APPENDIX D-4 Beneficiary Eligible Mitigation Action Certification

BENEFICIARY ELIGIBLE MITIGATION ACTION CERTIFICATION

Lead Agency Authorized to Act on Behalf of the Beneficiary Rincon Environmental Department

Beneficiary Rincon Band of Luiseño Indians

	delegation of such authority to direct the Trustee delivered to the tion of Authority and Certificate of Incumbency)
Action Title:	Rincon Band of Luiseño Indians Round 3 Trash Truck Replacement Project
Beneficiary's Project ID:	Rincon Band of Luiseño Indians Round 3 Trash Truck Replacement Project
Funding Request No.	(sequential) 1
Request Type:	☐ Reimbursement ☐ Advance
(select one or more)	☐ Other (specify):
Payment to be made to:	Beneficiary
(select one or more)	☐ Other (specify):
Funding Request &	Attached to this Certification
Direction (Attachment A)	☐ To be Provided Separately
	SUMMARY
	Appendix D-2 item (specify): 1(f)(2) I Item 10 - DERA Option (5.2.12) (specify and attach DERA Proposal):
Detailed Description of Mitig	ation Action Item Including Community and Air Quality Benefits (5.2.2):
Please see Exhibit 1, attac	ched hereto
Estimate of Anticipated NOx	
Please see Exhibit 2,	
	al Entity Responsible for Reviewing and Auditing Expenditures of Eligible
_	nsure Compliance with Applicable Law (5.2.7.1): f Finance, Rincon Band of Luiseño Indians
	will make documentation publicly available (5.2.7.2).
1	
riease see Ex	chibit 3 attached hereto
Describe any cost share require	rement to be placed on each NOx source proposed to be mitigated (5.2.8).
	U.S. EPA General Assistance Program (GAP) Grant Supplemental he cost of the new trash truck (\$125,131.99).
· ·	complied with subparagraph 4.2.8, related to notice to U.S. Government
Agencies (5.2.9). Please see Ex	hibit 4 attached hereto
L	

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).

Not applicable

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 Rincon Band of Luiseño Indians, 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:	8/26/20	Camille Merchant, Environmental Director
		[NAME] [TITLE]
	Camelle Marchant	Rincon Environmental Department
SIGNATU	RE: Camille Mulliant [LEAD AGENCY]	- [LEAD AGENCY]
		for
		Rincon Band of Luiseño Indians
		[BENEFICIARY]

EXHIBIT 1

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

The Rincon Band of Luiseño Indians ("Rincon Band") is pleased to submit the Rincon Band's Round 3 Trash Truck Replacement Project ("Project") under the Environmental Mitigation Trust Agreement for Indian Tribe Beneficiaries dated June 29, 2020 ("Indian Tribe Trust Agreement"). The Project is being submitted under Section 1(f)(2) of Appendix D-2 to the Indian Tribe Trust Agreement.

The California Air Resource Board (CARB) has recently brought new, tighter emission standards into effect. The Rincon Band of Luiseño Indians presently owns and uses an International WorkStar 7400 Class 8 trash truck with a 2007 diesel engine (VIN 1HWGAAT07J411880) that is not able to meet the new CARB emission requirements, and is not able to be modified to meet compliance. The Rincon Band therefore proposes a project that includes the purchase of a new 2021 Peterbilt 520 trash truck to service the reservation that will be able to meet the new emission regulations. Funding acquired through the Environmental Mitigation Trust will assist the Rincon Band in improving the fuel efficiency of our fleet of vehicles.

The Rincon Band believes the proposed mitigation project will result in several significant air quality and community benefits, including but not limited to: substantially reduced tailpipe emissions (including NOx), reduced particulate matter (PM) emissions, reduced greenhouse gas emissions, better vehicle performance, improved propulsion system durability, and increased comfort for the operator. Additionally, the new trash truck have a more efficient design that would allow for the saving of labor costs - the truck will have a side arm that will automatically be able to lift a trash can and deposit the contained trash into the truck. The new vehicle will therefore be able to operate using a 1-person crew instead of the 3-person crew that is presently required.

