

APPENDIX D-4
Beneficiary Eligible Mitigation Action Certification

BENEFICIARY ELIGIBLE MITIGATION ACTION CERTIFICATION

Beneficiary Yurok Tribe

Lead Agency Authorized to Act on Behalf of the Beneficiary Tribal Council
(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:	Replacement of 1 Water Truck
Beneficiary's Project ID:	11880b
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>1 Class-7 Local Freight Truck</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): We will be replacing one government owned Class-7 Local Freight Truck.	
Estimate of Anticipated NOx Reductions (5.2.3): The project will reduce NOx by 89.6% throughout the lifetime of the vehicles. Please see addendum for additional details.	
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): Yurok Tribe Fiscal Department. Please see addendum for additional details.	
Describe how the Beneficiary will make documentation publicly available (5.2.7.2). The Tribe will make the documentation publicly available upon request. See addendum for additional details.	
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 any government agencies of their interest within that time frame.	

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).

NA

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 Yurok Tribe, 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: 9/23/20

Joseph L. James

[NAME]

[TITLE]

Tribal Council

SIGNATURE: 

[LEAD AGENCY]

for

Yurok Tribe

[BENEFICIARY]

ATTACHMENT B

PROJECT MANAGEMENT PLAN
PROJECT SCHEDULE AND MILESTONES

Milestone	Date
Lead Agency Provides Notice of Availability of Mitigation Action Funds	NA
Project Sponsor Submits Proposal to Lead Agency	NA
Lead Agency Provides Written Approval of Project Sponsor's Proposal	NA
Lead Agency Incorporates Project Sponsor's Proposal into Mitigation Plan	NA
Trustee Acknowledges Receipt of Project Certification and Funding Direction	10/27/2020
Trustee Allocates Share of Funds for Approved Project	11/12/2020
Lead Agency Directs Funding (Advance Funded Projects)	12/2/2020
Project Sponsor Obtains Cost Share, Notifies or Certifies to Lead Agency	12/2/2020
Project Sponsor Enters into Contracts, Purchase Orders, etc. - Start	12/2/2020
Project Sponsor Enters into Contracts, Purchase Orders, etc. - Complete	6/1/2021
Project Installation(s) – Start	NA
Project Installation(s) – Complete	NA
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 (Forward Funded Projects)	6/1/2021
Lead Agency completes review and certifies payment direction to Trustee (Reimbursement)	NA
Trustee Acknowledges Receipt of Direction for Payment(s) (Advance Funded, Reimbursement)	10/29/2021
Project Sponsor Certifies Project Completion	6/12/2021
Lead Agency Reports Project Completion	7/1/2021

PROJECT BUDGET

Period of Performance: <u>Third Funding Cycle</u>				
Budget Category	Total Approved Budget	Share of Total Budget to be Funded by the Trust	Cost-Share, if applicable (Entity #1)	Cost-Share, if applicable (Entity #2)
1. Equipment Expenditure	\$ 123,075.00	\$ 123,075.00	\$ 0.00	\$ 0.00
2. Contractor Support <i>(Provide List of Approved Contractors as Attachment with approved funding ceilings)</i>	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
3. Subrecipient Support <i>(Provide List of Approved Subrecipients or Grant Awardees as Attachment with approved funding ceilings)</i>	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
4. Administrative ¹	\$ 12,922.46	\$ 12,922.46	\$ 0.00	\$ 0.00
Project Totals	\$ 135,997.46	\$ 135,997.46	\$ 0.00	\$ 0.00
Percentage	100 %	100 %	0.00 %	0.00 %

¹ Subject to Appendix D-2 15% administrative cap.

PROJECTED TRUST ALLOCATIONS:

	2017	2018	2019	2020	2021
1. Anticipated Annual Project Funding Request to be paid through the Trust	\$	\$	\$ 178,817.00	\$ 135,997.46	\$
2. Anticipated Annual Cost Share	\$	\$	\$ 236,625.00	\$ 0.00	\$
3. Anticipated Total Project Funding by Year (line 1 plus line 2)	\$	\$	\$ ^{415,442.00}	\$ 135,997.46	\$
4. Cumulative Trustee Payments Made to Date Against Cumulative Approved Beneficiary Allocation	\$	\$	\$	\$	\$
5. Current Beneficiary Project Funding to be paid through the Trust (line 1)	\$	\$	\$	\$	\$
6. Total Funding Allocated to for Beneficiary, inclusive of Current Action by Year (line 4 plus line 5)	\$	\$	\$	\$	\$
7. Beneficiary Share of Estimated Funds Remaining in Trust	\$	\$	\$	\$	\$
8. Net Beneficiary Funds Remaining in Trust, net of cumulative Beneficiary Funding Actions (line 7 minus line 6)	\$	\$	\$	\$	\$

