

## Exhibit X.C.2

### LEED CERTIFICATION

*Submit as Exhibit X. C.2. a description of plans, including all proposed baseline and improved building design elements and measures, for its Gaming Facility to become certified under a certification category in the Leadership in Environmental and Energy Design (LEED) program created by the United States Green Building Council.*



## LEED PLANS

### Description of Plans, Including Proposed Baseline and Improved Building Design Elements and Measures

The Nevele project intends to certify under LEED NC v2009 with the goal of achieving LEED Gold certification. The project has taken a radical design approach in order to create a resort that is sustainable and that showcases green improvements and innovations defined by the following:

The project has chosen to build on a contaminated site and to mitigate asbestos contamination from existing buildings on site instead of choosing to build on a pristine site.

Nevele will encourage the use of and provide preferred parking for low emitting and fuel efficient vehicles as well as carpools and van pools.

To further encourage healthy activities, the project will deed 5 miles of rail to trail property for public use to encourage bicycle use, hiking, healthy lifestyle and enjoyment of the environment.

The project has a comprehensive strategy to manage storm water and reduce effects of runoff on the surrounding area.

To mitigate the impact of parking surfaces on the environment, much of the hardscape paving on this project will be permeable in order to reduce the amount of additional runoff that is created. It will also be a light color in order to reduce the heat island effect of the localized area. A green roof is also planned for the casino further reducing heat island effect of the building.

The project is committed to an exterior lighting design that adheres to dark sky standards, to have as little impact on the night sky viewing as possible.

Careful design of the landscaping around the buildings will ensure that it is resilient and have minimal irrigation requirements while still providing a pleasing appearance.

The usage of water will also be reduced by the use of highly efficient flushing units and flow fixtures to achieve at least a 30% savings in potable water use compared to the norm.

Through an aggressive lighting, lighting controls and mechanical equipment design the building intends to operate at least at a 20% savings over a typical building of this type.

Nevele intends to build a solar photovoltaic system of greater than 2MW capacity, that will generate at least 13% of the project's electricity usage. This will be a visual demonstration of the commitment to the environment.

The project will intentionally select air conditioning units that contain refrigerants that will minimally impact ozone depletion.

By providing for commissioning of the energy using systems, Nevele can ensure proper operation and reduced disruption due to mechanical problems, and take advantage of the efficient design and achieve actual savings. It is estimated that commissioning can save 10-15% of energy through a systematic process of whole building confirmation of actual performance of the energy systems.

In addition to commissioning, Nevele will provide equipment for and conduct measurements to verify the real time energy usage so that informed decisions can be made about usage, improvements and maintenance. Actual energy use will also be compared to estimated energy use derived from the energy model as a method to determine if there are any hidden excessive energy usages.

The project will include space for a recycling center encouraging all users to recycle and reduce waste that is sent to a landfill.

The project will divert 75% of non-hazardous construction waste from ending up in a landfill.

The project will specify materials that have high recycled content, are harvested and manufactured within a 500 mile radius and that at least 50% of the permanent wood used on site is FSC certified.

To avoid and possibility of mold or other IAQ problems, extensive measures will be planned to ensure that building materials stay dry and clean during construction. A construction Indoor Air Quality Management plan will be implemented to confirm that proper procedures are being followed.

To ensure a healthful indoor environment, all adhesives, sealants, paints, coatings, flooring systems and composite wood and agri-fiber products will meet low Volatile

Organic Compound (VOC) standards. In addition, prior to the spaces are open to the public, the buildings will be thoroughly flushed out with outside air.

Also to ensure that the construction adheres to the LEED requirements within the specifications, the project will require the contractor to complete the attached LEED Materials Tracking Sheets. This will ensure, before products are purchased for use in the project that they comply with the LEED portion of the spec.

The space will be designed with thermal comfort in mind, eliminating common energy wasters such as space heaters or open windows in winter.

With a goal to provide a good working and living indoor environment, the management will provide a survey about thermal comfort to employees and guests assessing the comfort level of the population. A plan for corrective measures will be in place to ensure that at least 85% of the population is comfortable.

All buildings included in the project will utilize a comprehensive green cleaning plan that will specify cleaning products that are less harmful to humans and the environment and cleaning equipment that is durable and quiet.

The project will implement an education program consisting of a display in the entrance area of the building to educate users of how much renewable energy is being produced, energy uses within the building, green measures implemented on the project and quantifiable effects of these measures on the environment. Also included will be suggestions on how the public can contribute to lowering the total carbon footprint of the building. Nevele will also create a comprehensive web page educating the public on the green measures and how becoming LEED certified influenced the design of such a facility.

