

**South Dakota  
Class 8 Trucks 2021 Round 4  
SD-C1-004  
APPENDIX D-4  
Beneficiary Eligible Mitigation Action Certification**

## BENEFICIARY ELIGIBLE MITIGATION ACTION CERTIFICATION

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Beneficiary State of South Dakota (SD)

Lead Agency Authorized to Act on Behalf of the Beneficiary SD Department of Environment and Natural Resources (DENR)  
*(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)*

<b>Action Title:</b>	Class 8 Trucks 2021 Round 4
<b>Beneficiary's Project ID:</b>	SD-C1-004
<b>Funding Request No.</b>	<i>(sequential)</i> SD-009
<b>Request Type:</b> (select one or more)	<input type="checkbox"/> Reimbursement <span style="float: right;"><input checked="" type="checkbox"/> Advance</span> <input type="checkbox"/> Other (specify): _____
<b>Payment to be made to:</b> (select one or more)	<input checked="" type="checkbox"/> Beneficiary <input type="checkbox"/> Other (specify): _____
<b>Funding Request &amp; Direction (Attachment A)</b>	<input checked="" type="checkbox"/> Attached to this Certification <input type="checkbox"/> To be Provided Separately

### SUMMARY

<b>Eligible Mitigation Action</b>	<input checked="" type="checkbox"/> Appendix D-2 item (specify): <u>Category 1 Class 8 Trucks</u>
<b>Action Type</b>	<input type="checkbox"/> Item 10 - DERA Option (5.2.12) (specify and attach DERA Proposal):
<b>Explanation of how funding request fits into Beneficiary's Mitigation Plan BM (5.2.1):</b>	Page 22 of SD's BMP gives explanation of how trust funds will be used for the Truck option.
<b>Detailed Description of Mitigation Action Item Including Community and Air Quality Benefits (5.2.2):</b>	Page 25 of SD's BMP gives the anticipated benefits.
<b>Estimate of Anticipated NOx Reductions (5.2.3):</b>	Heavy duty highway vehicles may provide up to a 96% reduction in nitrogen oxide emissions per vehicle, based on replacing a model year 1992 engine with a model year 2007 engine
<b>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):</b>	SD DENR
<b>Describe how the Beneficiary will make documentation publicly available (5.2.7.2).</b>	Page 26 of SD's BMP describes how documentation will be made publicly available.
<b>Describe any cost share requirement to be placed on each NOx source proposed to be mitigated (5.2.8).</b>	Total rebate per replacement truck will be up to 50% of the purchase price of a new truck with an engine certified to EPA emission standards, 60% of the purchase price of a new truck with an engine certified to meet CARB's Low-NOx Standards, or 70% of the purchase price of an all-electric truck.
<b>Describe how the Beneficiary complied with subparagraph 4.2.8, related to notice to U.S. Government Agencies (5.2.9).</b>	Notice was emailed to US Government agencies on 2/8/18.

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 State of South Dakota, 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: Feb 24<sup>th</sup>, 2021

  
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Kyrik Rombough, Engineer Manager III

SD DENR  
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[LEAD AGENCY]

for  
State of South Dakota  
\_\_\_\_\_  
[BENEFICIARY]

**ATTACHMENT B - PROJECT MANAGEMENT PLAN**

**TIMELINE**

<b>Round Four</b>	
<b>Date</b>	<b>Activity</b>
January 4, 2021	Call for Round Four Projects Opens
January 29, 2021	Call for Round Four Projects Deadline
February 1, 2021 - February 12, 2021	Evaluate & Select Round Four Projects
February 17, 2021	Round Four Projects Announced. Email rebate agreements to highest ranking applicants.
February 2021 - April 2021	Recipients will order trucks and email DENR copies of Purchase orders.
June 30, 2022	Deadline for all invoices and paperwork to be submitted to DENR for Round Four

**PROJECTED VW TRUST ALLOCATIONS**

SD's VW Trust Allocation	\$8,125,000
Current Allocation of Trust for Category 1/6 Truck Projects (50%)	\$4,062,500
Funds expended for previous Category 1/6 Truck Projects	\$160,727
Remaining Trust Funds Allocated for Category 1/6 Truck Projects	\$3,901,773
Anticipated Category 1 Trust Funds Needed for 2021 Round 4 Truck Project	\$321,042
Anticipated VW Administrative Funds Needed for C1 2021 Round 4 Truck Project *	\$16,052

\* Subject to 10% administrative cap in Beneficiary Mitigation Plan.

**PROJECT BUDGET OVERVIEW**

<b>January 2021 – June 2022</b>	
VW Category 1 Trust Funds	\$321,042
VW Administrative *	\$16,052
Mandatory Cost-Share of Trucks	50% of truck cost

\* Subject to 10% administrative cap in Beneficiary Mitigation Plan.

**ITEMIZED PROJECT BUDGET**

<b>Budget Category</b>	<b>January 2021 – June 2022</b>	
	<b>VW Category 1</b>	<b>VW Administration</b>
1. Trucks	\$321,042	\$0
2. Administration	\$0	\$16,052
<b>SD-C1-002 TOTAL</b>	<b>\$321,042</b>	<b>\$16,052</b>

**ATTACHMENT C – PLAN FOR REPORTING**

**Beneficiary 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 at <https://www.vwenvironmentalmitigationtrust.com/state-trust/south-dakota>.

**ATTACHMENT D – DETAILED COST ESTIMATES**

Round 4

Recipient	Type	Class	Quote	%	Max Award
Stanley County Highway Dept	Plow Truck/Dump Truck	8	\$183,909.00	50%	\$91,954.50
City of Huron	Semi Tractor to pull side-dump trailer	8	\$111,036.00	50%	\$55,518.00
Jones County Highway Dept	tractor	8	\$128,299.00	50%	\$64,149.50
Miner County Highway Dept	snow plow/dump truck	8	\$218,840.00	50%	\$109,420.00