

**COWLITZ INDIAN TRIBE
TRUST ACQUISITION, RESERVATION PROCLAMATION
AND GAMING DEVELOPMENT PROJECT**

BIA DECISION PACKAGE

**SECTION 4.0 MITIGATION MONITORING AND ENFORCEMENT
PLAN**

COWLITZ INDIAN TRIBE TRUST ACQUISITION AND CASINO PROJECT

MITIGATION MONITORING AND ENFORCEMENT PLAN

INTRODUCTION

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

MITIGATION MONITORING OVERVIEW

This MMEP has been developed to guide mitigation compliance before, during, and after implementation of the BIA's Preferred Alternative. The mitigation measures described below in **Table 1** were developed through the analysis of potential impacts within the FEIS. As specified in **Table 1**, mitigation compliance monitoring and evaluation will be performed by the Tribe, National Indian Gaming Commission (NIGC), United States Fish and Wildlife Service (USFWS), United States Army Corps of Engineers (USACOE), Washington State Department of Transportation (WSDOT), and the United States Environmental Protection Agency (USEPA) as indicated in the description of each measure. The MMEP provides:

- Requirements for compliance of the mitigation measures specifically created to mitigate impacts;
- List of responsible parties;
- Timing of mitigation measure implementation.

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

MITIGATION MONITORING AND ENFORCEMENT PROGRAM

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| <p>practices, stabilization techniques and structural Best Management Practices (BMPs) that are to be implemented to prevent erosion and minimize sediment transport. BMPs shall be inspected, maintained, and repaired to assure continued performance of their intended function. Reports summarizing the scope of these inspections, the personnel conducting the inspection, the dates of the inspections, major observations relating to the implementation of the SWPPP, and actions taken as a result of these inspections shall be prepared and retained as part of the SWPPP.</p> <p>To minimize the potential for erosion to occur on the project site, the following items shall be addressed and implemented:</p> <ol style="list-style-type: none"> 1. Prior to land-disturbing activities, the cleaning and grading limits shall be marked clearly, both in the field and on the plans. This can be done using construction fences or by creating buffer zones. 2. Construction traffic shall be limited in its access to the site to a single entrance if possible. Haul roads and staging areas shall be developed to control impacts to on-site soil. All access points, haul roads and staging areas shall be stabilized with crushed rock. Any sediment shall be removed daily and the road structure maintained. 3. Downstream waterways and properties shall be protected during construction from increased flow rates | | <p>Measures shall be implemented on site during construction.</p> | | | |

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| <p>due to the higher impervious nature of the site. During construction, detention ponds can be combined with sedimentation ponds as long as the detention volume is not impacted by a buildup of sediment.</p> <p>4. Concentrated flows create high potential for erosion; therefore, any slopes shall be protected from concentration flow. This can be done by using gradient terraces, interceptor dikes, and swales, and by installing pipe slope drains or level spreaders. Inlets need to be protected to provide an initial filtering of stormwater runoff; however, any sediment buildup shall be removed so the inlet does not become blocked.</p> <p>5. The SWPPP shall address maintenance and repair of heavy equipment on site to remove the potential for pollution from oil, fuel, hydraulic fluid, or any other potential pollutant.</p> <p>6. Staging areas and haul roads shall be constructed to minimize future over-excavation of deteriorated sub-grade soil.</p> <p>7. If construction occurs during wet periods, sub-grade stabilization shall be required. Mulching or netting may be needed for wet-weather construction.</p> <p>8. Temporary erosion control measures (such as silt fence, gravel filter berms, straw wattles, sediment/grease traps,</p> | | | | | |

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| <p>mulching of disturbed soil, construction stormwater chemical treatment, and construction stormwater filtration) shall be employed for disturbed areas. Due to the clay soils on the alternative project sites (the La Center Interchange Site and the Ridgefield Interchange Site), it is possible that settlement basins may not remove the fine clay particles. If this is the case, then the use of chemical treatment and stormwater filtration shall be required.</p> <p>9. Exposed and unworked soils shall be stabilized by the application of effective BMPs. These include, but are not limited to, temporary or permanent seeding, mulching, nets and blankets, plastic covering, sodding, and gradient terraces.</p> <p>10. The SWPPP shall address the maintenance of both temporary and permanent erosion and sediment control BMPs as described in the Erosion Control Plan recommendations in Appendix 5 of the grading and drainage report (DEIS Vol. 1, Appendix F).</p> | | | | | |
| <p>6.2. Water Resources</p> <p>A. As described under Section 6.1, Geology and Soils, Mitigation Measure B, prior to construction, an NPDES General Construction permit shall be obtained from the USEPA and a SWPPP shall be prepared and approved by the USEPA. The SWPPP</p> | Tribe | NPDES permit shall be obtained from USEPA SWPPPs shall be completed for all construction and excavation activities. | Clean Water Act – NPDES Permit | Prior to Construction | |

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| <p>shall describe construction practices, stabilization techniques and structural BMPs that are to be implemented to prevent erosion and minimize sediment transport as outlined above.</p> | | <p>SWPPP practices shall be implemented on site during construction.</p> | | | |
| <p>B. In accordance the NPDES General Construction permit, a sampling and monitoring program shall be developed and implemented to assess the quality of surface water entering and leaving the project site. At a minimum, sampling sites shall include: a location above all proposed development and a location downstream of all development. Analyses shall include total suspended solids (TSS), oils and greases.</p> | <p>Tribe</p> | <p>NPDES permit shall be obtained from USEPA A sampling and monitoring program for TSS, oils and greases shall be developed in accordance with USEPA guidelines and implemented. Monitoring shall occur up-stream and downstream of the project site.</p> | <p>Clean Water Act – NPDES Permit</p> | <p>Program shall be developed prior to construction Sampling shall be done at intervals specified in the NPDES General Construction Permit</p> | |
| <p>C. As described in detail under Section 6.4, Biological Resources, Mitigation Measure B, a 404 permit shall be obtained from the USACE prior to any discharge of dredged or fill material into waters of the U.S, and a 401 Water Quality Certification shall be obtained from the EPA.</p> | <p>Tribe</p> | <p>A 404 permit shall be obtained from the USACE. A 401 Certification shall be obtained from the USEPA.</p> | <p>Section 404 of the Clean Water Act Section 401 of the Clean Water Act</p> | <p>Prior to any discharge of dredged or fill material into waters of the US</p> | |
| <p>D. The Tribe shall comply with all provisions of the CWA including the NPDES program for wastewater and stormwater discharges. The Tribe shall prepare a SWPPP that addresses water quality impacts associated with construction and operation of the project alternatives. Water quality control measures identified in the SWPPP shall include but not be limited to those BMPs previously listed under Section 6.1, Geology and Soils, Mitigation Measure B.</p> | <p>Tribe</p> | <p>All wastewater and stormwater discharges shall meet or exceed the NPDES permit standards. SWPPPs shall be completed for all construction and excavation activities. SWPPP practices shall be implemented on site during construction.</p> | <p>Clean Water Act- NPDES Permit</p> | <p>Prior to Construction</p> | |

