

TRUSTEE COUNCIL RESOLUTION 06-11
ADOPTED November 14, 2006

MONTROSE TRUSTEE COUNCIL RESOLUTION REGARDING
Funding for the Montrose Settlements Restoration Program:
Restoration of Full Tidal Exchange Wetlands

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, through NOAA's grants process, sought proposals for the restoration of full tidal exchange wetlands in Southern California in June 2006, consistent with the MSRP Restoration Plan. Two proposals were found to meet the requirements of the request for applications. MSRP staff reviewers evaluated the proposals and recommended to the Trustee Council that funding be provided for both projects.
5. The Montrose Trustee Council resolves unanimously to contribute up to \$1,500,000 in funding for the Bolsa Chica wetlands restoration project, to be used for the purpose of maintaining the recently constructed and critical channel that provides full tidal exchange between the wetlands and the ocean. Transfer of funding for this purpose is to be authorized through a subsequent Trustee Council Resolution upon request by the California State Lands Commission at an undetermined future date when maintenance dredging is required.
6. The Montrose Trustee Council also resolves unanimously to contribute up to \$2,000,000 in funding for the restoration of the Huntington Beach wetlands complex. Advance funding for this

purpose shall be transferred from the DOI Restoration Fund to NOAA. NOAA shall provide the funding and manage the project through a cooperative agreement with the Huntington Beach Wetlands Conservancy. Funding is to be authorized in annual increments either as part of the approved annual MSRP budget or through subsequent individual Trustee Council Resolutions.

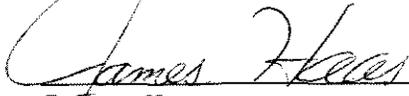
7. Upon receiving funding for these wetlands projects, the California State Lands Commission and NOAA shall monitor expenditures and provide the Montrose Trustee Council with cost documentation that summarizes the costs incurred and includes copies of supporting documentation as required under the Trustees' cost reimbursement procedures. This documentation is to be submitted in the annual cost documentation package that NOAA is to provide under the MSRP budget process.
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:



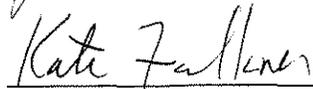
Jennifer Boyce
National Oceanic &
Atmospheric Administration

11/14/06
Date



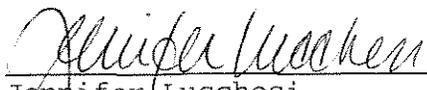
James Haas
U.S. Fish & Wildlife Service

11/14/06
Date



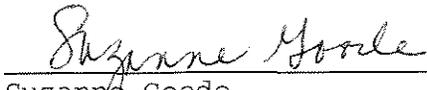
Kate Faulkner
National Park Service

14 Nov 2006
Date



Jennifer Lucchesi
State Lands Commission

11/14/06
Date



Suzanne Goode
Department of Parks &
Recreation

11-14-06
Date



Patricia Velez
Department of Fish & Game

11/14/06
Date