

APPENDIX D-4

BENEFICIARY ELIGIBLE MITIGATION ACTION CERTIFICATION

State of Connecticut

July 28, 2022

Class 4-8 Shuttle Bus and Transit Bus (Buses)

Round 1

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.]

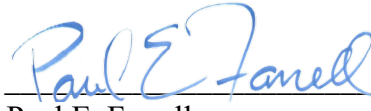
CERTIFICATIONS

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: _____



Paul E. Farrell
Acting Chief, Bureau of Air Management

[LEAD AGENCY]

for

[BENEFICIARY]

APPENDIX D-4
Beneficiary Eligible Mitigation Action Certification

APPENDIX D-4 – Supplemental Information Beneficiary Eligible Mitigation Action Certification

Beneficiary: State of Connecticut

Lead Agency: Department of Energy and Environmental Protection

In support of funding request No. 14 – Class 4-8 Shuttle and Transit Buses

Appendix D-4-Summary

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

The State of Connecticut (State), pursuant to the 2018 Mitigation Plan, filed with Wilmington Trust (WT) on April 26, 2018, outlined a protocol for the selection of on-road vehicle replacement projects, including replacement of Class 4-8 School Bus, Shuttle Bus or Transit Bus (Buses), to protect the state's air quality and the health of vulnerable populations. The primary goal of the State's 2018 Mitigation Plan is to improve and protect ambient air quality by selecting and implementing eligible mitigation projects that will (1) achieve significant and sustained cost effective reductions in Nitrogen Oxide (NO_x) emissions, (2) support statewide energy, environmental and economic development goals, (3) expedite deployment and widespread adoption of zero emission and near-zero emission vehicles and engines, and (4) reduce impacts on environmental justice and other impacted communities.

Transportation emissions significantly impact the State's air quality and attainment designation, being the source of 65% of the State's NO_x emissions; and 44% of its greenhouse gas (GHG) emissions. The funding identified in the 2018 Mitigation Plan (mitigation funding or mitigation funds) will provide the State an opportunity to mitigate the impact of excess NO_x emissions associated with Class 4-8 Buses. Funding this request allows the replacement of twelve (12) transit buses, which will have immediate and long-lasting benefits for Connecticut's air quality.

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

The bus replacement project will have a significant impact on reducing emissions from Connecticut's transportation sector, improving air quality and protecting public health. This bus replacement grant is designed to reduce young people and sensitive group's exposure to diesel exhaust. These groups are particularly vulnerable to the health effects from diesel pollution. Sensitive groups for ozone and particle pollution include people with heart or lung disease (including heart failure and coronary artery disease or asthma and chronic obstructive pulmonary disease), older adults (who may have undiagnosed heart or lung disease), and children.

The State of Connecticut Department of Transportation (CT DOT) will replace 12 model year 2005 diesel transit buses with 12 battery electric transit buses and associated charging infrastructure. The new electric buses will be garaged in Hamden, CT and operate in the New Haven, CT area. Because battery electric buses emit no tailpipe emissions, the project will enhance air quality by eliminating engine emissions and fuel consumption. The reduction in emissions of the ozone precursor, nitrogen oxides, will be a benefit in a state that is in nonattainment with the National Ambient Air Quality Standards (NAAQS) for Ozone and in an area of the state that has been disproportionately impacted by air pollution from diesel vehicles.

Estimate of Anticipated NO_x Reductions (5.2.3).

The estimated emissions were calculated using the EPA's Diesel Emissions Quantifier (DEQ.) The anticipated NO_x emissions reductions from the Class 4-8 Shuttle and Transit Bus Mitigation project is 5.240 tons per year (tpy) and lifetime NO_x emissions reduction from this group is 20.958 tpy.

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

Complete information and documentation will be posted on DEEP's Volkswagen incentive program website at: <https://portal.ct.gov/DEEP/Air/Mobile-Sources/VW/VW-Settlement---Home>; promotional materials will also be posted and cross-linked on DEEP's DERA Grants page at: <https://portal.ct.gov/DEEP/Air/Mobile-Sources/DERA-Grants> and on its [Drive Clean CT](#) Facebook Page.

