

APPENDIX D-4
Beneficiary Eligible Mitigation Action Certification

BENEFICIARY ELIGIBLE MITIGATION ACTION CERTIFICATION

Beneficiary Yocha Dehe Wintun Nation

Lead Agency Authorized to Act on Behalf of the Beneficiary Yocha Dehe Environmental Department
 (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:	Yocha Dehe Wintun Nation Truck Replacement Project
Beneficiary's Project ID:	2019-YDWN-VW-001
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 checked="" type="checkbox"/> Beneficiary <input type="checkbox"/> Other (specify): _____
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): <u>Item 6 (Local Freight Trucks)</u>
Action Type	<input type="checkbox"/> Item 10 - DERA Option (5.2.12) (specify and attach DERA Proposal):
Detailed Description of Mitigation Action Item Including Community and Air Quality Benefits (5.2.2): See addendum.	
Estimate of Anticipated NOx Reductions (5.2.3): See addendum.	
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 addendum.	
Describe how the Beneficiary will make documentation publicly available (5.2.7.2). See addendum.	
Describe any cost share requirement to be placed on each NOx source proposed to be mitigated (5.2.8). See addendum.	
Describe how the Beneficiary complied with subparagraph 4.2.8, related to notice to U.S. Government Agencies (5.2.9). See addendum.	

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).

N/A

ATTACHMENTS
(CHECK BOX IF ATTACHED)

- | | | |
|-------------------------------------|--------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> | Attachment A | Funding Request and Direction. |
| <input checked="" type="checkbox"/> | Attachment B | Eligible Mitigation Action Management Plan Including Detailed Budget and Implementation and Expenditures Timeline (5.2.4). |
| <input checked="" type="checkbox"/> | Attachment C | Detailed Plan for Reporting on Eligible Mitigation Action Implementation (5.2.11). |
| <input checked="" type="checkbox"/> | 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.] |
| <input type="checkbox"/> | Attachment E | DERA Option (5.2.12). [Attach only if using DERA option.] |
| <input type="checkbox"/> | 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 Yocha Dehe Wintun Nation, 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: 08/30/2019

Emily Drewek, Director

[NAME]

[TITLE]

SIGNATURE: 

Yocha Dehe Environmental Dept.

[LEAD AGENCY]

for

Yocha Dehe Wintun Nation

[BENEFICIARY]

ATTACHMENT B

MANAGEMENT PLAN

(Attachment to Appendix D-4, Beneficiary Eligible Mitigation Action Certification, pursuant to Paragraph 5.2.4 of the Environmental Mitigation Trust Agreement)

Period of Performance:

Second Funding Cycle (2019)

Timeline:

Milestone	Date
Trustee allocates funds for approved project	11/13/2019
Lead Agency initiates project start and purchase of vehicles.	1/1/2020
First report to Trustee	5/1/2020
Lead Agency reports project completion	11/13/2020

Budget:

Budget Category	Total
Acquisition of 2020 Freightliner M2106 (Box Truck)	\$88,585
Acquisition of 2018 Freightliner M2106 (Water Truck)	\$87,085
Yocha Dehe Wintun Nation Cost Share	\$16,595
Project Total	\$175,670

Funding Cycle Allocation:

\$159,075

ATTACHMENT C

REPORTING PLAN

(Attachment to Appendix D-4, Beneficiary Eligible Mitigation Action Certification, pursuant to Paragraph 5.2.11 of the Environmental Mitigation Trust Agreement)

No later than six months after receipt of the first disbursement of Trust Assets, and thereafter no later than January 31 (for the preceding July 1 to December 31) and July 31 (for the preceding January 1 to June 30) of each year, the Lead Agency will submit to the Trustee for each EMA a semi-annual report describing the progress implementing the EMA. Each report will include a summary of all costs expended through the reporting date, as well as a complete description of the status of the EMA, including actual or projected termination date, development, implementation, and any modifications. Each report will be signed by an official with authority to submit the report, and will contain an attestation that the information is true and correct, and that the submission is made under penalty of perjury.

ATTACHMENT D

COST ESTIMATES

(Attachment to Appendix D-4, Beneficiary Eligible Mitigation Action Certification, pursuant to Paragraph 5.2.6 of the Environmental Mitigation Trust Agreement)

Detailed cost estimates from selected or potential vendors for each proposed expenditure exceeding \$25,000 are attached.



