

APPENDIX D-4
Beneficiary Eligible Mitigation Action Certification

BENEFICIARY ELIGIBLE MITIGATION ACTION CERTIFICATION

Beneficiary Maryland

Lead Agency Authorized to Act on Behalf of the Beneficiary Maryland Department of the Environment
(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:	Light-Duty ZEV Infrastructure
Beneficiary's Project ID:	MD-EVSE-01
Funding Request No.	<i>(sequential)</i> 17
Request Type: (select one or more)	<input checked="" type="checkbox"/> Reimbursement <input type="checkbox"/> Advance <input type="checkbox"/> Other (specify): _____
Payment to be made to: (select one or more)	<input type="checkbox"/> Beneficiary <input checked="" type="checkbox"/> Other (specify): <u>Awarded Companies, and State and Local Government Agencies</u>
Funding Request & Direction (Attachment A)	<input type="checkbox"/> Attached to this Certification <input checked="" type="checkbox"/> To be Provided Separately

SUMMARY

Eligible Mitigation Action	<input checked="" type="checkbox"/> Appendix D-2 item (specify): <u>9- Light-Duty ZEV Infrastructure</u>
Action Type	<input type="checkbox"/> Item 10 - DERA Option (5.2.12) (specify and attach DERA Proposal):
Explanation of how funding request fits into Beneficiary's Mitigation Plan (5.2.1): See Attached	
Detailed Description of Mitigation Action Item Including Community and Air Quality Benefits (5.2.2): See Attached	
Estimate of Anticipated NOx Reductions (5.2.3): See Attached	
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 Attached	
Describe how the Beneficiary will make documentation publicly available (5.2.7.2). See Attached	
Describe any cost share requirement to be placed on each NOx source proposed to be mitigated (5.2.8). See Attached	
Describe how the Beneficiary complied with subparagraph 4.2.8, related to notice to U.S. Government Agencies (5.2.9). See Attached	

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 Attached

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 Maryland, 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: 5/24/21



George S. (Tad) Aburn, Jr.
Director, Air and Radiation Administration
Maryland Department of the Environment
[LEAD AGENCY]

for
Maryland
[BENEFICIARY]

**Appendix D-4 – Supplemental Information
Beneficiary Eligible Mitigation Action Certification**

Beneficiary: Maryland

Lead Agency: Maryland Department of the Environment

In support of funding request no. 17

Light-Duty ZEV Infrastructure

Appendix D4 – Summary

Explanation of how funding request fits into Beneficiary's Mitigation Plan (5.2.1):

This project falls under the Electric Vehicle Infrastructure section detailed on pages 11 and 12 of Maryland's Beneficiary Mitigation Plan (BMP). This section utilizes the full 15% allowed under the Volkswagen Consent Decree. Maryland's BMP identifies three areas of focus for investment in zero emission vehicle (ZEV) infrastructure.

Funds will be available for the purchase and installation of Level 2 electric vehicle charging equipment for workplace charging, at state facilities that are open to the public, as well as for Level 3 Direct Current Fast Chargers (DCFC) installed along federally designated alternative fuel corridors.

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

MDE will open a competitive funding opportunity to help purchase, install, and maintain electric vehicle charging stations. MDE, in coordination with the Maryland Energy Administration, has developed two frameworks for submission of proposals under this program. The Level 2 funding program (Charge Ahead Grant Program) will cover the requirements for charging infrastructure at workplaces and State facilities. The Level 3 DCFC funding program will cover fast chargers along alternative fuel corridors and charging hubs.

Funding will be available in through three distinct rounds of approximately \$3.75 Million each in order to spread out the funding and make adjustments as needed to improve the program.

MDE does not know what level of interest will be garnered from this program, nor the utilization rates that can be expected from EVSEs installed throughout the state. Therefore, MDE will refrain from calculating any direct NOx reductions from this funding source. MDE anticipates funding approximately 500 Level 2 workplace and State facility charging ports, along with approximately 100 DCFC stations across the State.

Estimate of Anticipated NOx Reductions (5.2.3):

MDE will not quantify NOx reductions at this time. However, MDE will collect charger utilization data, which will be used to calculate in-use NOx reductions.

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):

The Maryland Department of the Environment is responsible for all Volkswagen Mitigation Plan projects in Maryland.

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

All documentation will be made publicly available on the Maryland Department of the Environment's Maryland Volkswagen Mitigation Plan website. This site can be found at:

<https://mde.maryland.gov/programs/Air/MobileSources/Pages/MarylandVolkswagenMitigationPlan.aspx>

Describe any cost share requirements to be placed on each NOx Source proposed to be mitigated (5.2.8):

Funding under this program will require at least the threshold of cost share required by the Volkswagen Mitigation Trust Agreement. Under the Level 2 Charge Ahead Grant Program, funding is available to cover up to 60% of the cost for equipment and installation, up to \$2,500 for non-networked chargers and \$4,500 for networked chargers. Under the Level 3 Electric Corridors Grant Program, funding is available to cover up to 80% of the cost for publicly accessible chargers, up to \$150,000 per 150kW or greater charging port, or up to \$100,000 per 50kW or greater charging port.

Describe how the Beneficiary complied with subparagraph 4.2.8, related to U.S. Government Agencies (5.2.9):

The Maryland Department of the Environment sent the required notifications to the specified U.S. Government Agencies on February 27th, 2018.

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):

Maryland will use the funding available through the Volkswagen Settlement to help facilitate a statewide electric vehicle charging network. The widespread adoption of electric vehicles will provide across the state, including those that have borne a disproportionate share of adverse impacts of harmful vehicle emissions.