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| E. Fertilizer use shall be limited to the minimum amount necessary and shall be adjusted for the nutrient levels in the water used for irrigation. Fertilizer shall not be applied immediately prior to an anticipated rain. | Tribe | A field log shall be kept to verify that fertilizer use is: limited to the minimum amount necessary; adjusted for the nutrient levels in the water used for irrigation; and is not applied immediately prior to an anticipated rain. | Necessary to fulfill Clean Water Act – NPDES Permit | Ongoing | |
| F. The runoff from trash collection areas shall be directed to the sanitary sewer system for treatment at a wastewater treatment plant (WWTP) prior to discharge | Tribe | Measure shall be identified in drainage plan. | Necessary to fulfill Clean Water Act – NPDES Permit | Ongoing | |
| G. Landscape irrigation shall be adjusted based on weather conditions and shall be reduced or eliminated during the wet portion of the year in order to prevent excessive runoff. | Tribe | A field log shall be kept to verify that landscape irrigation is adjusted based on weather conditions and is reduced or eliminated during the wet portion of the year in order to prevent excessive runoff. | Necessary to fulfill Clean Water Act – NPDES Permit | Ongoing | |
| H. Water conservation measures shall be implemented, including low flow fixtures and electronic dispensing devices in faucets. | Tribe | Measure shall be identified in construction specifications. | No Mechanism | Design and Operation | |
| I. In order to reduce the temperature of treated wastewater, an underground pipe field will be constructed along the discharge line leading to the unnamed tributary. The pipe field will cover an area of approximately 450 feet x 450 feet and be located below the RV park. The pipe field will transfer heat from treated wastewater to the cooler soil, reducing treated wastewater temperatures. Temperatures are anticipated to average 16°C following cooling. | Tribe | Facilities shall be specified in construction plans. In accordance with the NPDES permit, the waste water temperatures shall monitored to ensure that the temperature is being adequately reduced prior to discharge. | Clean Water Act – NPDES Permit | Design and Operation | |
| J. To ensure that the discharge into the unnamed tributary does not increase erosion or sedimentation, all water being discharged into the unnamed tributary will first be | Tribe | Facilities to convert runoff to sheet flow shall be specified in construction plans. | Clean Water Act – NPDES Permit | Ongoing | |

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| <p>converted to sheet flow.</p> <p>K. In order to ensure compliance with the Washington Administrative Code (WAC) criteria for ammonia, the anoxic basin of the WWTP will be sized in accordance with the calculated ammonia criteria as determined through the NPDES permitting process when commenced.</p> | <p>Tribe</p> | <p>The anoxic basin of the WWTP shall be sized to ensure compliance with the WAC criteria for ammonia.</p> | <p>Clean Water Act – NPDES Permit</p> | <p>Design and Construction</p> | |
| <p>6.3. Air Quality</p> <p>A. The Tribe shall control fugitive dust emissions (PM10) during construction through the following actions, as applicable:</p> <ul style="list-style-type: none"> ▪ Spray exposed soil with water or other suppressant. ▪ Minimize dust emissions during transport of fill material or soil by wetting down loads, ensuring adequate freeboard (space from the top of the material to the top of the truck bed) on trucks, and/or covering loads. ▪ Promptly clean up spills of transported material on public roads. ▪ Restrict traffic on site to reduce soil disturbance and the transport of material onto roadways. ▪ Locate construction equipment and truck staging areas away from sensitive receptors as practical and in consideration of potential effects on other resources. ▪ Provide wheel washers to remove particulate matter that would otherwise be carried off site by vehicles to decrease deposition of particulate | <p>Tribe</p> | <p>Measures shall be included in construction specifications and implemented throughout construction.</p> | <p>40 CFR 49.126 (d)(1); Federal Air Rules for Reservations</p> | <p>During Construction</p> | |

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| <p>matter on area roadways.</p> <ul style="list-style-type: none"> Cover dirt, gravel, and debris piles as needed to reduce dust and wind-blown debris. | | | | | |
| <p>B. The Tribe shall control emissions of volatile organic compounds (VOC), nitrogen oxides (NOx), sulfur oxides (SOx), and carbon monoxide (CO) whenever reasonable and practicable by requiring all diesel-powered equipment be properly maintained and minimizing idling time to 5 minutes when construction equipment is not in use, unless per engine manufacturer's specifications or for safety reasons more time is required. Since these emissions would be generated primarily by construction equipment, machinery engines shall be kept in good mechanical condition to minimize exhaust emissions.</p> | Tribe | Measures shall be included in construction specifications and implemented throughout construction. | Tribal BMPs Needed to comply with Clean Air Act | During Construction | |
| <p>C. In the event of air quality complaints received by Southwest Clean Air Agency (SWCAA) about activities which occur on the reservation and affect citizens residing off the reservation, a representative of the Tribe shall meet with the SWCAA to determine the appropriate course of action.</p> | Tribe | When air quality complaints are received by SWCAA about activities on the reservation a representative of the Tribe shall meet with the SWCAA. | Tribal BMPs Needed to comply with Clean Air Act | Construction and Operation | |
| <p>D. The Tribe shall provide transportation (e.g., shuttles) to nearby population centers, major transit stations, and multi-modal centers.</p> | Tribe | Public transportation facilities shall be provided. | Tribal BMPs Needed to comply with Clean Air Act | Operation | |
| <p>E. The Tribe shall ensure the use of clean fuel vehicles in the vehicle fleet where practicable.</p> | Tribe | Clean fuel vehicles shall be utilized where practicable | Tribal BMPs Needed to comply with Clean Air Act | Operation | |
| <p>F. The Tribe shall provide a parking lot design that includes clearly marked and shaded pedestrian pathways between transit facilities</p> | Tribe | Facilities shall be included in construction plans | Tribal BMPs Needed to comply with Clean Air Act | Design and Operation | |

