

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

State of Maine  
State Multimodal Improvements Option  
EMA Category 4-Ferries and Tugs  
MaineDOT ID (23901.00)  
Advance Fund Request 21

## BENEFICIARY ELIGIBLE MITIGATION ACTION CERTIFICATION

Beneficiary: State of Maine

Lead Agency Authorized to Act on Behalf of the Beneficiary: Maine Department of Transportation (MaineDOT) (*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:	State Multimodal Improvements EMA Category 4-Ferries and Tugs	
Beneficiary's Project ID:	23901.00	
Funding Request No.	21	
Request Type: (select one or more)	<input type="checkbox"/> Reimbursement	X Advance
	<input type="checkbox"/> Other (specify): _____	
Payment to be made to: (select one or more)	X Beneficiary	
	<input type="checkbox"/> Other (specify): _____	
Funding Request & Direction (Attachment A)	X Attached to this Certification <input type="checkbox"/> To be Provided Separately	

### SUMMARY

<b>Eligible Mitigation Action</b> <input checked="" type="checkbox"/> Appendix D-2 item (specify): <u>MMPI- EMA Category 4-Ferries and Tugs</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> Maine's BMP allocated the State Multimodal Priorities category. The funding request will fund the new hybrid Capt. Almer Dinsmore Ferry engine.
<b>Detailed Description of Mitigation Action Item Including Community and Air Quality Benefits (5.2.2):</b> See Maine BMP, Section VII
<b>Estimate of Anticipated NOx Reductions (5.2.3):</b> See Maine BMP, Section VII
<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> MaineDOT, Bureau of Finance & Administration
<b>Describe how the Beneficiary will make documentation publicly available (5.2.7.2).</b> As stated in Paragraph 7 of Maine's Appendix D-3 filing, the Beneficiary certifies that it will maintain and make publicly available all documentation and records: (i) submitted by it in support of each funding request; and (ii) supporting all expenditures of Trust Funds by the Beneficiary, each until the Termination Date of the Trust pursuant to Paragraph 6.8 of the Trust Agreement, unless the laws of the Beneficiary require a longer record retention period. Together herewith, the Beneficiary attaches an explanation of:  (i) To satisfy the procedures by which the records may be accessed, which shall be designed to support access and limit burden for the general public. MaineDOT has established a website ( <a href="http://www.maine.gov/mdot/vw">http://www.maine.gov/mdot/vw</a> ) to house state-specific documents, guidance, public comments, funding process descriptions, and web links to other sites for useful background information and resources related to the VW Environmental Mitigation Settlement; (ii) As part of Maine's Beneficiary Mitigation Plan required under Paragraph 4.1 of the Trust Agreement, the procedures by which public input will be solicited and considered included the solicitation of public

**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 Maine, 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: 01/30/2025



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David Gardner  
Director, Environmental Office

Maine Department of Transportation  
[LEAD AGENCY]

for

State of Maine  
[BENEFICIARY]

ATTACHMENT B  
Eligible Mitigation Action Management Plan

Project Schedule and Milestone

Project Budget

BUDGET CATEGORY	TOTAL APPROVED BUDGET	SHARE TO BE FUNDED BY TRUST	COST SHARE (project sponsor/federal)
Expenditure on Multimodal priorities- New Capt. Almer Dinsmore ferry hybrid engine to replace diesel ferry engine.	\$40,000,000	\$1,041,707.44+ <i>any remaining earned interest</i>	\$38,958,299.96
Percentage	100%	2.6%	97.4%

Projected Trust Allocations

	FY 2019 July 2018-June 2019	FY 2020	FY 2021-2028
1. Anticipated Annual Project Funding Requests to be paid through Trust	\$6,300,000	\$10,000,000	\$3,253,064
2. Anticipated Annual Cost Share	\$3,504,600	\$4,320,000	\$5,855,515
3. Anticipated Total Project Funding by Year (line 1 plus line 2)	\$9,804,600	\$14,320,000	\$9,108,579
4. Cumulative Trustee Payments made to Date against Cumulative Approved Beneficiary Allocations	\$1,500,000	7,800,000	\$17,800,000
5. Current Beneficiary Project Funding to be paid through the Trust (line 1)	\$6,300,000	\$10,000,000	\$3,253,064
6. Total Funding Allocated to Beneficiary, inclusive of current Action by Year (line 4 plus line 5)	\$7,800,000	\$17,800,000	\$21,053,051
7. Beneficiary Share of estimated Funds Remaining in Trust	\$19,553,064	\$13,253,064	-
8. Net Beneficiary Funds Remaining in Trust, Net of Cumulative Beneficiary Funding Actions (line 7 minus line 5)	\$13,253,064	\$3,253,064	-

ATTACHMENT C

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

Records of applications and selected projects will be made available on the Maine VW webpage:  
<http://www.maine.gov/mdot/vw/>.

ATTACHMENT D  
COST ESTIMATES and AWARDS

Detailed Cost Estimates from Selected or Potential Vendors for each Proposed expenditure exceeding \$25,000 (5.2.6)

Pricing estimate for the hybrid ferry engine is shown in the matrix below.

TYPE	COST	VW FUNDS (2.6%)	COST SHARE (97.4%)
New Hybrid engine for the Capt. Almer Dinsmore Ferry.	\$40,000,000	\$1,041,707.44 + <i>any remaining earned interest</i>	\$38,958,299.96