


Montrose Trustee Council Resolution 02-8

**TRUSTEE COUNCIL RESOLUTION 02-8  
ADOPTED 8/21, 2002**

**MONTROSE TRUSTEE COUNCIL RESOLUTION REGARDING THE  
REIMBURSEMENT OF RESTORATION COSTS FOR THE NATIONAL OCEANIC &  
ATMOSPHERIC ADMINISTRATION**

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 the Interior Natural Resource Damage Assessment and Restoration Fund (DOI NRDAR 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 the 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 restoration costs. These procedures provide that in-house 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 are reasonable costs related to restoration and are recoverable.
5. The National Oceanic & Atmospheric Administration (NOAA) has requested reimbursement for in-house costs associated with restoration activities in the amount of \$305,190.51. This total includes costs for NOAA staff salaries, travel, and the transportation of items for restoration purposes from May 20, 2001 through September 30, 2001. "In-house" expenses incurred by NOAA or other trustees related to these activities are reasonable restoration costs which may be reimbursed from settlement funds upon approval of the Montrose Trustee Council.
6. The Montrose Trustee Council resolves unanimously to authorize disbursement of \$305,190.51 from the DOI NRDAR Fund to the National Oceanic & Atmospheric Administration.
7. 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

8/1/02  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Daniel Welsh  
U.S. Fish & Wildlife Service

\_\_\_\_\_  
Date

\_\_\_\_\_  
Timothy J. Setnicka  
National Park Service

\_\_\_\_\_  
Date

\_\_\_\_\_  
Jonathan Clark  
State Lands Commission

\_\_\_\_\_  
Date

\_\_\_\_\_  
Suzanne Goode  
Department of Parks &  
Recreation

\_\_\_\_\_  
Date

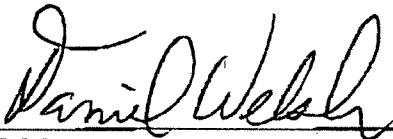
\_\_\_\_\_  
Patricia Velez  
Department of Fish & Game

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
William Conner  
National Oceanic &  
Atmospheric Administration

\_\_\_\_\_  
Date



\_\_\_\_\_  
Daniel Welsh  
U.S. Fish & Wildlife Service

\_\_\_\_\_  
Date

*7/31/02*

\_\_\_\_\_  
Timothy J. Setnicka  
National Park Service

\_\_\_\_\_  
Date

\_\_\_\_\_  
Jonathan Clark  
State Lands Commission

\_\_\_\_\_  
Date

\_\_\_\_\_  
Suzanne Goode  
Department of Parks &  
Recreation

\_\_\_\_\_  
Date

\_\_\_\_\_  
Patricia Velez  
Department of Fish & Game

\_\_\_\_\_  
Date

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

---

William Conner  
National Oceanic &  
Atmospheric Administration

---

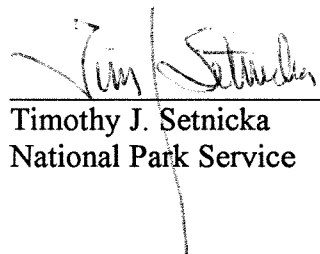
Date

---

Daniel Welsh  
U.S. Fish & Wildlife Service

---

Date



---

Timothy J. Setnicka  
National Park Service

---

7/31/02  
Date

---

Jonathan Clark  
State Lands Commission

---

Date

---

Suzanne Goode  
Department of Parks &  
Recreation

---

Date

---

Patricia Velez  
Department of Fish & Game

---

Date

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

\_\_\_\_\_  
William Conner  
National Oceanic &  
Atmospheric Administration

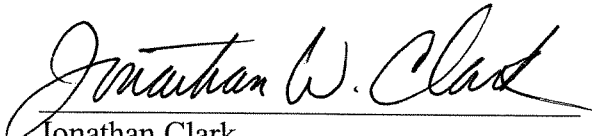
\_\_\_\_\_  
Date

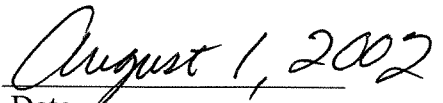
\_\_\_\_\_  
Daniel Welsh  
U.S. Fish & Wildlife Service

\_\_\_\_\_  
Date

\_\_\_\_\_  
Timothy J. Setnicka  
National Park Service

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Jonathan Clark  
State Lands Commission

  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Suzanne Goode  
Department of Parks &  
Recreation

\_\_\_\_\_  
Date

\_\_\_\_\_  
Patricia Velez  
Department of Fish & Game

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
William Conner  
National Oceanic &  
Atmospheric Administration

\_\_\_\_\_  
Date

\_\_\_\_\_  
Daniel Welsh  
U.S. Fish & Wildlife Service

\_\_\_\_\_  
Date

\_\_\_\_\_  
Timothy J. Setnicka  
National Park Service

\_\_\_\_\_  
Date

\_\_\_\_\_  
Jonathan Clark  
State Lands Commission

\_\_\_\_\_  
Date

*Suzanne Goode*  
\_\_\_\_\_  
Suzanne Goode  
Department of Parks &  
Recreation

*8-21-02*  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Patricia Velez  
Department of Fish & Game

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
William Conner  
National Oceanic &  
Atmospheric Administration

\_\_\_\_\_  
Date

\_\_\_\_\_  
Daniel Welsh  
U.S. Fish & Wildlife Service

\_\_\_\_\_  
Date

\_\_\_\_\_  
Timothy J. Setnicka  
National Park Service

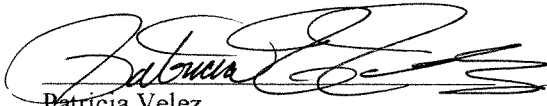
\_\_\_\_\_  
Date

\_\_\_\_\_  
Jonathan Clark  
State Lands Commission

\_\_\_\_\_  
Date

\_\_\_\_\_  
Suzanne Goode  
Department of Parks &  
Recreation

\_\_\_\_\_  
Date

  
Patricia Velez  
Department of Fish & Game

August 6, 2002  
Date