

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).
Not applicable

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 Quapaw Tribe of Indians, 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: 8/19/2020

SIGNATURE: 

Craig Kreman
[NAME] Assistant Environmental Director
[TITLE]

Quapaw Tribe Environmental Office
[LEAD AGENCY]

for
Quapaw Tribe of Indians
[BENEFICIARY]

Detailed Description of Mitigation Action Item Including Community and Air Quality Benefits (5.2.2):

Utilizing Volkswagen Settlement Trust funds, the Quapaw Tribe of Indians will be replacing one diesel vehicle with a newer model year diesel vehicle to improve air quality in the community. A 2011 Emissions Inventory completed by the Quapaw Tribe Environmental Office described approximately 2,000 tons per year (2% of total NOx emissions from Emissions Inventory Coverage Area) of NOx emissions being released by on-road mobile sources within Ottawa County, Oklahoma (in which most of the Quapaw Tribe reservation resides). Utilizing the Environmental Protection Agency (EPA) Diesel Emission Quantifier (DEQ), approximately 0.710 tons of NOx will be reduced from the replacement of the diesel vehicle that the Tribe owns. The eligible mitigation project submitted in this Project Management Plan was selected based on the prioritized need to replace various outdated diesel vehicles in the current inventory owned and operated by The Quapaw Tribe of Indians. A dire need to replace harmful NOx emissions from used and high-mileage emergency response vehicles will take priority, which the Quapaw Tribe Fire/Emergency Management Service ambulances frequently transport citizens to and from local hospitals, fire trucks frequently respond to emergency response calls due to their certifications.

Eligible Mitigation Action #1- Eligible Large Trucks

The Lead Agency has identified one (1) Eligible Large Truck for the Trust Settlement. They are shown below with identification of the replacement vehicle and expenditures; as well as proposed NOx emission reductions. All scrapping as defined in the Trust Agreement will be conducted by the Lead Agency. The Tribal Tag numbers identified for each vehicle below was identified for the ## Tribe Environmental Office by the TAGS Department.

1. 2004 Kenworth T300 (Tribal Tag*:QG157)



Current Use: Commercial Pumper Fire Truck

VIN# 2NKMHZ8X34M053864

Proposed Replacement Vehicle: 2021 Freightliner Commercial Pumper (FerraraFire)

Proposed NOx emission reductions (%)*: 88.6

Cost to Replace: \$419,000

See Attachment D of Appendix D-4 for detailed cost estimate

Estimate of Anticipated NOx Reductions (5.2.3): An approximate 88.6% of NOx reductions are anticipated over the lifetime of the diesel vehicle replacement with the new diesel vehicle. This includes approximately 11,904 gallons of diesel fuel being reduced over the vehicle's lifetime. This information was collected following utilization of the EPA DEQ.

Emission Results (from EPA Diesel Emission Quantifier)

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

Annual Results (short tons)²	NO_x	PM_{2.5}	HC	CO	CO₂	Fuel³
Baseline for Upgraded Vehicles/Engines	0.134	0.014	0.017	0.063	22.3	1,984
Amount Reduced After Upgrades	0.118	0.013	0.015	0.057	0.0	0
Percent Reduced After Upgrades	88.6%	97.5%	89.7%	89.4%	0.0%	0.0%

Lifetime Results (short tons)²

Baseline for Upgraded Vehicles/Engines	0.801	0.082	0.103	0.381	133.9	11,904
Amount Reduced After Upgrades	0.710	0.080	0.093	0.340	0.0	0
Percent Reduced After Upgrades	88.6%	97.5%	89.7%	89.4%	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.

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): Accounting Office and the Chief Financial Officer.

Describe how the Beneficiary will make documentation publicly available (5.2.7.2): The Quapaw Tribe of Indians will establish a separate webpage (via Environmental Office website and managed by Environmental Engineer) dedicated 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 funding request and expenditure of funds. The Quapaw Tribe of Indians (and the Environmental Office who is the Lead Agency for the Beneficiary) 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. The Quapaw Tribe of Indians (and the Environmental Office who is the Lead Agency for the Beneficiary) will follow the Governing Resolution of the Quapaw Tribe for matters governing the publication of confidential business information and personally identifiable information, and exemptions thereto.

