

APPENDIX D-4
Beneficiary Eligible Mitigation Action Certification

BENEFICIARY ELIGIBLE MITIGATION ACTION CERTIFICATION

Beneficiary Yocha Dehe Wintun Nation

Lead Agency Authorized to Act on Behalf of the Beneficiary Yocha Dehe Environmental 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:	Yocha Dehe Wintun Nation Truck Replacement Project
Beneficiary's Project ID:	2020-YDWN-VW-002
Funding Request No.	<i>(sequential)</i> 2
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>Item 6 (Local Freight Trucks)</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): See addendum.	
Estimate of Anticipated NOx Reductions (5.2.3): See addendum.	
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): See addendum.	
Describe how the Beneficiary will make documentation publicly available (5.2.7.2). See addendum.	
Describe any cost share requirement to be placed on each NOx source proposed to be mitigated (5.2.8). See addendum.	
Describe how the Beneficiary complied with subparagraph 4.2.8, related to notice to U.S. Government Agencies (5.2.9). See addendum.	

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 checked="" 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 Yocha Dehe Wintun Nation, 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

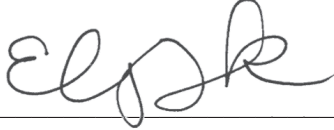
support of this funding request and all records supporting all expenditures of eligible mitigation action funds subject to applicable laws governing the publication of confidential business information and personally identifiable information. (5.2.7.2)

DATED: 08/27/2020

Emily Drewek, Director

[NAME]

[TITLE]

SIGNATURE: 

Yocha Dehe Environmental Dept.

[LEAD AGENCY]

for

Yocha Dehe Wintun Nation

[BENEFICIARY]

ATTACHMENT B

MANAGEMENT PLAN

(Attachment to Appendix D-4, Beneficiary Eligible Mitigation Action Certification, pursuant to Paragraph 5.2.4 of the Environmental Mitigation Trust Agreement)

Period of Performance:

Third Funding Cycle (2020)

Timeline:

Milestone	Date
Trustee disburses funds for approved project	11/12/2020
Lead Agency initiates project start and purchase of vehicles.	11/13/2020
First Semi Annual Report to Trustee	5/12/2021
Lead Agency reports project completion	11/12/2021

Budget:

Budget Category	Total
Acquisition of 2021 Freightliner M2106 (Box Van Truck)	\$85,760
Acquisition of 2020 Ford F-450 XLT	\$61,687
Project Total	\$147,447
<i>Yocha Dehe Wintun Nation Cost Share</i>	\$1,223

Funding Cycle Allocation:

\$146,224

ATTACHMENT C

REPORTING PLAN

(Attachment to Appendix D-4, Beneficiary Eligible Mitigation Action Certification, pursuant to Paragraph 5.2.11 of the Environmental Mitigation Trust Agreement)

No later than six months after receipt of the first disbursement of Trust Assets, and thereafter no later than January 30 (for the preceding July 1 to December 31) and July 30 (for the preceding January 1 to June 30) of each year, the Lead Agency will submit to the Trustee for each EMA a semi-annual report describing the progress implementing the EMA. Each report will include a summary of all costs expended through the reporting date, as well as a complete description of the status of the EMA, including actual or projected termination date, development, implementation, and any modifications. Each report will 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.

ATTACHMENT D

COST ESTIMATES

(Attachment to Appendix D-4, Beneficiary Eligible Mitigation Action Certification, pursuant to Paragraph 5.2.6 of the Environmental Mitigation Trust Agreement)

Detailed cost estimates from selected or potential vendors for each proposed expenditure exceeding \$25,000 are attached.