ATTACHMENT B

PROJECT MANAGEMENT PLAN
PROJECT SCHEDULE AND MILESTONES

Milestone	Date
Request for Proposals announced	12/5/20
Request for Proposals Application Deadline	3/5/21
MDE Reviews applications for ZEV Infrastructure Program	Mar-May 2020
MDE Submits Funding Request to Trustee –Appendix D-4	May 2021
Trustee Acknowledges Receipt of Project Certification and Funding Direction	Receipt from Trustee
Trustee Allocates Share of State Funds for Approved Project	Transfer Date
Grant Agreements signed with selected award recipients	CY 2021, Q3
Project Sponsor provides detailed invoices for all claimed project costs, proof of destruction, required certification documents to MDE to support direction to Trustee for Payment (Reimbursement).	CY 2022, Q1
MDE completes review and certifies payment direction to Trustee (Reimbursement)	CY 2022, Q1- Q3
Trustee Acknowledges Receipt of Direction for Payment(s) (Reimbursement)	CY 2022, Q1- Q3
Project Sponsor Certifies Project Completion	CY 2022, Q1- Q3
MDE Reports Project Completion	CY 2022, Q4

PROJECT BUDGET

Budget Category	Total Approved Budget	Share of Total Budget to be Funded by the Trust	Cost-Share, paid by Companies	Cost-Share, if applicable (Entity #2)
1. Equipment Expenditure	\$14,196,419	\$11,357,135	\$2,839,284	NA
2. Contractor Support	\$0	\$0	\$0	NA
3. Subrecipient Support	\$0	\$0	\$0	NA
4. Administrative	\$300,000	\$300,000	\$	NA
Project Totals	\$14,496,419	\$11,657,135	\$2,839,284	NA
Percentage	100%	80.4%	19.6%	%

PROJECTED TRUST ALLOCATIONS:

	2021	2022
1. Anticipated Annual Project Funding Request to be paid through the Trust	\$3,846,854.55	\$7,810,280.45
2. Anticipated Annual Cost Share	\$936,963.72	\$1,902,320.28
3. Anticipated Total Project Funding by Year (line 1 plus line 2)	\$4,783,818.27	\$9,712,600.73
4. Cumulative Trustee Payments Made to Date Against Cumulative Approved Beneficiary Allocation	\$5,090,850.55	\$5,090,850.55
5. Cumulative Approved Beneficiary Allocation (not dispersed)	\$49,983,001.97	\$49,983,001.97
6. Current Beneficiary Project Funding to be paid through the Trust (line 1)	\$3,846,854.55	\$7,810,280.45
7. Total Funding Allocated to Beneficiary, inclusive of Current Action by Year (line 4 plus line 6)	\$8,937,705.10	\$16,747,985.55
8. Total Fund Approved for Beneficiary, inclusive of Current Action by Year (line 5 plus line 6)	\$53,829,856.52	\$61,640,136.97
9. Beneficiary Share of Estimated Funds Remaining in Trust	\$70,623,387.46	\$70,623,387.46
10. Net Beneficiary Funds Remaining in Trust, net of cumulative Beneficiary Funding Actions (line 9 minus line 7)	\$61,685,682.36	\$53,875,401.91
11. Net Beneficiary Funds Remaining in Trust, net of cumulative Beneficiary Funding Actions Approved by Trustee (line 9 minus line 8)	\$16,793,530.84	\$8,983,250.49

ATTACHMENT C

DETAILED PLAN FOR REPORTING ON ELIGIBLE MITIGATION ACTION IMPLEMENTATION

The Maryland Department of the Environment (MDE) will provide detailed reporting on this Environmental Mitigation Trust projects in two ways:

1. Updates to MDE's Volkswagen Mitigation Trust webpage (<https://mde.maryland.gov/programs/Air/MobileSources/Pages/MarylandVolkswagenMitigationPlan.aspx>)
2. Maryland's semiannual reporting obligation to Wilmington Trust.

MDE maintains a VW Mitigation Trust webpage to provide information and updates to the public in a timely manner. MDE will utilize the webpage to inform the public of project awards and make all documents received publicly available by posting them on that page.

Subparagraph 5.3 of the Environmental Mitigation Trust Agreement for State Beneficiaries details Maryland's 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 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, each Beneficiary shall submit to 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 Paragraph as to those Eligible Mitigation Actions funded through the DERA Option. The Trustee shall post each semiannual report on the State Trust's public-facing website upon receipt."

In MDE's semiannual report following the Trustee's approval of this project, MDE will describe the progress of implementing this Eligible Mitigation Action and include a summary of all costs expended on the Eligible Mitigation Action through the reporting date. The report will also include a complete description of the status, development, implementation (including project schedule and milestone updates), and any modification to this Eligible Mitigation Action.



**ATTACHMENT D
DETAILED COST ESTIMATES FROM SELECTED OR POTENTIAL VENDORS FOR EACH PROPOSED
EXPENDITURE EXCEEDING \$25,000**

Applicants will be required to submit cost estimates for each project. MDE has decided to place a cap on funding amounts in an effort to keep costs down and have the opportunity to fund more projects.

Category	Funding Percentages and Cap per Charging Port
Level 2 - Charge Ahead Grant Program	Non-networked – 60% up to \$2,500 Networked – 60% up to \$4,500
Level 3 DCFC – Electric Corridors Grant Program	50kW – 80% up to \$100,000 150kW – 80% up to \$150,000