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| and building entrances. | | | | | |
| G. The Tribe shall provide preferential parking for vanpools and carpools. | Tribe | Facilities shall be included in construction plans. | Tribal BMPs Needed to comply with Clean Air Act | Design and Operation | |
| H. The Tribe shall provide on-site pedestrian facility enhancements such as walkways, benches, proper lighting, and building access, which are physically separated from parking lot traffic. | Tribe | Facilities shall be specified on final site plans and construction plans | Tribal BMPs Needed to comply with Clean Air Act | Design and Operation | |
| I. The Tribe shall provide adequate ingress and egress at entrances to the casino to minimize vehicle idling and traffic congestion. | Tribe | Facilities shall be specified on final site plans and construction plans | Tribal BMPs Needed to comply with Clean Air Act | Design and Operation | |
| 6.4. Biological Resources | | | | | |
| A. If feasible, vegetation removal activities shall occur outside of the nesting season (approximately March through September) for migratory birds, olive-sided flycatcher, and slender-billed white-breasted nuthatch. If vegetation removal activities are to be conducted during the nesting season, a pre-construction survey for active nests within proposed disturbance areas shall be conducted by a qualified biologist within one week prior to vegetation removal. If vegetation removal activities are delayed or suspended for more than one month after the pre-construction survey, the site shall be resurveyed. If active migratory bird, olive-sided flycatcher, or slender-billed white-breasted nuthatch nests are identified, vegetation removal that would disturb these nests shall be postponed until after the nesting season, or a qualified biologist has determined the young have fledged and are independent of the nest site. No active nests | Tribe | Vegetation removal activities shall occur October through February. If vegetation removal activities are to be conducted during the nesting season, March through September, a pre-construction survey for active nests within proposed disturbance areas shall be conducted by a qualified biologist within one week prior to vegetation removal. No active nests shall be disturbed without a permit or other authorization from the USFWS. | Federal Migratory Bird Act Endangered Species Act (ESA) | Ongoing Pre-construction surveys shall be done no more than one month before vegetation removal activities. Permits and/or authorization from the USFWS shall be obtained prior to disturbing any active nests of migratory birds, the olive-sided flycatcher, and the slender-billed white-breasted nuthatch. | |

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| <p>shall be disturbed without a permit or other authorization from the USFWS.</p> | | | | | |
| <p>B. A permit shall be obtained from the United States Army Corps of Engineers (USACE) prior to any discharge of dredged or fill material into waters of the U.S. The Tribe shall comply with all the terms and conditions of the permit and compensatory mitigation shall be in place prior to any direct effects to waters of the U.S. Minimal mitigation measures would require the creation of wetlands at a 1:1 ratio for any wetlands impacted. If the jurisdictional road-side ditch is to be impacted, minimal mitigation shall require that an equivalent drainage be created along the realigned road. Any project which will cause fill to "waters of the U.S." will require a 404 permit. The USEPA will require a 401 Water Quality Certification permit prior to the USACE issuance of a 404 permit. Development which will impact less than 0.5 acres or less than 300 feet may require a Nationwide 39 or Nationwide 18 permit. Full mitigation will be carried out in compliance with any permits.</p> | <p>Tribe</p> | <p>A 404 permit shall be obtained from the USACE. A 401 Certification shall be obtained from the USEPA. A Nationwide 39 or a Nationwide 18 permit shall be obtained should the development impact less than .5 acres or 300 feet of wetlands. Wetlands shall be replaced at a 1:1 ratio.</p> | <p>Section 404 of the Clean Water Act Section 401 of the Clean Water Act Nationwide 39 or a Nationwide 18 permit.</p> | <p>Prior to any discharge of dredged or fill material into waters of the US.</p> | |
| <p>C. The project shall incorporate BMPs for stormwater runoff, including sedimentation basins, vegetated swales, and runoff infiltration devices if necessary, to ensure that the water quality of the on-site unnamed seasonal stream does not degrade. Stormwater runoff from the project site shall be monitored according to BMPs to assess the quality of water leaving the project site.</p> | <p>Tribe</p> | <p>BMP's for stormwater runoff shall be incorporated into project design. A water monitoring log shall be kept to verify that the water quality of the stormwater runoff is not degrading the unnamed seasonal stream.</p> | <p>Clean Water Act – NPDES Permit</p> | <p>Design and Operation</p> | |
| <p>D. Temporary fencing shall be installed around areas of wetland, intermittent drainage and</p> | <p>Tribe</p> | <p>Temporary fencing shall be installed in compliance with</p> | <p>Section 10 of the MOU and Section</p> | <p>Prior to and during Construction</p> | |

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| <p>riparian habitat as shown on the site plans (Figure 2-1 and Figures 2-6 through 2-9), unless a USACE Section 404 Permit is obtained for placement of fill. Fencing shall be placed in accordance with the Clark County Wetland Protection Ordinance (CCWPO) pursuant to the MOU/EPHS Ordinance with Clark County. Fencing shall be installed prior to any construction and shall remain in place until all construction activities on the site have been completed.</p> | | <p>Measures shall be included in construction specifications. Facilities shall be installed in compliance with Clark County Wetland Protection Ordinance (2003)</p> | <p>3(G)(1) of the Tribal EPHS Ordinance</p> | | |
| <p>E. Construction staging areas shall be located away from the wetlands and intermittent drainages that are to be preserved. Temporary stockpiling of excavated or imported material shall occur only in approved construction staging areas. Excess excavated soil shall be used on site or disposed of at a regional landfill or other appropriate facility. Stockpiles that are to remain on the site through the wet season shall be protected (e.g. with silt fences or straw bales) to prevent erosion.</p> | <p>Tribe</p> | <p>Measures shall be included in construction specifications.</p> | <p>Section 10 of the MOU and Section 3(G)(1) of the Tribal EPHS Ordinance</p> | <p>During Construction</p> | |
| <p>F. Lighting shall optimize the use of downward directed low-pressure sodium lighting. No strobe lights shall be utilized except as required by Federal Aviation Administration (FAA) regulation.</p> | <p>Tribe</p> | <p>Lighting shall be downward directed low-pressure sodium lighting. Strobe lights, if any, shall be installed in compliance with FAA regulations.</p> | <p>Federal Migratory Bird Act 47 CFR 17: Construction, Marking, and Lighting of Antenna Structures</p> | <p>Design and Operation</p> | |
| <p>G. In order to avoid the introduction of noxious weeds to the project site, no plants designated as "noxious weeds" by the</p> | <p>Tribe</p> | <p>Landscaping shall be conducted in accordance with Clark County Code Title 7: Weed Control</p> | <p>Section 10 of the MOU and Section 3(G)(1) of the</p> | <p>Design and Operation</p> | |

