

APPENDIX D-4
Beneficiary Eligible Mitigation Action Certification

BENEFICIARY ELIGIBLE MITIGATION ACTION CERTIFICATION

Beneficiary State of California

Lead Agency Authorized to Act on Behalf of the Beneficiary California Air Resources Board
(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:	Bay Area AQMD – LD ZEV
Funding Request No.	(sequential) 1
Request Type: (select one or more)	<input type="checkbox"/> Reimbursement <input checked="" 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): Bay Area Air Quality Management District
Funding Request & Direction (Attachment A)	<input checked="" type="checkbox"/> Attached to this Certification <input type="checkbox"/> To be Provided Separately

SUMMARY

Eligible Mitigation Action <input checked="" type="checkbox"/> Appendix D-2 item (specify): 9 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

BENEFICIARY ELIGIBLE MITIGATION ACTION CERTIFICATION

Beneficiary: State of California
Lead Agency: California Air Resources Board

Action Title:	Light-Duty ZEV Infrastructure
Beneficiary's Project ID:	Bay Area AQMD – LD ZEV
Funding Request No.	(<i>sequential</i>) 1

SUMMARY

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

California developed a Beneficiary Mitigation Plan (Plan) with valuable public input with a priority to fully mitigate the excess NOx caused by Volkswagen's illegal actions while furthering the State's progress toward its zero-emission vehicle and climate protection goals. The Plan specifically identifies light-duty zero-emission vehicle (ZEV) infrastructure as a project funding category for the State's Environmental Mitigation Trust allocation. This funding request is part of the overall program to install light-duty ZEV charging and hydrogen fueling infrastructure, supporting ZEV adoption in California. The Plan allocates \$10 million in equipment funding with up to an additional 15 percent allocation for a reserve that includes administrative costs.

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

Light-duty ZEV infrastructure providers and property owners will be offered a competitive funding opportunity to help purchase, install, and maintain charging and hydrogen refueling stations, with a target of \$5 million for charging stations and \$5 million for hydrogen stations. The Bay Area Air Quality Management District (BAAQMD) will administer the funding statewide with the California Air Resources Board (CARB) providing program and fiscal oversight. As stated above, administrative costs will be additional and will not exceed 15 percent.

The funds will support projects that meet the fueling needs of a growing ZEV fleet and fill gaps not met by other funding programs. CARB is encouraging applicants to combine this funding with other available charging station funding sources for multi-unit dwellings and for available hydrogen fueling station funding sources at the state, federal, and local level. With these monies, California expects to fund or co-fund about 480 charging stations and about 6 hydrogen fueling stations. Increasing investment in light-duty ZEV infrastructure will result in emission reductions associated with increased ZEV adoption and usage. However, to avoid double-counting emission benefits that are being achieved through California's existing ZEV Regulation, vehicle incentives, infrastructure investments, and other supportive policies, no direct NOx reductions will be calculated for this funding source. The competitive solicitation for the charging station allocation will include criteria that ensures at least 50 percent of the funds in this category will go to projects that benefit disadvantaged or low-income communities.

Estimate of Anticipated NOx Reductions (5.2.3):

CARB is not quantifying NOx reductions from this funding category in order to avoid double-counting the reductions that are occurring from the combination of the existing ZEV Regulation, vehicle incentives, infrastructure investments, and other supportive policies. Therefore, no NOx reductions specific to this funding will be anticipated.

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):

California Air Resources Board (CARB)

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

As the lead agency acting on the Beneficiary's (California's) behalf, CARB has established a website for the State's implementation of its Trust allocation: <https://ww2.arb.ca.gov/our-work/programs/volkswagen-environmental-mitigation-trust-california>. The website includes the Beneficiary Mitigation Plan, an opportunity for the public to subscribe to an email list for announcements regarding Plan implementation, meeting schedules and materials, and information to assist funding applicants. CARB will additionally post to the website all approved funding requests, semi-annual reports to the Trustee, and annual reports to the State Legislature. CARB will provide access to all public records upon request unless the law provides an exemption from disclosure.

