


TRUSTEE COUNCIL RESOLUTION 01-4
ADOPTED August 1, 2001

MONTROSE TRUSTEE COUNCIL
RESOLUTION REGARDING ADVANCE FUNDING TO BEGIN
RESTORATION ACTIVITIES FOR THE NATIONAL PARK SERVICE
AND THE U.S. FISH & WILDLIFE SERVICE

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 and 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 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. CB 90-3122-R (C.D. Cal. 1990) are being held in the Department of Interior Restoration Fund and the 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.
4. The Trustees have agreed to procedures regulating future costs. These procedures provide that a trustee agency may request advance funding to support in-house activities related to Montrose restoration. The advance funding request will consist of line item estimates, may not exceed one year, and is subject to trustee council approval. At the end of the budget time, the trustee agency will provide cost documentation supporting the expenditure of the funds. If funds are not completely exhausted by the end of the time, the money can be used to cover in-house costs for the next time period.
5. Under the future costs procedures, "in-house costs" include those costs associated with preparing for and attending trustee council meetings or meetings of working groups or committees formed by the trustee council or costs associated with completing tasks assigned by the trustee council related to restoration.
6. The National Park Service and the U.S. Fish & Wildlife Service have requested advance funding to begin restoration activities. The National Park Service estimates an expenditure of \$30, 577.00 for in-house restoration activities for FY 2001 through March, 2002. The U.S. Fish & Wildlife Service estimates a total expenditure of \$289,050.00 for in-house restoration activities for FY 2001 through March, 2002.


7. The Montrose Trustee Council resolves unanimously to authorize disbursement of \$289,050.00 from the DOI Restoration Fund to the U.S. Fish and Wildlife Service and \$30,577.00 to the National Park Service. At the end of March, 2002 the U.S. Fish & Wildlife Service, and at the end of March, 2002, the National Park Service, will provide a complete financial accounting of the funds approved by this Resolution to the Montrose Trustee Council. If the Trustees determine that the funds have not been related to reasonable restoration costs, the Montrose Trustee Council reserves the right to authorize the funds to be used for other Montrose restoration activities in the next time period.
8. The effective date of the 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

8/1/01
Date



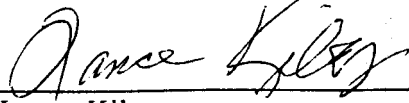
Daniel Welsh
U.S. Fish & Wildlife Service

8/1/01
Date



Timothy J. Setnicka
National Park Service

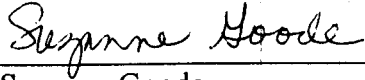
8/7/01
Date



Lance Kiley
State Lands Commission

8-1-01

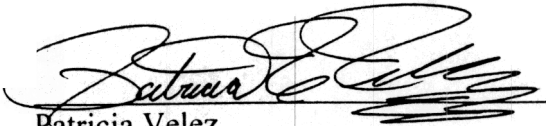
Date



Suzanne Goode
Department of Parks & Recreation

8-1-01

Date



Patricia Velez
Department of Fish & Game

8-1-01

Date