SACRAMENTO TRUCK CENTER

California
TRUCK CENTERS
TRUCK SALES ORDER

FINANCE DEPT. USE ONLY:

100 OPPORTUNITY ST. SACRAMENTO, CA 95838
LOCAL: (916) 286-2000

SALESMAN: **Mike Hohesiel**

DATE: **8/12/2019**

CUSTOMER NAME: **Cache Creek Casino**

CUSTOMER NUMBER:

MAILING ADDRESS: **14455 Highway 16**

CITY, ST, ZIP: **Brooks CA 95806**

PHYSICAL ADDRESS:

LIEN HOLDER:

MAIN PHONE #: **530-796-6288**

EMAIL ADDRESS:

INSURANCE:

USED VEHICLE TRADE IN / AND OTHER CREDITS

VIN NUMBER MILES

YEAR: MAKE: MODEL

USED VEHICLE TRADE IN:

BALANCE OWED ON TRADE:

NET ALLOWANCE ON TRADE:

CASH DOWN:

TOTAL CREDIT:

DEALER INSTALLED / ACCESSORIES

TOTAL ACCESSORIES

OPTIONAL EXTENDED WARRANTY / NON TAXABLE

TOTAL EXTENDED WARRANTY:

FET CALCULATION

SELLING PRICE \$88,500.00

FET 12%

FET SUB:

LESS: APU

LESS: TIRE

FET TOTAL:

VEHICLE(S) BEING PURCHASED

YEAR MAKE MODEL

2020 Freightliner M2106

GVWR# GCW# AXLES

26,000 2

BODY TYPE CONFIGURATION LICENSE PLATE

VAN (VN) STRAIGHT TRUCK NEED 2 PLATES

VOCATION DEL. DATE

PICKUP & DELIVERY/SHORT HAUL

STOCK# VIN# NEW OR USED

Order

VEHICLE PRICING

BASE PRICE PER VEHICLE: \$88,500.00

TOTAL ACCESSORIES

FET, 12%

CASH PRICE OF VEHICLE, ACCESSORIES, AND F.E.T \$88,500.00

TAX RATE ESTIMATED LICENSE

STATE & LOCAL TAXES

RESALE NUMBER

CA TIRE RECYCLING FEE

DOC FEE \$85.00

OUT OF STATE DELIVERY

TOTAL EXTENDED WARRANTY / NON TAXABLE

TOTAL SALES PRICE \$88,585.00

CASH DOWN OR TRADE-IN

UN-PAID CASH BALANCE DUE ON DELIVERY* \$88,585.00

*PRICE PER UNIT

ADDITIONAL COMMENTS: **2020 Freightliner M2106 with 26' Van Box and Tuckaway Lift Gate.**

PURCHASER'S SIGNATURE

DEALER REPRESENTATIVE



SACRAMENTO TRUCK CENTER

California
TRUCK CENTERS
TRUCK SALES ORDER

FINANCE DEPT. USE ONLY:

100 OPPORTUNITY ST. SACRAMENTO, CA 95838
LOCAL: (916) 285-2000

SALESMAN: **Mike Hohelsel**

DATE: **8/12/2018**

CUSTOMER NAME: **Cach Creek Casino Resort**

CUSTOMER NUMBER:

MAILING ADDRESS: **1455 Highway 16**

CITY, ST, ZIP: **Brooks CA 95806**

PHYSICAL ADDRESS:

LIEN HOLDER:

MAIN PHONE #: **530-786-5288**

EMAIL ADDRESS:

INSURANCE:

USED VEHICLE TRADE IN / AND OTHER CREDITS

VIN NUMBER MILES

YEAR MAKE MODEL

USED VEHICLE TRADE IN:

BALANCE OWED ON TRADE:

NET ALLOWANCE ON TRADE:

CASH DOWN:

TOTAL CREDIT:

DEALER INSTALLED / ACCESSORIES

TOTAL ACCESSORIES

OPTIONAL EXTENDED WARRANTY / NON TAXABLE

TOTAL EXTENDED WARRANTY

FET CALCULATION

SELLING PRICE \$87,000.00

FET 12%

FET SUB:

LESS: APU

LESS: TIRE

FET TOTAL:

VEHICLE(S) BEING PURCHASED

YEAR MAKE MODEL

2018 Freightliner M2-106

GVWR# GCW# AXLES

26,000 26,000 2

BODY TYPE CONFIGURATION LICENSE PLATE

TANK (TM) STRAIGHT TRUCK NEED 2 PLATES

VOCATION DEL. DATE

CONSTRUCTION

STOCK# VIN# NEW OR USED

3ALACWFC0JDJZ1674 NEW

VEHICLE PRICING

BASE PRICE PER VEHICLE: \$87,000.00

TOTAL ACCESSORIES

FET, 12%

CASH PRICE of VEHICLE, ACCESSORIES, AND F.E.T \$87,000.00

TAX RATE ESTIMATED LICENSE

STATE & LOCAL TAXES

RESALE NUMBER

CA TIRE RECYCLING FEE

DOC FEE \$85.00

OUT OF STATE DELIVERY

TOTAL EXTENDED WARRANTY / NON TAXABLE

TOTAL SALES PRICE \$87,085.00

CASH DOWN OR TRADE-IN

UN-PAID CASH BALANCE DUE ON DELIVERY* \$87,085.00

*PRICE PER UNIT

ADDITIONAL COMMENTS: **2018 M2 2,000 GA Water Truck, 2 front spray heads, 2 rear spray heads, 50' Hose Reel**

Price does not include Sales Tax or any DMV License Fees.

PURCHASER'S SIGNATURE



DEALER REPRESENTATIVE

ADDENDUM TO REVISED APPENDIX D-4

5.2.2

During the second funding cycle of the Volkswagen Settlement Environmental Mitigation Trust for Indian Tribes, the Yocha Dehe Wintun Nation (Tribe) will replace two (2) Tribal government-owned trucks (Item 6: *Medium Trucks*), identified in **Table 1**, with two (2) new, low-emission diesel trucks (**Table 2**). The 2000 International Water Truck shows as a 2001 in the VIN decoder, but is a confirmed 2000 model year (**Figure 1**).

The old trucks will be “scrapped,” which is understood by the Tribe to mean to render inoperable and available for recycling – at a minimum by cutting a 3-inch hole in the engine block, and for vehicles to be replaced as part of this project, by cutting the vehicle’s frame rails completely in half to disable the chassis. Certificates of destruction will be obtained for the scrapped vehicles.

TABLE 1
TRIBAL GOVERNMENT-OWNED TRUCKS TO BE REPLACED

Year	Make	Model	Description	VIN
1998	Freightliner	FL70	Box Truck	1FV3HFAC2WH819950
2000	International	4700	Water Truck	1HTSCABPX1H334686

TABLE 2
NEW TRUCKS TO BE ACQUIRED

Year	Make	Model	Description	Quantity	Total Cost
2020	Freightliner	M2 106	Box Truck	1	\$88,585
2018	Freightliner	M2 106	Water Truck	1	\$87,085

The box truck (2020 Freightliner) will be equipped with a 26-foot van box and a tuck-away lift gate. The water truck (2018 Freightliner) will be equipped with a 2,000-gallon tank, two front spray heads, two rear spray heads, and a 50-foot hose reel. The prices identified in **Table 2** do not include sales tax or vehicle registration fees.

FIGURE 1



Community and air quality benefits resulting from the truck replacement project will include reductions in air pollution, fuel consumption, and fuel costs. The water truck will also provide particulate matter (PM) reductions, as it will be used to control dust on dirt roads.

5.2.3

The Eligible Mitigation Action (EMA) will result in a significant reduction in NO_x emissions, other pollutants, and fuel consumption. According to the U.S. Environmental Protection Agency's Diesel Emissions Quantifier (DEQ), the EMA will result in a 94.2% annual reduction in NO_x emissions (an annual reduction of 0.177 short tons), as well as annual reductions of PM_{2.5} (98.2%), HC (95.3%), CO (93.0%), CO₂ (95.6%), and fuel (95.6%). The DEQ output is included in this addendum, on the following pages.

5.2.7.1

The Tribe's Finance Department and Environmental Department will be responsible for reviewing and auditing expenditures of EMA funds to ensure compliance with applicable law.