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| <p>Washington State Noxious Weed Control Board (WSNWCB) shall be used for landscaping. Additionally, no mulch with the potential to contain viable seeds from a designated noxious weed shall be used on the project site.</p> | | <p>Code (2003).</p> | <p>Tribal EPHS Ordinance</p> | | |
| <p>H. Preconstruction surveys shall be conducted prior to construction to determine if bat species are roosting on the project site. If bat species are not found roosting on the project site, then no further mitigation will be necessary. If bat species are found roosting on the project site, USFWS will be contacted to discuss potential mitigation measures</p> | <p>Tribe</p> | <p>Preconstruction surveys shall be conducted at least 14 days prior to construction to determine if bat species are roosting on the project site. USFWS shall be contacted if bat species are found roosting on the project site.</p> | <p>Endangered Species Act</p> | <p>At least 14 days prior to construction</p> | |
| <p>1. If construction is scheduled to occur between January 15 and August 1, a biologist shall conduct a survey for active bald eagle nests located within 0.5 miles of the project site. If active nests are located, the following mitigation measures shall apply: Project construction within 0.5 miles of an active nest shall be prohibited during the bald eagle nesting season, from January 15 through August 1, unless there is evidence that nests are abandoned or the young have fledged. 1. The Tribe shall be responsible for educating contractors about sensitive biological resources, particularly nesting bald eagles. The Tribe shall inform the construction contractor about the biological constraints of the project site. 2. If bald eagles are observed in the</p> | <p>Tribe</p> | <p>A biologist shall conduct a survey prior to any construction scheduled to occur between January 15 and August 1 for active bald eagle nests within .5 miles of the project site. Mitigation measures shall be implemented should an active nest be found.</p> | <p>16 USC 668-668d: Bald Eagle Protection Act</p> | <p>Prior to any Construction scheduled to occur between January 15 and August 1</p> | |

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| <p>immediate project area during the construction period, the Tribe shall contact the USFWS to determine whether further consultation is necessary.</p> <p>3. Where possible, existing trees to be removed will be relocated and/or additional trees and screening vegetation shall be planted to increase the vegetated buffer between the site and nesting raptors and to help compensate for any habitat loss.</p> | | | | | |
| <p>J. Wetland Cs is proposed as a natural stormwater detention basin. A wetland buffer will be maintained around this area, consistent with the CCWPO standards. A stormwater treatment facility will be constructed adjacent to this stormwater detention pond. Runoff from paved surfaces will be treated prior to entering the stormwater detention basin.</p> | Tribe | Measures shall be included in construction specifications. Facilities shall be installed in compliance with Clark County Wetland Protection Ordinance (2003) | Section 10 of the MOU and Section 3(G)(1) of the Tribal EPHS Ordinance | Design and Operation | |
| <p>K. Construction of stormwater and effluent discharging structures in the vicinity of the unnamed seasonal stream on site will require an NPDES permit and SWPPP monitoring.</p> | Tribe | NPDES permit shall be obtained from USEPA SWPPPs shall be completed for all construction and excavation activities. SWPPP practices shall be implemented on site during construction. | Clean Water Act – NPDES Permit | Prior to Construction of stormwater and effluent discharging structures | |
| <p>L. Preconstruction bloom-period surveys shall be done for water howellia and tall bugbane. The bloom-period for tall bugbane is May to August and the bloom period for water howellia is June to August. If the plants are</p> | Tribe | Preconstruction bloom-period surveys shall be done for water howellia from May to August and for tall bugbane from June to August. Should either species | Endangered Species Act | Prior to any construction scheduled to occur between May and August. | |

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| <p>present, the Tribe shall consult with the USFWS to determine appropriate mitigation measures, including relocation of the plants to a suitable location on-site or the purchase of mitigation credits, and implement the required mitigation.. No activities that could potentially impact water howellia will be conducted without a Biological Opinion, Incidental Take Permit, or other authorization from USFWS. All terms and conditions of any USFWS authorization will be met</p> | | <p>be found, the Tribe will consult with the USFWS to determine appropriate mitigation. All terms and conditions of any USFWS authorization will be met.</p> | | | |
| <p>M. Discharge of treated wastewater to the unnamed seasonal stream on site will require an NPDES permit. Continued water quality monitoring will be required to ensure the stream will not be impaired by water discharged on-site.</p> | <p>Tribe</p> | <p>NPDES permit shall be obtained from USEPA A water monitoring log shall be kept to verify the monitoring done in accordance the provisions of the NPDES permit.</p> | <p>Clean Water Act – NPDES Permit</p> | <p>Prior to Construction Monitoring will be done according to the provisions in the NPDES permit.</p> | |
| <p>6.5. Cultural Resources</p> | | | | | |
| <p>A. In the event of any inadvertent discovery of prehistoric or historic archaeological resources or paleontological resources during construction-related earth-moving activities, all such finds shall be subject to Section 106 of the National Historic Preservation Act as amended following procedures in 36 C.F.R. 800. Specifically, procedures for post-review discoveries without prior planning pursuant to 36 C.F.R. 800.13 shall be followed. All work within 50 feet of the find shall be halted until a professional archaeologist can assess the significance of the find. If any find is determined to be significant by the archaeologist, then representatives of the Tribe shall meet with the archaeologist to</p> | <p>Tribe</p> | <p>When archeological resources are discovered, a professional archeologist shall assess their significance and an appropriate course of action shall be decided. A treatment plan shall be developed if necessary.</p> | <p>National Historic Preservation Act of 1966; 36 CFR 800 36 CFR 800.13: Procedures for post-review discoveries</p> | <p>Immediately after an inadvertent discovery of prehistoric or archaeological resources at any point during construction</p> | |