## **LEED BOUNDARY**

### **Entire Property Except for Golf Course**

The entire site is 524 acres comprised of about 20 acres hardscape (building footprint and paved areas), 360 acres forest and meadow, 31 acres wetlands and water surface and 111 acres of golf course. The LEED boundary will encompass the entire property except the 111 acre golf course.

Therefore the LEED project will encompass 413 acres with 16.9 acres of building area (4.11% building to site ratio).

### **Supporting Documentation**

In order to fully respond to the requirements of this exhibit, we have included these items on the following pages:

- LEED Checklist prepared for this project the LEED Charrette
- Sample tracking sheets for LEED components

62 29 17 Nevele Casino Checklist LEED NC 2009									
		Certified 40 to 49 points		Silver 50 to 59 points		Gold 60 to 79 points		Platinum 80	
<b>13 8 5 Sustainable Sites Possible Points 26</b>									
Y	?	N						Responsible Party	Credit Status
Y			Prereq 1	C	Construction Activity Pollution Prevention	0		Chazen	
	1		Credit 1	D	Site Selection	1		Chazen	
		5	Credit 2	D	Development Density & Community Connectivity	5		Taitem	
1			Credit 3	D	Brownfield Redevelopment	1		Chazen	
	6		Credit 4.1	D	Alternative Transportation, Public Transportation Access	6		Nevele	
	1		Credit 4.2	D	Alternative Transportation, Bicycle Storage & Changing	1		HMB Architecture	
3			Credit 4.3	D	Alternative Transportation, Low-Emitting & Fuel-Efficient	3		Nevele	
2			Credit 4.4	D	Alternative Transportation, Parking Capacity	2		HMB Architecture	
1			Credit 5.1	C	Site Development, Protect or Restore Habitat	1		Chazen	
1			Credit 5.2	D	Site Development, Maximize Open Space	1		Chazen	
1			Credit 6.1	D	Stormwater Management, Quantity Control, 25% decrease	1		Chazen	
1			Credit 6.2	D	Stormwater Management, Quality Control, treats runoff	1		Chazen	
1			Credit 7.1	C	Heat Islands, Non-Roof, 50% site hardscape shaded, reflective	1		Architect/Owner	
1			Credit 7.2	D	Heat Islands, Roof, reflective or green	1		Architect/Owner	
1			Credit 8	D	Light Pollution Reduction	1		-----	
<b>4 4 2 Water Efficiency Possible Points 10</b>									
Y			Prereq 1	D	Water Use Reduction, 20% Reduction	0		and Z (MEP Eng)	
2	2		Credit 1	D	Water Efficient Landscaping, No irrigation = 4 pts	4		Chazen	
		2	Credit 2	D	Innovative Wastewater Technologies	2		and Z (MEP Eng)	
2	2		Credit 3	D	Water Use Reduction, 30% = 2 pts, 35% = 3 pts, 40% = 4 pts	4		and Z (MEP Eng)	
<b>23 12 0 Energy &amp; Atmosphere Possible Points 35</b>									
Y			Prereq 1	C	Fundamental Building Systems Commissioning	0		Taitem	
Y			Prereq 2	D	Minimum Energy Performance	0		Taitem	
Y			Prereq 3	D	Fundamental Refrigerant Management	0		and Z (MEP Eng)	
			Credit 1	D	Optimize Energy Performance	19		and Z (MEP Eng)	
			EAc1 For New Bldgs: 12% = 1 pt.			EAc1 For Existing Bldgs: 8% = 1 pt.			
			14% = 2 pts   16% = 3 pts   18% = 4 pts			10% = 2 pts   12% = 3 pts   14% = 4 pts			
			20% = 5 pts   22% = 6 pts   24% = 7 pts			16% = 5 pts   18% = 6 pts   20% = 7 pts			
			26% = 8 pts   28% = 9 pts   30% = 10 pts			22% = 8 pts   24% = 9 pts   26% = 10 pts			
			32% = 11 pts   34% = 12 pts   36% = 13 pts			28% = 11 pts   30% = 12 pts   32% = 13 pts			
			38% = 14 pts   40% = 15 pts   42% = 16 pts			34% = 14 pts   36% = 15 pts   38% = 16 pts			
			44% = 17 pts   46% = 18 pts   48% = 19 pts			40% = 17 pts   42% = 18 pts   44% = 19 pts			
7			Credit 2	D	On-Site Renewable Energy	7		Taitem	
			EAc2: 1% = 1 pt   3% = 2 pts   5% = 3 pts   7% = 4 pts   9% = 5 pts   11% = 6 pts						
2			Credit 3	C	Enhanced Commissioning	2		Taitem	
2			Credit 4	D	Enhanced Refrigerant Management	2		Taitem	
3			Credit 5	C	Measurement & Verification	3		and Z (MEP Eng)	
2			Credit 6	C	Green Power	2		Nevele	

