

Adopted 9-30-19.

**Cosco Busan Trustee Council Resolution**  
**Regarding Disbursement of Funds (from NFWF Rec Account)**  
**for Restoration Projects**  
**for Fiscal Year 2019**

1. The State of California, acting through the Department of Fish and Wildlife (CDFW) and the California State Lands Commission (CSLC); the National Oceanic and Atmospheric Administration (NOAA); and the Department of the Interior (DOI), acting through the U.S. Fish and Wildlife Service (USFWS) and the National Park Service (NPS), are the trustees responsible for restoring those natural resources injured by the discharge of oil from the *M/V Cosco Busan* on November 7, 2007.

2. Sums recovered for restoration planning and implementation, in the civil action *United States v. M/V Cosco Busan et al.*, and related actions, are being held in the DOI Natural Resource Damage Assessment and Restoration Fund (NRDAR Fund) and the San Francisco Bay Shoreline Parks and Recreational Use account established by the National Fish and Wildlife Foundation (NFWF Rec Account).

3. The Trustees have entered into a Memorandum of Understanding (MOU) among themselves for the purpose of coordinating their trust responsibilities. In addition, the CDFW and the CSLC are required to manage the Restoration Funds in the NFWF Rec Account in accordance with their Memorandum of Understanding with NFWF.

4. The MOU and the Memorandum of Understanding with NFWF specify several procedural prerequisites to the implementation of projects selected in the Restoration Plan. Pursuant to their Memorandum of Understanding with NFWF, the CDFW and the CSLC are required to coordinate the selection of projects/grant recipients to receive funds from the NFWF Rec Account with NOAA and DOI:

5. The MOU requires the Trustee Council to memorialize all approvals of disbursements and expenditures of funds from the above-referenced accounts in a Trustee Council Resolution signed by the participating voting members. The settlement funds may be used only for the design, implementation, permitting (as necessary), monitoring and oversight of restoration projects and for the costs of complying with the requirements of law to conduct a restoration planning and implementation process. The use of such funds must be documented and an accounting provided to the Cosco Busan Trustee Council.

6. The Trustee Council hereby determines that the projects identified in the table below, including project locations, (Projects) are appropriate restoration projects under the Cosco Busan Damage Assessment and Restoration Plan (DARP)/Environmental Assessment. Accordingly, the Trustee Council hereby authorizes the disbursement of funds from the NFWF Rec Account to the grant recipients identified below to implement all or a portion of the Projects. This includes authorization for the listed "initial awards" as well as any subsequent disbursements to the grant recipients identified below to complete all or a portion of a Project(s).

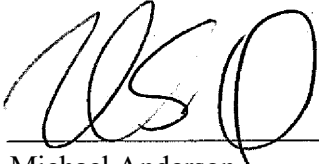
<b>Project Title</b>	<b>Grant Recipient</b>	<b>Initial Award</b>
<b>East Bay</b>		
Jack London Aquatic Center Non-Motorized Launch Dock Replacement	City of Oakland	\$243,000
Encinal Beach Shoreline Recreation Improvements	East Bay Regional Park District	\$200,000
<b>Marin</b>		
Dunphy Park Improvement & Native Plants Living Shoreline Project	City of Sausalito	\$275,000
Sausalito Community Boating Center - Expanding Public Recreation at Sausalito's Shoreline	Cass Gidley Marina - Sausalito Community Boating Center	\$175,000
Black Point Boat Launch Visitor Upgrades	Marin County Parks	\$67,500
<b>Other</b>		
Montara State Beach Facility Improvement	California Department of Parks and Recreation	\$80,000
The Salt Marsh Trail Enhancement Project	Friends of the Palo Alto Parks	\$54,000
<b>Total</b>		<b>\$1,094,500</b>

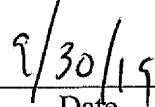
7. In accordance with the MOU, the CDFW and the CSLC shall have approval authority for the individual invoices and disbursements associated with authorized grant awards from the NFWF Rec Account. However, if a project listed above becomes infeasible for any reason, the CDFW and the CSLC may, with notification to the Trustees, redirect funds from the infeasible project to another project listed above.

8. This Resolution may be executed in counterparts. A copy with all original executed signature pages affixed shall constitute the original Resolution and be retained by the Lead Administrative Trustee that maintains records.

9. The effective date of this resolution shall be the date on which the last Trustee Signs this resolution.

These terms are agreed to by the following duly authorized Cosco Busan Trustee Council representatives:

  
\_\_\_\_\_  
Michael Anderson  
California Department of Fish and Wildlife

  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Sarah Mongano  
California State Lands Commission

\_\_\_\_\_  
Date

DOT staff consulted with their co-Trustees regarding the projects contained in this Trustee Council Resolution and concur that the projects are appropriate compensation for injuries caused by the Cosco Busan oil spill. However, to increase efficiency and reduce administrative costs, DOI defers the decision to undertake these projects to those Trustees that will be most directly involved in the projects' implementation. Accordingly, pursuant to the Trustees Council's Memorandum of Understanding, dated February 10, 2012, paragraph VI.B, DOI, through the signature below, abstains from the Resolution.

\_\_\_\_\_  
Kristen Ward  
US Department of the Interior

\_\_\_\_\_  
Date

NOAA staff consulted with their co-Trustees regarding the projects contained in this Trustee Council Resolution and concur that the projects are appropriate compensation for injuries caused by the Cosco Busan oil spill. However, to increase efficiency and reduce administrative costs, NOAA defers the decision to undertake these projects to those Trustees that will be most directly involved in the projects' implementation. Accordingly, pursuant to the Trustees Council's Memorandum of Understanding, dated February 10, 2012, paragraph VLB, NOAA, through the signature below, abstains from the Resolution.

\_\_\_\_\_  
Natalie Cosentino-Manning  
National Oceanic and Atmospheric Administration

\_\_\_\_\_  
Date

These terms are agreed to by the following duly authorized Cosco Busan Trustee Council representatives:

\_\_\_\_\_  
Michael Anderson  
California Department of Fish and Wildlife

\_\_\_\_\_  
Date

*Sarah R Mongano*

**09/25/2019**

\_\_\_\_\_  
Sarah Mongano  
California State Lands Commission

\_\_\_\_\_  
Date

DOI staff consulted *with* their co-Trustees *regarding* the projects contained *in* this Trustee Council Resolution and concur that the projects are appropriate compensation for injuries caused by the Cosco Busan oil spill, However, to increase efficiency and reduce administrative costs, DOI defers the decision to undertake these projects to those Trustees that will be most directly involved in the projects\* implementation. Accordingly, pursuant to the Trustees Council's Memorandum of Understanding, dated February 10, 2012, paragraph VI.B, DOI, through the signature below, abstains from the Resolution.

*Kristen Ward*

\_\_\_\_\_  
Kristen Ward  
US Department of the Interior

*9/25/19*

\_\_\_\_\_  
Date

NOAA staff consulted with their co-Trustees regarding the projects contained in this Trustee Council Resolution and concur that the projects are appropriate compensation for injuries caused by the Cosco Busan oil spill, However, to increase efficiency and reduce administrative costs, NOAA defers the decision to undertake these projects to those Trustees that will be most directly involved in the projects' implementation. Accordingly, pursuant to the Trustees Council's Memorandum of Understanding, dated February 10, 2012, paragraph VI.B, NOAA, through the signature below, abstains from the Resolution.

*Natalie C-Manning*  
\_\_\_\_\_  
Natalie Cosentino-Manning

**9/25/2019**

\_\_\_\_\_  
Date

National Oceanic and Atmospheric Administration