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| <p>determine the appropriate course of action, including the development of a Treatment Plan, if necessary. All significant cultural materials recovered shall be subject to scientific analysis, professional curation, and a report prepared by the professional archaeologist according to current professional standards.</p> | | | | | |
| <p>B. If human remains are discovered during ground-disturbing activities on Tribal lands, the Tribal Official and BIA representative shall be contacted immediately. No further disturbance shall occur until the Tribal Official and BIA representative have made the necessary findings as to the origin and disposition. If the remains are determined to be of Native American origin, the BIA representative shall notify a Most Likely Descendant (MLD). The MLD is responsible for recommending the appropriate disposition of the remains and any grave goods.</p> | <p>Tribes</p> | <p>Procedures for the recovery of human remains shall be included in construction specifications. If human remains are discovered, the specified actions shall be taken.</p> | <p>43 CFR 10.4: Native American Graves Protection and Repatriation Regulations; inadvertent Discoveries</p> | <p>Immediately after an inadvertent discovery of human remains at any point during construction</p> | |
| <p>C. In the event of accidental discovery of paleontological materials during ground-disturbing activities, a qualified paleontologist shall be contacted to evaluate the significance of the find and collect the materials for curation as appropriate.</p> | <p>Tribes</p> | <p>Procedures for the discovery of paleontological resources shall be included in construction specifications. If paleontological resources are discovered, a qualified paleontologist shall be contacted to evaluate the significance of the find and to preserve the resources as appropriate</p> | <p>36 CFR 800: National Historic Preservation Act 36 CFR 800.13: Procedures for post-review discoveries</p> | <p>Immediately after the accidental discovery of paleontological materials at any point during construction</p> | |
| <p>6.6. Socioeconomic Conditions and Environmental Justice</p> | | | | | |
| <p>B. The Tribe shall contribute no less than \$50,000 annually to a program that treats problem gamblers.</p> | <p>Tribes</p> | <p>The Tribe will make donations in accordance with the MOU and EPHS Ordinance.</p> | <p>Section 12.2 of the MOU and Section 1 (1) of the EPHS</p> | <p>Annually</p> | |

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| 6.7. Transportation/Circulation | | | | | |
| <p>A. All work conducted within the Washington Department of Transportation (WSDOT) night-of-way will require the following:</p> <ul style="list-style-type: none"> a. Proposed changes to State facilities must be designed to current WSDOT standards and specifications. b. Plans must be reviewed and approved by WSDOT and Federal Highway Administration (FHWA) prior to beginning work. c. Engineering calculations, plans and reports submitted for review and approval must bear the seal and original signature of a professional engineer. d. Construction must be done in accordance with the current WSDOT Standard Specifications for Road, Bridge, and Municipal construction manual. e. Construction inspection will be performed by WSDOT at the Tribe's expense | Tribe | Measures shall be included in construction specifications in accordance with Clark County Code 40.350.030(C): Transportation and Circulation, Street and Road Standards | Section 10 of the MOU and Section 3(G)(1) of the Tribal EPHS Ordinance | Design and Construction | |
| <p>B. For the Cowlitz Events Center, the Tribe will encourage carpooling and bus use to the project site on events nights. Shuttles running from points in west and east Vancouver, and potentially a site or two in Portland, Oregon, will help to reduce traffic impacts, including impacts to key segments of I-5 and I-205. Such shuttle service will be particularly important on those few weekday evenings where there are coincidental events at both the Cowlitz Events Center and the</p> | Tribe | The Tribe shall encourage carpooling and bus use to the project site on events nights. | Necessary to fulfill Section 8.1 MOU and Section 3(E)(1) of the Tribal EPHS Ordinance | During Operation | |

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| <p>Clark County Amphitheatre.</p> <p>C. The MOU (DEIS Vol. I, Appendix C) and the EPHS Ordinance (Appendix U of the FEIS) between the Tribe and Clark County includes provisions for determining when mitigation measures are necessary to reduce impacts related to the addition of project traffic on the public roadway network. As described in the MOU/EPHS Ordinance, the Tribe shall make roadway and intersection improvements to maintain traffic level of service (LOS) at existing levels and shall also ensure that LOS does not operate below LOS D for intersection delay during the peak traffic hours. A credit shall be given to the Tribe for the number of vehicles that would be generated if the site were developed based on uses permitted in the Agriculture District for each phase of the development. Additionally, the Tribe and Clark County have agreed to work together to ensure that "late comer" provisions (Revised Code of Washington [RCW] Section 35.72.040) apply to any future developments in the vicinity of the project site. Such provisions shall ensure that the Tribe receives reimbursement or contribution for improvements as otherwise would be permitted under State law.</p> | <p>Tribe, County</p> | <p>The Tribe shall contribute fair share of roadway and intersection improvements to maintain in accordance with MOU provisions.</p> | <p>Section 8.1 MOU and Section 3(E)(1) of the Tribal EPHS Ordinance</p> | <p>During Operation</p> | |
| <p>D. All work conducted within the WsDOT right-of-way for the Interstate 5 (I-5)/La Center Interchange, including overpass widening, shall be conducted in accordance with the WsDOT and FHWA approved Interchange Access Justification Report (IJR) (Parsons Brinckerhoff, 2003d). No work shall be conducted on the interchange until a</p> | <p>Tribe, WsDOT, FHWA</p> | <p>Design and construction of facilities shall be conducted in accordance with WsDOT and FHWA Standards. A Documented Categorical Exclusion (DCE) shall be prepared and accepted by WsDOT prior to construction.</p> | <p>NEPA, SEPA, WsDOT Regulations</p> | <p>Design and Construction</p> | |

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| <p>Documented Categorical Exclusion (DCE) has been accepted by WsdOT.</p> | | | | | |
| <p>E. To provide adequate sight distance and horizontal curvature for the proposed access points along NW 31st Avenue, the roadway, within a 20-foot setback from right-of-way lines, shall be kept obstacle-free, and if landscaping is placed in this area, it shall be limited to no more than 2 feet in height.</p> | <p>Tribe, County</p> | <p>Design of facilities shall be conducted in accordance with Clark County Code 40.350.030(B)(8): Transportation and Circulation, Sight Distances.</p> | <p>Section 10 of the MOU and Section 3(G)(1) of the Tribal EPHS Ordinance</p> | <p>Design and Construction</p> | |
| <p>F. Realign NW 31st Avenue approximately 300-350 feet west of its current intersection with NW 319th Street in order to provide appropriate intersection spacing from the I-5 interchange. The intersection with NW 319th Street would be signalized and improved with left- and right-turn lanes.</p> | <p>Tribe, County</p> | <p>Measure shall be specified in construction plans.</p> | <p>Necessary to fulfill Section 8.1 MOU and Section 3(E)(1) of the Tribal EPHS Ordinance</p> | <p>Design and Construction</p> | |
| <p>G. I-5 and La Center Interchange:</p> <ol style="list-style-type: none"> 1. Signalize the northbound and southbound ramp intersections with separate controllers, which are in coordination with one another; 2. Add an auxiliary lane to the northbound off-ramp of approximately 1,500 feet in length (consistent with WsdOT standards) and widen to accommodate a two-lane off-ramp. 3. Add a left-turn lane with a storage length of 450 feet for Alternatives A and B, or 300 feet for Alternative C, to the northbound ramp; this ramp will also require a 450-foot right-turn lane; 4. Widen the overpass between the I-5 northbound and southbound ramps to accommodate a second westbound traffic lane and a back-to-back left turn | <p>Tribe, WsdOT, FHWA</p> | <p>Measures shall be specified in construction plans.</p> | <p>Necessary to fulfill Section 8.1 MOU and Section 3(E)(1) of the Tribal EPHS Ordinance</p> | <p>Design and Construction</p> | |