Prepared for:

Yochadehe Wintun Nation

Prepared by: FERNANDO TRUJILLO JR

08/07/2020

Ron DuPratt Fleet Sales | 1760 N.Lincoln St Dixon California | 95620

2020 F-450 4x4 SD Crew Cab 8' box 176" WB DRW XLT (W4D)

Price Level: 40 | Quote ID: 006

As Configured Vehicle

MSRP

Description

Base Vehicle

Base Vehicle Price (W4D)

\$63,170.00

Packages

Order Code 673A

N/C

Includes:

- Engine: 6.7L 4V OHV Power Stroke V8 Turbo Diesel B20
Includes manual push-button engine-exhaust braking and intelligent oil-life monitor.
- Transmission: TorqShift 10-Speed Automatic
Includes SelectShift and selectable drive modes: normal, tow/haul, eco, deep sand/snow and slippery.
- Limited Slip w/4.30 Axle Ratio
- GVWR: 14,000 lb Payload Package
- Tires: 225/70Rx19.5G BSW Traction
Spare may not be the same as road tire.
- Wheels: 19.5" Forged Polished Aluminum
4 aluminum outer and 2 steel inner. Includes bright hub covers/center ornaments.
- Cloth 40/20/40 Split Bench Seat
Includes 20% locking center under-seat storage, center armrest, cupholder, storage, 4-way adjustable driver/passenger headrests and driver's side manual lumbar.
- Radio: AM/FM Stereo w/MP3 Player
Includes 5 speakers.
- SiriusXM Radio
Includes a 6-month prepaid subscription and 1 I/P mounted center speaker. Services are not available in Alaska and Hawaii. Note: SiriusXM audio and data services each require a subscription sold separately, or as a package, by Sirius XM Radio Inc. If you decide to continue service after your trial, the subscription plan you choose will automatically renew thereafter and you will be charged according to your chosen payment method at then-current rates. Fees and taxes apply. To cancel you must call SiriusXM at 1-866-635-2349. See SiriusXM Customer Agreement for complete terms at www.siriusxm.com. All fees and programming subject to change. Sirius, XM and all related marks and logos are trademarks of Sirius XM Radio Inc.
- SYNC 3 Communications & Entertainment System
Includes enhanced voice recognition, 8" LCD capacitive touch screen in center stack with swipe capability, pinch-to-zoom capability included with available voice-activated touchscreen navigation system, 4.2" productivity screen in IP cluster, AppLink, 911 Assist, Apple CarPlay and Android Auto capability and 2 smart charging USB-C ports.

Powertrain

Engine: 6.7L 4V OHV Power Stroke V8 Turbo Diesel B20

Included

Includes manual push-button engine-exhaust braking and intelligent oil-life monitor.

Transmission: TorqShift 10-Speed Automatic

Included

Includes SelectShift and selectable drive modes: normal, tow/haul, eco, deep sand/snow and slippery.

Limited Slip w/4.30 Axle Ratio

Included

GVWR: 14,000 lb Payload Package

Included

Wheels & Tires

Tires: 225/70Rx19.5G BSW Traction

Included

Spare may not be the same as road tire.

Wheels: 19.5" Forged Polished Aluminum

Included

4 aluminum outer and 2 steel inner. Includes bright hub covers/center ornaments.

Seats & Seat Trim

Prices and content availability as shown are subject to change and should be treated as estimates only. Actual base vehicle, package and option pricing may vary from this estimate because of special local pricing, availability or pricing adjustments not reflected in the dealer's computer system. See salesperson for the most current information.

Prepared for:

Yochadehe Wintun Nation

Prepared by: FERNANDO TRUJILLO JR

08/07/2020



Ron DuPratt Fleet Sales | 1760 N.Lincoln St Dixon California | 95620

2020 F-450 4x4 SD Crew Cab 8' box 176" WB DRW XLT (W4D)

Price Level: 40 | Quote ID: 006

As Configured Vehicle (cont'd)

