

**Elliott Bay Trustee Council
Lower Duwamish River
Resolution 2009-05**

This resolution by the Elliott Bay Trustee Council (Trustee Council) authorizes sending notification of potential liability letters to potentially responsible parties (PRPs) on the Lower Duwamish River inviting them to engage in discussions with the Trustees to resolve their natural resource damage liability.

Adopted: December 16, 2009

Attachment: Notification of potential liability letter to be sent to PRPs on the Lower Duwamish River

The Trustee Council consists of the National Oceanic and Atmospheric Administration (NOAA) of the U.S. Department of Commerce; the U.S. Department of the Interior, represented by the U.S. Fish and Wildlife Service; the Muckleshoot Indian Tribe; the Suquamish Tribe; and the Washington Departments of Ecology (as lead state Trustee) and Fish and Wildlife (as state co-Trustee). The Trustee Council is operating under the *Memorandum of Agreement for Elliott Bay, the Duwamish River and Eagle Harbor (effective date 1/19/06)*. That MOA provides the framework for implementing joint damage assessment and restoration actions by the Trustee Council in Elliott Bay and the Lower Duwamish River.

The Trustee Council intends to notify PRPs on the lower Duwamish River that the Trustees believe that these parties may have liability for natural resource damages. The trustees invite PRPs to contact them for further information about their liability and to discuss with the Trustees ways to resolve this liability through constructing restoration projects, or other means acceptable to the Trustees.

Now, therefore, it is resolved that:

1. The Trustee Council reviewed the attached Notification of Potential Liability Letter, and agrees that it will be sent out to PRPs on the Lower Duwamish River.
2. The Trustee Council authorizes NOAA to sign the Letter on behalf of the Trustees.

By their signatures below, representatives of the Elliott Bay Trustee Council hereby certify that this Resolution, 2009-05, was adopted in compliance with decision-making procedures of the Trustee Council.

NOAA:

By: Rebecca Hoff 16 Dec, 2009
Rebecca Hoff Date

U.S. Department of the Interior/U.S. Fish and Wildlife Service:

By: Jeff Krausmann 16 DEC 09
Jeff Krausmann Date

Washington State Department of Ecology (Lead State Trustee):

By: Rudy Cramer for 12/16/09
Craig Thompson Date

The Muckleshoot Indian Tribe:

By: Glen St. Amant 12/16/09
Glen St. Amant Date

The Suquamish Tribe:

By: Richard Brooks 12/14/09
Richard Brooks Date