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| <p>lane (a total of four lanes on the overpass); the overpass shall be constructed so as to accommodate a second eastbound travel lane in the long-term (2030) future.</p> <p>5. Add an auxiliary lane to the southbound on-ramp of approximately 1,500 feet consistent with WSDOT standards;</p> <p>6. The southbound ramp intersection shall have one exclusive right-turn lane and one through-lane in the eastbound direction; the westbound direction shall have one through-lane and one through- and right-turn lane; while westbound has two through lanes plus a left-turn lane.</p> <p>7. Although no mitigation is needed for the NW La Center Road/Paradise Park Road intersection, minor improvements to shift the intersection as far east along the existing alignment as is possible will provide additional spacing between the frontage road intersection and the ramp intersection. Note: future interchange improvements conducted by WSDOT or another public agency with eminent domain authority shall realign this frontage road approximately 300 feet east of its current location to provide adequate intersection spacing.</p> <p>8. Add a right-turn storage lane of 100 feet to the southbound I-5 off-ramp at NW 319th Street.</p> | | | | | |

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| 9. Realign NW 31st Avenue westward as shown on the project site plans | | | | | |
| H. To provide adequate site access at Parking Garage #1, the site access intersection will need to be signalized and shall be coordinated with the northbound and southbound I-5 ramp intersections with NW La Center Road. | Tribe | Measure shall be specified in construction plans. | Necessary to fulfill Section 8.1 MOU and Section 3(E)(1) of the Tribal EPHS Ordinance | Design and Construction | |
| 6.8. Public Services | | | | | |
| A. The use of recycled water shall be maximized to the extent feasible. Potential uses include toilet flushing, landscape irrigation, emergency fire flow, and evaporative cooling. According to the wastewater engineering report (FEIS Vol. II, Appendix G), water usage could be reduced by up to 67 percent by maximizing recycled water use. | Tribe | The use of recycled water shall be maximized to the extent feasible | Tribal BMPs incorporated into the project design | Ongoing | |
| I. Construction waste shall be recycled to the fullest extent practicable by diverting green waste and recyclable building materials from the solid waste stream | Tribe | Construction waste shall be recycled to the fullest extent practicable. | Tribal BMPs incorporated into the project design | During Construction | |
| J. Environmentally preferable materials shall be selected, to the extent practical, for construction of facilities. | Tribe | Environmentally preferable materials shall be selected, to the extent practical, for construction of facilities. | Tribal BMPs incorporated into the project design | Design and Construction | |
| K. A solid waste management plan shall be adopted by the Tribe that addresses recycling and solid waste reduction on site. These measures shall include, but not be limited to, the installation of a trash compactor for cardboard and paper products, and annual waste stream analysis. | Tribe | Measures shall be included in the solid waste management plan that shall be adopted by the Tribe. | Tribal BMPs incorporated into the project design | Design and Operation | |
| L. Recycling bins shall be installed throughout the facilities for glass, cans and paper products. | Tribe | Recycling bins shall be installed throughout the facilities. | Tribal BMPs incorporated into the project design | Design and Operation | |

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| M. Decorative trash and recycling receptacles shall be placed strategically throughout the site to encourage people not to litter | Tribe | Decorative trash and recycling receptacles shall be placed strategically throughout the site. | Tribal BMPs incorporated into the project design | Design and Operation | |
| N. Security guards shall be trained to discourage littering on site. | Tribe | Security guards shall be trained to discourage littering on site. | Tribal BMPs incorporated into the project design | During Operation | |
| O. At least three working days prior to construction, the Tribe shall contact the Utility Notification Center, which provides a free "Dig Alert" to all excavators (e.g., contractors, homeowners, and others) in Washington. This call shall automatically notify all utility service providers at the excavator's work site. In response, the utility service providers shall mark or stake the horizontal path of underground facilities, provide information about the facilities, and/or give clearance to dig. | Tribe | The Utility Notification Center shall be contacted at least three days prior to construction. | Public Law 102-508: Pipeline Safety Act of 1992 | At least three days prior to construction. | |
| P. The Tribe and CPU shall enter into negotiations to provide electrical service to the project site. | Tribe | The Tribe and CPU shall enter into negotiations to provide electrical service to the project site. | N/A | Prior to Construction | |
| Q. Buildings shall be thoroughly insulated and weatherized so as to minimize energy loss due to heating and cooling waste. Doors and windows shall be regularly inspected for air leaks, and shall be caulked or weather-stripped as appropriate where leaks are identified. Storm windows and double-paned glass shall be used to the extent practicable, shall be maintained in good repair, and shall be weatherized. New windows shall meet energy-saving criteria set forth by the National Fenestration Rating Council (NFRC). Caulk and seal shall be used as appropriate to prevent air leaks where | Tribe | Measure shall be included in construction specifications in accordance with Clark County Energy Code. | Section 10 of the MOU and Section 3(G)(1) of the Tribal EPHS Ordinance | Design and Operation | |

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| <p>plumbing, ducting, or electrical wiring penetrates through exterior walls, floors, ceilings, and soffits over cabinets. Rubber gaskets shall be installed as appropriate behind outlet and switch plates on exterior walls. Exterior walls shall be sealed with appropriate sealants.</p> | | | | | |
| <p>R. For heating systems, filters on furnaces shall be cleaned or changed once a month or as needed. Energy-efficient equipment, such as appliances bearing the ENERGY STAR® logo, shall be selected for purchase and installation.</p> | Tribe | <p>A maintenance log shall be kept to verify that filters on furnaces are cleaned or changed once a month or as needed.</p> <p>Energy-efficient equipment shall be installed.</p> | Tribal BMPs incorporated into the project design | Design and Operation | |
| <p>S. The selected heating, ventilation, and air conditioning (HVAC) system shall minimize the use of energy by means of using high efficiency variable speed chillers, high efficiency low emission steam and/or hot water boilers, variable speed hot water and chilled water pumps, variable air volume air handling units, and air-to-air heat recovery where appropriate. Hotel rooms shall have four pipe fan coil units and individual exhaust vents. Pool area dehumidification shall include heat recovery systems. All systems shall be designed in accordance with American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Standard 90. Complex ventilation shall be designed in accordance with ASHRAE Standard 62. A building automation system shall be integrated with all building support systems.</p> | Tribe | <p>All heating and air conditioning systems shall be designed in accordance with ASHRAE Standard 90. Complex ventilation systems shall be designed in accordance with ASHRAE Standard 62.</p> | 10 CFR 434: Energy Code for new Federal Commercial and Multifamily High Rise Residential Buildings | Design and Operation | |

