

APPENDIX D-4
Beneficiary Eligible Mitigation Action Certification

BENEFICIARY ELIGIBLE MITIGATION ACTION CERTIFICATION

Beneficiary State of Iowa

Lead Agency Authorized to Act on Behalf of the Beneficiary Iowa Department of Transportation
(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 Zero Emission Vehicle Supply Equipment Funding Cycle 3
Beneficiary's Project ID:	EMA 9 - FC3
Funding Request No.	<i>(sequential)</i> 19
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 9</u> 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 Supplemental Information.
Detailed Description of Mitigation Action Item Including Community and Air Quality Benefits (5.2.2): See Supplemental Information.
Estimate of Anticipated NOx Reductions (5.2.3): See Supplemental Information.
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 Supplemental Information.
Describe how the Beneficiary will make documentation publicly available (5.2.7.2). See Supplemental Information.
Describe any cost share requirement to be placed on each NOx source proposed to be mitigated (5.2.8). See Supplemental Information.
Describe how the Beneficiary complied with subparagraph 4.2.8, related to notice to U.S. Government Agencies (5.2.9). See Supplemental Information.

If applicable, describe how the mitigation action will mitigate the impacts of NO_x emissions on communities that have historically borne a disproportionate share of the adverse impacts of such emissions (5.2.10).
See Supplemental Information.

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.]

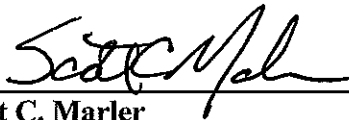
CERTIFICATIONS

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

1. This application is submitted on behalf of Beneficiary State of Iowa, 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: Dec. 13, 2022



Scott C. Marler
Director

Iowa Department of Transportation

[LEAD AGENCY]

for

State of Iowa

[BENEFICIARY]

**Supplemental Information
to the
Appendix D-4 Beneficiary Eligible Mitigation Action Certification Summary**

Appendix D-4 Summary

Eligible Mitigation Action Type:

Appendix D-2 item: Item 9. Light Duty Zero Emission Supply Equipment

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

The Iowa Department of Transportation (DOT) and its working group clustered the 10 EMAs into five categories and established a target percentage of VW funds to be spent on each category. This funding request fits into the Zero Emission Vehicle (ZEV) Supply Equipment. Iowa's BMP targeted a total of \$3,150,000 toward this EMA over three funding cycles. This third funding cycle targeted \$1,100,000, but only awarded \$1,027,369. Due to underruns in the previous two cycles we will be requesting \$982,572 in our third and final ZEV Supply Equipment cycle.

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

This third funding cycle for Iowa's Zero Emission Vehicle Supply Equipment projects will permanently install 6 Type 1 Direct Current Fast Charge sites and 12 Type 2 Level 2 Community Charge sites.

By installing these charge site this should reduce high concentrations of NO_x and reduce air pollution exposure among vulnerable populations in the area of operation. All projects were scored competitively on community and air quality factors such as: achieving significant, quantifiable reductions on NO_x emissions; counties with higher mobile NO_x measurements; counties with a higher share of previously registered, non-compliant VW subject vehicles; areas of concern for vulnerable populations below poverty level, age, and race; counties with higher rates of asthma and heart disease hospitalizations; and counties with a higher share of point source NO_x emissions.

Projects will be evaluated on whether they can achieve significant, quantifiable reductions in NO_x emissions. To calculate estimated emissions reductions, the Iowa DOT will assess each site's expected utilization. Factors will include the applicant's demonstration of driver demand at that location and plans to market the site to drivers including plans for signage identifying the site.

To ensure health and environmental benefits for areas that bear a disproportionate share of air pollution and people most adversely affected by Volkswagen's actions, the Iowa DOT will rank

projects based on their geographic location. The following will factor into tan application's score for this criterion:

- Higher share of county mobile NOx measurements
- Higher share of registered non-compliant Volkswagen subject vehicles
- Areas of concern for vulnerable populations based on environmental justice screening tools
- Higher rates of asthma and heart disease hospitalizations
- Higher share of point source NOx measurements

Estimate of Anticipated NOx Reductions (5.2.3):

An estimate of anticipated NOx reduction is extremely difficult to calculate with all the diverse and variable components. For those reasons, I feel it's best to leave this as an unknown or yet to be determined. As time progresses the Iowa DOT will conduct data collection from these Zero Emission Supply Equipment sites and with that data collection the Iowa DOT will be able to calculate the NOx reduction.

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

Iowa Department of Transportation - Planning, Programming, and Modal Bureau

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

The public may access documents pursuant to Iowa Code, Chapter 22 and 761 I.A.C.4. In addition, information will be available on Iowa's VW website at <https://www.iowadot.gov/vwsettlement>.