Description	MSRP
Cloth 40/20/40 Split Bench Seat	Included
<i>Includes 20% locking center under-seat storage, center armrest, cupholder, storage, 4-way adjustable driver/passenger headrests and driver's side manual lumbar.</i>	
Other Options	
176" Wheelbase	STD
Monotone Paint Application	STD
Radio: AM/FM Stereo w/MP3 Player	Included
<i>Includes 5 speakers.</i>	
<i>Includes:</i>	
<i>- SiriusXM Radio</i>	
<i>Includes a 6-month prepaid subscription and 1 I/P mounted center speaker. Services are not available in Alaska and Hawaii. Note: SiriusXM audio and data services each require a subscription sold separately, or as a package, by Sirius XM Radio Inc. If you decide to continue service after your trial, the subscription plan you choose will automatically renew thereafter and you will be charged according to your chosen payment method at then-current rates. Fees and taxes apply. To cancel you must call SiriusXM at 1-866-635-2349. See SiriusXM Customer Agreement for complete terms at www.siriusxm.com. All fees and programming subject to change. Sirius, XM and all related marks and logos are trademarks of Sirius XM Radio Inc.</i>	
<i>- SYNC 3 Communications & Entertainment System</i>	
<i>Includes enhanced voice recognition, 8" LCD capacitive touch screen in center stack with swipe capability, pinch-to-zoom capability included with available voice-activated touchscreen navigation system, 4.2" productivity screen in IP cluster, AppLink, 911 Assist, Apple CarPlay and Android Auto capability and 2 smart charging USB-C ports.</i>	
<i>- 110V/400W Outlet</i>	
<i>Includes 1 in-dash mounted outlet.</i>	
XLT Value Package	\$1,600.00
<i>Includes:</i>	
<i>- Autolock/Auto Unlock</i>	
<i>- Halogen Fog Lamps</i>	
<i>- Power-Adjustable Pedals</i>	
<i>- 8-Way Power Driver's Seat</i>	
<i>- Reverse Sensing System</i>	
<i>- SecuriCode Driver's Side Keyless Entry Keypad</i>	
Halogen Fog Lamps	Included
Pro Trailer Backup Assist	\$1,600.00
<i>Includes:</i>	
<i>- Ultimate Trailer Tow Camera System</i>	
<i>Includes rear view camera, 360 degree camera system, rear CHMSL camera, trailer reverse guidance and LED center high-mounted stop lamp.</i>	
Reverse Sensing System	Included
Upfitter Switches (6)	\$165.00
<i>Located in overhead console.</i>	
Emissions	
50-State Emissions System	STD
Interior Colors	
Medium Earth Gray	N/C

Prices and content availability as shown are subject to change and should be treated as estimates only. Actual base vehicle, package and option pricing may vary from this estimate because of special local pricing, availability or pricing adjustments not reflected in the dealer's computer system. See salesperson for the most current information.

Prepared for:

Yochadehe Wintun Nation

Prepared by: FERNANDO TRUJILLO JR

08/07/2020



Ron DuPratt Fleet Sales | 1760 N.Lincoln St Dixon California | 95620

2020 F-450 4x4 SD Crew Cab 8' box 176" WB DRW XLT (W4D)

Price Level: 40 | Quote ID: 006

As Configured Vehicle (cont'd)

Description	MSRP
Primary Colors	
Oxford White	N/C
SUBTOTAL	\$66,535.00
Destination Charge	\$1,695.00
TOTAL	\$68,230.00

MSRP: 68230

Your Price: 64887

- 3200

61687

61687 + Applicable tax and license fees

Prices and content availability as shown are subject to change and should be treated as estimates only. Actual base vehicle, package and option pricing may vary from this estimate because of special local pricing, availability or pricing adjustments not reflected in the dealer's computer system. See salesperson for the most current information.

ADDENDUM TO APPENDIX D-4

5.2.2

During the third funding cycle of the Volkswagen Settlement Environmental Mitigation Trust for Indian Tribes, the Yocha Dehe Wintun Nation (Tribe) will replace two (2) Tribal government-owned trucks (Item 6: *Medium Trucks*), identified in **Table 1**, with two (2) new, low-emission diesel trucks (**Table 2**). The 2004 Ford shows as a gasoline-powered truck in the VIN decoder, but is a confirmed diesel engine, as indicated by the “D” fuel type in the vehicle’s certificate of title (**Figure 1**).

The old trucks will be “scrapped,” which is understood by the Tribe to mean to render inoperable and available for recycling – at a minimum by cutting a 3-inch hole in the engine block, and for vehicles to be replaced as part of this project, by cutting the vehicle’s frame rails completely in half to disable the chassis. Documentation of destruction will be obtained for the scrapped vehicles.