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| <p>T. Energy efficient lighting shall be installed throughout the facilities. Dual-level light switching shall be installed in support areas to allow users of the buildings to reduce lighting energy usage when the task being performed does not require all lighting to be on. Day lighting controls shall be installed near windows to reduce the artificial lighting level when natural lighting is available. Controls shall be installed for exterior lighting so it is turned off during the day.</p> | <p>Tribe</p> | <p>Energy efficient lighting shall be installed throughout the facilities.</p> | <p>Tribal BMPs incorporated into the project design</p> | <p>Design and Operation</p> | |
| <p>U. Water systems shall be inspected regularly for leaks or degradation that could lead to leaks, and water heater tanks and pipes shall be insulated or lagged to the extent practicable.</p> | <p>Tribe</p> | <p>An inspection log shall be kept to verify that water systems are inspected regularly for leaks or degradation that could lead to leaks. Water heater tanks and pipes shall be insulated or lagged to the extent practicable.</p> | <p>Tribal BMPs incorporated into the project design</p> | <p>Design and Operation</p> | |
| <p>V. Non-aerating, low-flow faucets and showerheads shall be installed in the hotel rooms.</p> | <p>Tribe</p> | <p>Measure shall be specified in construction plans.</p> | <p>Tribal BMPs incorporated into the project design</p> | <p>Design and Operation</p> | |
| <p>W. New, energy-efficient water heaters shall be installed, and shall be evaluated for replacement every seven years.</p> | <p>Tribe</p> | <p>Measure shall be specified in construction plans. Documentation will be kept to verify that water heaters are evaluated every seven years.</p> | <p>Tribal BMPs incorporated into the project design</p> | <p>Design and Operation</p> | |
| <p>X. Water tanks shall be maintained and cleaned every three months to remove sediment in order to maintain the heat transfer efficiency of water heaters.</p> | <p>Tribe</p> | <p>A maintenance log shall be kept to verify that water tanks are maintained and cleaned every three months.</p> | <p>Tribal BMPs incorporated into the project design</p> | <p>During Operation</p> | |
| <p>Y. The Tribe shall provide traffic control with appropriate signage and the presence of peak-hour traffic control staff. This shall aid</p> | <p>Tribe</p> | <p>The Tribe shall provide traffic control with appropriate signage and the presence of peak-hour</p> | <p>Tribal BMPs incorporated into the project design</p> | <p>During Operation</p> | |

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| <p>in the prevention of off-site parking, which could create possible security issues.</p> | | <p>traffic control staff.</p> | | | |
| <p>Z. The Tribe shall provide on-site security for casino operations to reduce and prevent criminal and civil incidents and shall coordinate response calls with the Clark County Sheriff's Office.</p> | <p>Tribe</p> | <p>An employee log shall be kept to verify that Tribe is providing on-site security for casino operations.</p> | <p>N/A</p> | <p>During Operation</p> | |
| <p>AA. The Tribe shall adopt a Responsible Alcoholic Beverage Policy that shall include, but not be limited to, checking identification of patrons and refusing service to those who have had enough to drink.</p> | <p>Tribe</p> | <p>The Tribe shall adopt a Responsible Alcoholic Beverage Policy.</p> | <p>Needed to comply with 23 USC 158: National Minimum Drinking Age Act and Clark County Code 5.08.010: State Board Rules</p> | <p>During Operation</p> | |
| <p>AB. In accordance with Section 3.0 of the MOU (DEIS Vol. I, Appendix C) and Section 3(A) of the EPHS Ordinance (Appendix U of the FEIS), the Tribe shall enter into an agreement to reimburse the Clark County Sheriff's Office for reasonable direct and indirect costs incurred in conjunction with providing law enforcement services, of which some costs shall be re-evaluated on an annual basis.</p> | <p>Tribe</p> | <p>The Tribe shall enter into an agreement to reimburse the Clark County Sheriff's Office for reasonable direct and indirect costs incurred in conjunction with providing law enforcement services</p> | <p>Section 3.2.3 of the MOU and Section A(1)(a) of the Tribal EPHS Ordinance</p> | <p>Prior to Operation Some aspects of the agreement will be re-evaluated by both parties on an annual basis</p> | |
| <p>AC. The Tribe shall enter into an agreement with Clark County to provide reimbursement for court and jail services, similar to Exhibit B in the MOU and Section 3(B) of the EPHS Ordinance, unless these services are otherwise paid for through an impact mitigation fund given directly to the County.</p> | <p>Tribe</p> | <p>The Tribe shall enter into an agreement with Clark County to provide reimbursement for court and jail services</p> | <p>Sections 4.3 and 5.1 of the MOU and Section 3(B) of the Tribal EPHS Ordinance</p> | <p>Prior to Operation</p> | |
| <p>AE. During construction, any construction equipment that normally includes a spark arrester shall be equipped with an arrester in good working order. This includes, but is not limited to, vehicles, heavy equipment, and</p> | <p>Tribe</p> | <p>Measure shall be included in construction specifications and implemented throughout construction.</p> | <p>Tribal BMPs incorporated into the project design</p> | <p>During Construction</p> | |

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| chainsaws. Staging areas, welding areas, or areas slated for development using spark-producing equipment shall be cleared of dried vegetation or other materials that could serve as fire fuel. To the extent feasible, the contractor shall keep these areas clear of combustible materials in order to maintain a firebreak. | | | | | |
| AF. The Tribe shall use fire-resistant construction materials for the larger buildings and equip enclosed buildings with automatic sprinkler systems as required by applicable building codes. The automatic sprinkler systems shall be designed to meet or exceed the National Fire Protection Association (NFPA) standards governing the different occupancies associated with the project structures. All fire protection water systems shall be in place before the introduction of combustible material to any of the facilities. | Tribe | Measure shall be specified in construction plans. Fire protection water systems shall be complete before the introduction of combustible material to the facilities. | NFPA Codes and Standards | Design and Construction Fire protection water systems shall be complete before the introduction of combustible material to the facilities. | |
| AG. Through the use of modern construction and fire engineering techniques, the Tribe shall build in automatic systems designed to contain any fire to the room of origin. All automatic systems will meet or exceed the NFPA standards. | Tribe | Measure shall be specified in construction plans. | NFPA Codes and Standards | Design and Construction | |
| AH. Through the use of modern fire engineering technology, the Tribe shall create and maintain a facility equipped with the latest early detection systems that insure an initial response to any fire alarm (automatic, local, or report). This would rely on automatic sprinkler systems in the occupied areas and smoke detection, along with automatic sprinkler systems, in the areas of the facility that are normally unoccupied, such as | Tribe | Measure shall be specified in construction plans. A maintenance log shall be kept to verify that the detection systems are being maintained. | NFPA Codes and Standards | Design and Construction | |