The Rincon Band anticipates the Project will result in several significant air quality and community benefits, including but not limited to, substantially reduced tailpipe emissions (including NOx), reduced greenhouse gas emissions, better vehicle performance and propulsion system durability, and increased comfort for the operator. The Project will lead to annual health benefits resulting from the reduced exposure to NOx. These benefits include the reduction of premature mortality, chronic bronchitis, asthma attacks, non-fatal heart attacks, as well as other serious health issues.

EXHIBIT 2 Estimate of Anticipated NOx Reductions (5.2.3)

The Rincon Tribe does not have exact information on the NOx emissions from the vehicle it is replacing. Accordingly, the Rincon Band used the Diesel Emissions Quantifier (DEQ) tool provided by the United States Environmental Protection Agency to calculate the anticipated NOx reduction. The Rincon Band is seeking to replace its current trash truck, and extracted the following information from its previous year's records:

- The current trash truck traveled 2,860 miles last year
- The current trash truck used 1,012 gallons of diesel last year
- Based on the above information, the average mileage for the truck last year was calculated to be 2.8 miles/gal
- Current Idle hours are approximately 4 hours per week, or 208 per year
- The new truck annual fuel volume is estimated to be 572 gallons (2,860 miles/5 mpg)

Using the DEQ tool, the Rincon Band used these numbers to run a calculation on annual emissions (including NOx) for trash trucks ("refuse haulers") with a 2007 model year engine, which yielded a result of 0.033 tons per year, as well as a calculation on annual NOx for the replacement 2021 trash truck, which yielded a result of 0.005 tons per year of NOx. The result is an annual NOx reduction of 0.028 tons per year. By implementing the Rincon Band's trash truck replacement project, the Rincon Ban anticipates an annual NOx reduction of 85.5% per year and over the lifetime of the vehicle.

For the calculated reduction of other emissions, please see the following table summarizing the results from the DEQ tool:

Emission Results

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

There are the combined results for all Broads and	appraires enteres	a ioi youi piojeei	-			
Annual Results (short tons) ²	NO_x	PM2.5	нс	со	CO ₂	Fuel ³
Baseline for Upgraded Vehicles/Engines	0.033	0.000	0.001	0.003	11.4	1,012
Amount Reduced After Upgrades	0.028	0.000	0.000	0.001	5.0	440
Percent Reduced After Upgrades	85.5%	41.6%	46.4%	46.4%	43.5%	43.5%
Lifetime Results (short tons) ²						

Lifetime Results (short tons) ²						
Baseline for Upgraded Vehicles/Engines	0.033	0.000	0.001	0.003	11.4	1,012
Amount Reduced After Upgrades	0.028	0.000	0.000	0.001	5.0	440
Percent Reduced After Upgrades	85.5%	41.6%	46.4%	46.4%	43.5%	43.5%

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.

EXHIBIT 3

Describe How The Beneficiary Will Make Documentation Publicly Available (5.2.7.2)

The Rincon Band will maintain and make publicly available all documentation submitted in support of its funding request and all records supporting all expenditures of any funds it receives, subject to applicable laws applicable laws governing the publication of confidential business information and personally identifiable information. In response to any inquiry from the public requesting additional information and documents related to the funding request and expenditure of funds, such documentation shall be made publicly available by appointment for review at Rincon Tribal Government offices. The Rincon Band will respond to public inquiries within 10 business days. In addition, under Section 5.3 of the Indian Tribe Trust Agreement the Trustee will post on its public-facing website the semiannual reports submitted to the Trustee by the Rincon Band.

The Rincon Band's certification of Section 7 of its Certification for Beneficiary Status Under Environmental Mitigation Trust Agreement is subject to the Rincon Band's governing policies on the release of its records, which establishes the Rincon Band's position on the procedures for making records publicly available and on the handling of requests by outside parties for the release of various categories of tribal records and the procedures for handling such requests. The Rincon Band protects from disclosure privileged and protected information.

