

Adopted _____

Cosco Busan Trustee Council Resolution
Regarding Disbursement of Funds (from NFWF Rec Account)
for Restoration Projects
for Fiscal Year 2013

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. 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. In addition, the CDFW and the CSLC are required to manage the Restoration Funds in the NFWF Rec Account in accordance 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/or 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 determines that the projects identified in the table below, including project locations, (Projects) are appropriate restoration 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).

Cosco Busan Trustee Council Resolution 13-4

Project Title	Grant Recipient	Initial Award
East Bay		
Oakland Estuary Enhancement Project	Ca !Recycle	\$650,000
Berkeley Municipal Fishing Pier: Accessibility Surface Project	City of Berkeley	\$230,138
Berkeley South Sailing Cove Restroom Project	City of Berkeley	\$600,000
Maintenance Dredging at the Berkeley Marina	City of Berkeley	\$120,000
Martinez Public Fishing Pier Enhancement and Stabilization	City of Martinez	\$0
Lake Merritt Boating Center Floating Dock Replacement	City of Oakland	\$22,277
Miller Knox and Ferry Point: Recreation and Fishing Improvements	East Bay Regional Park District	\$1,000,000
Point Pinole Fishing Pier Improvements	East Bay Regional Park District	\$300,000
East Bay Shoreline Recreation Outreach Program	East Bay Regional Park District	\$570,000
San Francisco Bay Recreational Fishing Education Classes	Hayward Area Recreation and Park District	\$20,000
Marin		
Angel Island State Park Boating and Recreational Improvements	California Conservation Corps	\$294,945
Sausalito Fishing Pier Rehabilitation	City of Sausalito	\$160,000
ETC Sea Kayak Program: Accessible SF Bay Recreation	Environmental Traveling Companions	\$100,000
McNears Beach County Park Fishing Pier Restoration	Marin County Parks	\$70,000
Bayfront Park Recreational Bay Access Pier Rehabilitation	Mill Valley Parks & Recreation	\$26,500
San Mateo		
Bay Trail Beautification in East Palo Alto	Acterra	\$150,000
Montara State Beach Access Improvement	California Department of Parks and Recreation	\$428,810
Kiteboard and Windsurf Recreational Area Improvements	City of Foster City	\$60,000
Pacifica Pier Restoration Project	City of Pacifica	\$250,000
Public Paddle Dock access to SF Bay Wildlife Refuge	City of Redwood City	\$70,000
Restroom Facility Upgrade at Marine Science Institute	Marine Science Institute	\$25,000

Cosco Busan Trustee Council Resolution 13-4

Restoration and Enhancement of Beachfront Shoreline Access at Marine Science Institute	Marine Science Institute	\$120,000
Coyote Point Promenade Western Shoreline	San Mateo County Department of Parks	\$400,000
Surfers Beach Access and Erosion Control Project •	San Mateo County Department of Parks	\$180,000
Others		
Palo Alto Baylands Recreation for Youth and Their Families	Environmental Volunteers, Inc.	\$14,955
Fishing and Boat Safety Improvements at Belden's Landing	Solano County, Parks and Recreation Division	\$93,487
Sears Point Restoration Project: Proposed Bay Trail	Sonoma Land Trust	\$110,000
Total		\$6,066,112

7. In accordance with the MOU, the CDFW and the CSLC shall have approval authority for the individual invoices and/or disbursements associated with authorized grant awards from the NFWF Rec Account. However, should a project listed above become 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.

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

1/15/2013

 Date

Sarah R. Mongano

 Sarah Mongano
 California State Lands Commission

1/14/2013

 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.



Daphne Tch
US Department of the Interior

1-14-2013

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 Cosentino-Manning
National Oceanic and Atmospheric Administration

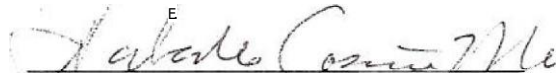
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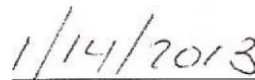
Daphne Hatch
US Department of the Interior

Date

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Natalie Cosentino-Manning
National Oceanic and Atmospheric Administration



Date