

BENEFICIARY ELIGIBLE MITIGATION ACTION CERTIFICATION

Beneficiary State of Louisiana

Lead Agency Authorized to Act on Behalf of the Beneficiary Louisiana Dept. of Environmental Quality

(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:	Louisiana Department of Environmental Quality EVSE
Beneficiary's Project ID:	204948
Funding Request No.	
Request Type: (select one or more)	☐ Reimbursement ☐ Advance ☒ Other (specify): REVISION
Payment to be made to: (select one or more)	☒ Beneficiary ☐ Other (specify):
Funding Request & Direction (Attachment A)	☐ Attached to this Certification ☒ To be Provided Separately

SUMMARY

Eligible Mitigation Action	☒ Appendix D-2 item (specify): <u>Light duty zero emission vehicle supply equipment</u>
Action Type	☐ 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): The Volkswagen Environmental Mitigation Trust Agreement authorized each Beneficiary to use up to 15% of its allocation of Trust Funds on the costs necessary for, and directly connected to, the purchase, installation, and maintenance of new, light-duty zero emission electric vehicle supply equipment (EVSE) located in a public place, workplace, or multi-unit dwelling that is not consumer light-duty EVSE (i.e., not located at a private residential dwelling that is not a multi-unit dwelling). The Louisiana Department of Environmental Quality's Beneficiary Mitigation Plan (BMP), first published in April 2018 and updated December 2018, proposed to budget up to 15% of its allocation of Trust Funds on the costs necessary for, and directly connected to, the purchase, installation, and maintenance of new light-duty zero emission EVSE for Eligible Mitigation Action projects. (See LDEQ Beneficiary Mitigation Plan, Section IV. Preferred Mitigation Projects.) The Trust Funds will be used in accordance with the VW Consent Decree, Attachment A, Appendix D-2 (Case 3:16-cv-00295-CRB Document 55-1 Filed 10/02/17, which provides EVSE funding eligibility and ineligibility award requirements. These EVSE funding conditions are also included in the cooperative endeavor agreement between the Lead Agency and the Beneficiary's EMA project awardee.	

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

The allocation of up to 15% of the Trust Funds on the costs necessary for the purchase, installation, and maintenance of new light-duty zero emission EVSE projects located in a public place, workplace, or multi-unit dwelling will reduce emissions from on-road light-duty vehicles. Plug-in, hybrid electric vehicles or all-electric vehicles produce lower or zero tailpipe emissions, respectively, compared to conventional vehicles. Specifically, greenhouse gas emissions are reduced in addition to products of combustion, such as nitrogen oxide (NO_x), sulfur dioxide (SO₂), volatile organic compounds (VOCs), particulate matter (PM), and hazardous air pollutants (HAPs). NO_x is a criteria pollutant with a National Ambient Air Quality Standard (NAAQS) and a precursor for ozone formation and PM. Breathing air with a high concentration of NO_x can irritate airways in the human respiratory system. Such exposures over short periods can aggravate respiratory diseases, particularly asthma, leading to respiratory symptoms (such as coughing, wheezing or difficulty breathing), hospital admissions and visits to emergency rooms. Longer exposures to elevated concentrations of NO_x may contribute to the development of asthma and potentially increase susceptibility to respiratory infections. People with asthma, as well as children and the elderly, are generally at greater risk for the health effects of NO_x. By reducing the amount of NO_x produced, there will be a decrease in potential lung irritation and respiratory ailments.

Along with emissions reductions, the purchase and installation of light-duty EVSE will expedite deployment of EVSE infrastructure to support adoption of zero emission and near-zero emission vehicles and engines, and stimulate the confidence of out-of-state travelers and residents within the state due to EVSE charging travel range guarantees. Light-duty EVSE funding priority will be given to project proposals for light-duty EVSE charging stations installed on college and university campuses, other public places, and along highways and interstates.

Estimate of Anticipated NO_x Reductions (5.2.3):

See Table 1.

The anticipated NO_x reductions were calculated using AFLEET 2019 Tool which added the Electric Vehicle Charging Calculator to estimate the benefits of utilizing public charging infrastructure.

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 Louisiana Department of Environmental Quality

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

The Louisiana Department of Environmental Quality (LDEQ) is subject to Louisiana Public Records Laws and Louisiana Open Meetings Laws. As such, LDEQ has established a VW Settlement webpage, <http://deq.louisiana.gov/page/louisiana-volkswagen-environmental-mitigation-trust>. All public documents related to the VW Settlement are also placed on LDEQ's Electronic Document Management System (EDMS), the repository of official records and records that have been created or received by LDEQ. All LDEQ employees are responsible for ensuring official records are routinely submitted to the EDMS. Employees and members of the public can search and retrieve documents stored in the EDMS via this web application. All public records related to the VW Settlement can be found by searching for Agency Interest (AI) Number 204948.