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

Projects selected for funding will be reimbursed up to the maximum dollar amount per site or the percentage of total costs per vehicle, whichever is less.

Light Duty Zero Emissions Supply Equipment sites will be reimbursed as such: Type 1 - DC Fast Charge for Government Agency is \$180,000 or 90%, for all other eligible applicants it's \$160,000 or 80%, whichever is less. Type 2 – Level 2 Community Charging for Government Agency is \$15,000 or 90%, all other eligible applicants it's \$14,000 or 80%, whichever is less.

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

On February 22, 2018, the Iowa DOT emailed representatives from the National Park Service, U.S. Fish and Wildlife Service, and Department of Agriculture, providing a copy of the State Trust Agreement and informing them of the availability of the funds.

If applicable, describe how the mitigation action will mitigate the impacts of NO_x emissions on communities that have historically borne a disproportionate share of the adverse impacts of emissions (5.2.10):

To ensure health and environmental benefits for areas that bear a disproportionate share of air pollution and people most adversely affected by Volkswagen's actions, the Iowa DOT's project selection was influenced through the scoring and ranking of projects that were located in 1) counties with higher concentrations of mobile source NO_x emissions, 2) counties with higher concentrations of non-point source NO_x emissions, 3) counties with higher rates of asthma and heart failure, 4) counties with higher rates of poverty, young and elderly populations, and non-white populations, and 5) counties with a higher share of registered non-compliant Volkswagen subject vehicles.

ATTACHMENT B

ELIGIBLE MITIGATION ACTION MANAGEMENT PLAN INCLUDING DETAILED BUDGET AND IMPLEMENTATION AND EXPENDITURES TIMELINE

MANAGEMENT PLAN SCHEDULE AND MILESTONES

MILESTONE	COMPLETION DATE
Iowa DOT Provides Notice of Availability of Mitigation Action Funds	November 20, 2018
Project Sponsor Submits Proposal to Iowa DOT by Deadline	February 19, 2020
Iowa DOT Awards Funding for VW Settlement ZEV Funding Cycle 3	July 6, 2022
Iowa DOT Send out Award Letters to Project Sponsors	July 6, 2022
Project Funding Agreements Signed by Iowa DOT and Project Sponsors	July 2022 onward
Project Sponsors Enter into Purchase Orders, etc. - Start	July 2022 onward
Iowa DOT Submits Funding Request to Trustee (Appendix D-4)	November 18, 2022
Trustee Acknowledges Receipt of Funding Request	Receipt from Trustee
Trustee Allocates Requested Share of Funding	Transfer Date
Project Sponsors Enter into Purchase Orders, etc. - Complete	October 2022 onward
Project Sponsors Start Replacements	October 2022 onward
Project Sponsors Complete Replacements	October 2022 - December 2023
Project Sponsor provides detailed invoices for all claimed project costs, scragpage requirements, and other required documentation for reimbursement.	October 2022 - December 2023
Iowa DOT reviews documentation, certifies completion, requests additional information if needed, and provides reimbursement.	October 2022 - December 2023
Iowa DOT Submits Semi-annual reports on project status and expenditures to Trustee	Within six months of disbursement; January 30 and July 30 thereafter

ATTACHMENT B

ELIGIBLE MITIGATION ACTION MANAGEMENT PLAN INCLUDING DETAILED BUDGET AND IMPLEMENTATION

BUDGET

Budget Category		Total Approved Budget	Share of Total Budget Funded by the Trust	Cost-Share Amount Funded by Project Recipient
	Equipment Expenditure			
1	Equilon Enterprises - Shell Oil Products	\$659,724.00	\$160,000.00	\$499,724.00
2	Equilon Enterprises - Shell Oil Products	\$598,164.00	\$160,000.00	\$438,164.00
3	Equilon Enterprises - Shell Oil Products	\$659,676.00	\$160,000.00	\$499,676.00
4	Equilon Enterprises - Shell Oil Products	\$608,646.00	\$160,000.00	\$448,646.00
5	Equilon Enterprises - Shell Oil Products	\$678,384.00	\$160,000.00	\$518,384.00
6	Equilon Enterprises - Shell Oil Products	\$627,714.00	\$70,436.00	\$557,278.00
7	Algona Municipal Utilities	\$34,750.00	\$15,000.00	\$19,750.00
8	City of Decorah	\$17,995.00	\$15,000.00	\$2,995.00
9	City of Des Moines	\$42,730.00	\$15,000.00	\$27,730.00
10	City of Des Moines	\$50,730.00	\$15,000.00	\$35,730.00
11	City of Dubuque	\$26,395.00	\$15,000.00	\$11,395.00
12	City of Iowa City	\$9,926.00	\$8,933.00	\$993.00
13	City of Iowa City	\$10,426.00	\$9,383.00	\$1,043.00
14	City of Lansing	\$16,757.00	\$15,000.00	\$1,757.00
15	Dyersville Economic Development Corporation	\$16,955.00	\$15,000.00	\$1,955.00
16	Manning Municipal Utilities	\$20,080.00	\$11,000.00	\$9,080.00
17	Universal EV LLC	\$13,390.00	\$9,373.00	\$4,017.00
18	Wartburg College	\$16,555.00	\$13,244.00	\$3,311.00
2	Contractor Support	\$0.00	\$0.00	\$0.00
3	Subrecipient Support	\$0.00	\$0.00	\$0.00
4	Administrative	\$0.00	\$0.00	\$0.00
Totals		\$4,108,997.00	\$1,027,369.00	\$3,081,628.00
Percentage		100.0%	25.0%	75.0%

