming establishments may put other competing local businesses at a disadvantage.

**Eligible Community Planning and Implementation Projects** – The following types of projects may be considered to address casino related impacts:

- Marketing and Tourism plans to attract casino patrons and employees to the municipality, highlight local businesses, promote recreational and entertainment opportunities, and help communities compete with the gaming establishments for business.
- Projects to provide economic development opportunities for local businesses.
- Programs to increase business opportunities to provide goods and services to the gaming establishments.
- Other programs to encourage casino employees to live/work/play in the community.

**Ineligible Projects** – The following types of projects have been deemed ineligible for grant funding:

- Projects that do not address a casino-related impact.

# FY2025 Community Mitigation Fund Guidelines

## 2.6.2 Transportation

The Transportation grant category is designed to help municipalities deal with the transportation related impacts that a gaming establishment may have on all modes of transportation including vehicular travel, public transit and pedestrian/bicycle travel. This category includes both the planning for transportation improvements and the construction of identified transportation improvement projects.

Transportation Planning Projects: Transportation planning projects must address an identified casino impact. Transportation planning projects must have a defined area or issue that will be investigated as well as a clear plan for implementation of the results.

Transportation planning grants are intended to assist communities with gathering data and analysis, hiring planning consultants, performing engineering review/surveys, conducting public meetings, preparing final reports, and preparing analysis or design.

Planning projects for road improvements will only be funded on routes that have been identified in the Environmental Impact Report for the gaming establishment as carrying at least 1 percent of the casino related traffic. The Commission may consider other roadway sections if the applicant can affirmatively demonstrate that the road section is significantly impacted by casino related traffic.

For any proposed transit improvement studies, the municipality must consult with the Regional Transit Authority where the gaming establishment is located and must have support from that agency before proceeding with the project.

Applicants may, but are not required, to include a description of how the project meets the evaluation standards for the Fiscal Year 2025 TIP criteria for the Boston MPO Region or the Pioneer Valley Planning Commission's transportation evaluation criteria, or other regional transportation project evaluation standard, whichever may be most applicable.

Applicants are strongly encouraged to include a letter of support from MassDOT with any application.

Transportation Construction Projects: Transportation construction projects must address an identified casino impact. The Grant will only fund a portion of the construction costs. Grant funds will provide 100% of project costs up to \$250,000 and will fund up to 30% of the costs in excess on \$250,000 up to a maximum grant of \$1.5 million. If a municipality has more than one transportation construction project, the total cost of the combined projects will be used to determine the project subsidy (i.e., only the first \$250,000 of the combined projects receives the 100% subsidy).

Applicants must demonstrate that the project will begin construction no later than June 30, 2025.

**Identified Impacts** – The Commission has identified transportation related impacts associated with the gaming establishments, which municipalities may cite in their workplans. There may be other impacts that have not been identified by the Commission that may be eligible for grant funds. If a municipality has identified additional impacts to be addressed,

## FY2025 Community Mitigation Fund Guidelines

the workplan must identify the impact and provide sufficient evidence that the impact is caused or is associated with a gaming establishment.

- Increased traffic associated with the gaming establishment may cause increased congestion on the major routes leading to/from the gaming establishment.
- Increased traffic associated with the gaming establishment may result in increased vehicular accidents on major routes leading to/from the gaming establishment.
- Increased traffic associated with the gaming establishment may result in increased vehicular/bicycle/pedestrian conflicts.
- Increased traffic associated with the gaming establishment may cause localized increases in air pollution due to congestion.
- Increased visitation to the gaming establishment area may place a strain on public transit services.

**Eligible Transportation Planning Projects** – Eligible transportation planning projects could include:

- Road safety audits
- Complete Streets evaluations and designs
- Studies to improve public transit
- Multi-use path planning and design
- Road/traffic signal improvement designs to improve vehicular safety and/or reduce traffic congestion.
- Planning for bike share networks
- Studies to identify air pollution reduction strategies
- Studies to identify ways to reduce single occupancy vehicles

**Eligible Transportation Construction Projects**

- Construction of multi-use paths
- Construction of identified road safety improvements
- Construction of identified roadway capacity enhancements
- Purchase and installation of bike share networks
- Construction of transit improvements
- Construction of traffic signal improvements to enhance roadway capacity and/or improve vehicular and pedestrian safety
- Other transportation related construction projects that can be demonstrated to address an impact of a gaming establishment.

