

**APPENDIX D-4**  
**Beneficiary Eligible Mitigation Action Certification**

2020 VRP\_EMA6\_Class 4-7 Local Freight Truck

Project ID: 2020-04

June 30, 2020

**BENEFICIARY ELIGIBLE MITIGATION ACTION CERTIFICATION**

Beneficiary State of Idaho

Lead Agency Authorized to Act on Behalf of the Beneficiary Idaho Department of Environmental Quality (DEQ)  
*(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>	2020 VRP_EMA6_Class 4-7 Local Freight Truck
<b>Beneficiary's Project ID:</b>	2020 - 4
<b>Funding Request No.</b>	<i>(sequential)</i>
<b>Request Type:</b> (select one or more)	<input checked="" type="checkbox"/> Reimbursement <input type="checkbox"/> Advance <input type="checkbox"/> Other (specify): _____
<b>Payment to be made to:</b> (select one or more)	<input type="checkbox"/> Beneficiary <input checked="" type="checkbox"/> Other (specify): <u>Project Sponsor</u>
<b>Funding Request &amp; Direction (Attachment A)</b>	<input type="checkbox"/> Attached to this Certification <input checked="" type="checkbox"/> To be Provided Separately

**SUMMARY**

<b>Eligible Mitigation Action</b>	<input checked="" type="checkbox"/> Appendix D-2 item (specify): <u>EMA - 6 Class 4-7 Local Freight Truck, Vehicle Replacement</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 (5.2.1):</b> See attached.	
<b>Detailed Description of Mitigation Action Item Including Community and Air Quality Benefits (5.2.2):</b> See attached.	
<b>Estimate of Anticipated NOx Reductions (5.2.3):</b> See attached.	
<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> See attached.	
<b>Describe how the Beneficiary will make documentation publicly available (5.2.7.2).</b> <b>See attached.</b>	
<b>Describe any cost share requirement to be placed on each NOx source proposed to be mitigated (5.2.8).</b> See attached.	
<b>Describe how the Beneficiary complied with subparagraph 4.2.8, related to notice to U.S. Government Agencies (5.2.9).</b> <b>See attached.</b>	

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.]

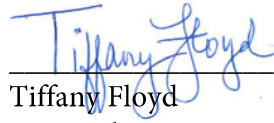
**CERTIFICATIONS**

By submitting this application, the Lead Agency makes the following certifications:

1. This application is submitted on behalf of Beneficiary State of Idaho, 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:** 7/1/2020



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Tiffany Floyd  
Air Quality Division Administrator  
Idaho Department of Environmental Quality

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**[LEAD AGENCY]**

**for**

**State of Idaho**

\_\_\_\_\_  
**[BENEFICIARY]**

**BENEFICIARY ELIGIBLE MITIGATION ACTION CERTIFICATION**  
**EMA-6\_Class 4 – 7 Local Freight Truck – Vehicle Replacement Program**  
**State of Idaho, Department of Environmental Quality**

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**SUMMARY**

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

This project is the Idaho DEQ Vehicle Replacement Program (VRP) for Class 4-7 local freight trucks. The State of Idaho Beneficiary Mitigation Plan (BMP), posted in May 2018 identified environmental priorities for the state that mitigation actions as described in Appendix D-2 could address, including air quality and public health. As described in Section 4.2 of Idaho’s Beneficiary Mitigation Plan, Idaho will use trust funds as a rebate toward Project Sponsors’ replacement of eligible buses, including Class 4-7 local freight trucks.

The Idaho DEQ has completed an application period for DEQ’s Vehicle Replacement Program which includes vehicles under Eligible Mitigation Action (EMA) 1, 2, 6, and 10. This D-4 is specific to the two applications received associated with EMA-6; the funding request to distribute funds from the Trust directly to the Project Sponsor will be sent as the projects are completed.

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

The VRP for EMA-6, Class 4-7 local freight trucks will provide 25% of the cost to replace eligible local freight trucks in the form of a rebate once the new vehicles are purchased and the vehicles being replaced are properly scrapped. The Idaho BMP outlined a plan to be used for project selection scoring criteria that prioritizes areas designated as air quality priority areas, prioritizes counties designated as NOx emission priority counties, as well as those projects that will impact areas with larger sensitive populations. The project funded under EMA-2 includes an area within Idaho that is currently designated as non-attainment for PM2.5 (Franklin County). This project will reduce particulate matter emissions and ozone precursor emissions in these regions of poor air quality.