Individual project amounts subject to change based on actual costs, but not to exceed totals for Share of Total Budget Funded by the Trust.

ATTACHMENT B

ELIGIBLE MITIGATION ACTION MANAGEMENT PLAN INCLUDING DETAILED BUDGET AND IMPLEMENTATION AND EXPENDITURES TIMELINE

PROJECTED TRUST ALLOCATIONS

	2017	2018	2019	2020	2021	2022
1. Anticipated Annual Project Funding Request to be paid through the Trust	\$300,000.00	\$300,000.00	\$3,150,000.00	\$1,478,072.00	\$4,611,830.00	\$6,987,686.00
2. Anticipated Annual Cost Share	\$1,205,319.39	\$1,297,289.66	\$11,006,348.30	\$4,280,071.00	\$12,440,093.00	\$18,371,533.00
3. Anticipated Total Project Funding by Year (line 1 plus line 2)	\$1,505,319.39	\$1,597,289.66	\$14,156,348.30	\$5,758,143.00	\$17,051,923.00	\$25,359,219.00
4. Cumulative Trustee Payments Made to Date Against Cumulative Approved Beneficiary Allocation	\$0.00	\$300,000.00	\$600,000.00	\$3,750,000.00	\$5,228,072.00	\$9,839,902.00
5. Current Beneficiary Project Funding to be paid through the Trust (line 1)	\$300,000.00	\$300,000.00	\$3,150,000.00	\$1,478,072.00	\$4,611,830.00	\$6,987,686.00
6. Total Funding Allocated to for Beneficiary, inclusive of Current Action by Year (line 4 plus line 5)	\$300,000.00	\$600,000.00	\$3,750,000.00	\$5,228,072.00	\$9,839,902.00	\$16,827,588.00
7. Beneficiary Share of Estimated Funds Remaining in Trust	\$21,201,737.70	\$20,901,737.70	\$20,601,737.70	\$17,451,737.70	\$15,973,665.70	\$11,361,835.70
8. Net Beneficiary Funds Remaining in Trust, net of cumulative Beneficiary Funding Actions (line 7 minus line 5)	\$20,901,737.70	\$20,601,737.70	\$17,451,737.70	\$15,973,665.70	\$11,361,835.70	\$4,374,149.70

ATTACHMENT C

DETAILED PLAN FOR REPORTING ON ELIGIBLE MITIGATION ACTION IMPLEMENTATION

Consistent with 5.2.11 of the *Environmental Mitigation Trust Agreement for State Beneficiaries* (Trust), Beneficiaries must submit with their Appendix D-4 request for Eligible Mitigation Action funding a detailed plan for reporting on Eligible Mitigation Action implementation. The Iowa Department of Transportation (DOT) intends to achieve the Beneficiary Reporting Obligations as outlined with 5.3 of the Trust.

The Iowa DOT is devoted to carrying out the reporting requirements of the Trust, according to 5.3, Beneficiary Reporting Obligations, as described below:

For each Eligible Mitigation Action, no later than six months after receiving its first disbursement of Trust Assets, and 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, each Beneficiary shall submit to the Trustee a semiannual report describing the progress of implementing each Eligible Mitigation Action 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). Such reports shall include a complete description of the status (including actual or projected termination date), development, implementation, and any modification of each approved Eligible Mitigation Action. Beneficiaries may group multiple Eligible Mitigation Actions and multiple sub-beneficiaries into a single report. These reports shall be signed by an official with the authority to submit the report for the Beneficiary and must contain an attestation that the information is true and correct and that the submission is made under penalty of perjury. To the extent a Beneficiary avails itself of the DERA Option described in Appendix D-2, that Beneficiary may submit its DERA Quarterly Programmatic reports in satisfaction of its obligations under this Paragraph as to those Eligible Mitigation actions funded through the DERA Option. The Trustee shall post each semiannual report on the State Trusts public-facing website upon receipt.