# FY2025 Community Mitigation Fund Guidelines

## Ineligible Projects

- Routine road paving projects
- Projects only associated with aesthetic improvements
- Operational costs associated with traffic safety (e.g., police costs for traffic enforcement, costs of traffic control equipment, etc.)
- Projects that do not address a casino related impact

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# FY2025 Community Mitigation Fund Guidelines

## 2.6.3 Public Safety

Public safety grants are intended to assist municipalities in addressing the increased public safety operational costs associated with the introduction of a gaming establishment to the region.

Eligible entities include Police, Fire, EMS, and other public safety agencies. Any proposed project under this section must be done in response to a casino related impact. All applications for public safety personnel or other public safety operational costs, including relevant training, must demonstrate that CMF funds will supplement and not supplant historical operations funding.

Applicants that are applying for radio or other communication equipment that engages with the statewide interoperability system must submit the ICIP (Interoperable Communications Investment Proposal) form and Special Conditions form with their Public Safety Application.

Applicants must include detailed hourly estimates for the costs of any public safety personnel. Applicants should include the most relevant information describing historical service or staffing levels (“baseline information”) in order to demonstrate that all funds will be used to supplement existing efforts. For example, if a community requests funding for additional staffing for a specific time period, the application should include information about the staffing levels that have been used for that same time period during the license term of the gaming facility. Applicants are requested to provide as much detailed baseline information as practicable to help the Commission in its review.

**Identified Impacts** – The Commission has identified public safety related impacts associated with the gaming establishments, which municipalities may cite in their workplans. There may be other impacts that have not been identified by the Commission that could be eligible for grant funds. If a municipality has identified additional impacts to be addressed, the workplan must identify the impact and provide sufficient evidence that the impact is caused or is associated with a gaming establishment.

- Increased visitation and employment due to the casino will likely increase the interaction between public safety personnel and casino patrons and employees.
- It is recognized by law enforcement and the casino industry that certain types of crime may be attracted to casinos and other hospitality related businesses. These may include human trafficking, money laundering, and drug trafficking. Other crimes that may be attributable to casinos include increased assaults, fraud, and property crimes.
- The presence of casinos has been demonstrated to cause an increase in cases of operating under the influence.
- Increases in traffic can cause increases in congestion, accidents, and vehicular/bicycle/pedestrian conflicts.

## FY2025 Community Mitigation Fund Guidelines

- The influx of visitors to a casino can result in an increase in calls for service and put pressure on local emergency services including emergency responders like fire departments and EMS. This could lead to increased needs for mutual aid.

### Possible Mitigation Measures

- Police training including de-escalation training, implicit bias training, use of force training or other training to help improve police/patron/employee interactions.
- Efforts to improve traffic safety that could include enhanced traffic enforcement, use of speed/message boards, public education programs, or other efforts that are demonstrated to improve traffic safety.
- Efforts to reduce impaired driving potentially including sobriety checkpoints, saturation patrols, education programs, or other demonstrated measures to reduce impaired driving.
- Efforts to identify, monitor and address issues related to human trafficking, drug trafficking and money laundering.
- Efforts to better track casino related crimes.
- Training to Fire Departments and EMS to address issues that arise specifically associated with the gaming establishment.

**Ineligible Projects** – MGC has identified the following projects/items as ineligible for grant funding:

- Equipment that is normally supplied by a public safety agency to their staff (e.g., uniforms, safety equipment, weapons, body armor, etc).
- Routine replacement of vehicles.
- Routine replacement of radio equipment.
- Equipment that does not specifically address a casino related impact.
- Funding that supplants existing historical funding.
- Funding for Gaming Enforcement Unit personnel or operations costs specified or anticipated in the memoranda of understanding between the Massachusetts State Police and host communities' police departments
- Any project does not address a casino related impact.



# FY2025 Community Mitigation Fund Guidelines

## 2.6.4 Gambling Harm Reduction

Funding for gambling harm reduction is designed to assist municipalities in identifying populations at risk for problem gambling, studying the impact of gambling on those populations, identifying solutions to help mitigate identified harms and implementing solutions that help reduce the risk of gambling harms.

### **Identified Impacts**

- Certain groups of people are disproportionately at risk of gambling-related harm by the presence of a casino. These groups can be linked by race, ethnicity, gender, age, people who have recently immigrated, veteran status, and/or socioeconomic status.