**Estimate of Anticipated NOx Reductions (5.2.3):**

For this particular D-4 associated with EMA-6 for an eligible local freight truck, the proposed replacement would reduce diesel engine emissions of nitrogen oxides, particulate matter, carbon monoxide, hydrocarbons, and carbon dioxide.

The estimated emission reductions were calculated for each application received using the EPA’s Diesel Emission Quantifier (“Quantifier”) and are based on information gathered on each application. Annual mileage and fuel usage for each vehicle was input into the model. Some additional assumptions or special notes related to the Quantifier include:

- Estimated years of remaining life were calculated using useful remaining vehicle life of 35-years, based on stakeholder interaction and feedback.
- Idling hours were based on the Quantifier Default Values found in EPA document number EPA-420-B-10-035, which may be found here: <http://purl.fdlp.gov/GPO/gpo18652>
- ‘Annual miles driven’ information is provided by the Project Sponsor for each vehicle on the application.
- Default annual idling hours provided in the Quantifier were utilized.

The Idaho DEQ has completed an application process associated with a Vehicle Replacement Program; applications were received for Mitigation Actions 1, 2, 6, and 10. Applications received include total project costs of \$23,071,756 of which \$8,290,395 has been requested in VW Settlement Trust funding.

The estimated lifetime emission from these applications if they were all funded is 209.65 tons of NOx at a cost of \$128,788/ton; if all applications were funded, the funding would go toward replacing 85 vehicles.

For this specific D-4, associated with EMA-6 and Class 4-7 eligible local freight trucks, funding would go toward the replacement of two vehicles to be replaced with new diesel trucks. If this application is funded, the anticipated total lifetime emission reduction is approximately 1.97 tons of NOx, with an average cost of \$27,126 per ton on NOx emission reduced.

**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):**

The Idaho Department of Environmental Quality, Air Quality Division

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

As stated in Paragraph 7 of Idaho’s Appendix D-3 filing:

(i) Information obtained by the Beneficiary is subject to public disclosure pursuant to the provisions of Idaho’s Public Records Act, Chapter 1, Title 74, Idaho Code, and IDAPA 58.01.21, Rules Governing the Protection and Disclosure of Records in the Possession of the Idaho Department of Environmental Quality.

(ii) The Idaho DEQ has established a ‘Volkswagen Diesel Settlement’ website, which may be found at [www.deq.idaho.gov/vw-settlement](http://www.deq.idaho.gov/vw-settlement). The website provides information regarding the State Trust Agreement, Idaho’s Beneficiary Mitigation Plan, as well as the Idaho specific funding programs available. Documents submitted by Idaho DEQ to the Trustee will be available to the public on the DEQ’s VW Settlement website, including those submitted in support of each funding request. Stakeholders may subscribe to the page and receive automatic updates when new information is posted to the website. Information will also be available to the public on the Trustee website at <http://www.vwenvironmentalmitigationtrust.com>.

(iii) In accordance with Sections 74-101 through 74-119, Idaho Code, and IDAPA 58.01.21, Rules Governing the Protection and Disclosure of Records in the Possession of the Idaho Department of Environmental Quality, any information submitted to the Beneficiary may be claimed as confidential by the submitter. It shall be the responsibility of the submitter to give notice of the existence of a claim of confidentiality on each page or other portion of information at the time of submittal, and such person shall have the burden of demonstrating that the information is confidential and exempt from disclosure under Idaho law.

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

The cost share requirement for this application is based on the follow table included in the DEQ application guide. Total estimated cost share dollars for EMA-6 is included in Attachment B, Project Budget.

**EMA 6—Class 4-7 local freight trucks (medium trucks).**

Replacement	Diesel	Alternate Fuel	All Electric <sup>a</sup>
Government	40%	40%	45%
Nongovernment	25%	25% <sup>b</sup>	45%

a. DEQ will also fund 45% of the cost of infrastructure for charging new all-electric vehicles.

b. 40% for Drayage.

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

Idaho DEQ e-mailed Trust related documentation to recipients specified in subparagraph 4.2.8 on February 13, 2018.

**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).**

DEQ will review and score all completed applications received for eligible projects by following a scoring matrix provided in the application guidance document attached to the Vehicle Replacement Program application. Applications from areas designated as nonattainment, maintenance areas, or areas of concern will receive more points in the application review process. Also, projects in counties with higher diesel oxides of nitrogen (NOx) emissions currently impacting the public will be awarded points in this category. Points are scored based on a range of NOx emissions for the associated county, with more points being awarded to counties exposed to higher levels of NOx emissions.