Describe any cost share requirement to be placed on each NOx source proposed to be mitigated (5.2.8): The Quapaw Tribe of Indians will contribute a 56% cost share in the amount of \$233,881,561.

Describe how the Beneficiary complied with subparagraph 4.2.8, related to notice to U.S. Government Agencies (5.2.9): The Quapaw Tribe of Indians was not notified by any U.S. Government Agencies within the specified 30-day period.

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).

Not applicable.

Attachment B

Volkswagen Trust Settlement Eligible Mitigation Action Project Management Plan Third Funding Cycle

Detailed Budget and Implementation and Expenditures Timeline

Submitted to
Wilmington Bank and Trust, N.A. (Trustee)



Prepared by
Quapaw Tribe Environmental Office (Lead Agency)
on behalf of
The Quapaw Tribe of Indians (Beneficiary)



P.O. Box 765
Quapaw, OK 74363
(918) 542-1853

I. INTRODUCTION

A. Request for Funding

The Quapaw Tribe Environmental Office (QTEO), on behalf of The Quapaw Tribe of Indians, is requesting funding from the Environmental Mitigation Trust Agreement for Indian Tribe Beneficiaries to fund environmental mitigation projects, as identified in this Project Management Plan, in reducing emissions of nitrogen oxides (NOx) and Eligible Mitigation Action Administrative Expenditures. This request is made pursuant to the provisions set forth in the Environmental Mitigation Trust Agreement for Indian Tribe Beneficiaries (Trust Agreement) and Appendices D-2, D-3 and D-4 of the Trust Agreement.

The QTEO's funding request for \$185,119 will allow The Quapaw Tribe of Indians to reduce approximately 88.6% (EPA Diesel Emission Quantifier) of NOx emissions after vehicle replacements. This Project Management Plan has been incorporated into Attachment B of Appendix D-4 Beneficiary Eligible Mitigation Action Certification (in accordance with provision 5.2.4 of the Trust Agreement).

B. Lead Agency Roles and Responsibilities

As the Quapaw Tribe of Indians identified Lead Agency in Appendix D-3 of the Trust Agreement, the Quapaw Tribe Environmental Office's roles and responsibilities include management and implementation of the environmental mitigation actions identified in this Project Management Plan. The Quapaw Tribe Environmental Office is currently administering various Environmental Protection Agency (EPA) grants and cooperative agreements under provisions of the Clean Water Act (106, 319), Clean Air Act (103) and Superfund (Remedial Response and Management Assistance). Through managing and implementing program and project activities of these various grants and cooperative agreements, the Quapaw Tribe Environmental Office has the capacity to manage and implement the mitigation actions identified in this Project Management Plan.

Mr. Tim Kent, Environmental Director has over 17 years of experience in working with EPA grants and cooperative agreements. Mr. Craig Kreman, Assistant Environmental Director has over 6 years of experience in working with EPA grants and cooperative agreements. Additionally, Mr. Kreman serves on the National Tribal Air Association (NTAA), representing EPA Region 6 Tribes as the primary representative. Mr. Kreman is currently the Mobile Sources (formerly Volkswagen Settlement) Work Group Co-Lead.

II. PROJECT NARRATIVE

A. Detailed Description of Mitigation Action Item Including Community and Air Quality Benefits (5.2.2)

The Quapaw Tribe has grown from roughly 3,300 enrolled members (Tribal Administration Census, 2010) to approximately 5,054 enrolled members (Tribal Administration Census, 2017) as of December 1, 2017, representing a greater need to improve air quality within the jurisdictional boundaries of the Tribe. The Quapaw Tribe jurisdiction is also included in the Joplin-Miami, MO-OK Combined Statistical Area (as reported by the US Census Bureau) that includes a population over 200,000. A 2011

Emissions Inventory completed by the Quapaw Tribe Environmental Office described approximately 2,000 tons per year (2% of total NOx emissions from Emissions Inventory Coverage Area) of NOx emissions being released by on-road mobile sources within Ottawa County, Oklahoma (in which most of the Quapaw Tribe reservation resides). Utilizing the Environmental Protection Agency (EPA) Diesel Emission Quantifier (DEQ), approximately 0.710 tons (approximately 88.6% reduction from the baseline vehicles) of NOx will be reduced from the replacement of the diesel vehicles that the Tribe owns (see tables below).

