

TRUSTEE COUNCIL RESOLUTION 05-1  
ADOPTED June 7, 2005

**MONTROSE TRUSTEE COUNCIL RESOLUTION REGARDING  
Funding for the Montrose Settlements Restoration Program:  
Review and Reconciliation of Restoration Funds Accounts**

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. NOAA, acting in its capacity as Federal Lead Administrative Trustee proposes that the Trustees obtain the services of a professional accounting firm, Cotton and Company, to regularly obtain and review recent statements of transactions for the settlement accounts described under paragraph 2 above, reconcile the settlement account balances approximately four times per year (quarterly), and provide a report of recent activities and account balances to the Trustee Council. Cotton and Company has submitted a cost proposal of approximately \$665.00 per quarter to provide this service.
5. The Montrose Trustee Council resolves unanimously to authorize reimbursement of up to \$2,500 to NOAA from the DOI Restoration Fund to pay for the services from Cotton and Company described in Paragraph 4 above covering the period from the 4<sup>th</sup> quarter of 2004 through the end of calendar year 2005. Services for subsequent years shall be included along with other proposed activities in future annual MSRP budgets.
6. NOAA will provide the Montrose Trustee Council with the reports as they are produced, and will submit cost documentation for these

services as part of the annual cost documentation package as required under the Trustees' cost reimbursement procedures.

- 7. The Montrose Trustee Council reserves the right to reopen, revise, and/or revoke its approval of this Resolution should ~~any material change be made to the sampling plan, or if~~ the Trustees determine that the work performed pursuant to ~~the plan~~ this Resolution is deficient.
- 8. The effective date of the Resolution shall be the date on which the last trustee signs this document.

*Handwritten notes:*  
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 CH  
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 JB  
 KRF

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

Jennifer Boyce  
 Jennifer Boyce  
 National Oceanic &  
 Atmospheric Administration

6/7/05  
 Date

James Haas  
 James Haas  
 U.S. Fish & Wildlife Service

6/7/05  
 Date

Kate Faulkner  
 Kate Faulkner  
 National Park Service

6/7/05  
 Date

Jonathan Clark for  
 Jonathan Clark  
 State Lands Commission

6/7/05  
 Date

Suzanne Goode  
 Suzanne Goode  
 Department of Parks &  
 Recreation

6-7-05  
 Date

Patricia Velez  
 Patricia Velez  
 Department of Fish & Game

6-7-05  
 Date