

APPENDIX D-4
Beneficiary Eligible Mitigation Action Certification

BENEFICIARY ELIGIBLE MITIGATION ACTION CERTIFICATION

Beneficiary Elk Valley Rancheria, California

Lead Agency Authorized to Act on Behalf of the Beneficiary Elk Valley Rancheria, California Transportation Department
 (Any authorized person with delegation of such authority to direct the Trustee delivered to the Trustee pursuant to a Delegation of Authority and Certificate of Incumbency)

Action Title:	Purchase and Installation of Electric Charging Stations
Beneficiary's Project ID:	GL 102
Funding Request No.	(sequential) 1
Request Type: (select one or more)	<input type="checkbox"/> Reimbursement <input checked="" type="checkbox"/> Advance <input type="checkbox"/> Other (specify): _____
Payment to be made to: (select one or more)	<input checked="" type="checkbox"/> Beneficiary <input type="checkbox"/> Other (specify): _____
Funding Request & Direction (Attachment A)	<input checked="" type="checkbox"/> Attached to this Certification <input type="checkbox"/> To be Provided Separately

SUMMARY

Eligible Mitigation Action <input checked="" type="checkbox"/> Appendix D-2 item (specify): <u>9/A/1 - Purchase, Install, Maintain Vehicle Electric Equipment</u> Action Type <input type="checkbox"/> Item 10 - DERA Option (5.2.12) (specify and attach DERA Proposal):
Detailed Description of Mitigation Action Item Including Community and Air Quality Benefits (5.2.2): The Tribe will purchase and install two dual port electric charging stations on Tribal lands. Please see Addendum A for additional information.
Estimate of Anticipated NOx Reductions (5.2.3): N/A
Identification of Governmental Entity Responsible for Reviewing and Auditing Expenditures of Eligible Mitigation Action Funds to Ensure Compliance with Applicable Law (5.2.7.1): Elk Valley Rancheria, California Fiscal Department
Describe how the Beneficiary will make documentation publicly available (5.2.7.2). See Addendum A for additional information.
Describe any cost share requirement to be placed on each NOx source proposed to be mitigated (5.2.8). N/A
Describe how the Beneficiary complied with subparagraph 4.2.8, related to notice to U.S. Government Agencies (5.2.9). The Tribe was not notified by a government agency of its interest in the settlement within 30 days

If applicable, describe how the mitigation action will mitigate the impacts of NOx emissions on communities that have historically borne a disproportionate share of the adverse impacts of such emissions (5.2.10).

N/A

ATTACHMENTS
(CHECK BOX IF ATTACHED)

- | | | |
|-------------------------------------|---------------------|---|
| <input checked="" type="checkbox"/> | Attachment A | Funding Request and Direction. |
| <input checked="" type="checkbox"/> | Attachment B | Eligible Mitigation Action Management Plan Including Detailed Budget and Implementation and Expenditures Timeline (5.2.4). |
| <input checked="" type="checkbox"/> | Attachment C | Detailed Plan for Reporting on Eligible Mitigation Action Implementation (5.2.11). |
| <input type="checkbox"/> | Attachment D | Detailed cost estimates from selected or potential vendors for each proposed expenditure exceeding \$25,000 (5.2.6). [Attach only if project involves vendor expenditures exceeding \$25,000.] |
| <input type="checkbox"/> | Attachment E | DERA Option (5.2.12). [Attach only if using DERA option.] |
| <input type="checkbox"/> | Attachment F | Attachment specifying amount of requested funding to be debited against each beneficiary's allocation (5.2.13). [Attach only if this is a joint application involving multiple beneficiaries.] |

CERTIFICATIONS

By submitting this application, the Lead Agency makes the following certifications:

- 1. This application is submitted on behalf of Beneficiary Elk Valley Rancheria, California, and the person executing this certification has authority to make this certification on behalf of the Lead Agency and Beneficiary, pursuant to the Certification for Beneficiary Status filed with the Court.**
- 2. Beneficiary requests and directs that the Trustee make the payments described in this application and Attachment A to this Form.**
- 3. This application contains all information and certifications required by Paragraph 5.2 of the Trust Agreement, and the Trustee may rely on this application, Attachment A, and related certifications in making disbursements of trust funds for the aforementioned Project ID.**
- 4. Any vendors were or will be selected in accordance with a jurisdiction's public contracting law as applicable. (5.2.5)**
- 5. Beneficiary will maintain and make publicly available all documentation submitted in**

support of this funding request and all records supporting all expenditures of eligible mitigation action funds subject to applicable laws governing the publication of confidential business information and personally identifiable information. (5.2.7.2)

DATED: 8-29-19

Richard Warner, Transportation Planner

[NAME]
[TITLE]

Elk Valley Rancheria, CA Transportation Department

[LEAD AGENCY]



Signature

for

Elk Valley Rancheria, CA

[BENEFICIARY]

ATTACHMENT B

PROJECT MANAGEMENT PLAN

PROJECT SCHEDULE AND MILESTONES

Lead Agency Provides Notice of Availability of Mitigation Action Funds	7/1/2019
Project Sponsor Submits Proposal to Lead Agency	7/12/2019
Lead Agency Provides Written Approval of Project Sponsor's Proposal	7/29/2019
Lead Agency Incorporates Project Sponsor's Proposal Into Mitigation Plan	8/23/2019
Trustee Acknowledges Receipt of Project Certification and Funding Direction	10/29/2019
Trustee Allocates Share of Funds for Approved Project	1/1/2020
Lead Agency Directs Funding	1/1/2020
Project Sponsor Obtains Cost Share, Notifies or Certifies to Lead Agency	1/1/2020
Project Sponsor Enters into Contracts, Purchase Orders, etc. – Start	4/1/2020
Project Sponsor Enters into Contracts, Purchase Orders, etc. Complete	6/30/2020
Project Installation – Start	8/1/2020
Project Installation – Complete	12/31/2020
Project Sponsor provides detailed invoices for all claimed project costs, documentation for emission reduction estimates, required certification documents to Lead Agency to support direction to Trustee for Payment (Reimbursement, Direct-to-Vendor), or final accounting.	1/15/2021
Lead Agency Completes Review and certifies payment direction to Trustee	1/15/2021
Trustee Acknowledges Receipt of Direction for Payments	1/31/21
Project Sponsor Certifies Project Completion	1/31/21
Lead Agency Reports Project Completion	2/28/21

Project Budget

Period of Performance: Second Funding Cycle (2020)

Equipment Purchase	\$21,655
Installation	\$2,250
Administration	\$4,218
Total	\$28,123

Budget Justification:

Equipment Purchase and Installation

Item	Cost
Purchase of Two (2) Dual-Port Electric Charging Stations with Software	\$21,655
Certified Electrician to install Charging Stations to electrical infrastructure.	\$2,250
TOTAL	\$23,905

*"Make-ready" parking spaces (all necessary electrical infrastructure and concrete work is in place and ready to mount charging stations) will be provided with other funds not included in this budget.

This budget was developed from actual vendor/contractor quotes obtained to purchase electric charging stations with associated software package and to connect units to existing electrical infrastructure.

Administration

Personnel	Salary	Fringe	Total	Percentage	Total Cost
Transportation Planner	\$66,706	\$6,051	\$72,757	5.8%	\$4,218

The Tribal Transportation Planner will serve as Project Manager and administrator of this project. Upon project approval by the Trust, the Project Manager will meet with the key Tribal staff to ensure that all parties understand project timelines and schedules. The Project Manager will procure equipment in a manner that

meets Tribal procurement policies. Further, a qualified electrician will be competitively procured to provide services that allow for the connection of the charging stations to existing electrical infrastructure. (All necessary infrastructure and concrete work will be in place and ready to mount charging stations prior to project initiation). The Project Manager will ensure that all documents are in order and backed up on Laserfische, the Tribe's secure computerized records storage system. The Project Manager will report to Tribal Council on a monthly basis to offer project updates and to address issues, if any. Finally, the Project Manager will prepare and submit a final Close-Out Report. The Project Manager is a Tribal employee who has an annual salary/fringe rate of \$72,757. Fringe currently consists of Workman's Compensation, health insurance, and payroll taxes. He will spend 5.8% (120 hours) of his time on this project for a total cost of \$4,218.