The projects funded under this EMA-1 D-4 will include areas within Idaho that are currently designated as non-attainment for PM2.5 (Franklin County), and that DEQ has identified as areas of concern (i.e., areas that have concentration near the NAAQS), including Ada, Canyon, and Lemhi counties. A portion of Franklin County, Logan UT/ID NAA, was designated as nonattainment for the 2006 24-hour PM2.5 NAAQS in 2009. Ada County has been identified by EPA as an area where the population is exposed to more than 2.0 µg/m<sup>3</sup> of diesel PM2.5 emissions. DEQ has identified Lemhi County as an area of concern for PM2.5. Projects selected will reduce particulate matter emissions and ozone precursor emissions in these regions of poor air quality. While projects will be completed in these counties, DEQ will provide rebates statewide as applications are approved.

**ATTACHMENT B****Eligible Mitigation Action Plan including Detailed Budget and Implementation and Expenditures Timeline (5.2.4)**

There will be two types of funding requests associated with this EMA-6 D-4, including the following:

1. Reimbursement funding request for Idaho Department of Environmental Quality (DEQ), for the administration of DEQ's Vehicle Replacement Program.
2. Rebate funding request from the Trust directly to the Project Sponsor once all requirements of the VRP have been satisfied.

**PROJECT SCHEDULE AND MILESTONES**

<b>Project Step</b>	<b>Milestone</b>	<b>Date</b>
1	Lead Agency announces 2020 Vehicle Replacement Program (VRP) by opening a 60-day application period. Applications period is subsequently extended to allow for potential COVID-related delays in Project Sponsors' application submissions.	01/29/2020
2	Lead Agency's 2020 VRP application period closes; all Project Sponsors' applications submitted to Lead Agency.	06/01/2020
3	Lead Agency submits D-4 to Trustee.	06/30/2020
4	Lead Agency provides initial funding decisions alerting Project Sponsors of application selection to receive funding.	07/30/2020
5	Trustee Approves D-4.	08/30/2020
6	Lead Agency develops agreement with Project Sponsors regarding VRP projects, including eligible rebate amount, cost-share and scragpage requirements, and terms and conditions.	07/30/2020 – 08/30/2020
7	Project Sponsors purchases new vehicle(s) and scraps vehicle(s) to be replaced, submits a DEQ VRP Rebate Request Form accompanied with detailed invoices for all claimed project costs, documentation for vehicle purchase(s) and vehicle scragpage, and required project completion certification documents to Lead Agency.	09/01/2020 (or Step 6 + 6-12 months
8	Lead Agency submits Attachment A, Funding Request and Direction, for payment(s) associated with administrative costs on a quarterly basis, beginning at Lead Agency's discretion.	Beginning approximately April 2021, and quarterly thereafter.
9	Lead Agency completes review of Project Sponsor rebate requests, and submits Attachment A, Funding Request and Direction, to Trustee for rebate reimbursement payment directly to Project Sponsor.	Step 7 + 5-10 business days.
10	Trustee acknowledges receipt of Attachment A, Funding Request and Direction, and completes reimbursement payment to Project Sponsor.	Step 9 + 14 calendar days
11	Project Sponsor certifies project completion.	Step 10 + 5 business days
12	Lead Agency reports project completion.	Step 11 + 5 business days



<b>PROJECT BUDGET</b>			
<b>Period of Performance</b>			
<b>Budget Category</b>	<b>Total Approved Budget</b>	<b>Share of Total Budget to be Funded by the Trust</b>	<b>Cost-Share, Project Sponsors</b>
1. Equipment Expenditure	\$203,627	\$53,379	\$150,248
2. Contractor Support <i>(Provide List of Approved Contractors as Attachment with approved funding ceilings)</i>	\$	\$	\$
3. Subrecipient Support <i>(Provide List of Approved Subrecipients or Grant Awardees as Attachment with approved funding ceilings)</i>	\$	\$	\$
4. Administrative <sup>1</sup>	\$11,718	\$11,716	\$
<b>Project Totals</b>	<b>\$215,345</b>	<b>\$65,097</b>	<b>\$150,248</b>
<b>Percentage</b>	<b>%</b>	<b>%</b>	<b>%</b>