EXHIBIT 4

Describe How The Beneficiary Complied With Subparagraph 4.2.8, Related To Notice To Government Agencies (5.2.9)

The Rincon Band certifies that it has been more than 30 days since the Rincon Band was deemed a Beneficiary pursuant to subparagraph 4.0.2.1 of the Indian Tribe Trust Agreement, and that the Rincon Band has not provided a copy of the Indian Tribe Trust Agreement with Attachments to any Federal Agency since no Federal Agency has notified the Rincon Band of its interest thereunder.

ATTACHMENT B PROJECT MANAGEMENT PLAN PROJECT SCHEDULE AND MILESTONES

Milestone	Date
Deadline For Beneficiaries To Submit Designated Beneficiary's Participating Notice (Appendix D-6)	6/15/2020
Trustee Applies Per Capita and Pro Rata Allocation and Posts Notice of Allocation Determination to Beneficiaries	6/29/2020
Deadline For Rincon Band To Submit To Trustee an Appendix D-4 Beneficiary EMA Certification	8/28/2020
Rincon Band Obtains Quote For Trash Truck	8/24/2020
Rincon Band Purchase Order For Trash Truck to Vendor ¹	8/24/2020
Trustee Transmits Written Determination Of Each Beneficiary's EMA Certification Form Either: (i) Approving The	10/27/2020
Request; (ii) Denying The Request; (iii) Requesting Modifications To The Request; or (iv) Requesting Further Information	
Disbursement of Funds to Beneficiaries Begins – Subject to Receipt By The Trustee of All Required	11/12/2020
Documentation and Trustee Approval of Revised EMA Certification Form (Appendix D-4)	
Rincon Band Receives Trash Truck	2/28/2021
Rincon Band General Services and Finance Departments Provide Detained Invoices For All Claimed Project	6/30/2021
Costs to Lead Agency	
Lead Agency Completes Review and Submits Final Accounting to Trustee	7/31/2021
Lead Agency Completes Review and Certifies Final Accounting to Trustee	8/31/2021
Trustee Acknowledges Receipt of Final Accounting	9/30/2021
Lead Agency Certifies Project Completion	10/31/2021

¹The purchase order is submitted, but no payment is required until trash truck delivery. Orders take approx. 6 months to fulfill.

PROJECT BUDGET Period of Performance: 6/15/2020 – 10/31/2021

Budget Category	Total Approved Budget	Share of Total Budget To Be Funded By The Trust	Cost-Share (U.S. EPA General Assistance Program Grant – FY21 Supplemental Funding)
Equipment Expenditure	\$285,696.99	\$160,565.00	\$125,131.99
2. Contractor Support	\$0	\$0	\$0
Subrecipient Support	\$0	\$0	\$0
4. Administrative	\$0	\$0	\$0
Project Totals	\$285,696.99	\$160,565.00	\$125,131.99
Percentage	100%	56%	44%

PROJECTED TRUST ALLOCATIONS:

	2017	2018	2019	2020	2021
1. Anticipated Annual Project Funding Request to be paid through the Trust	\$	\$	\$	\$ 160,565	\$
2. Anticipated Annual Cost Share	\$	\$	\$	\$ 125,131.99	\$
3. Anticipated Total Project Funding by Year (line 1 plus line 2)	\$	\$	\$	\$ 285,696.99	\$
4. Cumulative Trustee Payments Made to Date Against Cumulative Approved Beneficiary Allocation	\$	\$	\$	\$ o	\$
5. Current Beneficiary Project Funding to be paid through the Trust (line 1)	\$	\$	\$	\$ 160,565	\$
6. Total Funding Allocated to for Beneficiary, inclusive of Current Action by Year (line 4 plus line 5)	\$	\$	\$	\$ 160,565	\$
7. Beneficiary Share of Estimated Funds Remaining in Trust	\$	\$	\$	\$ 160,565	\$
8. Net Beneficiary Funds Remaining in Trust, net of cumulative Beneficiary Funding Actions (line 7 minus line 6)	\$	\$	\$	\$ ₀	\$

ATTACHMENT C Detailed Plan For Reporting On Eligible Mitigation Action Implementation (5.2.11)

The first semi-annual report will be submitted by May 12, 2021, which will be six months after the Rincon Band receives its first disbursement. 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, the Rincon Band shall submit to the Trustee a semi-annual report describing the progress implementing the Rincon Band's Project 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).