MGC recently worked with Gambling Research Exchange Ontario (GREO) to compile research on different groups that may be relevant to your community's needs. Please click here to access the studies on different populations that may be at increased risk for gambling harm \_\_\_\_\_

### **Possible Mitigation Measures**

- A municipality may use these funds for the development and planning of a study or project. Projects are primarily for community engagement, vision and planning. Applicants may develop a plan to engage the community to identify a casino or gambling related topic or issue which warrants further investigation. The product of this process should be a research strategy which may be considered for detailed research funding in subsequent funding cycles. We expect these types of grants to be for a one-year term.
- A community may also use these funds for conducting detailed research on the topic identified. Applicants that have a specific research topic and/or question and are prepared to propose a research strategy. For this type of proposal, applicants must organize their proposal in the following order.

**Specific Aims:** State concisely the goals of the proposed research. Summarize the gambling related harms and potential impacts that the results of the proposed project will exert on Massachusetts and the research field(s) involved.

**Research Strategy:** Provide a detailed research strategy, including the following:

Approach: Describe the overall strategy, methodology, and analyses to be used to accomplish the specific aims of the project.

Significance: Explain the importance of the topic or question that the proposed project addresses.

Innovation: Describe any new or novel theoretical concepts, approaches or methodologies to be used.

Protection of Human Subjects: If applicable, summarize your plan to protect human subjects and obtain IRB approval.

## FY2025 Community Mitigation Fund Guidelines

**Collaboration and Knowledge of the Community:** Describe the organization's relationship and understanding of the community with whom the study will take place.

**Knowledge Translation and Exchange:** Describe how an answer to the question or insight on the topic may mitigate gambling related harms in the community. Identify specific activities and/or measures which may be supported by the Community Mitigation Fund in subsequent funding cycles. Describe a plan to share information with the community and or use it to inform policy or practice.

Some examples of the MGC General Research Agenda and Community Engaged Research can be found: <https://massgaming.com/about/research-agenda/> or <https://massgaming.com/about/research-agenda-search/?cat=community-engaged-research>

- A community may also apply to fund a project that will help to mitigate a gaming harm identified via their own detailed research or the application of MGC research. Applicants can utilize research identified in the community specific interventions slide deck found [redacted] or impacts outline in the MGC reports found <https://massgaming.com/about/research-agenda/> or <https://massgaming.com/about/research-agenda-search/?cat=community-engaged-research>

**Ineligible Projects** – MGC has identified the following projects/items as ineligible for grant funding:

- Project does not address a casino related impact.
- Detailed research projects that are not grounded in available evidence.
- A project that will mitigate a gaming-related harm that is not grounded in their own detailed research or recommendations arising from MGC research (as outlined in the community specific interventions slide deck or MGC research reports referenced above).

# FY2025 Community Mitigation Fund Guidelines

## 2.6.5 Specific Impact

Specific Impact Grants are only for projects that do not fit within the other categories of CMF Grants. The municipality must provide a thorough description of an identified impact of the gaming establishment and proposed mitigation measures to address the impact.

**Identified Impacts** – The Specific Impact category recognizes that there may be other impacts associated with a gaming establishment that have not been identified by the Commission. If a municipality has identified an additional impact to be addressed, the workplan must identify the impact and provide sufficient evidence that the impact is caused or is associated with a gaming establishment.

The Commission's regulation 205 CMR 125.01 2(b)4 defines operational impacts as: "The community will be significantly and adversely affected by the operation of the gaming establishment after its opening taking into account such factors as potential public safety impacts on the community; increased demand on community and regional water and sewer systems; impacts on the community from storm water runoff, associated pollutants, and changes in drainage patterns; stresses on the community's housing stock including any projected negative impacts on the appraised value of housing stock due to a gaming establishment; any negative impact on local, retail, entertainment, and service establishments in the community; increased social service needs including, but not limited to, those related to problem gambling; and demonstrated impact on public education in the community." Although these definitions include the types of operational impacts that may be funded, it is not limited to those. The determination will be made by the Commission after its review.

### **Eligible Expenses**

The Commission will make funding available to mitigate gaming facility operational impacts that are being experienced or were experienced by the January 31, 2024 application deadline.

### **Ineligible Expenses**

Any expense considered to be a municipal cost such as any cost which may be included its annual budget

- Any cost for which it receives payments through its Host Community Agreement or Surrounding Community Agreement.
- Any project that does not address a casino related impact.
- Applications from non-governmental entities.

# FY2025 Community Mitigation Fund Guidelines

## 3.0 REGIONAL AGENCY GRANT PROGRAM

The Commission will accept applications by regional agencies to address impacts on communities that go beyond one municipality and can be more effectively addressed in a regional manner.

