

TRUSTEE COUNCIL RESOLUTION 06-1
AMENDED April 10, 2006

MONTROSE TRUSTEE COUNCIL RESOLUTION REGARDING
Funding for the Montrose Settlements Restoration Program:
Calendar Year 2006 Budget

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 the Department of the Interior Natural Resource Damage Assessment and Restoration Fund (DOI 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 approve planned expenditures of \$1,746,598.00 for budget year 2006, which extends from January 1, 2006 through December 31, 2006. Included in the 2006 budget are the Trustee Council operating costs; operating costs for the MSRP office in Long Beach; costs associated with the Restoration Plan development; the bird data gap studies; the fish and fishing data gap studies; and the public outreach and education activities for the year. 2006 Planned expenditures for each trustee agency are as follows:

\$744,900.00 for National Oceanic and Atmospheric Administration
\$406,568.00 for United States Fish and Wildlife Service
\$441,012.00 for National Park Service
 \$97,070.00 for California Department of Fish and Game
 \$20,680.00 for California State Lands Commission
 \$12,500.00 for California Department of Parks and Recreation
 \$23,868.00 for Department of the Interior

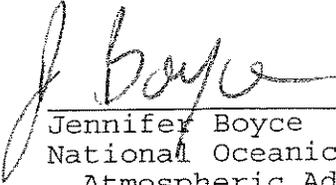
5. The Montrose Trustee Council resolves unanimously to authorize as advance funding for 2006 the disbursement of \$1,532,391.00 from the DOI Restoration Fund as follows:

\$608,856.00 to National Oceanic and Atmospheric Administration
\$406,568.00 to United States Fish and Wildlife Service
\$431,342.00 to National Park Service
\$52,826.00 to California Department of Fish and Game
\$8,930.00 to California State Lands Commission
\$0.00 to California Department of Parks and Recreation
\$23,868.00 to Department of the Interior

For most trustees, these disbursements reflect the planned expenditures identified in paragraph 4, less the estimated funds still remaining with each trustee agency from funding provided for 2004. The estimated funds remaining are based on cost documentation submitted by the trustee agencies and for which final acceptance by the Trustee Council is pending. Attachment A itemizes the prior expenditures and estimated funds remaining for each trustee agency, as well as 2006 planned expenditures and advance funding disbursements.

6. Each trustee agency receiving advance funding for 2006 shall submit quarterly to the program manager a summary report of estimated expenditures. These quarterly expenditure reports are for program management purposes, need not include supporting documentation, and are due on May 31, August 31, and November 30, 2006. In lieu of a fourth quarterly report after the close of the budget year, each trustee agency shall submit a full and final cost documentation package on July 31, 2007, including supporting documentation (e.g. timesheets, travel vouchers, and receipts).
7. Each trustee agency shall submit a full and final cost documentation package for the 2005 budget year on July 31, 2006. Disbursement of 2007 advance funding to each trustee agency will be contingent upon the Trustee Council's acceptance of the final annual cost documentation package submitted by each trustee agency for the 2005 budget year.
8. Funds that are not completely exhausted by the end of a budget year may be used to cover execution of the approved program element in a subsequent budget year or, with additional Trustee Council approval, applied to other Montrose Settlements Restoration Program tasks.
9. This Resolution does not limit the number of additional advance funding requests that can be made during the time period required to complete restoration.
10. 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:



Jennifer Boyce
National Oceanic &
Atmospheric Administration

April 4, 2006
Date

James Haas
U.S. Fish & Wildlife Service

Date

Kate Faulkner
National Park Service

Date

Jonathan Clark
State Lands Commission

Date

Suzanne Goode
Department of Parks &
Recreation

Date

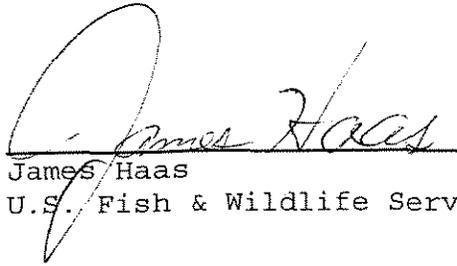
Patricia Velez
Department of Fish & Game

Date

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State Lands Commission

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Department of Parks &
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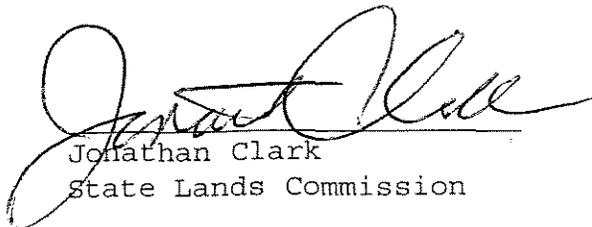
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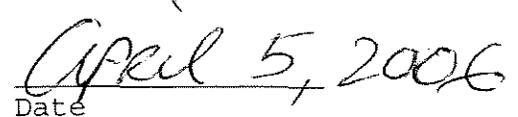
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Suzanne Goode
Department of Parks &
Recreation

4-5-06
Date

Patricia Velez
Department of Fish & Game

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Suzanne Goode
Department of Parks &
Recreation

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Patricia Velez
Department of Fish & Game

4-5-06
Date

ATTACHMENT A

Table 1. Estimated Funds Remaining from 2004 Budget Year

	2004 Advance Funding	2004 Estimated Expenditures	2004 Estimated Funds Remaining
NOAA	\$878,454	\$742,410	\$136,044
FWS (including DOI)	\$682,112	-	\$682,112
NPS	\$287,575	\$277,905*	\$9,670
CDFG	\$79,663	\$35,419	\$44,244
SLC	\$28,828	\$11,750	\$17,078
CDPR	\$12,509	-	\$12,509

* \$242,056 of this is for the IWS Cooperative Agreement that was actually processed in 2005

Table 2. 2006 Budget Year Planned Expenditures and Advance Funding Authorized

	2006 Planned Expenditures	Prior Credits	2006 Advance Funding Disbursements
NOAA	\$744,900	\$136,044	\$608,856
FWS	\$406,568	-	\$406,568
NPS	\$441,012	\$9,670	\$431,342
CDFG	\$97,070	\$44,244	\$52,826
SLC	\$20,680	\$11,750	\$8,930
CDPR	\$12,500	\$12,509	\$0
DOI	\$23,868	-	\$23,868
Totals	\$1,746,598	\$214,217	\$1,532,391