

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

**RESOLUTION # 3**

Silver Lake: Restoration Enhancement Activities  
Fish Tissue Collection and Qualitative Fish Community Assessment

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 \$26,560 from the DOI NRDAR Account #0251 (Housatonic River - MA Restoration) to the USFWS Northeast Region. These funds are to be used to support restoration activities, as referred to in “Scope of Work, Silver Lake Fish Tissue Collection and Qualitative Fish Community Assessment,” as prepared by USFWS, New England Field Office” and dated September 2004, attached hereto.

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

9/30/04

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 THE INTERIOR

9/28/04

Date

Veronica W. Varela

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

11:59  
10-2004

USE EPA

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FOR THE U.S. DEPARTMENT OF COMMERCE

Oct 4, 2004

Date

*Kenneth Finkelstein*

Kenneth Finkelstein, Ph.D., Trustee Representative  
National Oceanic and Atmospheric Administration  
c/o U.S. Environmental Protection Agency, Region 1  
Mail Code H10  
1 Congress Street  
Boston, MA 02114

To: Doyle Young