### 3.1 Eligibility

MGL c. 23K, Section 61 identifies eligible entities as “local and regional education, transportation, infrastructure, housing, environmental issues and public safety, including the office of the county district attorney, police, fire and emergency services. The commission may, at its discretion, distribute funds to a governmental entity or district other than a single municipality in order to implement a mitigation measure that affects more than 1 municipality.”

This definition provides the Commission with broad authority regarding the distribution of mitigation funds to regional governmental entities. However, the Commission has identified three primary areas for project funding – regional planning efforts, regional public safety and regional education programs. Specific eligibilities within each category are identified in Section 3.5 below.

While other regional governmental entities may be eligible for funding, any such entity proposing to apply for funding should contact the Community Affairs Division well in advance of the submission deadline to discuss project eligibility and casino related impacts.

### 3.2 Key Programmatic Aspects

Historically, the Commission has funded regional agencies through the CMF as part of each year’s grant round. For FY 25, the Regional Agency Grant Program will be the funding mechanism. Three categories of grants are available for FY 25 – Regional Planning Grant, Regional Public Safety Grant and Regional Workforce Development Grant. These categories are further described in Section 3.5 of the Guidelines. The following are some of the key aspects of the program:

- For each category of grant, the Commission has identified impacts that are likely to be caused by, or associated with, the gaming establishments. For these identified impacts, applicants do not need to go to extraordinary lengths to quantify casino related impacts.
- For each category of grant, the Commission has identified the types of projects that are generally acceptable to address casino related impacts.
- For each category of grant, the Commission has identified any ineligible projects or items.

### 3.3 Application Requirements

**Grant applications are due to the Commission by 11:59 PM on January 31, 2024 via e-mail at [MGCCMF@massgaming.gov](mailto:MGCCMF@massgaming.gov). Applications received after this time will not be considered for funding. Applications should include the following elements. Please click here\_\_\_\_\_ for application template/example.**

## FY2025 Community Mitigation Fund Guidelines

- a. Applicants are required to fully complete the CMF Regional Agency Grant Application and fill out the appropriate sections for the selected grant category.
- b. Applicants must identify an impact associated with the casino, describe how the project will address it, and provide justification for any funds requested.
- c. The regional agency must submit a workplan detailing the scope, schedule, and budget which provides details on how the agency will spend the money in accordance with the program guidelines. Agencies may submit additional materials to support their applications.

### 3.4 Waivers

The Commission may in its discretion waive or grant a variance from any provision or requirement contained in these Guidelines. Any requests for waivers shall be submitted with the Grant Application. Please see Section 6 of the Appendix for additional detail regarding waivers.

# FY2025 Community Mitigation Fund Guidelines

## 3.5 Grant Categories

### 3.5.1 Regional Planning Grants

Certain casino related impacts may present challenges across multiple communities or create opportunities to leverage the presence of a casino to provide regional benefits. Projects to address these types of impacts are often better served through the use of a regional agency to develop and implement solutions.

For FY 25, the Commission is authorizing grants of up to \$250,000 for Regional Planning Agencies (RPAs) to identify and implement projects that address regional impacts associated with the gaming establishments.

The eligible RPAs for these grants are those that serve the casino's host community – the Metropolitan Area Planning Council for Region A, the Pioneer Valley Planning Commission for Region B and the Southeast Regional Planning and Economic Development District for the Category 2 facility.

Similar to the Community Planning and Transportation categories under the Municipal Block Grant Program, these grants are designed to help either address negative impacts of the gaming establishment on the region or to take advantage of opportunities that the gaming establishment presents.

Regional Planning projects must address an identified casino related impact. Grant funds may be used for both project planning and project implementation. Planning projects must have a defined area or issue that will be investigated as well as a clear plan for implementation of the results. Applicants should work in collaboration with or on behalf of impacted municipalities.

Planning grants are intended to assist agencies with gathering data and analysis, hiring planning consultants, performing engineering review/surveys, conducting public meetings, preparing final reports, and preparing analysis or design.

**Identified Impacts** – The Commission has identified impacts associated with the gaming establishment, which RPAs may cite in their applications. There may be other impacts that have not been identified by the Commission that could be eligible for grant funds. If an agency has identified additional impacts to be addressed, the applications must identify the impact and provide sufficient evidence that the impact is caused or is associated with a gaming establishment.