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| storerooms and mechanical areas. All early detection systems will meet or exceed the NFPA standards. | | | | | |
| <p>AI. In accordance with Section 6.0 of the MOU (DEIS Vol. I, Appendix C) and Section 3(C) of the EPHS Ordinance (Appendix U of the FEIS), the Tribe shall enter into an agreement to reimburse Clark County Fire District (CCFD) 12, taking into account payments received by the District, directly or indirectly, though any impact mitigation fund given directly to Clark County.</p> | Tribe | The Tribe shall enter into an agreement to reimburse Clark County Fire District. | Section 6 of the MOU and Section 3(c) of the EPHS Ordinance | Prior to Construction | |
| 6.9. Noise | | | | | |
| <p>A Construction using heavy equipment shall not be conducted between 10:00 p.m. and 7:00 a.m. Additionally, the following measures shall be used to minimize impacts from noise during work hours (7:00 a.m. to 10:00 p.m.):</p> <ol style="list-style-type: none"> All engine-powered equipment shall be equipped with adequate mufflers. Haul trucks shall be operated in accordance with posted speed limits. Truck engine exhaust brake (a.k.a. "Jake Brake") use shall be limited to emergencies. Loud stationary construction equipment shall be located as far away from residential receptor areas as feasible. All diesel engine generator sets shall be provided with enclosures. All nighttime truck traffic activities, deliveries, and loading and unloading of equipment during the night shall be eliminated | Tribe | Measures shall be included in construction specifications. | Tribal BMPs incorporated into the project design | During Construction | |
| 6.10. Hazardous Materials | | | | | |

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| <p>A. In the event that contaminated soil and/or groundwater or other hazardous materials are encountered during construction-related earth-moving activities, all work shall be halted until a qualified individual can assess the extent of contamination. If contamination is determined to be significant, representatives of the Tribe shall consult with the USEPA to determine the appropriate course of action, including the development of a sampling plan and remediation plan if necessary.</p> | <p>Tribe</p> | <p>Measure shall be included in construction specifications. A sampling plan and remediation plan shall be developed if necessary.</p> | <p>40 CFR § 260 – 265: Hazardous Waste Management</p> | <p>Immediately after encountering contaminated soil and/or groundwater at any point during Construction</p> | |
| <p>B. All hazardous materials that would be necessary for the operation of the facilities shall be stored and handled according to State, federal, and manufacturer's guidelines. All flammable liquids shall be stored in a labeled secured container.</p> | <p>Tribe</p> | <p>All hazardous materials that are necessary for the operation of the facilities shall be stored and handled according to State, federal, and manufacturer's guidelines. All flammable liquids shall be stored in a labeled secured container.</p> | <p>40 CFR § 260 – 265: Hazardous Waste Management</p> | <p>Ongoing</p> | |
| <p>C. Personnel shall follow written standard operating procedures (SOP) for filling and servicing construction equipment and vehicles. The SOPs, which are designed to reduce the potential for incidents involving hazardous materials, shall include the following:</p> <ol style="list-style-type: none"> 1. Refueling shall be conducted only with approved pumps, hoses, and nozzles. 2. Catch-pans shall be placed under equipment to catch potential spills during servicing. 3. All disconnected hoses shall be placed in containers to collect residual fuel from the hose. 4. Vehicle engines shall be shut down | <p>Tribe</p> | <p>Personnel shall follow written SOP for filling and servicing construction equipment and vehicles. Measures shall be included in the SOP.</p> | <p>40 CFR §264.016: Personnel Training</p> | <p>Ongoing</p> | |

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| <p>during refueling.</p> <ol style="list-style-type: none"> 5. No smoking, open flames, or welding shall be allowed in refueling or service areas. 6. Refueling shall be performed away from bodies of water to prevent contamination of water in the event of a leak or spill. 7. Service trucks shall be provided with fire extinguishers and spill containment equipment, such as absorbents. 8. Should a spill contaminate soil, the soil shall be put into containers and disposed of in accordance with local, State, and federal regulations. 9. All containers used to store hazardous materials shall be inspected at least once per week for signs of leaking or failure. All maintenance and refueling areas shall be inspected monthly. <p>Results of inspections shall be recorded in a logbook that shall be maintained on site.</p> | | | | | |
| <p>D. As part of the proposed wastewater treatment design, sodium hypochlorite and citric acid shall be stored in the chemical room of the wastewater treatment plant building. The chemical room shall contain an emergency shower and eyewash. The storage and chemical metering facilities shall be located inside a chemical spill containment area, sized to contain 150 percent of the storage volume in case of an unintentional release. The sodium hypochlorite shall be stored in a 55-gallon drum and the citric acid shall be stored as dry material and then in a 50-gallon mixing tank when needed. Both chemicals</p> | <p>Tribe</p> | <p>Measures shall be included in the construction plan of the WWTP.</p> <p>Sodium hypochlorite and citric acid shall be stored and handled according to the mitigation measures.</p> | <p>40 CFR § 260 – 265: Hazardous Waste Management</p> | <p>Design and Operation</p> | |

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| shall be transferred to the dip tanks using pumps. | | | | | |
| 6.11. Aesthetics | | | | | |
| <p>A. Screening features shall be integrated into the landscaping design of the alternatives to screen the view of the facilities from existing residences and to integrate natural elements into the design. For the La Center Interchange Site this includes screening views for residents within a medium range north and west of the site. For the Ridgefield Interchange Site this includes screening views for residents within a medium range north, east, and south of the site. The following species are recommended for screening where appropriate, as they are native to the area and on average grow to approximately 100 feet or taller: Douglas-fir, Western red cedar, Ponderosa pine, and Western white pine. Due to the slower rate of maturity, a row of a faster growing species such as Knobcone pine, which reaches approximately 80 feet in height, could be utilized as other species mature.</p> | Tribe | Measure shall be included in construction plans in accordance with Clark County Code 40.570 (C)(3)(f): State Environmental Policy Act (SEPA) Policies, Aesthetics | Section 10 of the MOU and Section 3(G)(1) of the Tribal EPHS Ordinance | Design and Operation | |