Describe any cost share requirement to be placed on each NO_x source proposed to be mitigated (5.2.8).

Connecticut's 2018 Mitigation Plan outlines that diesel mitigation funds will provide for government owned eligible buses:

- Up to 65% of the cost of a repower with a new diesel or alternate fueled engine, including the costs of installation of such engine,
- Up to 65% of the cost of a new diesel or alternate fueled vehicle,
- Up to 65% of the cost of a repower with a new all-electric engine, including the costs of installation of engine, and charging infrastructure associated with the new all-electric engine; and
- Up to 65% of the cost of a new all-electric vehicle, including charging infrastructure associated with the new all-electric vehicle.

DOT received 33% of the project cost with a cost share of 67% to replace twelve electric buses. A total of \$4,901,169.00 has been allocated from Trust funds for the Shuttle and Transit bus replacement mitigation project. The first round of the Class 4-8 Shuttle and Transit Buses Mitigation Project will replace a total of twelve (12) buses.

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

On February 22, 2018, within 30 days of the State being named a Beneficiary, the Connecticut Department of Energy and Environmental Protection (DEEP), the State's Lead Agency as designated in accordance with the requirements specified in Appendix D-3, contacted, by U.S. Post and electronic mail, the U.S. Departments of Agriculture and Interior, as specified in subparagraph 4.2.8, plus the Bureau of Indian Affairs, the Defense Department and Bureau of Prisons, all of which have lands in the state.

If applicable, describe how the mitigation action will mitigate the impacts of NO_x emissions on communities that have historically borne a disproportionate share of the adverse impacts of such emissions (5.2.10).

The reduction of NO_x from the Class 4-8 buses transportation sector will improve air quality and protect human health across the state and especially in environmental justice and other underserved communities located in Hamden, CT. This bus replacement program will reduce emissions impacts to passengers riding on the buses as well as individuals who are themselves in the roadway travelling behind buses and individuals either living, working or simply occupying areas near public right of way where these buses operate.

Transit buses operate in Connecticut's population centers and along key corridors, such as I-84, I-91, and I-95, contributing to the undue burden on urban residents in these areas. Replacing buses with electric equivalents would provide targeted benefits to these neighborhoods. Switching to electric buses could help alleviate pollution in communities located in nonattainment areas, which bear a disproportionate share of the air pollution burden caused by high concentrations of diesel particulate matter from buses and cars.

The CT transit bus garage in Hamden is located directly in an Environmental Justice (EJ) community. The CTtransit New Haven Division services several EJ areas with significantly minority populations, major limited English proficiency corridors, multiple low income corridors, and a Safe Harbor Spanish LEP population.

**ELIGIBLE MITIGATION ACTION MANAGEMENT PLAN INCLUDING DETAILED
BUDGET AND IMPLEMENTATION AND EXPENDITURES TIMELINE**

ATTACHMENT B

**PROJECT MANAGEMENT PLAN
PROJECT SCHEDULE AND MILESTONES
CLASS 4-8 SHUTTLE AND TRANSIT BUSES CATEGORY**

Project Management Plan– Project Schedule and Milestones

Milestone	Date
Connecticut submitted its beneficiary form to US District Court, CA Northern District and to the Trustee	October 2017
Connecticut certified as a Designated Beneficiary under the VW Trust	January 29, 2018
Connecticut submitted its final mitigation plan to Wilmington Trust (the Trustee).	April 26, 2018
Request for Round 1 Proposals Announced	May 30, 2018
DEEP Informational Webinar	June 19, 2018
Request for Round 1 Proposals Closing - Application Deadline	July 31, 2018
Round 1 Awards Selected and Notification sent to Awardees/Recipients	November 13, 2018
Recipients enter into Contracts, Purchase Orders	CY 2020 Q1
Buses Delivered	CY 2021, CY 2022 Q1 – Q3
Recipients submit proof of destruction and scrapage documentation	CY 2022, Q1 – Q3
DEEP Receives all required invoices and documentation	Upon completion but no later than July 31, 2022
DEEP reviews, requests corrections if necessary, certifies project completion, and provides reimbursement.	CY 2022, Q1-Q4
DEEP reports to Trustee on status of and expenditures with Mitigation Actions completed and underway	Within 6 months of first disbursement; January 30 and July 30 thereafter