ATTACHMENT D
DETAILED COST ESTIMATES FROM SELECTED OR POTENTIAL VENDORS FOR EACH PROPOSED
EXPENDITURE EXCEEDING \$25,000.

Consistent with 5.2.6 of the *Environmental Mitigation Trust Agreement for State Beneficiaries* (Trust), Beneficiaries must submit for each proposed expenditure exceeding \$25,000, detailed cost estimates from selected or potential vendors.

The Iowa DOT is devoted to carrying out the reporting requirements of the Trust, according to 5.2.6, as detailed. Project applicants were requested to submit the total cost for each new site in their grant application and the source of their estimate. The applicants' source of the estimate could be based on: 1) informal quotes from vendors with no obligation to purchase, 2) quotes received on a recent similar project, 3) actual costs of a recently completed similar project, or 4) other, of which they would need to specify in the application.

Light Duty Zero Emissions Supply Equipment sites will be reimbursed as such: Type 1 - DC Fast Charge for Government Agency is \$180,000 or 90%, for all other eligible applicants it's \$160,000 or 80%, whichever is less. Type 2 – Level 2 Community Charging for Government Agency is \$15,000 or 90%, all other eligible applicants it's \$14,000 or 80%, whichever is less.

Please see the following page for a breakdown of cost estimates from awarded applications.

ATTACHMENT D continued

Applicant	Street Address Of Site	ZEV Supply Equipment Type	Total Project Cost	Funding Request	Funding Awarded
Equilon Enterprises - Shell Oil Products	103 Willow Road, Missouri Valley	Type 1 - Direct Current Fast Charge	\$659,724	\$160,000	\$160,000
Equilon Enterprises - Shell Oil Products	1026 West River Road, Davenport	Type 1 - Direct Current Fast Charge	\$598,164	\$160,000	\$160,000
Equilon Enterprises - Shell Oil Products	14151 Wabash Avenue, Council Bluffs	Type 1 - Direct Current Fast Charge	\$659,676	\$160,000	\$160,000
Equilon Enterprises - Shell Oil Products	5002 Avenue O, Fort Madison	Type 1 - Direct Current Fast Charge	\$608,646	\$160,000	\$160,000
Equilon Enterprises - Shell Oil Products	2603 2nd Avenue, Muscatine	Type 1 - Direct Current Fast Charge	\$678,384	\$160,000	\$160,000
Equilon Enterprises - Shell Oil Products	130 South Roosevelt Avenue, Burlington	Type 1 - Direct Current Fast Charge	\$627,714	\$160,000	\$70,436
Algona Municipal Utilities	Approx. SW corner of Call St & Moore St, Algona	Type 2 - Level 2 Community Charge	\$34,750	\$15,000	\$15,000
City of Decorah	200 State Street, Decorah	Type 2 - Level 2 Community Charge	\$17,995	\$15,000	\$15,000
City of Des Moines	801 Locust Street, Des Moines	Type 2 - Level 2 Community Charge	\$42,730	\$15,000	\$15,000
City of Des Moines	830 6th Avenue, Des Moines	Type 2 - Level 2 Community Charge	\$50,730	\$15,000	\$15,000
City of Dubuque	350 West 6th Street, Dubuque	Type 2 - Level 2 Community Charge	\$26,395	\$15,000	\$15,000
City of Iowa City	415 East Washington Street, Iowa City	Type 2 - Level 2 Community Charge	\$9,926	\$8,933	\$8,933
City of Iowa City	220 South Dubuque Street, Iowa City	Type 2 - Level 2 Community Charge	\$10,426	\$9,383	\$9,383
City of Lansing	290 South Front Street, Lansing	Type 2 - Level 2 Community Charge	\$16,757	\$15,000	\$15,000
Dyersville Economic Development Corporation	713 13th Avenue SE, Dyersville	Type 2 - Level 2 Community Charge	\$16,955	\$15,000	\$15,000
Manning Municipal Utilities	321 Center Street, Manning	Type 2 - Level 2 Community Charge	\$20,080	\$11,000	\$11,000
Universal EV LLC	133 SE Delaware Avenue, Ankeny	Type 2 - Level 2 Community Charge	\$13,390	\$9,373	\$9,373
Wartburg College	100 Wartburg Boulevard, Waverly	Type 2 - Level 2 Community Charge	\$16,555	\$13,244	\$13,244

	ZEV Supply Equipment Type	Total Project Cost	Funding Request	Funding Awarded
TOTAL -- AWARDED APPLICATIONS (17)	18	\$4,108,997	\$1,116,933	\$1,027,369
Type 1 - Direct Current Fast Charge	6	\$3,832,308	\$960,000	\$870,436
Type 2 - Level 2 Community Charge	12	\$276,689	\$156,933	\$156,933