



Meeting Date: April 29, 2020

Agenda Item: 11

## AGENDA SUMMARY REPORT

**SUBJECT:**

VW Environmental Mitigation Trust Fund

**SUMMARY:**

Following publication of a report indicating high emissions from Volkswagen vehicles in over-the-road testing, California Air Resources Board (CARB) conducted a focused investigation which ultimately led to Volkswagen's admission in September 2015 that the company had installed defeat devices in all of its 2.0 liter diesel vehicles manufactured between model years 2009 and 2015.

This was followed in November 2015 by an admission by Audi engineers that 3.0 liter diesel passenger cars manufactured by VW, Audi and Porsche in model years 2009-2016 also contain defeat devices. VW owns all three manufacturers.

Volkswagen has paid \$225 million, including \$66 million to California, for harm resulting from the sale of its 3.0-liter diesel passenger cars that included emissions control "defeat devices," under partial Consent Decrees by the courts.

The funds available to MTA are being distributed through the San Joaquin Valley Air Pollutions Control District and CARB. MTA has one older cutaway bus in the fleet that meets the requirement criteria for replacement and removal from use. Grant funding available is \$180,000.

**RECOMMENDATION:**

Adopt and approve Resolution 2020-03 authorizing the Executive Director to apply to the San Joaquin Valley Air Pollution Control District for \$180,000 of VW mitigation funding.

**RESOLUTION #2020-04**

**RESOLUTION AUTHORIZING TO MAKE APPLICATION FOR AND TO SIGN CERTAIN ASSURANCES WITH RESPECT TO APPLICATIONS FOR LOCAL, STATE AND FEDERAL PROGRAM, PROJECTS OR GRANTS RELATING TO THE RECEIPT OF THE VOLKSWAGEN ENVIRONMENTAL MITIGATION TRUST FUNDING.**

**WHEREAS**, several local, state and federal programs allow public and non-profit transportation providers to apply for administration, capital and operation assistance programs or grants; and

**WHEREAS**, the Volkswagen Environmental Mitigation Trust Fund (VEMT) became available to public and private owners of transit, schools and shuttle buses to provide funding to eligible applicant recipients for the replacement of old, high-polluting transit, school and shuttle buses with new battery-electric or fuel-cell buses; and

**WHEREAS**, funds from the VEMT are administered through San Joaquin Valley Air Pollution Control District (SJVAPCD) and the California Air Resources Board (CARB); and

**WHEREAS**, it is required for Mendocino Transit Authority to make application for, to sign required assurances and to administer VEMT funds with respect to applications for local, state and federal programs, projects or grants; and

**WHEREAS**, Mendocino Transit Authority will be procuring a 2022 battery electric bus; and

**WHEREAS**, the anticipated funding amount to MTA is \$180,000 with provided match of \$70,000.

**NOW THEREFORE, BE IT RESOLVED** by the Mendocino Transit Board of Directors that the Executive Director is authorized to execute an agreement with VEMT, SJVAPCD and/or CARB to receive the funding for purchase of a battery-electric cutaway bus.

ADOPTED THIS 29<sup>TH</sup> DAY OF APRIL, 2020 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_ day of

\_\_\_\_\_

\_\_\_\_\_

SAPRINA RODRIGUEZ, CHAIRPERSON OF THE BOARD