Project Budget

Budget Category	Total Approved Project Budget	Share of Total Budget Funded by the Trust	Cost Share (Paid by Recipient - DOT)
Equipment Expenditure			
DOT– Recipient #1	\$15,073,380.00	\$4,901,169.00	\$10,172,211.00
Percentage of Total Project Cost for Recipient #1	100%	33%	67%
Project Totals	\$15,073,380.00	\$4,901,169.00	\$10,172,211.00
DEEP Administrative¹	\$0		
Project Totals with DEEP Administrative	\$15,073,380.00	\$4,901,169.00	\$10,172,211.00

¹Subject to Appendix D-2 15% administrative cap

¹ Subject to Appendix D-2 15% administrative cap. However, DEEP will not be seeking reimbursement for administrative costs associated with this project.

PROJECTED TRUST ALLOCATIONS

	2018-2019 (Round 1)	2019 – 2020 (Round 2)	2021 – 2022 (Round 3)	2022 - 2023 (Round 4)	2022 (DOT Round 1)
1. Anticipated Annual Project Funding Request to be paid through the Trust	\$6,147,443.68	\$7,031,231.62	\$1,285,203.82	\$9,464,611.40 ²	\$4,901,169.00
2. Anticipated Annual Cost Share	\$12,297,653.09	\$11,563,464.25	\$2,193,056.16	\$5,500,879.38	\$10,172,211.00
3. Anticipated Total Project Funding by Year (line 1 plus line 2)	\$18,445,096.77	\$18,594,695.87	\$3,478,259.98	\$14,965,490.78	\$15,073,380.00
4. Cumulative Trustee Payments Made to Date Against Cumulative Approved Beneficiary Allocation	\$0	\$5,772,084.55 ³	\$3,023,287.72 ⁴	\$865,846.40 ⁵	\$865,846.40 ⁵
5. Current Beneficiary Project Funding to be paid through the Trust (line 1)	\$6,147,443.68	\$7,031,231.62	\$1,285,203.82	\$9,464,611.40	\$4,901,169.00
6. Total Funding Allocated to Beneficiary, inclusive of Current Action by Year (line 4 plus line 5)	\$6,147,443.68	\$12,803,316.17	\$4,308,491.54	\$10,330,457.80	\$5,767,015.40
7. Beneficiary Share of Estimated Funds Remaining in the Trust	\$55,700,000.00	\$49,552,556.32	\$42,521,324.70	\$41,236,120.88	\$31,771,509.48
8. Net Beneficiary Funds Remaining in Trust, net of cumulative Beneficiary Funding Actions (line 7 minus	\$49,552,556.32	\$42,521,324.70	\$41,236,120.88	\$31,771,509.48	\$26,870,340.48

² \$9,464,611.40 is the total funding for Round 4, it includes funding for the electric crane and Class 4-8 buses mitigation projects awarded.

³ \$5,772,084.55 is the reimbursement amount paid by the Trust in 2020.

⁴ \$3,023,287.72 is the reimbursement amount paid by the Trust in 2021.

⁵ \$865,846.40 is the reimbursement amount paid by the Trust to date in 2022 bringing the cumulative reimbursement amount to date to \$8,997,665.67.

line 1) ⁶					
----------------------	--	--	--	--	--

⁶ Net beneficiary funds were calculated by subtracting anticipated annual funding requests from beneficiary funds remaining. Including Trustee Payments made to date in Remaining Funds calculation would result in double counting previously awarded funds.

