

1 Sec. E. ____ . VOLKSWAGEN LITIGATION; ENVIRONMENTAL
2 MITIGATION TRUST FOR STATE BENEFICIARIES

3 (a) As used in this section:

4 (1) “Appendix D-2” means Appendix D-2 to the Environmental
5 Mitigation Trust, entitled “Eligible Mitigation Actions and Mitigation Action
6 Expenditures.”

7 (2) “Environmental Mitigation Trust” or “Trust” means the
8 Environmental Mitigation Trust Agreement for State Beneficiaries filed on
9 October 2, 2017 in *In re: Volkswagen “Clean Diesel” Marketing, Sales*
10 *Practices, and Products Liability Litigation*, 3:16-CV-00295-CRB, MDL No.
11 2672 CRB (JSC) (N.D. Cal.).

12 (3) “Mobile source” means any vehicle, freight switcher, ferry, tug,
13 vessel, or equipment that qualifies under an eligible mitigation action listed in
14 Appendix D-2.

15 (b) The Secretary of Natural Resources shall administer Environmental
16 Mitigation Trust monies pursuant to 10 V.S.A. § 554(15) and, in administering
17 the Trust monies appropriated under Sec. B.711 of this act, shall:

18 (1) Dedicate the maximum expenditure allowed under Appendix D-2 for
19 the purchase of light duty electric supply equipment and associated allowable
20 administrative costs.

1 (2) Dedicate the remainder of the monies to the replacement of mobile
2 sources that consume fossil fuels with all-electric mobile sources or the
3 repowering of mobile sources that consume fossil fuels with all-electric
4 engines, or both, and associated allowable administrative costs. The
5 expenditures shall be in accordance with the requirements of Appendix D-2.