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

Trust funds will provide up to 100% of the cost of publicly accessible charging stations at government owned properties, up to 80 percent for public charging stations at privately owned properties, and up to 60 percent for non-public charging stations at workplaces and multi-unit dwellings. Funding will be provided to help purchase, install, operate, and maintain new charging stations for battery-electric vehicles. For hydrogen fueling stations, maximum funding amounts are up to 33 percent of the cost to purchase, install, and maintain a new hydrogen fueling station for fuel cell electric vehicles. Remaining costs will be paid by the station owners/operators and/or provided from other funding sources.

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

On February 16, 2018, CARB emailed and mailed notification letters to the government agency contacts listed in subparagraph 4.2.8. Each notification letter included information on fund availability, a description of the administration process, and instructions on accessing more information via CARB's website and subscribing to CARB's email list to remain informed.

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).

The competitive solicitation for the charging station allocation will include criteria that ensures at least 50 percent of the funds will go to projects that benefit disadvantaged or low-income communities. In addition, the funding for hydrogen fueling stations and charging stations will support the ongoing adoption of ZEVs by enhancing the availability of publicly accessible fueling infrastructure as well as the emission reductions associated with increased ZEV usage.

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 State of California, 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: 5/3/19

Edna Murphy
[NAME] Edna Murphy,
[TITLE] Chief Administration Division
California Air Resources Board

[LEAD AGENCY]

for

State of California

[BENEFICIARY]

Attachment B

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

Project Management Plan

Project Schedule and Milestones

Task	Start Date	Completion Date
Project Planning and Development	October 2017	June 2019
Solicit for Applications (includes outreach to potential applicants)	June 2019	March 2021
Application Selection for Projects to be Funded	August 2019	September 2021
Quarterly and Semi-Annual Reports	Every 3-6 months or when requesting additional funds, whichever is sooner, through completion of the project	
Generate Contracts for Selected Applicants	December 2019	December 2021
Repeat Solicitation through contracts with selected applicants as needed if Unspent Direct Project Funds Remain	N/A	N/A
Project monitoring, inspections, oversight	July 2019	May 2028
Final Report		May 2028

Project Budget

Period of Performance: Oct 2017 - May 2028			
Category	Total Approved Budget	Share of Total Budget to be Funded by the Trust	Cost Share (if applicable)
Equipment	\$10,000,000	\$10,000,000	
BAAQMD Administrative Costs Program development, outreach, administration	\$1,000,00	\$1,000,000	
CARB Administrative Costs Program planning, development, oversight	\$339,585	\$339,585	
Total	\$11,339,585	\$11,339,585	

CARB expects about 480 charging stations and about 6 hydrogen fueling stations will be funded. The budgeted equipment funds above will provide up to 100 percent of the cost of publicly accessible charging stations at government owned properties, up to 80 percent for public charging stations at privately owned properties, and up to 60 percent for non-public charging stations at workplaces and multi-unit dwellings. Funding will be provided to help purchase, install, operate, and maintain new charging stations for battery-electric vehicles. For hydrogen fueling stations, maximum funding amounts are up to 33 percent of the cost to purchase, install, and maintain a new hydrogen fueling station for fuel cell electric vehicles. Remaining costs will be paid by the station owners/operators and/or provided from other funding sources.