ATTACHMENT B

ELIGIBLE MITIGATION ACTION MANAGEMENT PLANS

ATTACHMENT B-1

**ELIGIBLE MITIGATION ACTION MANAGEMENT PLAN FOR DEPARTMENT OF
TRANSPORTATION**

ATTACHMENT C

**DETAILED PLAN FOR REPORTING ON ELIGIBLE MITIGATION ACTION
IMPLEMENTATION**

ATTACHMENT C

DETAILED PLAN FOR REPORTING ON ELIGIBLE MITIGATION ACTION IMPLEMENTATION

The Connecticut Department of Energy and Environmental Protection (DEEP) will provide detailed reporting on the Diesel Emissions Mitigation Trust project in two ways:

1. Timely updates to DEEP's Volkswagen (VW) Settlement Information Webpage, and
2. Connecticut's semiannual reporting obligation to Wilmington Trust (the "Trustee")

DEEP maintains a webpage that has been designed to support public access to information relative to the VW Settlement and DEEP's administration of mitigation funds so as to implement the program in an open and transparent manner. DEEP's VW Settlement Information webpage and all supporting information and documentation can be found at: <https://portal.ct.gov/DEEP/Air/Mobile-Sources/VW/VW-Settlement---Admin-Archive>. Timely updates to the webpage as well as direct outreach via email to those who have requested notification will inform the general public on project solicitations, and project status including when the projects identified herein have been completed.

Subparagraph 5.3 of the Environmental Mitigation Trust Agreement for State Beneficiaries details Connecticut'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."

DEEP shall, in the semiannual report following the Trustee's initial disbursement of funds as directed by DEEP, describe the progress implementing this Eligible Mitigation Action that will 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 the projects under this Eligible Mitigation Action.

ATTACHMENT D

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

ATTACHMENT D

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

DOT Bus Replacement (Attachment D-1)

Vehicle Type	Bus Make	Engine Model	Model year (MY)	Fuel	Bus Cost	EVSE Cost	Total Cost
Electric Transit Bus	Xcelsior	XB40	2020	Electric	\$949,000.00	\$89,460.40 ⁷	\$1,038,460.40
Electric Transit Bus	Xcelsior	XB40	2020	Electric	\$949,000.00	\$89,460.40	\$1,038,460.40
Electric Transit Bus	Xcelsior	XB40	2020	Electric	\$949,000.00	\$89,460.40	\$1,038,460.40
Electric Transit Bus	Xcelsior	XB40	2020	Electric	\$949,000.00	\$89,460.40	\$1,038,460.40
Electric Transit Bus	Xcelsior	XB40	2020	Electric	\$949,000.00	\$89,460.40	\$1,038,460.40
Electric Transit Bus	Xcelsior	XB40	2020	Electric	\$949,000.00	\$89,460.40	\$1,038,460.40
Electric Transit Bus	Xcelsior	XB40	2020	Electric	\$949,000.00	\$89,460.40	\$1,038,460.40
Electric Transit Bus	Xcelsior	XB40	2020	Electric	\$949,000.00	\$89,460.40	\$1,038,460.40
Electric Transit Bus	Xcelsior	XB40	2020	Electric	\$949,000.00	\$89,460.40	\$1,038,460.40
Electric Transit Bus	Xcelsior	XB40	2020	Electric	\$949,000.00	\$89,460.40	\$1,038,460.40
Electric Transit Bus	Xcelsior	XB40	2020	Electric	\$949,000.00	\$89,460.40	\$1,038,460.40
Electric Transit Bus	Xcelsior	XB40	2020	Electric	\$949,000.00	\$89,460.40	\$1,038,460.40
Electric Transit Bus	Xcelsior	XB40	2020	Electric	\$949,000.00	\$89,460.40	\$1,038,460.40
Electric Transit Bus	Xcelsior	XB40	2020	Electric	\$949,000.00	\$89,460.40	\$1,038,460.40
Total					\$1,138,800.00	\$1,073,524.80	\$12,461,524.80

See attached vendor cost estimates for DOT

⁷ EVSE total cost is calculated by the cost of each charger, \$86,747.33, plus dispenser cost of \$1628.73, and cost of 9.5m cable for each charger/dispenser installation is \$1,084.34. The total cost of a charger with assembly equals \$89,460.40. The total for twelve (12) chargers equals \$1,073,524.80.

ATTACHMENT D-1

VENDOR ESTIMATE FOR CT DEPARTMENT OF TRANSPORTATION