Emission Results (from EPA Diesel Emission Quantifier)

Annual Results (short tons)²	NO_x	PM_{2.5}	HC	CO	CO₂	Fuel³
Baseline for Upgraded Vehicles/Engines	0.134	0.014	0.017	0.063	22.3	1,984
Amount Reduced After Upgrades	0.118	0.013	0.015	0.057	0.0	0
Percent Reduced After Upgrades	88.6%	97.5%	89.7%	89.4%	0.0%	0.0%
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Baseline for Upgraded Vehicles/Engines	0.801	0.082	0.103	0.381	133.9	11,904
Amount Reduced After Upgrades	0.710	0.080	0.093	0.340	0.0	0
Percent Reduced After Upgrades	88.6%	97.5%	89.7%	89.4%	0.0%	0.0%

The eligible mitigation project submitted in this Project Management Plan was selected based on the prioritized need to replace an outdated diesel vehicle in the current inventory owned and operated by The Quapaw Tribe of Indians. A dire need to replace harmful NOx emissions from used and high-mileage emergency response vehicles will take priority, which the Quapaw Tribe Fire/Emergency Management Service ambulances frequently transport citizens to and from local hospitals, fire trucks frequently respond to emergency response calls due to their certifications.

B. Site-Specific Statement of Work

This section provides a detailed budget, program implementation and an expenditures timeline (Section 5.2.4) of the Environmental Mitigation Trust Agreement.

To successfully complete the proposed eligible mitigation actions and improve air quality while reducing NOx emissions, the QTEO anticipates completing the following two major tasks: Equipment and Administrative Expenditures. The table below provides the total project budget over the period of performance. Task 1 is detailed as Administrative Expenditures and Task 2

TOTAL PROJECT BUDGET

Budget Category	Total Approved Budget	Share of Total Budget to be Funded by the Trust	Cost Share (Quapaw Tribe of Indians)
Equipment Expenditure	\$ 419,000	\$ 185,119	\$ 233,881
Contractor Support	\$ -	\$ -	\$ -
Subrecipient Support	\$ -	\$ -	\$ -
Administrative	\$ -	\$ -	\$ 0
Project Totals	\$ 419,000	\$ 185,119	\$ 233,881
Percentage	100%	44%	56%

Project Trust Allocations		1 st Funding Cycle	2 nd Funding Cycle	3 rd Funding Cycle
1	Anticipated Annual Project Funding Request to be paid through Trust	\$ 137,888	\$ 196,556	\$ 185,119
2	Anticipated Annual Cost Share	\$ 131,498	\$ 25,762	\$ 233,881
3	Anticipated Total Project Funding by Year	\$ 269,386	\$ 222,318	\$ 419,000
4	Cumulative Trustee Payments Made to Date Against Cumulative Approved Beneficiary Allocation	\$ 137,888	\$ 334,444	\$ 0
5	Current Beneficiary Project Funding to be paid through the Trust	\$ -	\$ -	\$ 185,119
6	Total Funding Allocated to for Beneficiary, inclusive of Current Action by Year (line 4 plus line 5)	\$ 137,888	\$ 196,556	\$ 185,119
7	Beneficiary Share of Estimate Funds Remaining in Trust	\$ -	\$ -	\$ -
8	Net Beneficiary Funds Remaining in Trust, net cumulative Beneficiary Funding Actions (line 7 minus line 6)	\$ -	\$ -	\$ -

Task 1: Eligible Mitigation Actions (Equipment Expenditures)

The Quapaw Tribe of Indians (Beneficiary) and the Quapaw Tribe Environmental Office (Lead Agency) have identified an eligible mitigation action pursuant to the provisions set forth in the Environmental Mitigation Trust Agreement for Indian Tribe Beneficiaries (Appendix D-2). The following sections are a detailed description of the proposed eligible mitigation actions, an estimate of the NOx reductions anticipated from the action (based on EPA DEQ), and an implementation and expenditure timeline for the proposed eligible mitigation actions.

