

APPENDIX D-4
Beneficiary Eligible Mitigation Action Certification

BENEFICIARY ELIGIBLE MITIGATION ACTION CERTIFICATION

Beneficiary _____

Lead Agency Authorized to Act on Behalf of the Beneficiary _____
(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:	
Beneficiary's Project ID:	
Funding Request No.	<i>(sequential)</i>
Request Type: (select one or more)	<input 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 type="checkbox"/> Other (specify): _____
Funding Request & Direction (Attachment A)	<input type="checkbox"/> Attached to this Certification <input type="checkbox"/> To be Provided Separately

SUMMARY

Eligible Mitigation Action <input type="checkbox"/> Appendix D-2 item (specify): _____ 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):
Detailed Description of Mitigation Action Item Including Community and Air Quality Benefits (5.2.2):
Estimate of Anticipated NOx Reductions (5.2.3):
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):
Describe how the Beneficiary will make documentation publicly available (5.2.7.2).
Describe any cost share requirement to be placed on each NOx source proposed to be mitigated (5.2.8).
Describe how the Beneficiary complied with subparagraph 4.2.8, related to notice to U.S. Government Agencies (5.2.9).

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).

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 _____, 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: 11/22/2019

M. O'Toole

Megan O'Toole, Assoc. General Counsel

[NAME]

[TITLE]

Agency of Natural Resources

[LEAD AGENCY]

for

State of Vermont

[BENEFICIARY]

Amended Appendix D-4 Summary Detail

Beneficiary: Vermont

Lead Agency: Agency of Natural Resources

In support of funding request No. VW-001 – Amendment 1

SUMMARY

5.2.1: Explanation of how funding request fits into BMP

See Section I of Vermont's BMP: Overall goals. This includes maximizing public and private investment in electric vehicle charging infrastructure.

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

This Grant Program will fund public and private light-duty charging infrastructure in strategically placed locations throughout the state and consistent with the goals of the BMP and regional planning. See Page 20 of Vermont's BMP for anticipated air quality benefits.

5.2.3: Anticipated NOx reductions

See Page 20 of Vermont's BMP for anticipated air quality benefits.

5.2.7.1: Identification of Government Entity Responsible for Reviewing and Auditing Expenditures of Eligible Mitigation Action Funds to ensure Compliance with Applicable Law

The Vermont Department of Environmental Conservation in cooperation with the Vermont Department of Housing and Community Development.

5.2.7.2: How Beneficiary will make documentation publicly available

See paragraph 7 and Attachment 1-A of Vermont's Certification for Beneficiary Status (D-3). Vermont will make all D-4 funding requests, required reporting, and other relevant program information available online and in hard copy if requested by members of the public.

5.2.8: Describe any cost share requirement to be placed on each NOx source proposed to be mitigated

See Page 2 of Attached example of EVSE Program Guidelines and Application.

5.2.9: Compliance with 4.2.8

The Agency of Natural Resources notified the required U.S. Government Agencies on February 21, 2018 in accordance with Section 5.2.9 of Appendix D.

5.2.10: Mitigation of NOx emission on communities that have historically borne a disproportionate share of the adverse impacts of such emissions

Not applicable.

AMENDED ATTACHMENT B

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

PROJECT MANAGEMENT PLAN

PROJECT SCHEDULE AND MILESTONES

Milestone	Date (multiple dates signals timeline for each phase of funding)
Lead Agency Provides notice of available Mitigation Action Funds	September 2018
Applicants submit Applications for funding to Lead Agency	November 2018; March 2019; December 2019
Lead Agency Selects Project Sponsors/projects to fund	December 2018; June 2019; February 2020
Lead Agency requests funds from Trustee	May 2019 – December 2020
Trustee acknowledges receipt of direction for payment	May 2019 – December 2020
Lead Agency Directs funding	June 2019 – October 2021
Project sponsors enters into contracts, purchase orders, etc – Start	March 2019 – November 2020
Project sponsors enters into contracts, purchase orders, etc – Complete	March 2019 – October 2021
Project installation – Start	No later than September 2020
Project installation – Complete	No later than October 2021
Project sponsor provides detailed invoices for all claimed project costs and final accounting	No later than October 2021
Project sponsor certified project completion	No later than October 2021
Lead agency reports project completion	No later than October 2021

