APPENDIX T

Construction Emissions Mitigation Plan

Construction Emissions Mitigation Plan
North Fork Construction Project

INTRODUCTION

The following mitigation measures are for the construction phase of development on the Madera Site or North Fork Site (as defined in the Environmental Impact Statement (EIS) prepared by the BIA). These measures will be included in the Record of Decision (ROD) issued by the Bureau of Indian Affairs (BIA) and all contracts with construction contractors and subcontractors.

The mitigation measures address reduction of oxides of nitrogen (NOx), sulfur oxides (SOx), reactive organic gas (ROG), carbon monoxide (CO), and Particulate matter (PM_{10} and $PM_{2.5}$) emissions from heavy equipment, also PM_{10} and $PM_{2.5}$ emissions from fugitive dust. Adoption of these mitigations will reduce the construction air quality impacts of the construction project.

Prior to contracting with any construction contractor or subcontractor for construction on either the Madera or North Fork Sites; the Tribe shall include the following measures in the contract terms:

CONTROL MEASURES FOR FUGITIVE DUST

- During construction, the Tribe shall comply with San Joaquin Valley Air Pollution Control District (SJVAPCD) Regulation VIII (Fugitive Dust Rules).
- Prior to the start of any construction activity on the site, the Tribe shall create a Dust Control Plan pursuant to SJVAPCD Rule 8021. Implementation of SVAPCD Rule 8021 would limit visible dust emissions to 20 percent opacity.
- In addition to full compliance with all applicable Regulation VIII requirements, the Tribe shall implement the following dust control practices, drawn from Tables 6-2 and 6-3 of SJVAPCD's *Guide for Assessing and Mitigating Air Quality Impacts* (GAMAQI), during construction:
    - All disturbed areas, including soil stockpiles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, or vegetative ground cover.
    - All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.
    - All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking.

- When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, or at least six inches of freeboard space from the top of the container shall be maintained.
- All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at least once every 24 hours when operations are occurring. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions.) (Use of blower devices is expressly forbidden.)
- Following the addition of materials to, or the removal of materials from, the surface of outdoor soil stockpiles, piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.
- Limit traffic speeds on unpaved roads to 15 mph; and
- Install erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent.

CONTROL MEASURES FOR EMISSIONS FROM EQUIPMENT AND VEHICLES

- The Tribe shall prepare an inventory of all equipment prior to construction and identify the suitability of add-on emission controls for each piece of equipment before groundbreaking. Control technologies such as particle traps control approximately 80 percent of diesel particulate matter. Specialized catalytic converters (oxidation catalysts) control approximately 20 percent of diesel particulate matter, 40 percent of carbon monoxide emissions, and 50 percent of hydrocarbon emissions.
- The Tribe shall ensure that diesel-powered construction equipment is properly tuned and maintained, and shut off when not in direct use.
- The Tribe shall prohibit engine tampering to increase horsepower, except when meeting manufacturer's recommendations.
- The Tribe shall locate diesel engines, motors, and equipment staging areas as far as possible from the closest residences.
- The Tribe shall require the use of low sulfur diesel fuel (<15 parts per million sulfur) for diesel construction equipment, if available.
- The Tribe shall reduce construction-related trips of workers and equipment, including trucks. Construction traffic and parking management plan shall be developed that minimizes traffic interference and maintains traffic flow.
- The Tribe shall lease or buy newer, cleaner equipment (1996 or newer model), using a minimum of 75 percent of the equipment's total horsepower.

- The Tribe shall use lower-emitting engines and fuels, including electric, liquefied gas, hydrogen fuel cells, and/or alternative diesel formulations.

The above mitigation measure reflects measures from both the USEPA and the SJVAPCD and should be considered a comprehensive mitigation plan for the construction phase of a casino/hotel.