5.2.7.2

Yocha Dehe Wintun Nation will establish a webpage dedicated to the funding received from the VW Settlement Trust, which will include a link for member of public to request additional information and documents related to the funding request and expenditure of funds. Yocha Dehe Wintun Nation will endeavor to respond to such requests within ten (10) business days and, when documents are requested, will advise the individual within that timeframe of the procedure for reviewing such documents.

Yocha Dehe Wintun Nation follows Tribal law and policy for matters governing the publication of confidential business information and personally identifiable information, and exemptions thereto.

5.2.8

This project will involve a cost share. The total cost of the project is \$175,670. It has been determined that that Yocha Dehe Wintun Nation is eligible for \$159,075 from the Environmental Mitigation Trust in the second funding cycle. The Tribe will provide the remaining \$16,595.

5.2.9

The Yocha Dehe Wintun Nation has complied with Section 4.2.8 of the Indian Tribe Trust Agreement. No U.S. Government Agencies commented within thirty (30) days after the Tribe was deemed a beneficiary.

Emission Results and Health Benefits for Project: VW Replacements

Emission Results

Here are the combined results for all groups and upgrades entered for your project.¹

<i>Annual Results (short tons)²</i>	NO_x	PM2.5	HC	CO	CO₂	Fuel³
Baseline for Upgraded Vehicles/Engines	0.188	0.009	0.027	0.069	32.9	2,926
Amount Reduced After Upgrades	0.177	0.009	0.026	0.064	31.5	2,796
Percent Reduced After Upgrades	94.2%	98.2%	95.3%	93.0%	95.6%	95.6%

<i>Lifetime Results (short tons)²</i>	NO_x	PM2.5	HC	CO	CO₂	Fuel³
Baseline for Upgraded Vehicles/Engines	0.188	0.009	0.027	0.069	32.9	2,926
Amount Reduced After Upgrades	0.177	0.009	0.026	0.064	31.5	2,796
Percent Reduced After Upgrades	94.2%	98.2%	95.3%	93.0%	95.6%	95.6%

Lifetime Cost Effectiveness (\$/short ton reduced)

Capital Cost Effectiveness⁴ (unit & labor costs only)	\$501,077	\$9,854,039	\$3,413,086	\$1,383,341	\$2,816
Total Cost Effectiveness⁴ (includes all project costs)	\$0	\$0	\$0	\$0	\$0

¹ Emissions from the electrical grid are not included in the results.

² 1 short ton = 2000 lbs.

³ In gallons; fuels other than ULSD have been converted to ULSD-equivalent gallons.

⁴ Cost effectiveness estimates include only the costs which you have entered.

Remaining Life

Water Truck: Short Haul - Single Unit Class 6-7	1 years
Replace Box Truck: Short Haul - Single Unit Class 6-7	1 years

Logged in as Amanda | [logout](#) | [help](#)
 Note: Your session will time out after 30 minutes of inactivity.
 For best results, do not use your browser's "back" arrow.

Update Project Information

Project Name	VW Replacements
---------------------	-----------------

Group Name: Water Truck

Onroad Short Haul - Single Unit Class 6-7 1	Engine Model Year 2000 2020 1	ULSD Upgrade Year 1,463 Remaining Life 5,000 30	Type Target Class or Equipment Quantity Fuel Type Annual Fuel Gallons Annual Miles Traveled Annual Idling Hours
------------------------------------------------------	-----------------------------------------------------------	-----------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Upgrades to Water Truck

Upgrade	New Model Year	New Fuel Volume	Cost per Unit		Percent Reduction				
			Upgrade	Labor	NO _x	PM2.5	HC	CO	CO ₂
Vehicle Replacement - Diesel	2018	50	\$0	\$0	91.3	98.2	95.3	92.9	-

Group Name: Replace Box Truck

Onroad Short Haul - Single Unit Class 6-7 1	Engine Model Year 1998 2020 1	ULSD Upgrade Year 1,463 Remaining Life 10,000 30	Type Target Class or Equipment Quantity Fuel Type Annual Fuel Gallons Annual Miles Traveled Annual Idling Hours
------------------------------------------------------	-----------------------------------------------------------	------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Upgrades to Replace Box Truck

Upgrade	New Model Year	New Fuel Volume	Cost per Unit		Percent Reduction				
			Upgrade	Labor	NO _x	PM2.5	HC	CO	CO ₂
Vehicle Replacement - Diesel	2020	80	\$88,585	\$0	95	98.2	95.3	93	-