

**MASSACHUSETTS SUBCOUNCIL
of the
HOUSATONIC RIVER TRUSTEE COUNCIL**

RESOLUTION # 2
Restoration Support Activities

United States, et al., v. General Electric Company,
CIVIL ACTION NOS. 99-30225-MAP; 99-30226-MAP; AND 99-30227-MAP (D. MASS.)

1. Whereas, the United States Department of Commerce, acting by and through the National Oceanic and Atmospheric Administration (“NOAA”), the Commonwealth of Massachusetts, acting by and through its Executive Office of Environmental Affairs (“EOEA”), the State of Connecticut, acting by and through its Department of Environmental Protection (“CTDEP”), the United States Department of the Interior (“DOI”), acting by and through the United States Fish and Wildlife Service (“USFWS”), are the four natural resource trustee agencies (the "Trustees") responsible for restoration in the Housatonic River Environment with respect to the above-referenced case;
2. Whereas, the Trustees have entered into a Memorandum of Agreement ("MOA") effective January 30, 2002, to coordinate activities for the above-referenced case; and pursuant to Section VII Paragraph B (1) of the MOA, a SubCouncil has been established, consisting of three voting members from the Mass. Trustee and the Federal Trustee agencies, EOEA, NOAA, and USFWS, and non-voting Ex Officio Delegates (hereinafter the “MA SubCouncil”), for the purposes of developing and implementing a Restoration Plan for the recovery allocated to the geographic area of Massachusetts; and
3. Whereas, the sums recovered for the restoration activities, in the civil action referred to above, are being held in the Natural Resource Damages Assessment and Restoration (NRDAR) Account administered by the DOI ;
4. NOW, THEREFORE IT IS HEREBY RESOLVED: After a thorough review of the proposed uses for such sums, the MA SubCouncil has resolved by unanimous consent to transfer a total of \$371,143.41 from the DOI NRDAR Account #0251 (Housatonic River - MA Restoration) to the USFWS Northeast Region for the sole purpose of funding the Restoration Coordinator contract that the USFWS manages on behalf of the MA SubCouncil. These funds are to be used to support restoration planning activities, as referred to in “Task Order #1, Contract/delivery Order No. 50181-4-X082, for the General Electric/Housatonic River Natural Resource Restoration, Restoration Planning Assistance to the Massachusetts SubCouncil,” attached hereto. Tasks G, H, and I, within Task Order #1 regarding the oversight of Removal-Associated Restoration Work projects specifically defined in the Consent Decree, will be funded with recoveries previously obtained from GE for Oversight Costs; the funding amount will be addressed by separate resolution.

By their signatures below, the Trustee Representatives of the MA SubCouncil hereby certify that this Resolution was adopted with the unanimous decision-making procedures agreed to by the Trustees in the MOA. CONCURRED IN by the following who are duly authorized MA SubCouncil Trustee Representatives.

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FOR THE COMMONWEALTH OF MASSACHUSETTS

Sept. 13, 2004

Date

Dale C. Young

Dale Young, NRD Program Director
Executive Office of Environmental Affairs
Suite 900
100 Cambridge Street
Boston, MA 02114

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FOR THE U.S. DEPARTMENT OF COMMERCE

Sept 14 2004

Date



Kenneth Finkelstein, Ph.D., Trustee Representative
National Oceanic and Atmospheric Administration
c/o U.S. Environmental Protection Agency, Region 1
Mail Code HIO
1 Congress Street
Boston, MA 02114

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FOR THE U.S. DEPARTMENT OF THE INTERIOR

4/13/04

Date

Veronica W Varela

Veronica Varela, NRDAR Specialist
U.S. Fish and Wildlife Service
New England Filed Office
700 Commercial Street, Suite 300
Concord, NH 03301-4901