The Rincon Band's reports shall include a complete description of the status (including actual or projected termination date), development, implementation, and any modification of the Rincon Band's Project. The Rincon Band does not anticipate that these reports will be onerous because the Project consists of obtaining one new trash truck. These reports shall be signed by an official with the authority to submit the report for the Rincon Band and will contain an attestation that the information is true and correct and that the submission is made under penalty of perjury.

ATTACHMENT D

Detailed Cost Estimates From Selected or Potential Vendors For Each Proposed Expenditure Exceeding \$25,000 (5.2.6)

Attachment D includes a cost estimate for the new trash truck from Rush Truck Centers, the local Peterbilt truck dealer.



Los Angeles CA 8830 E Slauson Ave. Pico Rivera, CA 90660 562-566-1800

Customer Proposal Letter

Rincon Band of Luiseno Indians 33750 Valley Center Rd. Valley Center, CA 92082 (760) 297-2305

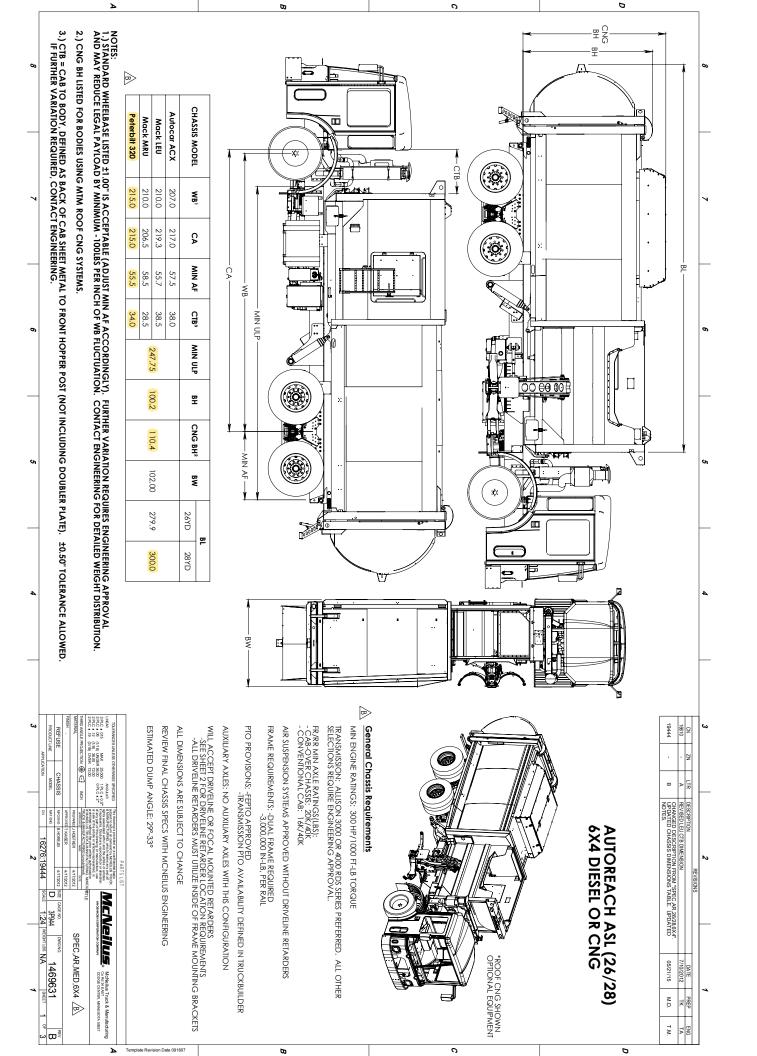
Monica Lopez, thank you for the opportunity to earn your business. We look forward to working with you on your business needs. Please accept the following proposal.