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

The Beneficiary established a base grant of \$12,000 for acquisition and installation of each dual port Level 2 charging station awarded, and \$35,000 for the acquisition and installation of each dual port DCFC, or other analogous fast charging successor technology, awarded. The Department will provide up to 100% of the cost to purchase, install, and maintain eligible light-duty EVSE that will be available to the public at Government Owned Property. Additional costs over base award will be considered if funds are available. See Table 2

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

Notice to U.S. Government Agencies was emailed on August 23, 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).

By providing Trust Funds for the purchase, installation, and maintenance of new light-duty zero emission EVSE, public charging infrastructure will be strategically placed throughout the state and the State of Louisiana can continue improvements of its ambient air quality and protect human health and the environment through reductions in the ground level exposure of vehicle exhaust.

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.] |

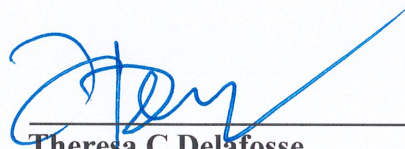
CERTIFICATIONS

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

1. This application is submitted on behalf of Beneficiary Louisiana Department of Environmental Quality, 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 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: _____

5/14/20



Theresa C Delafosse,
Undersecretary

La. Dept. of Environmental Quality

for

State of Louisiana

Attachment B

Eligible Mitigation Action Management Plan Including Detailed Budget and Implementation and Expenditures Timeline

Project Schedule and Milestones	
Milestone	Date
Request for Proposal opened	2019
Projects selected and agreements executed	Ongoing until funds expended
DEQ Submits D-4 and attachments to Trustee for mitigation action	November 2021
Trustee Approves original D-4	January 2022
DEQ Submits revised D-4 and attachments to Trustee for mitigation action	May 2026
Trustee Approves revised D-4	August 2026
Grantee submits required documentation	prior to reimbursement
Eligible Costs are awarded to Grantee	upon receipt of required documentation
DEQ reports to the Trustee on the status of expenditures with Mitigation Actions completed and Underway	January 30 and July 30 on a calendar year basis

Project Budget				
Budget Category	Total Budget	Share of Total Budget to be Funded by the Trust	Cost-Share	Expended to Date
Equipment Expenditure				
Level 2 Chargers 100% (Government owned, Public)	\$679,453.43	\$679,453.43	\$0.00	\$392,378.43
DCFC 100% (Government owned, Public)	\$558,957.98	\$558,957.98	\$0.00	\$348,957.98
Level 2 Chargers 80% (Non-Government owned, Public)	\$24,000.00	\$19,200.00	\$4,800.00	\$0.00
DCFC 80% (Non-Government owned, Public)	\$35,000.00	\$28,000.00	\$7,000.00	\$0.00
DCFC 60% (Government owned, Workplace)	\$58,333.33	\$35,000.00	\$23,333.33	\$0.00
Subtotal	\$1,355,744.74	\$1,320,611.41	\$35,133.33	\$741,336.41
Administrative				
Personnel	\$20,000.00	\$20,000.00	\$0.00	\$0.00
Project Total	\$1,375,744.74	\$1,340,611.41	\$35,133.33	\$741,336.41

Attachment C

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

The Louisiana Department of Environmental Quality (LDEQ) is subject to Louisiana Public Records Laws and Louisiana Open Meetings Laws. As such, LDEQ has established a VW Settlement webpage, <http://deq.louisiana.gov/page/louisiana-volkswagen-environmental-mitigation-trust>. All public documents related to the VW Settlement are also placed on LDEQ's Electronic Document Management System (EDMS), the repository of official records and records that have been created or received by LDEQ. All LDEQ employees are responsible for ensuring official records are routinely submitted to the EDMS. Employees and members of the public can search and retrieve documents stored in the EDMS via this web application. All public records related to the VW Settlement can be found by searching for Agency Interest (AI) Number 204948.

In addition, Wilmington Trust will post on its public facing website the semi-annual reports LDEQ is required to submit pursuant to Settlement section 5.3.

ATTACHMENT D

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

SCHEDULE OF PRICES

Payment for the EVSE to be purchased under this mitigation action shall use the unit rates provided in Table below, Unit Rates for EVSE. Additional costs up to percent reimbursement will be considered if funds are available.

Unit Rates for EVSE

Payment Item	Payment Unit	Department Amount	Reimbursement Amount	Total for each vehicle
Level 2 Chargers (Government owned, Public)	each	\$12,000.00	100%	\$12,000.00
DCFC (Government owned, Public)	each	\$35,000.00	100%	\$35,000.00
Level 2 Chargers (Non-Government owned, Public)	each	\$12,000.00	80%	\$9,600.00
DCFC (Non-Government owned, Public)	each	\$35,000.00	80%	\$28,000.00
DCFC (Government owned, Workplace)	each	\$35,000.00	60%	\$58,333.33

- The rates shall include all associated direct costs (labor, supplies, equipment, incidentals and expendables, duplication/copying, communications, postage, shipping and handling, transportation, taxes, etc.), all indirect costs (fringe, overhead, general and administrative costs), travel expenses associated with each line item and profit.