TABLE 1
TRIBAL GOVERNMENT-OWNED TRUCKS TO BE REPLACED

Year	Make	Model	Description	VIN
2004	Ford	F450 4WD	Flatbed	1FDXX47P24EC82716
2003	International	4300	Box Van Truck	1HTMMAAL33H571561

TABLE 2
NEW TRUCKS TO BE ACQUIRED

Year	Make	Model	Description	Quantity	Total Cost
2021	Freightliner	M2 106	Box Van Truck	1	\$85,760
2020	Ford	F450	4WD Pickup Truck	1	\$61,687

The box truck (2021 Freightliner) will be equipped with a 24-foot van box and a tuck-away lift gate. The pickup truck (2020 Ford) will be equipped with ProTrailer Backup Assist and other towing capabilities. The prices identified in **Table 2** do not include sales tax or vehicle registration fees.

FIGURE 1

DMV MICROGRAPHICS USE ONLY

NOTICE OF TRANSFER AND RELEASE OF LIABILITY
MAIL THIS FORM TO DMV

TO PROPERLY RELEASE YOUR LIABILITY, PLEASE READ AND FOLLOW INSTRUCTIONS ON REVERSE SIDE
SECTIONS A-J MUST BE COMPLETED IN FULL PRINT IN CAPITAL LETTERS - USE BLACK OR BLUE INK

A. NEW OWNER'S LAST NAME (OR) COMPANY NAME FIRST
 B. NEW OWNER'S ADDRESS APT NUMBER
 C. ODOMETER READING (NO TENTHS)
 D. CITY STATE ZIP CODE
 E. DATE OF SALE OR LEASE RETURN
 F. SELLER'S OR LESSEE'S LAST NAME (OR) COMPANY NAME FIRST
 G. SELLING PRICE (NO CENTS) WHOLE DOLLARS
 H. SELLER'S OR LESSEE'S ADDRESS APT NUMBER
 I. SELLER'S OR LESSEE'S SIGNATURE
 J. CITY STATE ZIP CODE

VEHICLE ID NUMBER YR. MODEL MAKE PLATE NUMBER
 1FDXX47P24EC82716 2004 FORD 7R57022

REG 138A (REV. 8/2003)

STATE OF CALIFORNIA

CERTIFICATE OF TITLE VEHICLE HISTORY

59804120101

COMMERCIAL

VEHICLE ID NUMBER 1FDXX47P24EC82716 YR. MODEL MAKE 2004 FORD PLATE NUMBER 7R57022

BODY TYPE MODEL VA AX UNLADEN WEIGHT 209000 FUEL D FUELS PAID \$674 REGISTRATION EXPIRATION DATE 10/31/2005

YR. 1ST SOLD 2004 NE CLASS YR MO. EQUIPMT/TRUST NUMBER KZ ISSUE DATE 12/11/04

MOTORCYCLE ENGINE NUMBER ODOMETER DATE 10/13/2004 ODOMETER READING 456 MI

REGISTERED OWNER(S)
 RUMSEY INDIAN RANCHERIA
 1896 CNTY RD 75A
 BROOKS CA 95606

ACTUAL MILEAGE

I certify under penalty of perjury under the laws of the State of California, that THE SIGNATURE(S) BELOW RELEASES INTEREST IN THE VEHICLE.

1a. DATE SIGNATURE OF REGISTERED OWNER
 1b. DATE SIGNATURE OF REGISTERED OWNER

Federal and State law requires that you state the mileage upon transfer of ownership. Failure to complete or providing a false statement may result in fines and/or imprisonment.

The odometer now reads (no tenths), miles and to the best of my knowledge reflects the actual mileage unless one of the following statements is checked.

