

TRUSTEE COUNCIL RESOLUTION 01-2
ADOPTED April 18, 2001

MONTROSE TRUSTEE COUNCIL
RESOLUTION REGARDING
FUNDING FOR RECORDS MANAGEMENT SUPPORT
& RESTORATION PLANNING

1. The National Oceanic and Atmospheric Administration; 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 U.S. 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 a registry account administered by the U.S. District Court for the Central District of California.

3. The Trustees have entered into a memorandum of agreement (MOA), as modified, that establishes a Trustee Council (Montrose Trustee Council) composed of one voting member for each trustee agency. Under the terms of that MOA, the Montrose Trustee Council is authorized to disburse funds for activities related to the damage assessment and restoration process. Records management support and restoration planning are activities related to the damage assessment and restoration process.


4. The Montrose Trustee Council resolves unanimously to authorize disbursement of \$58,620.00 from the registry account to the National Oceanic and Atmospheric Administration. Of that amount, \$33,620.00 will be used for records management support for activities described in "Estimate for NOAA To Prepare and Maintain the Restoration Phase Administrative Record Including Posting on the Website and Records Management Support" (attached). The remaining \$25,000.00 will fund a three-month planning effort necessary to refine a proposal to conduct sampling to evaluate contaminant levels in sports fish. "In-house" expenses incurred by NOAA or any other trustee related to these activities are reasonable damage assessment and restoration costs which may be reimbursed from settlement funds upon approval of the Montrose Trustee Council. After completion of the work, NOAA will provide a complete financial accounting of the funds approved by this Resolution to the Montrose Trustee Council.

5. The Montrose Trustee Council reserves the right to reopen, revise, and/or revoke its approval of all or part of this Resolution should any material change be made from the proposed work, or if any of the Trustees determines that the work performed is deficient.

6. 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:



William Conner
National Oceanic &
Atmospheric Administration

4/17/01
Date

Roger C. Helm
U.S. Fish & Wildlife Service

Date

Timothy J. Setnicka
National Park Service

Date

Lance Kiley
State Lands Commission

Date

Suzanne Goode
Department of Parks &
Recreation

Date

Patricia Velez
Department of Fish & Game

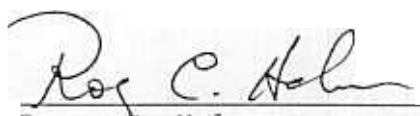
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last Trustee signs this document

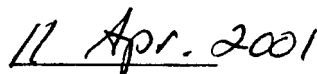
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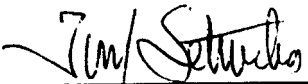
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National Oceanic &
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U.S. Fish & Wildlife Service

Date



Timothy J. Setnicka
National Park Service



Date

Lance Kiley
State Lands Commission

Date

Suzanne Goode
Department of Parks &
Recreation

Date

Trustee signs this document

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National Oceanic &
Atmospheric Administration

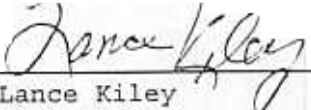
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Roger C. Helm
U.S. Fish & Wildlife Service

Date

Timothy J. Setnicka
National Park Service

Date



Lance Kiley
State Lands Commission

4-9-01

Suzanne Goode
Department of Parks &
Recreation

Date

Patricia Velez
Department of Fish & Game

Date

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William Conner
National Oceanic &
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Date

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U.S. Fish & Wildlife Service

Date

Timothy J. Setnicka
National Park Service

Lance Kiley
State Lands Commission

Date

Suzanne Goode
Suzanne Goode
Department of Parks &
Recreation

4-5-01
Date

Patricia Velez
Department of Fish & Game

Last Trustee signs this document

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National Oceanic & Atmospheric Administration

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U.S. Fish & Wildlife Service

Date

Timothy J. Setnicka
National Park Service

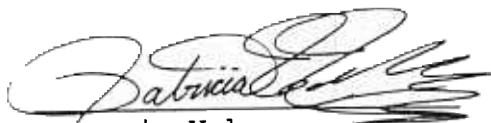
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State Lands Commission

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Department of Parks & Recreation

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Patricia Velez
Department of Fish & Game

APRIL 18, 2001
Date