TOTAL SECOND CYCLE ALLOCATION: \$159,369

TOTAL FUNDS EXPENSED IN SECOND CYCLE: \$28,123

FUNDS REMAINING IN TRUST: \$131,246

ATTACHMENT C

DETAILED PLAN FOR REPORTING ON ELIGIBLE MITIGATION ACTION IMPLEMENTATION

The Elk Valley Rancheria, California will for each Eligible Mitigation Action (EMA), no later than six (6) months after receipt of the first disbursement of Trust Assets and thereafter, no later than January 30 (for the preceding six-month period of July 1 to December 31) and July 30 (for the preceding six-month period of January 1 to June 30) of each year, will submit to the Trustee a semi-annual report describing the progress made implementing each EMA during the six-month period leading up to the reporting date including a summary of all costs expended on the EMA through the reporting date. Such reports shall include a complete description of the status including actual or projected termination date, development, implementation and any modifications of each approved EMA. The reports shall be signed by an official with authority to submit the report and will contain an attestation that the information is true and correct and that the submission is made under penalty of perjury.

ELK VALLEY RANCHERIA, CALIFORNIA

ADDENDUM TO APPENDIX D-4

5.2.2 DETAILED DESCRIPTION OF MITIGATION ACTION ITEM

The Elk Valley Rancheria, California, (the “Tribe”), will competitively procure and install (2) two dual-port electric charging stations on reservation lands that will benefit Tribal members, employees and visitors alike. As the use of electric cars continue to grow in numbers, our remote region has limited capabilities to provide charging services to electric vehicle owners. The Tribe believes that the installation of electric charging stations will serve to build capacity in serving those with electric cars and further, will provide the infrastructure necessary for Tribal members and employees to consider the purchase of electric cars when shopping for future vehicles.

The Tribe has investigated multiple vendors that can provide electrical charging station equipment and software, and understands the requirements, (structural, electrical, cellular service), that must be in place prior to installation. The Tribe is currently in the final planning stages of developing a destination resort on the Tribe’s Martin Ranch property. The Tribe will install this equipment during the construction phase of this project, scheduled to begin in late 2019.

The Tribe will purchase two dual-port electric charging stations that will provide service to four vehicles at any one time. Each port can supply up to 7.2 kW and can charge any type of electric vehicle. Further, the units of choice will come with software that will allow for energy measurement and management capabilities by the Tribe. A LED screen will provide instructional videos in multiple languages on how to use the station.

5.2.7.2 DESCRIBE HOW THE BENEFICIARY WILL MAKE DOCUMENTATION PUBLICLY AVAILABLE

The Elk Valley Rancheria, California shall publish notice of availability for public review of related documents and records and shall be posted on all tribal government buildings and announced in monthly Tribal Council meetings as

necessary. Further, notices will be published in the Tribal Member newsletter “Elk Tracks” which is published on a quarterly basis.

The following is a list of documents and records that will be included:

1. Documents and records submitted by the Tribe in support of this funding request.
2. Documents and records supporting all expenditures of Trust Funds by the Tribe; and
3. Documents and records supporting NOx emission reductions attributable to the action.

The public notices shall instruct members of the public to contact the Transportation Planner to arrange to inspect such records during normal business hours, which are Monday through Friday, 8:00 a.m. through 5:00 p.m., at the Tribal Administration Building in Crescent City, CA. Documents shall be retained and made available until the date the Indian Tribe Trust terminates pursuant to Section 6.8 of the Indian Tribe Trust Agreement.