TABLE 1

<u>Awardee</u>	<u>Level II Charger</u>	<u>DCFC</u>	<u>Est. NOx Reduction lbs/yr</u>	<u>Lifetime lbs/yr</u>
Airport Authority of Airport District No. 1 of Calcasieu Parish (III)	2	0	9.2	92
Bossier Parish Community College (III)	2	0	9.2	92
City of Baton Rouge (III)	1	0	4.6	46
City of Bossier (III)	0	2	26.8	268
City of Denham Springs (III)	2	0	9.2	92
City of Gretna (II)	3	0	13.8	138
City of Minden (III)	0	1	13.4	134
City of Natchitoches (III)	0	2	26.8	268
City of New Iberia (III)	2	1	22.6	226
City of Ruston (III)	0	2	26.8	268
City of Westlake (III)	3	0	13.8	138
Downtown Shreveport Development Corporation (III)	3	0	13.8	138
Jeff Davis Parish Tourist Commission (III)	0	2	26.8	268
Jefferson Parish Environmental Affairs (II)	3	2	40.6	406
Lafayette Consolidated Government (II)	4	1	31.8	318
Louisiana State University (III)	3	0	13.8	138
Louisiana State University—Shreveport (III)	6	0	27.6	276
Nicholls State University (III)	2	0	9.2	92
Regional Planning Commission (II)	0	0	0	0
Southern University System—Baton Rouge (III)	4	0	18.4	184
Sowela Technical Community College (III)	3	0	13.8	138
St. Bernard Department of Community Development (II)	2	0	9.2	92
Terrebonne Parish Consolidated Government (III)	3	0	13.8	138
Town of Hornbeck (II)	0	0	0	0
University of Louisiana at Lafayette (II)	3	2	40.6	406
Capital Area Transit System (CATS)	0	1	13.4	134
Southeastern Louisiana University	2	0	9.2	92
LDEQ/LDCE	2	0	9.2	92
Xavier University (II)	2	1	22.6	226
La Dept of Agriculture and Forestry	0	1	13.4	134
TOTAL	57	18	503.4	5034

TABLE 2

Project Status Detail				
Awardee	Budget to be Funded by the Trust	Expended to Date	Status	Cost Share
Airport Authority of Airport District No. 1 of Calcasieu Parish (III)	\$24,000.00	\$24,000.00	Complete	100%
Bossier Parish Community College (III)	\$24,000.00	\$12,000.00		100%
City of Baton Rouge (III)	\$12,000.00	\$0.00		100%
City of Bossier (III)	\$70,000.00	\$0.00		100%
City of Denham Springs (III)	\$23,965.00	\$23,965.00	Complete	100%
City of Gretna (II)	\$35,938.00	\$35,938.00	Complete	100%
City of Minden (III)	\$35,000.00	\$35,000.00	Complete	100%
City of Natchitoches (III)	\$70,000.00	\$70,000.00	Complete	100%
City of New Iberia (III)	\$58,400.00	\$58,400.00	Complete	100%
City of Ruston (III)	\$69,500.00	\$69,500.00	Complete	100%
City of Westlake (III)	\$35,450.00	\$35,450.00	Complete	100%
Downtown Shreveport Development Corporation (III)	\$35,638.00	\$35,638.00	Complete	100%
Jeff Davis Parish Tourist Commission (III)	\$69,991.98	\$69,991.98	Complete	100%
Jefferson Parish Environmental Affairs (II)	\$105,880.00	\$105,880.00	Complete	100%
Lafayette Consolidated Government (II)	\$83,000.00	\$0.00		100%
Louisiana State University (III)	\$36,000.00	\$0.00		100%
Louisiana State University—Shreveport (III)	\$72,000.00	\$72,000.00	Complete	100%
Nicholls State University (III)	\$20,703.59	\$20,703.59	Complete	100%
Regional Planning Commission (II)	\$0.00	\$0.00	Cancelled	100%
Southern University System—Baton Rouge (III)	\$48,000.00	\$0.00		100%
Sowela Technical Community College (III)	\$36,000.00	\$24,925.00		100%
St. Bernard Department of Community Development (II)	\$24,000.00	\$0.00		100%
Terrebonne Parish Consolidated Government (III)	\$36,000.00	\$0.00		100%
Town of Hornbeck (II)	\$0.00	\$0.00	Cancelled	100%
University of Louisiana at Lafayette (II)	\$106,000.00	\$0.00	Pending contract	100%
Capital Area Transit System (CATS)	\$35,000.00	\$0.00	New	100%
Southeastern Louisiana University	\$24,000.00	\$0.00	Proposed	100%
LDEQ/LDCE	\$47,944.84	\$47,944.84		100%
Xavier University (II)	\$47,200.00	\$0.00		80%
La Dept of Agriculture and Forestry	\$35,000.00	\$0.00	New	60%

Total \$1,320,611.41 \$741,336.41