

Adopted

April 3, 2013

**Cosco Busan Trustee Council
Resolution Regarding Disbursement of Funds
for Recreational Use Restoration Projects
for Fiscal Year 2013**

1. The State of California, acting through the Department of Fish and Game (CDFG) 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 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.
4. The MOU specifies several procedural prerequisites to the implementation of projects selected in the Restoration Plan. Among other things, a selected project may not proceed unless a lead Trustee has been designated for that project and the Trustee Council has given its written authorization to commence the project.
5. The MOU further requires the Trustee Council to memorialize all expenditures of funds from the above-referenced accounts in a Trustee Council Resolution signed by the participating voting members. The settlement funds may only be used 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 authorizes the disbursement of the following funds from the NRDAR Fund for the implementation of certain restoration projects, as described in the Cosco Busan Damage Assessment and Restoration Plan (DARP)/Environmental Assessment.
 - \$88,209 to NPS for implementation of the recreational use project: "Torpedo Wharf Safety Repairs, Phase 1: Perform Structural Analysis and Condition Assessment"
7. 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.

Cosco Busan Trustee Council Resolution 13-6

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

Concurred in by the following who are the duly authorized Cosco Busan Trustee Council representatives:

Steve Hampton

Steve Hampton
California Department of Fish and Wildlife

03/13/2013

Date

Sarah R Mongano

Sarah Mongano
California State Lands Commission

03/13/2013

Date

Daphne Hatch

Daphne Hatch
National Park Service for the
US Department of the Interior

3/13/2013

Date

NOAA consulted with its co-Trustees on the projects contained in this Trustee Council Resolution and concurs 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
National Oceanic and Atmospheric Administration

4/3/2013

Date