WARNING Odometer reading is not the actual mileage. Mileage exceeds the odometer mechanical limits.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

DATE TRANSFEROR/SELLER SIGNATURE(S) DATE TRANSFEREE/BUYER SIGNATURE(S)
 PRINTED NAME OF AGENT SIGNING FOR A COMPANY PRINTED NAME OF AGENT SIGNING FOR A COMPANY

IMPORTANT READ CAREFULLY
 Any change of Lienholder (holder of security interest) must be reported to the Department of Motor Vehicles within 10 days.
 LIENHOLDER(S)

2. X Signature releases interest in vehicle. (Company names must be countersigned)
 Release Date

CA 83505557
 018668 REG. 17.30R (REV. 10/03)

KEEP IN A SAFE PLACE - VOID IF ALTERED

Community and air quality benefits resulting from the truck replacement project will include reductions in air pollution, fuel consumption, and fuel costs.

5.2.3

The Eligible Mitigation Action (EMA) will result in a significant reduction in NO_x emissions, other pollutants, and fuel consumption. According to the U.S. Environmental Protection Agency's Diesel Emissions Quantifier (DEQ), the EMA will result in an 89.8% annual reduction in NO_x emissions (an annual reduction of 0.148 short tons), as well as annual reductions of PM_{2.5} (98.1%), HC (91.4%), and CO (91.3%). The DEQ output is included in this addendum, on the following pages.

5.2.7.1

The Tribe's Finance Department and Environmental Department will be responsible for reviewing and auditing expenditures of EMA funds to ensure compliance with applicable law.

5.2.7.2

Yocha Dehe Wintun Nation will post on its website information pertaining to the funding received from the VW Settlement Trust, which will include a link for members of the public to request additional information and documents related to the funding request and expenditure of funds. Yocha Dehe Wintun Nation will endeavor to respond to such requests within ten (10) business days and, when documents are requested, will advise the individual within that timeframe of the procedure for reviewing such documents.

Yocha Dehe Wintun Nation follows Tribal law and policy for matters governing the publication of confidential business information and personally identifiable information, and exemptions thereto.

5.2.8

This project will involve a cost share. The total cost of the project is \$147,447. It has been determined that that Yocha Dehe Wintun Nation is eligible for \$146,224 from the Environmental Mitigation Trust in the third funding cycle. The Tribe will provide the remaining \$1,223.

5.2.9

The Yocha Dehe Wintun Nation has complied with Section 4.2.8 of the Indian Tribe Trust Agreement. No U.S. Government Agencies commented within thirty (30) days after the Tribe was deemed a beneficiary.

Emission Results and Health Benefits for Project: 2020 Round 3 VW Funding

Emission Results

Here are the combined results for all groups and upgrades entered for your project.¹

<i>Annual Results (short tons)</i> ²	NO_x	PM2.5	HC	CO	CO₂	Fuel ³
Baseline for Upgraded Vehicles/Engines	0.165	0.019	0.030	0.103	32.9	2,926
Amount Reduced After Upgrades	0.148	0.019	0.027	0.094	0.0	0
Percent Reduced After Upgrades	89.8%	98.1%	91.4%	91.3%	0.0%	0.0%

<i>Lifetime Results (short tons)</i> ²	NO_x	PM2.5	HC	CO	CO₂	Fuel ³
Baseline for Upgraded Vehicles/Engines	0.165	0.019	0.030	0.103	32.9	2,926
Amount Reduced After Upgrades	0.148	0.019	0.027	0.094	0.0	0
Percent Reduced After Upgrades	89.8%	98.1%	91.4%	91.3%	0.0%	0.0%

<i>Lifetime Cost Effectiveness (\$/short ton reduced)</i>						
Capital Cost Effectiveness ⁴ (unit & labor costs only)	\$0	\$0	\$0	\$0	\$0	\$0
Total Cost Effectiveness ⁴ (includes all project costs)	\$0	\$0	\$0	\$0	\$0	\$0

¹ Emissions from the electrical grid are not included in the results.

² 1 short ton = 2000 lbs.

³ In gallons; fuels other than ULSD have been converted to ULSD-equivalent gallons.

⁴ Cost effectiveness estimates include only the costs which you have entered.

Remaining Life

Box Truck: Freight Short Haul - Single Unit Class 6-7 (Delivery) Vehicle Replacement - ULSD (diesel)	1 year
Ford F450: Agriculture Short Haul - Single Unit Class 4-5 (Utility) Vehicle Replacement - ULSD (diesel)	1 year