

APPENDIX D-4
Beneficiary Eligible Mitigation Action Certification

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: _____

Megan O'Toole

[NAME]

[TITLE]

[LEAD AGENCY]

for

[BENEFICIARY]

Appendix D-4 Summary Detail

Beneficiary: Vermont

Lead Agency: Agency of Natural Resources

In support of funding request No. VW-003

SUMMARY

5.2.1: Explanation of how funding request fits into BMP

See Section I of Vermont's BMP: Overall goals. This includes demonstrating the feasibility of heavy-duty electric vehicles in Vermont.

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

This Grant Program will fund the replacement of Class 4-7 Local Freight Trucks with all-electric trucks throughout the state consistent with the goals of the BMP and regional planning. See Page 20 of Vermont's BMP for anticipated air quality benefits.

5.2.3: Anticipated NOx reductions

See Page 20 of Vermont's BMP for anticipated air quality benefits.

5.2.7.1: Identification of Government Entity Responsible for Reviewing and Auditing Expenditures of Eligible Mitigation Action Funds to ensure Compliance with Applicable Law

The Vermont Department of Environmental Conservation.

5.2.7.2: How Beneficiary will make documentation publicly available

See paragraph 7 and Attachment 1-A of Vermont's Certification for Beneficiary Status (D-3). Vermont will make all D-4 funding requests, required reporting, and other relevant program information available online and in hard copy if requested by members of the public.

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

The minimum cost share for electric truck replacement is 15% of the cost of the replacement electric truck and associated charging equipment for grantees that are government entities, and 25% of the cost of the replacement electric truck and associated charging equipment for non-government entities.

5.2.9: Compliance with 4.2.8

The Agency of Natural Resources notified the required U.S. Government Agencies on February 21, 2018 in accordance with Section 5.2.9 of Appendix D.

5.2.10: Mitigation of NOx emission on communities that have historically borne a disproportionate share of the adverse impacts of such emissions

This action will mitigate impacts of NOx emissions by replacing higher polluting Class 4-7 Local Freight Trucks with no or lower emission trucks. Consideration of areas disproportionately impacted by air contaminants is among the project priorities and project evaluation criteria and ranking.

PAYEE CONTACT AND WIRE INFORMATION

(fill out both tables below for each payee and payment identified in "Payments Requested" table on p. 1; attach additional pages if needed)

PAYEE CONTACT INFORMATION

Action Title:	_____	Beneficiary Project ID:	_____
Payee Name:	_____	Payee Contact Person:	_____
Payee Address:	_____	Payee Email Address:	_____
Payee Phone:	_____	Payee Fax:	_____
Payee TIN:	_____		

Payment Amount	Requested Date	Request Type

WIRE INFORMATION

Receiving Bank Name:	_____
Receiving Bank Branch:	_____
Receiving Bank Address:	_____
Bank Swift ID:	_____
	National Routing No. / Bank ABA Number _____
	(Sort Code, BLZ)
Amount of Wire:	_____
Message to Payee:	_____

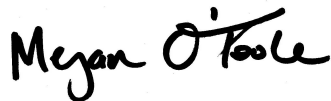
Instructions to Receiving Bank:	_____

For Credit to:	_____

Other Special Instructions:	_____

Name/title: Megan O'Toole, DEC Assoc. General Counsel

Date: 7/9/2021



PROJECTED TRUST ALLOCATIONS FOR CLASS 4-7 LOCAL FREIGHT TRUCKS
ELIGIBLE MITIGATION ACTION(VW-003)

	AMOUNT
1. Vermont's Total Allocation	\$18,692,130
2. Current Funding Request Total (VW-003 only)	\$1,094,293.02
3. Pending Funding Request Total (includes VW-004 and 005)	\$3,240,125.79
4. Previously Requested Funding Total	\$7,124,201.45
5. Net Beneficiary Funds Remaining in Trust	\$7,233,509.74

ATTACHMENT C

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

The Vermont Agency of Natural Resources (ANR), as the lead agency for the state of Vermont implementing the Beneficiary Mitigation Plan, has established a webpage on the VW settlement and mitigation actions, <https://dec.vermont.gov/air-quality/vw>. ANR will post link on the website to the documentation required to be made public under Paragraph 7 of the Appendix D-3 Certification for Beneficiary Status form. ANR is also subject to the Vermont Public Records Act, 1 V.S.A. §315 et. seq., and Open Meeting Law, 1 V.S.A. §310 et. seq. These laws set forth the process for public access to records and exemptions in the case of confidential business information and personally identifiable information that meets exemption criteria. To the limited extent information is submitted to DEC that meets exemption criteria under the Public Records Law, ANR will maintain that information as confidential.

Funding requests and expenditure reporting

Records of selected projects and expenditures will be posted and made available on the ANR website listed above. Records will be retained until the termination date of the Environmental Mitigation Trust or by retention schedules determined by the State Archives and Records Administration, whichever is longer.

ATTACHMENT D

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

Equipment	Average Estimated Cost*	Estimated Number of Trucks	Total Cost
Class 4-7 Truck replacements with Electric Trucks and EVSE	\$479,953.08	3	\$1,439,859.24

*Costs above are estimates. Actual costs will be available following an applicant's purchasing policy process.

Vermont plans to replace at least three Class 4-7 local diesel freight trucks with all-electric trucks, one to a food distribution company, one to a refuse hauling business, and one to an electric utility.