

TRUSTEE COUNCIL RESOLUTION 07-3 Amended  
AMENDED 3/15/07, 2007

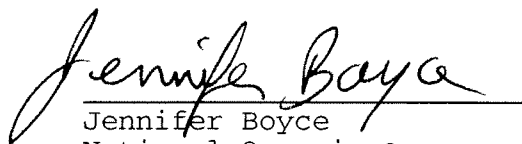
**MONTROSE TRUSTEE COUNCIL RESOLUTION REGARDING  
Funding for the Montrose Settlements Restoration Program:  
Marine Protected Areas**

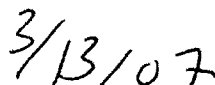
1. The National Oceanic and Atmospheric Administration (NOAA); the State of California acting through the State Lands Commission, the Department of Parks & Recreation and the Department of Fish & Game; and the Department of the Interior, acting through the U.S. Fish & Wildlife Service and the National Park Service are the natural resource trustees (Trustees) for natural resources injured by releases of DDT and PCBs into the Southern California Bight.
2. Sums recovered in the civil action *United States, et al. v. Montrose Chemical Corp., et al.*, No. CV 90-3122-R (C.D. Cal. 1990) are being held in the Department of the Interior Natural Resource Damage Assessment and Restoration Fund (DOI Restoration Fund) and the registry accounts administered by the U.S. District Court for the Central District of California.
3. The Trustees have entered into a memorandum of understanding (MOU), as modified, that establishes a Trustee Council (Montrose Trustee Council) composed of one voting member for each trustee agency. Under the terms of that MOU, the Montrose Trustee Council is authorized to disburse funds for activities related to the damage assessment and restoration process.
4. In accordance with the MSRP restoration plan, a solicitation was issued in 2006 seeking projects to augment the implementation of newly established marine protected areas (MPAs) in the Channel Islands. Based on an evaluation of ten proposals received, the Montrose Trustee Council has found that the following two project proposals best meet restoration objectives: 1) Evaluating the Effectiveness of Channel Islands' Marine Protected Areas Using a Long Term Ecological Monitoring Program, proposal number 8; and 2) Interpreting Changes in Community Structure in Marine Reserves in Light of Spatial and Temporal Patterns of Settlement, proposal number 10.
5. On January 24, 2007 the Trustees signed Resolution 07-3 authorizing the disbursement of \$170,141 from the DOI Restoration Fund for the first year of implementation of the two projects listed in paragraph 4 to augment the implementation of newly established marine protected areas (MPAs) in the Channel Islands. Of this total disbursement, \$75,000 was to be disbursed to the National Park Service and \$95,141 was to be disbursed to the National Oceanic and Atmospheric Administration. Subsequent to the signing of this resolution, but prior to the disbursement of

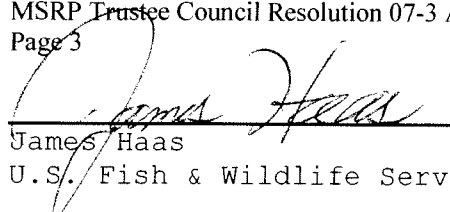
funds from the DOI Restoration Fund, the Montrose Trustee Council determined that the amount to be disbursed to the National Park Service should be increased by \$10,104 to pay for the required DOI indirect charge.

6. Thus, through this amendment to Resolution 07-3, the Montrose Trustee Council resolves to authorize disbursement of \$180,245 from the DOI Restoration Fund for the funding of the two MPA projects listed in paragraph 4 above and in paragraph 4 of Resolution 07-3. Of this total disbursement, \$85,104 is to be disbursed to the National Park Service, and \$95,141 is to be disbursed to the National Oceanic and Atmospheric Administration.
7. Disbursement of the subsequent year's funding for these two projects will be authorized through subsequent resolution(s).
8. Each trustee agency receiving this restoration funding shall submit documentation, including supporting documentation, regarding expenditure of these funds as part of its annual cost documentation submission requirement by July 31, 2008.
9. Any MPA project funds approved through this Resolution that are not completely exhausted by the end of budget year 2007 may be used to cover MPA project costs in a subsequent budget year or, with additional Trustee Council approval, applied to other Montrose Settlements Restoration Program tasks. Any unexpended MPA project funds that are approved by the Trustee Council for use on non-MPA tasks will not be counted as MPA expenditures.
10. This Resolution does not limit the number of additional advance funding requests that can be made during the time period required to complete restoration.
11. The effective date of this Resolution shall be the date on which the last trustee signs this document.

**CONCURRED in by the following who are the duly authorized Montrose Trustee Council Representatives:**

  
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Jennifer Boyce  
National Oceanic &  
Atmospheric Administration

  
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Date

  
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James Haas  
U.S. Fish & Wildlife Service

3/15/07  
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Kate Faulkner  
National Park Service

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Jennifer Lucchesi  
State Lands Commission

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Suzanne Goode  
Department of Parks &  
Recreation

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Patricia Velez  
Department of Fish & Game

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Date

*Kate Faulkner*

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National Park Service

*3/13/07*

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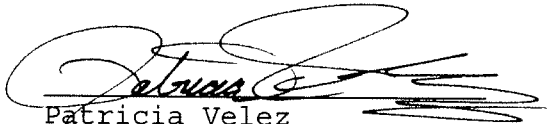
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