#### **Positive Impacts**

- Gaming establishments attract a large group of patrons and employees to their establishments that would not otherwise be present in the area. This provides opportunities for local communities and businesses to attract these patrons and employees to their communities and business establishments.

## FY2025 Community Mitigation Fund Guidelines

- Gaming establishments typically purchase millions of dollars of goods and services each year, much of which is purchased locally. This provides the opportunity for local businesses to provide these goods and services.
- Gaming establishments require a significant number of workers, which provide employment opportunities for local residents.

### **Negative Impacts**

- Competition from the gaming establishment may have negative impacts on other businesses competing in the hospitality industry.
- The presence of a gaming establishment may result in reallocated spending. Reallocated spending is spending on goods and services which would have occurred had the casinos never opened, but which did not occur because an individual chose to spend their money at the casino instead. The main areas where monies are reallocated are transportation, retail items, hotels and travel, restaurants and bars, recreation and non-live entertainment and live entertainment.
- The marketing capabilities of the gaming establishments may put other competing local businesses at a disadvantage.
- Increased traffic associated with the gaming establishment may cause increased congestion on the major routes leading to/from the gaming establishment.
- Increased traffic associated with the gaming establishment may result in increased vehicular accidents on major routes leading to/from the gaming establishment.
- Increased traffic associated with the gaming establishment may result in increased vehicular/bicycle/pedestrian conflicts.
- Increased traffic associated with the gaming establishment may cause localized increases in air pollution due to congestion.
- Increased visitation to the gaming establishment area may place a strain on public transit services.

**Eligible Projects** – The following types of projects may be considered to address casino related impacts:

- Marketing and Tourism plans to attract casino patrons and employees to the municipality, highlight local businesses, promote recreational and entertainment opportunities, and help communities compete with the gaming establishments for business.
- Projects to provide economic development opportunities for local businesses.
- Programs to increase business opportunities to provide goods and services to the gaming establishments.
- Other programs to encourage casino employees to live/work/play in the region.

## FY2025 Community Mitigation Fund Guidelines

- Road safety audits
- Complete Streets evaluations and designs
- Studies to improve public transit
- Multi-use path planning and design
- Road/traffic signal improvement designs to improve vehicular safety and/or reduce traffic congestion.
- Planning for bike share networks
- Studies to identify air pollution reduction strategies
- Studies to identify ways to reduce single occupancy vehicles

**Ineligible Projects** – The following types of projects have been deemed ineligible for grant funding:

- Projects that do not address a casino-related impact.
- Applications from non-governmental entities.



# FY2025 Community Mitigation Fund Guidelines

## 3.5.2 Regional Public Safety Grants

MGL c. 23K, Section 61 identifies regional public safety agencies as being eligible for mitigation funds and specifically identifies the county District Attorney's offices. The Commission seeks to support the Attorney General and District Attorney's Offices in jurisdictions where the establishment and operation of a casino have resulted in an increase in criminal cases. The objective of this category is to ensure that these offices have the necessary resources to effectively manage and prosecute cases associated with the operation of a casino.

The regional agencies eligible for funding under this category include:

- the office of the county District Attorneys
- Attorney General's office
- Other relevant public safety agencies

For FY 25, the Commission has established a maximum grant of \$100,000 for the District Attorney's Offices. Grant amounts for the Attorney General or other relevant public safety agencies will be based on available funding and demonstrated need.

**Identified Impacts** – The Commission has identified regional public safety related impacts associated with the gaming establishments, which agencies may cite in their applications. There may be other impacts that have not been identified by the Commission that could be eligible for grant funds. If an agency has identified additional impacts to be addressed, the application must identify the impact and provide sufficient evidence that the impact is caused or is associated with a gaming establishment.

- The introduction of casinos in the Commonwealth has led to increased criminal cases being handled by the District Attorney or Attorney General.
- It is recognized by law enforcement and the casino industry that certain types of crime may be attracted to casinos and other hospitality related businesses. These may include human trafficking, money laundering, and drug trafficking. Other crimes that may be attributable to casinos include increased assaults, fraud, and property crimes.
- The presence of casinos has been demonstrated to cause an increase in cases of operating under the influence.

### Eligible Costs

- Funding for personnel, including prosecutors, investigators, and administrative staff, and victim witness advocates to assist these offices in handling the additional workload created by the casino's presence. The office must demonstrate an increase in criminal cases directly related to the presence of the casino. The office must have a clear plan for

# FY2025 Community Mitigation Fund Guidelines

the utilization and record keeping of the grant funds, specifying the roles and responsibilities of the additional personnel to be hired.