1. Subject to Appendix D-2 15% Administrative Cap

<b>PROJECTED TRUST ALLOCATIONS: EMA-6</b>			
	<b>2020</b>	<b>2021</b>	<b>2022</b>
1. Anticipated Annual Project Funding Request to be paid through the Trust	\$31,166*	\$33,391*	\$0
2. Anticipated Annual Cost Share	\$37,961	112,287	\$0
3. Anticipated Total Project Funding by Year (line 1 plus line 2)	\$69,127	\$146,218	\$0
4. Cumulative Trustee Payments Made to Date Against Cumulative Approved Beneficiary Allocation	\$15,144,937	\$15,176,103	\$15,209,494
5. Current Beneficiary Project Funding to be paid through the Trust (line 1)	\$31,166*	\$33,391*	\$0
6. Total Funding Allocated to for Beneficiary, inclusive of Current Action by Year (line 4 plus line 5)	\$15,176,103	\$15,209,494	\$15,209,494
7. Beneficiary Share of Estimated Funds in Trust	\$17,349,037	\$17,349,037	\$17,349,037
8. Net Beneficiary Funds Remaining in Trust, net of cumulative Beneficiary Funding Actions (line 7 minus line 6)	\$2,172,934	\$2,139,543	\$2,139,543

\* Includes 1/2 of Administrative Budget Category

## **ATTACHMENT C**

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

The DEQ will provide detailed reporting on this funding request through the following:

1. Timely updates to the DEQ's Volkswagen Diesel Settlement website.
2. Semi-annual reporting to the Trustee as required by subparagraph 5.3 of the Environmental Mitigation Trust for State Beneficiaries.

#### **DEQ Website**

The Idaho Department of Environmental Quality maintains a website describing the DEQ's activities associated with the Volkswagen Diesel Emissions Environmental Mitigation Trust for State Beneficiaries. The website may be found here: <http://www.deq.idaho.gov/vw-settlement>. Information associated with DEQ's VW programs, applications and application guides, as well as a description of the VW Beneficiary Mitigation Plan, and community outreach activities. Documents submitted by Idaho DEQ to the Trustee will be available to the public on the DEQ's VW Settlement website, including those submitted in support of each funding request. Stakeholders may subscribe to and receive automatic updates when new information is posted to the website.

All application material, reimbursement requests, and required documentation submitted by applicants and funding recipients for the DEQ's DERA program are archived in the DEQ Enterprise Content Management System and are available to the public through the State Online Public Records Request, which may be accessed through the DEQ online form (<http://www.deq.idaho.gov/contact-us/public-records-request/online-prr-request-form/>).

#### **Semi-Annual Reports to the Trustee**

As required by subparagraph 5.3 of the Environmental Mitigation Trust Agreement for State Beneficiaries, DEQ will submit a report to the Trustee within 6 months of the first disbursement and thereafter no later than January 30 and July 30 for the preceding 6-month periods. These reports will describe the progress implementing this and any other Eligible Mitigation Action ongoing during the reporting period. These reports will include a summary of all costs expended and a complete description of the status (including the actual or projected termination date), development, implementation, and any modification of the Eligible Mitigation Action. These semi-annual reports to the Trustee will be posted on the DEQ website for public access.

**ATTACHMENT D**

**Detailed cost estimate from selected or potential vendors for each proposed expenditure exceeding \$25,000**

The Idaho Department of Environmental Quality received vehicle estimates from Project Sponsors applying for VW settlement funds through the DEQ’s 2020 Vehicle Replacement Program (VRP). DEQ received 29 VRP applications for the replacement of 85 vehicles. Attached are estimates for applications associated with EMA-1 exceeding \$25,000. These estimates do not convey an entitlement to applicants; funding decisions will be made after application reviews are completed.

Applicant Organization	City	County	EMA	Project Description	Veh. Qty	Total Project Cost	Total VW Project Cost	Vehicle Cost Estimate	VW Project Cost/Vehicle	Funding Request %
City of Salmon	Salmon	Lemhi	1	Replace 1 diesel trucks with new diesel vehicle	1	\$63,268	\$25,307	\$63,268	\$25,307	40%
Wilbur-Ellis Nutrition, LLC	San Francisco	Twin Falls*	1	Replace 1 diesel propane-delivery truck with new diesel truck	1	\$140,359	\$28,071	\$140,359	\$28,071	20%
Totals					2	\$203,627	\$53,379			

\*Company based out of State, County listed is primary area of vehicle operation.