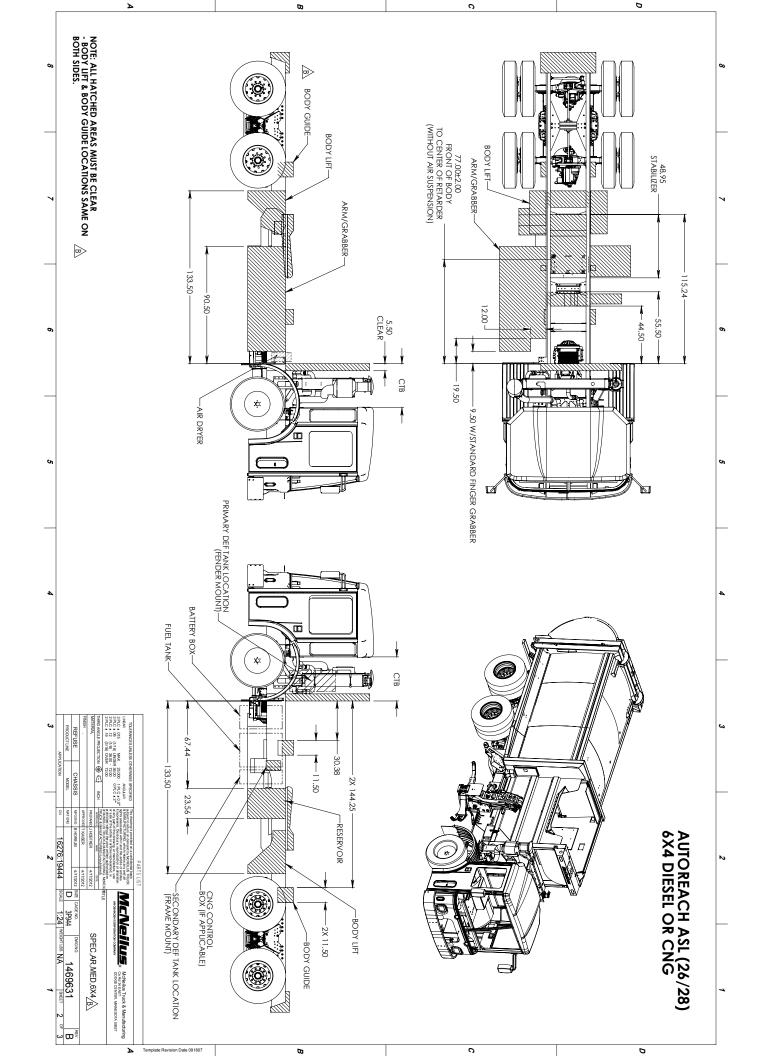
VEHICLE					
Make Peterbilt Mode	el_520 Y	⁄ear_2021	Stock Number To Be Determined		
Additional Vehicle and Acces	ssories Description		To be delivered on or	about 2/28/2021	
3 AXLE ASL Engine: PX9 370HP Transmission: ALLISON 4500RD MC NEILUS MODEL #3148 ZER		ı (3) Camera System			
Quantity			1	Total	
Truck Price per Unit			\$282.350.49	\$282.350.49	
F.E.T. (Factory & Dealer Pai	d)		\$0.00	\$0.00	
Net Sales Price			\$282,350.49	\$282,350.49	
Optional Extended Warranty	v(ies)		\$2,930.00	\$2,930.00	
State Sales Tax					
License/Title/Registration			\$18.00	\$18.00	
Documentary Fee Electronic Filing			\$80.00 \$30.00	\$80.00 \$30.00	
Tire Fee			\$17.50	\$17.50	
Administration Fee			\$250.00	\$250.00	
Vehicle Inventory Tax					
Additional Taxes				#04.00	
Tire Recycling Program Battery Disposal Fee			\$21.00	\$21.00	
Out of State Vehicle Fee					
Rebate(s)					
Total Sales Price (Including	Rebate(s))		\$285,696.99	\$285,696.99	
Trade Allowance (see DISC	CLAIMER Below)			\$0.00	
Sales Representative	Ray	Games	Ray Gamez		
Purchaser	signature 00		printed name		
	signature		printed name		
Accepted by Sales Manager or	title		date		
General Manager	signature		printed name		
Quote good until 9/30/2020	Note: The above Cust	tomer Proposal is a qu	uotation only. Sale terms subject to	approval of Sales Manager	