Administrative Costs		
Description	Costs	Notes
Personnel	\$742.60	(See break-down below)
Fringe	\$245.01	
Travel	\$292.67	
Supplies	\$4,071.77	(See break-down below)
Other	\$5,000.00	Vehicle registration
Indirect	\$2,570.41	
Total	\$12,922.46	

Personnel Costs Break-down			
Description	Hourly Rate	Hours	Total
Watershed Director	37.3	14	\$522.20
Road Worker III	22.04	10	\$220.40
		TOTAL	\$742.60

Supplies Cost Break-down		
Description	Items	Costs
Office Supplies	Computer, printer,paper,pens,etc	\$4,071.77
	Total	\$4,071.77

Equipment Cost Breakdown	
Description	Cost
Water Truck	\$82,500.00
Water Tank and Extras	\$35,175.00
Delivery Charge	\$3,600.00
Back-up Camera With Aditonal Screen	\$1,800.00
TOTAL	\$123,075.00

ATTACHMENT C TO APPENDIX D-4

As described in section 5.3 of the Modified Indian Trust Agreement, the Yurok Tribe will submit, on a semiannual basis, a report to the trustee, detailing the progress and status of each Eligible Mitigation Action, project expenditures, and any modifications to the approved Eligible Mitigation Actions. The report will be signed by an official with authority to submit the report and will contain an attestation that all information in the report is true and correct and that the submission is made under penalty of perjury.

ATTACHMENT D TO APPENDIX D-4



QUOTE

Yurok Tribe
190 Klamath Bl.
Klamath, Ca. 95548

2020 Freightliner M2 Chassis	
Cummins ISL9 300hp	
VGT Turbo Engine Brake	
Allison 3000RDS auto trans	
12K front axle 21k rear axle	
Air brakes	
22.5 wheels\$ 82,500
2,200 gallon water tank to Cal Fire spec	
with all added extras\$ 35,175
Total\$ 117,675

2,000 gallon Cal Fire Body

Water Body specs.....

4"x3" water pump
Chelsea Hot Shift PTO (for auto trans)
24" Rear Stinger with toolbox
6 spray heads (2 front, 2 rear, 1 each side)
Control console in cab (air controls)
1.5" & ¾" valves on each side
¾" sight gauge at rear
24" Manhole on top
2.5" fill pipe with back flow valve (rear)
25' hydrant fill hose w/wrench
Rear mounted ladder
60" fenders with hooks & mudflaps
Complete LED light package & back up alarm
Cox 1185-1124 hose reel kit. 50" of 1.5" hose with nozzle
Paint tank complete.....white

Cal Fire additions.....

Upgrade tank baffles (2 horizontal, 1 longitudinal)
3" pond drafting system with manual primer pump
4" manual dump valve at rear of tank
2- ½" ball valves (1 each side)
Fire thread adapters at all ball valves
Water cannon, electronically cab controlled joystick
40' draft hose with basket screen
Roof camera for cannon direction detection, dash mounted

TOTAL \$ 35,175

From: [Rich Nelson](#)
To: [Art De La Torre](#)
Subject: FW: 2020 Freightliner Water Truck Quote
Date: Friday, September 11, 2020 12:31:53 PM

Here is the other quote

-----Original Message-----

From: Art De La Torre <art@scottequip.com>
Sent: Friday, September 11, 2020 11:54 AM
To: Rich Nelson <richardf@yuroktribe.nsn.us>
Subject: RE: 2020 Freightliner Water Truck Quote

Rich,

I I apologize for not getting back to you sooner regarding the delivery. The best freight quote I found to Klamath was **\$3900.00**

Best Regards,

Art De La Torre
Equipment Specialists

14635 Valley Blvd.
Fontana, Ca, 92335
C 951-830-6213
art@scottequip.com

[http://nam02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.scottequip.com%2F&data=02%7C01%7C0e0e0e0e0e40yuroktribe.nsn.us%7C81df40e69564963147b0848568953c1%7C018a2f5b5407447hab7-9e7c29d46ca5%7C0%7C0%7C637354495132544976&sd=1%7C018a2f5b5407447hab7-9e7c29d46ca5%7C0%7C0%7C637354495132544976&sd=1](http://nam02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.scottequip.com%2F&data=02%7C01%7C0e0e0e0e0e40yuroktribe.nsn.us%7C81df40e69564963147b0848568953c1%7C018a2f5b5407447hab7-9e7c29d46ca5%7C0%7C0%7C637354495132544976&sd=1%7C018a2f5b5407447hab7-9e7c29d46ca5%7C0%7C0%7C637354495132544976&sd=1%7C018a2f5b5407447hab7-9e7c29d46ca5%7C0%7C0%7C637354495132544976&sd=1)

