

**Student Transportation of America - Electric School Buses**

**APPENDIX D-4  
Beneficiary Eligible Mitigation Action Certification**



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).

See summary supplement

**ATTACHMENTS**  
**(CHECK BOX IF ATTACHED)**

- Attachment A Funding Request and Direction.
- Attachment B Eligible Mitigation Action Management Plan Including Detailed Budget and Implementation and Expenditures Timeline (5.2.4).
- Attachment C Detailed Plan for Reporting on Eligible Mitigation Action Implementation (5.2.11).
- 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.]
- Attachment E DERA Option (5.2.12). [Attach only if using DERA option.]
- 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.]

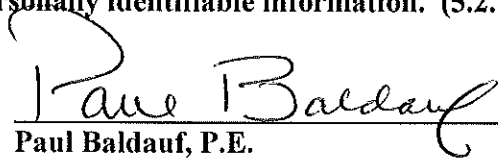
**CERTIFICATIONS**

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

1. This application is submitted on behalf of Beneficiary State of New Jersey, 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: 7/2/19



Paul Baldauf, P.E.  
Assistant Commissioner

New Jersey Department of Environmental Protection

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[LEAD AGENCY]

for

State of New Jersey

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[BENEFICIARY]

## SUMMARY SUPPLEMENT TO APPENDIX D-4

### Action Title: Student Transportation of America – Electric School Buses

#### Describe how the Beneficiary will make documentation publicly available (5.2.7.2)

The State of New Jersey will make all documentation submitted in support of the funding request and all records supporting all expenditures of Eligible Mitigation Action funds available to the public in the following ways, subject to applicable laws governing the publication of confidential business information and personally identifiable information:

- Members of the public will be able to access documentation and records submitted in support of each funding request and supporting all expenditures of Trust Funds by New Jersey pursuant to the Volkswagen Diesel Emissions Environmental Mitigation Trust for State Beneficiaries by using an Online Request Form found at <http://www.nj.gov/dep/opra/index.html> or by contacting:

NJDEP Office of the Records Custodian  
P.O. Box 442  
401 East State Street  
Trenton, NJ 08625-0442 Phone: 609-341-3121  
E-mail: [records.custodian@dep.nj.gov](mailto:records.custodian@dep.nj.gov)

- Documentation and records submitted in support of each funding request and supporting all expenditures of Trust Funds by New Jersey pursuant to the Volkswagen Diesel Emissions Environmental Mitigation Trust for State Beneficiaries are subject to all applicable laws governing the publication of confidential business information and personally identifiable information. The primary law governing the release of public information is New Jersey's Open Public Records Act, N.J.S.A. 47: 1A-1 to 13 (OPRA). Confidential business information and certain private personal information, as defined by statute and regulation, are exempt from disclosure under OPRA. See, N.J.S.A. 47: 1A-1. I, N.J.A.C. 7:1D-3.2. OPRA specifically obligates a public agency to protect a citizen's personal information that is in the possession of a public agency when disclosure of that information would violate the citizen's reasonable expectation of privacy. N.J.S.A. 47: 1A-1. Other applicable laws include the New Jersey Court Rules, which govern disclosure of confidential business information and personally identifiable information in civil disputes, and the common law right of access to public records. Under New Jersey common law, public records containing confidential business information or personally identifiable information will remain confidential unless a requestor can demonstrate a legally recognized interest in the material, and that the individual's right of access outweighs the State's interest in preventing disclosure.
- A publicly facing webpage was established as New Jersey signed on to the

Volkswagen Settlement as a Beneficiary to educate its residents about the Partial Consent Decrees and Environmental Mitigation Trust, including the steps NJ plans to take beginning with public listening sessions and the Beneficiary Mitigation Plan. All solicited proposals received for mitigation action items 1 – 9 and the DERA option are publicized. Also available is a summary of the number of proposals and total funding requested, organized by mitigation action number. The webpage contains links to additional resources, frequently asked questions about NJ and the Settlement, and how to join an e-mail list to receive notifications and information about VW. Progress reports and final costs of projects funded with VW Trust money will be posted for the public as well. The webpage address is [www.state.nj.us/dep/vw/](http://www.state.nj.us/dep/vw/).

**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)**

New Jersey's Beneficiary Mitigation Plan (the Plan), states that the primary goal of the Plan is to improve ambient air quality by using the Trust allocation to implement projects that reduce NOx, benefit disproportionately affected communities, and expedite deployment and widespread adoption of zero emission vehicles. The Plan reinforces New Jersey's commitment to reducing harmful transportation emissions in communities that suffer disproportionate impacts from air pollution. Low income communities and communities of color have been historically overburdened by harmful emissions and their attendant health impacts. Transportation is the largest source of NOx in New Jersey, accounting for 71% of NJ's statewide NOx emissions in 2017. Thus, promoting the use of zero emission vehicles is a key component of NJ's efforts to mitigate NOx emissions.