AMENDED PROJECT BUDGET

Period of Performance: January 2019 – October 2021			
Budget Category	Total Approved Budget	Share of Total Budget to be Funded by the Trust	Cost Share, if applicable
1. Project Expenditure	\$ 4,036,583.40	\$ 2,803,819.50	\$1,232,763.90
2. Contractor Support	\$0	\$0	\$0
4. Administrative	\$ 280,381.95	\$ 280,381.95	\$0

Project Totals	\$ 4,316,965.35	\$ 3,084,201.45	\$ 1,232,763.90
Percentage	100%	71%	29%

AMENDED PROJECTED TRUST ALLOCATIONS for 2019-2020

	2019	2020
1. Anticipated Annual Project Funding Request to be Paid through the Trust	\$1,236,921.30	\$1,847,280.15
2. Anticipated Annual Cost Share	\$600,000	\$632,763.90
3. Anticipated Total Project Funding by Year (line 1 plus line 2)	\$1,836,921.3	\$2,470,044.05
4. Cumulative Trustee Payment Made to Date Against Cumulative Approved Beneficiary Allocation	\$874,083.80 ¹	\$1,236,921.30 (anticipated)
5. Current Beneficiary Project Funding to be paid through the Trust (line 1)	\$1,236,921.30	\$1,847,280.15
6. Total Funding Allocated to Beneficiary, inclusive of Current Action by Year (line 4 plus line 5)	\$1,236,921.30 ²	\$3,084,201.45
7. Beneficiary Share of Estimated Funds Remaining in Trust	\$17,818,046.20	\$17,455,208.70 (anticipated)
8. Net Beneficiary Funds Remaining in Trust, net of cumulative Beneficiary Funding Actions (line 7 minus line 6)	\$17,455,208.70 ³	\$15,607,928.55 (anticipated)

¹ This amount is included in the amount that is anticipated to be spent in 2019 (Lines 1, 5, and 6)

² Because this is an amended D-4 request, the \$882,578.08 in Line 4 paid to date is part of Anticipated Annual Project funding in Line 1 that has been amended here but already partially approved.

³ Because this is an amended D-4 request, this line represents the total Vermont Beneficiary share of \$18,692,130.00 minus Line 6 (total funding allocated to the beneficiary).

AMENDED ATTACHMENT C

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

The Vermont Agency of Natural Resources (ANR), as the lead agency for the state of Vermont implementing the Beneficiary Mitigation Plan, has established a webpage on the VW settlement and mitigation actions, <https://dec.vermont.gov/air-quality/vw>. ANR will post link on the website to the documentation required to be made public under Paragraph 7 of the Appendix D-3 Certification for Beneficiary Status form. ANR is also subject to the Vermont Public Records Act, 1 V.S.A. §315 et. seq., and Open Meeting Law, 1 V.S.A. §310 et. seq. These laws set forth the process for public access to records and exemptions in the case of confidential business information and personally identifiable information that meets exemption criteria. To the limited extent information is submitted to DEC that meets exemption criteria under the Public Records Law, ANR will maintain that information as confidential.

Funding requests and expenditure reporting

Records of selected projects and expenditures will be posted and made available on the ANR website listed above. Records will be retained until the termination date of the Environmental Mitigation Trust or by retention schedules determined by the State Archives and Records Administration, whichever is longer.

AMENDED ATTACHMENT D

Detailed cost estimates from selected or potential vendors for each proposed expenditure exceeding \$25,000 (5.2.6)

EVSE Category	Cost estimate range per charging projects installed*	Estimated number of charging projects	Estimated cost of charging projects per category
Level II	\$40,000-50,000	26	\$ 1,113,000.00
DCFC	~\$200,000	15	\$ 2,923,583.40
Total	-	41	\$ 4,036,583.40

* Estimates are based on cost of equipment and other eligible costs as provided in the initial round of applications for funding. Cost estimate is the total project cost per EVSE station, some projects have multiple charging units and ports.

Eligible sites include qualified locations within state-designated areas (downtowns, village centers, new town centers, growth centers, neighborhood development or planning area), highway corridors, public park and rides, public transit hubs, major tourist attractions, colleges, universities, hospitals, workplaces and multi-unit housing. Detailed eligibility criteria are available in the program guidelines and application (attached to this request).

The state plans to choose sites and projects to balance the need for electric vehicle charging that currently exists in Vermont. Therefore, charging stations are more likely to receive funding from the program if they demonstrate a gap in the charging network and the needs of the state. The program will also focus on distributing funding to sites in a geographically equitable manner.