-----Original Message-----

From: Rich Nelson <richardf@yuroktribe.nsn.us>
Sent: Friday, September 11, 2020 11:25 AM
To: Art De La Torre <art@scottequip.com>
Subject: RE: 2020 Freightliner Water Truck Quote

I hope all is well can I please get a delivery quote asap. Need it delivered to Klamath ca zip code 95548

Thank you

-----Original Message-----

From: Art De La Torre <art@scottequip.com>
Sent: Thursday, August 13, 2020 12:42 PM
To: Rich Nelson <richardf@yuroktribe.nsn.us>
Subject: 2020 Freightliner Water Truck Quote
Importance: High

Richard,

Here is the quote on the 2020 Freightliner water truck that you requested.

Best Regards,

Art De La Torre
Equipment Specialists

14635 Valley Blvd.
Fontana, Ca, 92335
C 951-830-6213
art@scottequip.com

<http://nam02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.scottequip.com%2F&data=02%7C01%7C0e0e0e0e0e40yuroktribe.nsn.us%7C81df40e69564963147b0848568953c1%7C018a2f5b5407447hab7-9e7c29d46ca5%7C0%7C0%7C637354495132544976&sd=1%7C018a2f5b5407447hab7-9e7c29d46ca5%7C0%7C0%7C637354495132544976&sd=1>

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YUROK TRIBE

ADDENDUM TO REVISED APPENDIX D-4

September 22, 2020

Summary

5.2.2

Detailed Description of Mitigation Action:

The Yurok Tribe will replace a tribally owned, 2005, class-7, water truck with a VIN of 3FRPF75E65V112104. We will replace this with a 2020 Freightliner M2 Chassis.

Community and Air Benefits

The community will benefit from the project by having less exposure from NO_x, particulate matter and other pollutants. The project will also save our Watershed Department money, by avoiding costly upgrades to the refrigeration truck, needed to comply with California state regulations. The money saved will go towards more program services.

5.2.3

The project will significantly reduce emissions currently being put off by the vehicle. It is estimated that the annual NO_x will be reduced by 89.6% with a lifetime reduction of 89.6%. Annual PM_{2.5} will be reduced by 98% with a lifetime reduction of 98%. Annual HC will be reduced by 91.4% with a lifetime reduction of 91.4%, and annual CO will be reduced by 91.2% with a lifetime reduction of 91.2%. These estimates were calculated using the Environmental Protection Agency's Diesel Emissions Quantifier tool, with default values. (See the chart on the next page for additional details.)

Emission Results and Health Benefits for Project: VW Settlement 2020 Funding cycle

Emission Results

Health Benefits

Emission Results ?

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

<i>Annual Results (short tons)²</i>	NO_x	PM2.5	HC	CO	CO₂	Fuel³
Baseline for Upgraded Vehicles/Engines	0.103	0.008	0.014	0.054	16.5	1,463
Amount Reduced After Upgrades	0.093	0.008	0.013	0.049	0.0	0
Percent Reduced After Upgrades	89.6%	98.0%	91.4%	91.2%	0.0%	0.0%

<i>Lifetime Results (short tons)²</i>						
Baseline for Upgraded Vehicles/Engines	1.033	0.079	0.144	0.540	164.6	14,630
Amount Reduced After Upgrades	0.926	0.078	0.132	0.492	0.0	0
Percent Reduced After Upgrades	89.6%	98.0%	91.4%	91.2%	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	
Total Cost Effectiveness ⁴ (includes all project costs)	\$180,178	\$2,148,082	\$1,264,407	\$338,946	\$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

Water Truck: Freight Short Haul - Single Unit Class 6-7 (Delivery) Vehicle Replacement - ULSD (diesel)	10 years
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5.2.7.1

The Yurok Tribe's Fiscal department will be the responsible entity for reviewing and auditing expenditures of eligible mitigation actions funds to ensure compliance with applicable laws. Erin Larson will be charged with this task.

5.2.7.2

(1) Procedure. Requests for access to Indian Tribe Mitigation Trust Documents by members of the public shall be made by written request to the Yurok Tribal Council. The Yurok Tribal Council, or any Committee or officer appointed by the Yurok Tribal Council to consider such

requests, shall determine whether the request implicates any of the exceptions at subparagraph (2). If no exceptions apply, copies of documents shall be made available at the expense of the requesting member of the public. If exceptions apply, a letter shall be sent to the requestor outlining the application of the exception to the request for access to Indian Tribe Mitigation Documents.

(2) Exceptions. Pursuant to section 1 of the Yurok Tribe Freedom of Information Act, exceptions may be made for information concerning personnel matters, application for tribal membership, health information or business/financial information which is of such a sensitive matter that releases of the information would jeopardize the financial stability of a tribal enterprise.