## Ineligible Costs

- Staff whose jobs are not directly tied to the increased case load because of the presence of a casino.
- Project does not address a casino related impact.

## Reporting and Accountability

Grant recipients will be required to provide quarterly progress reports on their progress as well as a final report with case numbers to ensure that the funds are being used as intended and to assess the program's impact on case management. The grantee will also provide to the Commission staff a record of the following case types.

- Motor Vehicle/OUI
- Property Damage/Theft
- Assaults
- Sexual Assault
- Drug Offenses
- Money laundering
- Disorderly Conduct
- Human Trafficking
- Firearms
- RICO
- Identity theft

# FY2025 Community Mitigation Fund Guidelines

## 3.5.3 Regional Workforce Development Grants

Regional Workforce Development Grant applicants should focus on areas highly impacted by casino operations to mitigate a strain in existing resources and a potential impact to the regional labor market. Applicants must be able to demonstrate that the education and skills training programs proposed are in response to an identified need at the casinos or to provide a sufficient supply of workers to backfill jobs being lost to the casinos. The Gaming Commission encourages new and innovative program ideas that align with the grant program's intention.

A consortium application is required. Eligible workforce development proposals must include a regional consortium approach to improve the skills, knowledge, and credential attainment for residents. The proposal must also include regional labor market information and evidence of employer partnerships.

**Grantees will be expected to track numbers related to student participation and job placement across several defined parameters such as gender, minority status, and veteran status.**

### **Regional Workforce Development Program Spending**

The Commission anticipates awarding one grant per region with the following maximum value:

- Region A - \$750,000
- Region B - \$750,000

### **Identified Impacts**

The Commission has identified the following impacts associated with the gaming establishment, which may be cited in the application. There may be other impacts that have not been identified by the Commission that could be eligible for grant funds. If an agency has identified additional impacts to be addressed, the applications must identify the impact and provide sufficient evidence that the impact is caused or is associated with a gaming establishment.

- Increase in demand for employees with a high school diploma or equivalent credentials
- Increase in demand for employees with understanding of roles in the hospitality field
- Increase in demand for employees who speak English
- Increase in demand for applicants with basic digital literacy

### **Eligible Expenses**

- Gaming school scholarships
- Post-secondary vocational programs in culinary, hospitality skills, banking, or general customer service training or vocational programs focused on English language/adult basic education

## FY2025 Community Mitigation Fund Guidelines

- A program that structures intentional connections among adult basic education, occupational training, and post-secondary education programs designed to meet the needs of both adult learners and employers
- Registered apprenticeships in the hospitality and banking fields
- Courses leading to college credits or industry-recognized certificates
- Adult Basic Education (“ABE”) and vocationally based English for Speakers of Other Languages (“ESOL”) training programs; contextualized learning
- Integrated Education and Training and industry-recognized credentials
- Translation services to help with student success
- Transportation and childcare vouchers
- Technology related to participant access
- Administrative costs include activities related to management, oversight, reporting, and record keeping, and monitoring of the grant program. This amount may not exceed 7.5% of the grant.

### Ineligible Expenses

- Programs that are not directly or indirectly tied to the presence of a casino.

# FY2025 Community Mitigation Fund Guidelines

## APPENDIX

### 1. Other Grants

- **Emergency Mitigation Grants**

The Commission continues to set aside \$200,000 to cover newly identified impacts of an emergency nature that would cause significant harm to a community if it were not remedied in an expeditious fashion. The intent of this grant is to allow the Commission to be more responsive in addressing significant casino related issues that do not fall within the normal CMF timelines. This grant is not intended to circumvent the normal CMF processes.

- **Tribal Gaming Technical Assistance Grants**

The Commission continues to set aside \$200,000 of 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. Such funding will only be made available after approval of any application by SRPEDD or a comparable regional entity.

### 2. Administrative Costs

For FY 25 administrative costs are eligible under the CMF. Grantees may use up to 7.5% of the grant for administrative purposes up to \$50,000. Administrative costs include activities related to management, oversight, reporting, record keeping, and monitoring of the grant program. The grant application must identify how much of the grant funding is being used for administrative purposes and must also outline what funds are being contributed by the entity, such as in-kind services. Workforce Development Grants are not subject to the \$50,000 cap.