Eligible Mitigation Actions and Mitigation Action Expenditures:

Eligible Mitigation Action #1- Eligible Large Trucks

The Lead Agency has identified one (1) Eligible Large Truck for the Trust Settlement. They are shown below with identification of the replacement vehicle and expenditures; as well as proposed NOx emission reductions. All scrapping as defined in the Trust Agreement will be conducted by the Lead Agency. The Tribal Tag numbers identified for each vehicle below was identified for the Tribe’s Environmental Office by the TAGS Department.

2004 Kenworth T300 (Tribal Tag*:QG157)



Current Use: Class 8 Commercial Pumper Fire Truck
 VIN# 2NKMHZ8X34M053864
 Proposed Replacement Vehicle: 2021 Freightliner Commercial Pumper (FerraraFire)
 Proposed NOx emission reductions (%)*: 88.6
 Cost to Replace: \$419,000
See Attachment D of Appendix D-4 for detailed cost estimate

Task 1 Cost Estimate:

A summary of the estimated costs associated with the completion of Task 2 is included below in the table.

Eligible Mitigation Action Description	Subtask Cost
2021 Freightliner Commercial Pumper to Replace QG157 ²	\$419,000
TASK 1 TOTAL	\$419,000

Notes:

1 – **Attachment D** of Appendix D-4 provides a detailed cost estimate for each proposed eligible mitigation action and vehicle replacement identified above.

It is anticipated that the task listed above will be conducted and completed within the project period according to the schedule established below.

Task 2: Tribal Cost Share Expenditures and Method:

In order to purchase replacement diesel vehicle, the Quapaw Tribe of Indians will cost share (5.2.8) as identified below.

Subtask Description	Subtask Cost
Tribal Cost Share Expenditures ³	\$233,881
TASK 2 TOTAL	\$233,881

Notes:

2 – **Attachment D** of Appendix D-4 provides a detailed cost estimate for each proposed eligible mitigation action and vehicle replacement identified above and any necessary cost share expenditures.

Eligible Mitigation Action Planned Schedule/Output:

It is anticipated that the Eligible Mitigation Action tasks listed above will be conducted and completed within the project period according to the schedule established below.

Schedule and Milestones:

Below is a table listing the planned schedules and milestones of the eligible mitigation actions identified in this Project Management Plan.

Task #	Task Description	Proposed Start-End Date	Actual Start-End Date	Time Required (days)	Task Status
1	Lead Agency Provides Notice of Availability of Mitigation Action Funds, if necessary	-	-	-	Complete
2	Project Sponsor Submits Quotes to Lead Agency	7/1/2020-7/30/2020		30	Complete
4	Lead Agency Incorporates Project Sponsor's Quotes into Mitigation Plan	8/1/2020-8/19/2020		19	Complete
5	Trustee Acknowledges Receipt of Project Certification and Funding Direction (Att. A)	10/27/2020		-	Pending
6	Trustee Allocates Share of Funds for Approved Project	11/12/2020		-	Pending
7	Lead Agency Directs Funding (Advance Funded Projects)	11/12/2020			Pending
8	Project Installation(s) - START	11/13/2020			Pending
9	Project Installation(s) - COMPLETE	3/1/2021			Pending
10	Lead Agency completes review and certifies payment direction to Trustee (Reimbursement)	11/1/2021			Pending
11	Trustee Acknowledges Receipt of Direction for Payment(s)	11/1/2021			Pending
12	Project Sponsor Certifies Project Completion	11/1/2021			Pending
13	Lead Agency Reports Project Completion	11/1/2021			Pending
14	Trustee Reports Project Completion and all Funds Directed to Beneficiary	11/1/2021			Pending

ATTACHMENT C TO APPENDIX D-4 (Section 5.2.11 of Trust Agreement)

