

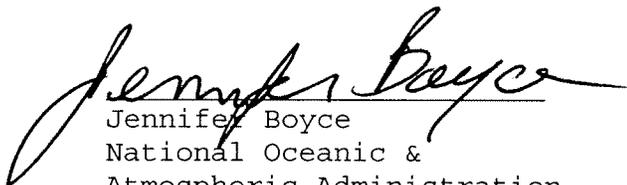
TRUSTEE COUNCIL RESOLUTION 07-5
ADOPTED July 19TH, 2007

**MONTROSE TRUSTEE COUNCIL RESOLUTION REGARDING
Funding for the Montrose Settlements Restoration Program:
Peregrine Falcon Monitoring on the Channel Islands**

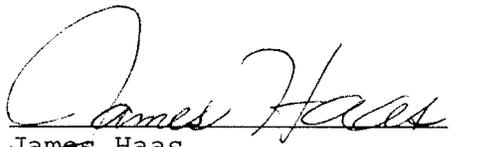
1. The National Oceanic and Atmospheric Administration (NOAA); the State of California acting through the State Lands Commission, the Department of Parks & Recreation and the Department of Fish & Game; and the Department of the Interior, acting through the U.S. Fish & Wildlife Service and the National 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 Trustee Council Resolution 07-1, signed January 8, 2007, the Trustee Council approved a transfer of \$149,332 from the DOI Restoration Fund to execute the 2007 component of the peregrine falcon monitoring plan described in the Final Montrose Restoration Plan/Environmental Impact Statement. These funds were distributed to the U.S. Fish and Wildlife Service (USFWS).
5. In May 2007, the USFWS determined that an additional \$10,000.00 would be required to complete the 2007 component of this project. The reasons for this increase are twofold. First, due to unforeseen environmental factors, including unusual spring weather patterns and an outbreak of domoic acid, the 2007 breeding season on the California Channel Islands became longer than expected. In order to document the outcomes of this extended breeding season and to obtain samples from these late breeding pairs, the project contractor has had to extend its field season and increase the number of man-hours expended on this project. Second, recent sightings of peregrine falcons in potential new nesting locations on the California Channel Islands require some follow-up observation.

6. Thus, the Montrose Trustee Council resolves to increase the authorized funding for the 2007 component of the peregrine falcon monitoring program from \$149,332 to \$159,332.
7. Because the USFWS has unused funds remaining from other projects, an additional transfer from the DOI Restoration Fund is not necessary. However, any funds redirected from other projects to the peregrine falcon monitoring project will be counted against the peregrine project rather against the project for which the funds were originally intended.
8. The USFWS shall submit documentation, including supporting documentation, regarding expenditure of these additional funds as part of its annual cost documentation submission requirement by July 31, 2008.
9. The effective date of this Resolution shall be the date on which the last trustee signs this document.

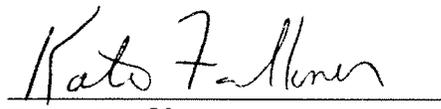
CONCURRED in by the following who are the duly authorized Montrose Trustee Council Representatives:


Jennifer Boyce
National Oceanic &
Atmospheric Administration

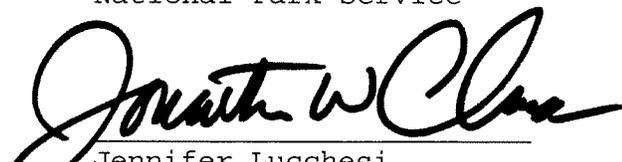
19 July 2007
Date


James Haas
U.S. Fish & Wildlife Service

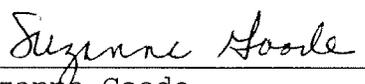
19 July 2007
Date


Kate Faulkner
National Park Service

19 July, 2007
Date


Jennifer Lucchesi
State Lands Commission

July 19, 2007
Date



Suzanne Goode
Department of Parks &
Recreation

July 19, 2007
Date



Patricia Velez
Department of Fish & Game

July 19, 2007
Date