### 3. Operational Costs

Operational costs are intended to supplement existing departmental budgets impacted by the operation of a gaming facility. Examples of eligible items could include the cost of staff to run a program, overtime of public safety personnel; public safety equipment upgrades and/or supplies, increased demand on community regional water and sewer systems; and stresses on the community's housing.

### 4. Joint Applications

Applicants are encouraged to work with other local municipalities in the development of joint applications. Applications should provide details regarding consultations with nearby communities for cooperative regional efforts for pooling CMF funds for a joint projects. For a joint application, the application must specify which community will be the fiscal agent for the grant. Each community must state how much and from which distribution category the funds are being drawn from. The administering entity would be responsible for all activities related to the management of the grant such as providing timely quarterly reports, preparing expenditures reports and all documentation needed as part of the Close-out Process. Each Community would list the joint applicant, specify which category, and how much each

# FY2025 Community Mitigation Fund Guidelines

community is contributing. The funding may be requested only for the costs of a joint project being proposed by more than one community, not similar projects.

## 5. Requests for Changes to Components of Grant Awards

The Commission authorized MGC staff to approve requests for changes to components of grant awards provided that staff provides notice of such changes to all Commission members and provided further that such changes shall not exceed 10% of the grant award or \$25,000, whichever is smaller. Requests over this amount must be approved by a vote of the Commission.

## 6. Waivers and Variances

Applicants may request a waiver of a condition set forth in the Application for the Commission's consideration. All requests for waivers or variances shall be submitted with the Application. The Commission may in its discretion waive or grant a variance from any provision or requirement contained in these Guidelines where the Commission finds that:

- a. Granting the waiver or variance is consistent with the purposes of M.G.L. c. 23K;
- b. Granting the waiver or variance will not adversely affect the public interest; and
- c. Not granting the waiver or variance would cause a substantial hardship to the community, governmental entity, or person requesting the waiver or variance.

The Waiver shall set forth the specific provision of the Guidelines to which the waiver or variance is sought. The Waiver Form can be found at: [\\_\\_\\_\\_\\_ hyperlink and attached hereto](#). Applicant may contact Mary Thurlow at [mary.thurlow@massgaming.gov](mailto:mary.thurlow@massgaming.gov) with any questions.

The Commission may grant a waiver or variance, deny a waiver or variance, or grant a waiver or variance subject to such terms, conditions and limitations as the Commission may determine.

The terms, conditions, covenants, duties and obligations contained in this Application may be waived only by written agreement executed by duly authorized representatives of the Commission and the Grantee. No waiver by either party of any term, condition, covenant, duty or obligation shall be construed as a waiver of any other term, condition, covenant, duty or obligation nor shall a waiver of any breach be deemed to constitute a waiver of any subsequent breach, whether of the same or a different section, subsection, paragraph, clause, phrase, or other provision of this Grant.

## 7. Rescission of Grants

If a Grantee does not expend the funds in a timely manner, the Commission may rescind the grant and make those funds available in the next grant round for the Region in which the grant originated. Before any grant is rescinded, Commission staff will notify the Grantee that the expenditures on the grant are not timely and establish a timeline for the Grantee to either expend the funds or have the grant rescinded.

# FY2025 Community Mitigation Fund Guidelines

## 8. [How Will the Commission Decide on Applications?](#)

### **Commission Process:**

The Commission may ask Applicants for supplementary materials, may request a meeting with Applicants, and reserves the ability to host a hearing or hearings on any Application. Depending on the content of the Application Commission Staff may consult with outside agencies with expertise in various areas to assist the review process. Staff provides detailed memoranda of considerations for the Commissioner's to review in a public meeting.

The Commission reserves the ability to fund only portions of requested projects and to fund only a percentage of amounts requested. The Commission also reserves the ability to place conditions on any award.

The Commission reserves the right to determine which requests to fund based on its assessment of a broad range of factors including the extent of public benefit each grant is likely to produce.

### **Evaluation Factors:**

- A demonstration that the impact is being caused by the gaming facility;
- The significance of the impact to be remedied;
- The potential for the proposed mitigation measure to address the impact;
- The feasibility and reasonableness of the proposed mitigation measure;
- A 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;
- The significance of any matching funds including but not limited to the ability to compete for state or federal workforce, transportation or other funds;
- Any demonstration of regional benefits from a grant award;
- A demonstration that other funds from host or surrounding community agreements are not available to fund the proposed mitigation measure;
- 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 inclusion of a detailed scope, budget, and schedule for each mitigation request; and
- The inclusion of information detailing diversity in vendor/supplier spending practices relative to Minority Business Enterprises ("MBE"), Veteran's Business Enterprises ("VBE") and Women's Business Enterprises ("WBE").

