



January 8, 2009

The Honorable M. Jodi Rell  
Governor  
State of Connecticut  
State Capitol  
210 Capitol Avenue  
Hartford, CT 06106

Re: **Standards for Secondhand Smoke Reduction, Removal and Monitoring  
at Mohegan Sun (the "Standards")**

Dear Governor Rell:

On behalf of the Mohegan Tribe and the employees of Mohegan Sun, I am pleased to present these "Standards for Secondhand Smoke Reduction, Removal and Monitoring at Mohegan Sun" which are designed to promote the health and safety of our patrons and employees.

The five key components of our Standards are: (1) Designated Non-Smoking Areas; (2) No-Smoking (or Smoking Permitted) Signage; (3) State-of-the-Art Ventilation and Design; (4) Testing and Monitoring; and (5) Employee Accommodations. The details of these Standards are as follows:

**Designated Non-Smoking Areas**

Long before the State of Connecticut banned smoking in various liquor establishments (excluding clubs), Mohegan Sun had already prohibited smoking in all restaurants, retail stores, entertainment venues, and in most public pedestrian areas and employee-only areas of the facility. Under the new Standards, smoking will only be permitted in certain gaming areas and bars/nightclubs and a designated employee smoking room. Specifically, the following areas will be designated non-smoking:

- The Convention Center, Arena, Cabaret, Shops at Mohegan Sun.
- All corridors and pedestrian areas, including those around the gaming floor.
- All bus lobbies and most major entrances.
- All restrooms.
- All restaurants.
- The new Poker Room at Mohegan Sun.
- All "back-of-house" and employee areas, with the exception of a single specially-designated employee smoking lounge.

Also, under the new Standards:

- Table game players will be allowed to designate table games in smoking areas periodically as non-smoking.

**THE MOHEGAN TRIBE**

- By January 1, 2009, no less than 20% of the gaming floor at Mohegan Sun will be non-smoking, bringing the total area of the Mohegan Sun complex to over 85% non-smoking.

### **Signage**

- New signs clarifying where smoking is permitted or prohibited will be added throughout the facility, including entrances, elevators and restrooms.
- Mohegan Sun security (the "Blue Coat" team stationed throughout the facility) will be primarily responsible for informing our patrons of smoking restrictions, supported by new employee, tenant and patron education programs, including an updated pamphlet and on-line guide to "Smoke-Free Gaming at Mohegan Sun."

### **Ventilation and Design**

Mohegan Sun's use of high ceilings and state-of-the-art ventilation and filtration where smoking is permitted will continue to be the centerpiece of our commitment to removing and reducing the potential harmful effects of secondhand smoke. Thanks also to our cutting-edge use of Connecticut-developed fuel cell systems, we are able to clean, freshen and re-circulate the air in an energy-efficient and environmentally-sensitive fashion. In addition:

- Mohegan Sun will continue to invest in new ventilation systems and technologies that are designed and maintained in accordance with all OSHA and other federal standards in both smoking and non-smoking areas.
- Mohegan Sun's air handlers will continue to exchange air in all gaming areas at an aggressive rate, no fewer than 15 times per hour on average.
- The dual filter system will include frequent filter changes, with the pre-filter changed every 60 days and the final filter changed annually.
- Table games (excluding those in smoke-free areas and certain games where systems may be unable to accommodate a blower) will have a specially-designed air blower or air rail system to direct smoke away from employees and patrons and up to the filtration system.

### **Testing and Monitoring**

- Testing by independent, accredited air quality experts no less than two times per year.
- Regular air balancing by on-site engineering contractors to maintain peak efficiency.

The Honorable M. Jodi Rell  
Governor  
State of Connecticut  
January 8, 2009  
Page 3 of 4

- Centralized monitoring, reporting and investigation of environmental tobacco smoke conditions and patron and employee complaints.
- Testing reports to be furnished to State Division of Special Revenue.

#### Employee Accommodations

- Subject to new employee policies and availability, table games will make accommodations in smoke-free areas for dealers with documented chronic respiratory conditions or pregnancy, upon request.
- Continued support for employee health and fitness, including tobacco cessation education and programs.

The foregoing Standards are conditioned on no legislation, litigation or regulatory action to undermine the Mohegan Tribe's sovereignty and rights to exercise governmental control, including health and safety regulation, over the Mohegan reservation and gaming facilities. Any such efforts or interference that impacts the success and viability of gaming at Mohegan Sun would cause the Tribe to re-examine all of its options in gaming and non-gaming areas. These Standards are conditioned also on comparable government-to-government understandings or agreements between the State and other federally-recognized Native American tribes with gaming in Connecticut. Finally, if there are adverse economic effects due to the implementation of these Standards, the Tribe and the State agree to meet immediately again to discuss remedies.

We look forward to implementing these Standards and continuing to work with you and the State of Connecticut on these and our other shared goals for many years and generations to come. If the above Standards are consistent with your understanding of the terms and plans we have discussed, I would ask that you acknowledge below and return a copy of this letter to me.

Sincerely yours,

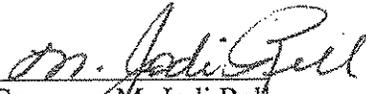


Bruce "Two Dogs" Bozsum  
Chairman

The Honorable M. Jodi Rell  
Governor  
State of Connecticut  
January 8, 2009  
Page 4 of 4

**ACKNOWLEDGED BY:**

**STATE OF CONNECTICUT**

By:   
Governor M. Jodi Rell

cc: Richard Blumenthal  
Attorney General  
State of Connecticut

Paul A. Young  
Executive Director  
Division of Special Revenue  
State of Connecticut