

Adopted _____

**Cosco Busan Trustee Council
Resolution Regarding Disbursement of Funds
for Restoration Projects
for Fiscal Year 2014**

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 in the civil action *United States v. MN 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.

3. 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.

4. The Trustee Council hereby authorizes the following re-allocation of funds (already disbursed to NOAA) as described below:

\$121,337 for the *Fucus* restoration in San Francisco Bay: Phase I - test of field approach (See attachment #1), as well as past and present NFWF fees. No distribution from the NRDAR Fund is required, as NOAA still has unused funds that were previously allocated to eelgrass and native oyster restoration.

The budget for the current *Fucus* restoration actions is **\$113,028**. The NFWF fee of 4.8% on this is **\$5,425**. These amounts will be re-allocated from native oyster restoration.

Additionally, this resolution addresses past NFWF fees from two previous allocations to *Fucus* restoration:

\$1,953 is the NFWF fee associated with the \$40,693 re-allocation to *Fucus* restoration from native oyster restoration described in Resolution 13-9.

\$931 is the NFWF fee associated with the \$19,389 re-allocation to *Fucus* restoration from eelgrass restoration described in Resolution 13-8.

These fees were not addressed in those previous resolutions, but are included here.

To summarize, \$113,028 + \$5,425 + \$ 1,953 + \$931 = \$121,337.

The amount of **\$120,406** will be reclassified from native oyster restoration to *Fucus* restoration. The amount of **\$931** will be reclassified from eelgrass restoration to *Fucus* restoration,

NOTE: These are merely reclassifications of funds between projects. This does not change the overall allocations contained in the DARP. Funds will be administered by the NOAA/NFWF multi-year agreement.

5. 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.

6. 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 Casco Busan Trustee Council representatives:

Steve Hampton

Steve Hampton
California Department of Fish and Game

8/28/2014

Date

Sarah Mongano
California State Lands Commission

Date

Janet Whitlock

Janet Whitlock
US Department of the Interior

8/28/2014

Date

Natalie C-Manning

Natalie Cosentino-Manning
National Oceanic and Atmospheric Administration

8/28/2014

Date

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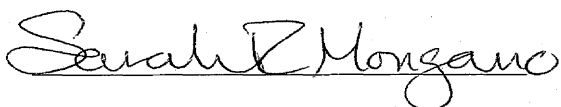
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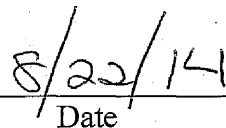
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Steve Hampton
California Department of Fish and Wildlife

Date



Sarah Mongane
California State Lands Commission


Date

Janet Whitlock
US Department of the Interior

Date

Natalie Cosentino-Manning
National Oceanic and Atmospheric Administration

Date