## 9. [Process for the CMF Municipal Block Grants](#)

The following is the anticipated process for the CMF Municipal Block Grants:

- a) The Commission will vote in November 2023 on the proposed grant amounts for each eligible municipality.

## FY2025 Community Mitigation Fund Guidelines

- b) Subsequent to the vote, eligible municipalities will receive notification from the Commission regarding the amount of proposed grant funding for their community. This notification will be sent via email to their respective Town Manager/City Administrator/Grant Manager and current CMF Grant Managers noted on previous applications. **Entities should notify the Community Affairs Division of any additional people or changes to ensure that notifications are correctly distributed.**
- c) Municipalities will have until January 31, 2024 to submit their workplan for the proposed grant amount previously issued by the Commission. This will constitute their application for funds as required by 23K Section 61. These workplans must detail how they plan to use the funding.
- d) If applications are not submitted by January 31, 2024 the municipality forfeits the funds for that year.
- e) **After receipt of the Workplans:** Members of the Review Team analyze, and develop recommendations on the workplans for the Commission. The Review Team will review each communities' conformance with the Guidelines. Communities will be given the opportunity to modify their workplans if the Review Team finds areas that do not comply with the Guidelines or require additional information.
- f) Once the workplans are finalized, these will be brought to the Commission for final approval. Such decisions will be made prior to July 1, 2024.
- g) After the Commission's decision, grant instruments and contracts will be prepared and sent to the Applicants. These documents will be based on FY 25.

### 10. Regional Agencies

There are several Regional Planning Agencies which entities can use to provide services and resources. These agencies have expertise in planning, planning studies, development of mitigation plans for impacts, and can provide other technical assistance in its region.

### 11. Who Should be Contacted for Questions?

CMF Applicants are encouraged to contact the Commission's staff with any questions or concerns. The Commission's Chief of the Division of Community Affairs, Joseph Delaney, can be reached at (617) 721-9198 or via e-mail at [joseph.delaney@massgaming.gov](mailto:joseph.delaney@massgaming.gov) or [MGCCMF](mailto:MGCCMF). The Commission's address is 101 Federal Street, 12<sup>th</sup> Floor, Boston, MA 02110.

<b>Joseph Delaney</b>	<b>617 721-9198</b>	<b>Joseph.Delaney@massgaming.gov</b>
<b>Mary Thurlow</b>	<b>617 979-8420</b>	<b>Mary.Thurlow@massgaming.gov</b>
<b>Lily Wallace</b>	<b>617 533-9715</b>	<b>Lily.Wallace@massgaming.gov</b>



# FY2025 Community Mitigation Fund Guidelines



## WAIVER FORM

***Please use the chart below to develop a request for a variance or waiver related to your FY 2025 Application:***

<b>GRANT INFORMATION</b>	
<b>Applicant:</b>	
<b>Proposed Grant Amount:</b>	
CATEGORY OF GRANT:	
Type of Grant: <input type="checkbox"/> Municipal Block Grant	<input type="checkbox"/> Regional Agency Grant
<input type="checkbox"/> Community Planning	<input type="checkbox"/> Regional Planning Agency
<input type="checkbox"/> Transportation	<input type="checkbox"/> Regional Public Safety
<input type="checkbox"/> Public Safety	<input type="checkbox"/> Workforce Development
<input type="checkbox"/> Gambling harm Reduction	<input type="checkbox"/> Other
<input type="checkbox"/> Specific Impact	
TYPE OF WAIVER	
<b>Change in Funding Amount:</b>	<b>Change in Timeline:</b>
<b>Administrative Costs:</b>	<b>Current Deadline:</b>
<b>Operational Costs:</b>	<b>Requested Supplemental Time:</b>
<b>Project Costs:</b>	
<b>Other Programmatic Requirement (specific other provision requiring a waiver or variance):</b>	
BASIS OF WAIVER REQUEST	
<b>Waiver from a specific provision of Guidelines:</b>	
<b>Basis of proposed mitigation waiver or variance:</b>	



# FY2025 Community Mitigation Fund Guidelines

How would granting this request enable Applicant to mitigate impact?
<b>ADMINISTRATOR</b>
Program Manager:
Email:
Telephone:
Address:
<b>Signature of Responsible Municipal Official/Government Entity</b>
By:
Name (print name):
Title:

DRAFT