DISCLAIMER: Any order based on this Proposal subject to Customer executing Dealer's standard form Retail Purchase Order incorporating above terms. Any documentary fees, state tax, title, registration and license fees subject to adjustment and change. Actual F.E.T. to be paid by Dealer, subject to adjustment. Any F.E.T. variance will be responsibility of Dealer. Manufacturer has reserved the right to change the price to Dealer of any vehicle not currently in Dealer's stock, without notice to Dealer. If Quoted Vehicle(s) not currently in Dealer's stock, Dealer reserves right to change Quotation Total to reflect any price increases from Manufacturer. This Proposal is based upon Dealer's current and expected inventory, which is subject to change. Dealer not obligated to retain any specific vehicles in stock, nor maintain any specific inventory level. Dealer shall not be obligated to fulfill Proposal in event quoted vehicle(s) not in stock or available within requested delivery schedule at time Proposal accepted. Dealer shall not be liable for any delay in providing or inability to provide Quoted Vehicle(s), where such inability or delay is due, in whole or in part, to any cause beyond the reasonable control of Dealer or is without the gross negligence or intended misconduct of Dealer. Above listed Trade Value based upon current appraisal of Trade Vehicle(s). Dealer may adjust Trade Value of Trade Vehicle(s) to reflect changes in condition

and/or mileage of Trade Vehicle(s) between date of current appraisal and acceptance of this Proposal by Customer.

RTC Q-300-7/12







Street tough meets street smart.



250

THE UNDISPUTED REFUSE CHAMPION.

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applications, the Model 520 is proven like no other low cab forward in the market today. dash and center console provide an optimum work environment with commanding views of the options ideally configured for your specific application. An RP170 connection as well as a joystick and low maintenance. Powertrain options include the PACCAR MX-11, PX-9 and several natural gas side loader and rear loader operations. The rugged all-aluminum cab provides exceptional durability Available in four driving configurations, the Model 520 is the clear choice for automated front loader, road and easy access to instruments and controls. Whether for commercial or residential refuse mounting pad come standard for seamless body integration. The driving position and ergonomic

The center console features angled control panels that allow full visibility and easy access to controls from either side of the vehicle.

The Model 520s center console provides excellent connectivity for body controls and allows easy access to service points for maximum uptime.

The Model 520 comes standard with the PACCAR 20K steer axle. Designed for demanding vocational applications, the PACCAR steer axle is lightweight and durable and provides excellent maneuverability.







A PACCAR MX-11 engine provides outstanding power in a light weight and fuelefficient design and is available with up to 430 horsepower and 1,650 lb-ft. of torque.

STREET TOUGH MEETS STREET SMARTS.

Perceitire Model S20 is built to withstand the hand domands of the refuse industry. The rugged aluminum cab delivers bearth-release durability for increases durine and buildhead etyle doors for maximum durability and correction resistance. Powered by the table efficient PACCAR MX-11 engine, the Model S20 provides outstanding performance. Natural gas configurations include both 9- and 12-later engine nopelitions. The handlamps feature a standard halogian builts or optional LEDs, to provide outstanding brightness and coverage with less officer oper-freigue. The distinguished gail gail accommodates a participate his resource, providing significantly more coverage for improved risibility. An impressive wheel cut allows drivers to easily manacure in congested urban environments and light feity streats. Whether commercial or residential, the Model S20 provides the tools your drivers need to succeed day in and day out.

SUPERIOR INTERIORS.

The Model S20 cab delivers vereasility, comfort and ergenomics and is available in left-hand driver right-hand driver jobal-sit drive and right-hand stand-up configurations. The S20 hereof refatures an ergonomic death design with ED backlit gauges, a driver information display for critical vehicle data and rocker

ewitches within easy reach for maximum driver comfort and productivity, centro-console sides are angled, providing operators easy visibility and access to controls from either side. An enhanced HVAC system improves airflow and climate control in the cab.