Nevele Casino Checklist LEED NC 2009										
									DATE:	
<b>7</b>	<b>1</b>	<b>6</b>	<b>Materials &amp; Resources</b>				Possible Points	<b>14</b>		
Y	?	N						Responsible Party	Credit Status	
Y			Prereq 1	D	Storage & Collection of Recyclables	0		Architect/Ow ner		
		<b>3</b>	Credit 1.1	C	Building Reuse, Maintain Existing Shell & Structure	3				
		<b>1</b>	Credit 1.2	C	Building Reuse, Maintain 50% of Interior Nonstructural E	1				
		<b>2</b>	Credit 2	C	Construction Waste Management, Divert 50% = 1 pt, 75%	2		Taitem/GC		
		<b>2</b>	Credit 3	C	Materials Reuse, 5% = 1 pt   20% = 2 pts	2				
		<b>2</b>	Credit 4	C	Recycled Content, 10% = 1 pt   20% = 2 pts	2		Taitem/GC		
		<b>2</b>	Credit 5	C	Regional Materials, 10% = 1 pt   20% = 2 pts	2		Taitem/GC		
		<b>1</b>	Credit 6	C	Rapidly Renewable Materials, 2.5%	1		Taitem/GC		
		<b>1</b>	Credit 7	C	Certified Wood, 50% of all permanent wood	1		Taitem/GC		
<b>7</b>	<b>4</b>	<b>4</b>	<b>Indoor Environmental Quality</b>				Possible Points	<b>15</b>		
Y			Prereq 1	D	Minimum IAQ Performance	0		and Z (MEP Eng)		
Y			Prereq 2	D	Environmental Tobacco Smoke (ETS) Control	0		Architect/Ow ner		
		<b>1</b>	Credit 1	D	Outdoor Air Delivery Monitoring	1		and Z (MEP Eng)		
		<b>1</b>	Credit 2	D	Increased Ventilation	1		and Z (MEP Eng)		
		<b>1</b>	Credit 3.1	C	Construction IAQ Management Plan, During Constructio	1		Taitem/GC		
		<b>1</b>	Credit 3.2	C	Construction IAQ Management Plan, Before Occupancy	1		Taitem/GC		
		<b>1</b>	Credit 4.1	C	Low-Emitting Materials, Adhesives & Sealants	1		Taitem/GC		
		<b>1</b>	Credit 4.2	C	Low-Emitting Materials, Paints & Coatings	1		Taitem/GC		
		<b>1</b>	Credit 4.3	C	Low-Emitting Materials, Flooring Systems	1		Taitem/GC		
		<b>1</b>	Credit 4.4	C	Low-Emitting Materials, Composite Wood & Agrifiber Pr	1		Taitem/GC		
		<b>1</b>	Credit 5	D	Indoor Chemical & Pollutant Source Control	1		Architect/Ow ner		
		<b>1</b>	Credit 6.1	D	Controllability of Systems, Lighting	1				
		<b>1</b>	Credit 6.2	D	Controllability of Systems, Thermal Comfort	1				
		<b>1</b>	Credit 7.1	D	Thermal Comfort, Design	1		and Z (MEP Eng)		
		<b>1</b>	Credit 7.2	D	Thermal Comfort, Verification	1		Nevele		
		<b>1</b>	Credit 8.1	D	Daylight & Views, Daylight 75% of Spaces	1		Architect/Ow ner		
		<b>1</b>	Credit 8.2	D	Daylight & Views, Views for 90% of Spaces	1		Architect/Ow ner		
<b>5</b>	<b>0</b>	<b>0</b>	<b>Innovation &amp; Design Process</b>				Possible Points	<b>6</b>		
		<b>1</b>	Credit 1.1	D/C	Innovative or Exemplary: rail trail - 5 miles deeded over	1				
		<b>1</b>	Credit 1.2	D/C	Innovative or Exemplary: green cleaning	1				
		<b>1</b>	Credit 1.3	D/C	Innovative or Exemplary: education	1				
		<b>1</b>	Credit 1.4	D/C	Innovative: EP	1				
			Credit 1.5	D/C	Innovative:	1				
		<b>1</b>	Credit 2	D/C	LEED™ Accredited Professional	1				
<b>3</b>	<b>0</b>	<b>0</b>	<b>Regional Priority (zip code 10010)</b>				Possible Points	<b>4</b>		
		<b>1</b>	EAc2		On site renewable energy (path 1)	1				
		<b>1</b>	SSc3		Brownfield redevelopment	1				
		<b>1</b>	SS6.2		Stormwater design - quality control	1				
			SSc2		Development Density	1				
			MRC1.1		Building Reuse (75% threshold)	1				
			WEc2		Innovative wastewater	1				