Student Transportation of America is an independent provider of school buses throughout the country. Student Transportation is a privately-owned school bus company which is under contract with The City of Trenton. The electric school buses will replace diesel buses and will operate in The City of Trenton. Electric school buses will provide a direct benefit to the children who will be riding the buses as well as the communities where these buses operate. The City of Trenton is an urban area with many densely populated residential neighborhoods. This project provides relief from excess NOx reductions as well as PM and greenhouse gas reductions.

**ATTACHMENT B TO APPENDIX D-4**

**Action Title: Student Transportation – Electric School Buses**

**Eligible Mitigation Action Management Plan Including Detailed Budget and Implementation and Expenditures Timeline. (5.2.4)**

**Implementation and Expenditures Timeline**

<b>MILESTONE</b>	<b>DATE</b>
Submit Beneficiary Mitigation Plan to the Trustee	December 13, 2018
NJDEP eligible to making funding request	January 14, 2019
Submit funding request to the Trustee	July 2019
Draft grant agreement	September 2019
Place order for buses/chargers	October 2019
Electric charging infrastructure installation	January/February 2020
Final delivery of the buses (buses will be delivered based on availability)	June 2021
Submit semiannual reports to the Trustee in accordance with section 5.3 of the Consent Decree	No later than 6 months after receiving first disbursement, and thereafter no later than January 1st and July 1st of each year.

**Project Budget**

<b>Budget Category</b>	<b>Total Approved Budget</b>	<b>Share of Total Budget to be funded by the Trust</b>	<b>Estimated Cost Chare</b>
Subrecipient Support. Eligible costs include equipment purchase, installation and administrative costs.	\$1,975,000	\$1,975,000	\$0

## ATTACHMENT C TO APPENDIX D-4

### Action Title: Student Transportation – Electric School Buses

#### Detailed Plan for Reporting on Eligible Mitigation Action Implementation (5.2.11)

The New Jersey Department of Environmental Protection will meet the requirements of Appendix D to the Partial Consent Decree, section 5.3:

***5.3 Beneficiary Reporting Obligations:** For each Eligible Mitigation Action, no later than six months after receiving its first disbursement of Trust Assets, and thereafter no later than January 1 and July 1 of each year, each Beneficiary shall serve upon the Trustee, a semiannual report describing the progress implementing each Eligible Mitigation Action during the six-month period leading up to the reporting date (including a summary of all costs expended on the Eligible Mitigation Action through the reporting date). Such reports shall include a complete description of the status (including actual or projected termination date), development, implementation, and any modification of each approved Eligible Mitigation Action. Beneficiaries may group multiple Eligible Mitigation Actions and multiple sub-beneficiaries into a single report. These reports shall be signed by an official with the authority to submit the report for the Beneficiary and must contain an attestation that the information is true and correct and that the submission is made under penalty of perjury. To the extent a Beneficiary avails itself of the DERA Option described in Appendix D-2, that Beneficiary may submit its DERA Quarterly Programmatic Reports in satisfaction of its obligations under this subparagraph as to those Eligible Mitigation Actions funded through the DERA Option. The Trustee shall post each semiannual report on the Trust's public-facing website upon receipt.*

The Department will post all its semiannual reports to the Trustee on the public-facing website for New Jersey's Volkswagen Settlement at [www.state.nj.us/dep/vw](http://www.state.nj.us/dep/vw).



**ATTACHMENT D TO APPENDIX D-4**

**Action Title: Student Transportation – Electric School Buses**

**Detailed Cost Estimates from Selected or Potential Vendors for Each Proposed Expenditure Exceeding \$25,000 (5.2.6)**

Student Transportation of America is contracted by The City of Trenton. Student Transportation will purchase 5 electric school buses and 5 electric charging stations. State procurement processes will be followed. Cost estimates from the selected vendor will be part of the Grant Agreement with the Department. Preliminary cost estimates are provided in the table below.

Category	# of units	Cost range per unit	Total cost range
Estimated electric school bus costs	5	\$300,000-\$400,000	\$1,500,000-\$2,000,000
Estimated electric chargers	5	\$40,000-70,000	\$160,000-\$280,000
		<b>Total cost range</b>	<b>\$1,160,000 – \$2,280,000</b>
		<b>Total Approved Budget</b>	<b>\$1,975,000</b>