Projected Annual Trust Allocations

	2019	2020	2021	2022	2023	2024	2025	2026	2027
1. Anticipated Annual Project Funding Request to be paid through the Trust	\$785,074	\$10,000,000	\$102,135	\$102,863	\$76,448	\$76,983	\$68,559	\$18,545	\$7,437
2. Anticipated Annual Cost Share	\$0	\$1,250,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0
3. Anticipated Total Project Funding by Year (line 1 plus line 2)	\$785,074	\$11,250,000	\$102,135	\$102,863	\$76,448	\$76,983	\$68,559	\$18,545	\$7,437
4. Cumulative Trustee Payments Made to Date Against Cumulative Approved Beneficiary Allocation	\$0	\$785,074	\$10,785,074	\$10,887,209	\$10,990,072	\$11,066,520	\$11,143,503	\$11,212,062	\$11,230,607
5. Current Beneficiary Project Funding to be paid through the Trust (line 1)	\$785,074	\$10,000,000	\$102,135	\$102,863	\$76,448	\$76,983	\$68,559	\$18,545	\$7,437
6. Total Funding Allocated to for Beneficiary, inclusive of Current Action by Year (line 4 plus line 5)	\$785,074	\$10,785,074	\$10,887,209	\$10,990,072	\$11,066,520	\$11,143,503	\$11,212,062	\$11,230,607	\$11,238,044
7. Beneficiary Share of Estimated Funds Remaining in Trust	\$422,636,320	\$421,851,246	\$411,851,246	\$411,749,111	\$411,646,248	\$411,569,800	\$411,492,817	\$411,424,258	\$411,405,713
8. Net Beneficiary Funds Remaining in Trust, net of cumulative Beneficiary Funding Actions (line 7 minus line 5)	\$421,851,246	\$411,851,246	\$411,749,111	\$411,646,248	\$411,569,800	\$411,492,817	\$411,424,258	\$411,405,713	\$411,398,276

Budget Attachment

BAAQMD's Administrative Costs

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	TOTAL
Estimated Staffing Hours	1,760	547	339	339	339	245	245	204	23	12	4,053
Estimated Staffing Costs (including indirect costs for admin, supplies, facilities, etc.)	\$ 344,453	\$ 101,420	\$ 62,116	\$ 62,116	\$ 62,116	\$ 44,976	\$ 44,976	\$ 37,877	\$ 4,412	\$ 2,370	
Other admin costs (including outreach, subcontracts, travel, etc.)	\$ 135,832	\$ 38,331	\$ 8,326	\$ 8,326	\$ 8,326	\$ 7,857	\$ 7,857	\$ 7,386	\$ 6,774	\$ 4,153	
	\$ 480,285	\$ 139,751	\$ 70,442	\$ 70,442	\$ 70,442	\$ 52,833	\$ 52,833	\$ 45,263	\$ 11,186	\$ 6,523	\$ 1,000,000

Total Estimated Costs

\$ 1,000,000.00

CARB's Administrative Costs

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	TOTAL HOURS
Estimated Staffing Hours	900	475	245	245	245	175	175	165	50	5	2,680
Estimated Staffing Costs (including indirect costs for admin, supplies, facilities, etc.)	\$ 106,084	\$ 57,388	\$ 30,340	\$ 31,099	\$ 31,876	\$ 23,338	\$ 23,921	\$ 23,118	\$ 7,181	\$ 736	\$ 335,083

Travel (includes meetings, on-site program reviews and audits, facility fees)

\$ 4,502

Total Estimated Costs

\$ 339,585

Overall Total Estimated Admin Costs

\$ 1,339,585

Equipment Funds \$ 10,000,000 Total (Equipment/Admin) \$ 11,339,585

Attachment C

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

As the Lead Agency acting on California's behalf, CARB will provide reporting on eligible mitigation action implementation in three ways: 1) semi-annual reports to the Trustee as required by subparagraph 5.3 of the Environmental Mitigation Trust Agreement for State Beneficiaries; 2) annual reports to the State Legislature as required by California Senate Bill 92 (Committee on Budgets and Fiscal Review, Chapter 26, Statutes of 2017); and 3) timely updates to CARB's Mitigation Trust implementation website at <https://ww2.arb.ca.gov/our-work/programs/volkswagen-environmental-mitigation-trust-california>.

Attachment D

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

Category	Equipment	Installation
Level 1 Charging Station	\$300 - \$1,500	\$0 - \$3,000
Level 2 Charging Station	\$400 - \$6,500	\$600 - \$12,700
DC Fast Charging Station	\$10,000 - \$40,000	\$4,000 - \$51,000
Hydrogen Fueling Station	\$1,500,000 - \$4,600,000	

Cost estimates were provided by the California Energy Commission and the Department of Energy. Hydrogen fueling station costs above include equipment and installation for capacities up to 400 kilograms (kg) per day for gaseous and liquid options and less than 200 kg per day for electrolysis.