Detailed Plan for Reporting on Eligible Mitigation Action Implementation

As required by Section 5.2.11 under the Environmental Mitigation Trust Agreement (EMTA) and in general accordance with the guidance set forth in Section 5.3 of the EMTA (Beneficiary Reporting Obligations) the following plan will be implemented:

The Quapaw Tribe Accounting Office will provide monthly budget reports which the Environmental Director and Assistant Environmental Director will thoroughly review for accuracy, reconciliation of expenditures, and status of funds. The Chief Financial Officer and Assistant Environmental Director will submit budget reports as, required in subparagraph 2.1.1.4, through Intralinks six months after receiving its first disbursement of trust assets. Thereafter, the Chief Financial Officer and Assistant Environmental Director will submit budget reports no later than January 30 and July 30 of each year for the project period.

ATTACHMENT D

From: [Eric Bohn](#)
To: [Craig Kreman](#)
Subject: FW: Quapaw
Date: Tuesday, July 28, 2020 1:57:41 PM
Attachments: [Long Spec -- 07-02-2020.docx](#)

From: Jeffrey Reeves <jreeves@quapawnation.com>
Sent: Thursday, July 9, 2020 10:19 AM
To: Eric Bohn <ebohn@quapawnation.com>; Leon Crow <lcrow@quapawnation.com>; Zackary Turley <zturley@quapawnation.com>
Subject: FW: Quapaw

Here is the quote for the proposed new engine. It is the only one we have obtained so far but will get others when the time comes.

Thanks Jeff.

From: Scott Shelton <scott@firemaster.com>
Sent: Thursday, July 2, 2020 2:20 PM
To: Jeffrey Reeves <jreeves@quapawnation.com>
Subject: FW: Quapaw

Take a look at these and make sure I didn't miss anything. I requested a drawing but probably won't have it for a couple of weeks. This ended up at \$419,000.00

Scott Shelton
Fire Master Fire Equipment, Inc.
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Many options and configurations are available such as the Extruded Aluminum Body and all-wheel drive chassis. Our engineers are eager to work with your department to design the exact pump, tank and equipment storage layout that will maximize your department's response capabilities in any environment.

SPECIFICATIONS

Chassis: Dodge, Ford, Freightliner, International, Kenworth, Mack, Peterbilt

Body: Extruded Aluminum, Modular 12 Gauge Galvanneal, Modular 3/16" Aluminum or Modular 12 Gauge Stainless Steel

Compartments: Standard or rescue with full height compartments as deep as 30.5"

Pump Size: Available from 250 gpm to 5500 gpm

Pump Controls: Top mount, side mount or rear mount pump panels

Tank Size: Available from 300 gallons to 1250 gallons

Foam System Starting at 10 gallons in any make

Ladder Storage: Thru-the-tank, beside-the-tank, hosebed, low side or hydraulic racks

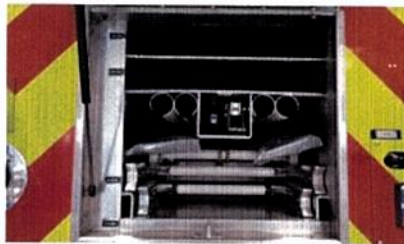
Warranty: Body structural is 10 year or 100,000 miles



FEATURES & OPTIONS



Customized front bumper options



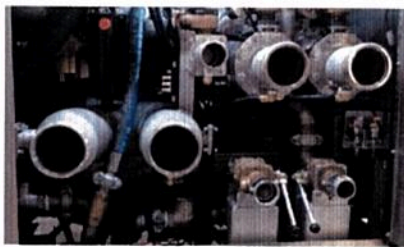
Enclosed through-the-tank storage



Variety of crosslay, speedlay and walkway crosslays available



Low suction hose possibilities



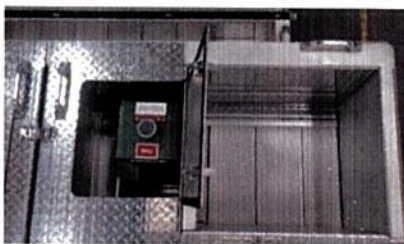
Multiple plumbing possibilities



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Foam System and Foam Cell up to 50 gallons



Under cab compartments



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