

MASSACHUSETTS SUBCOUNCIL  
*of the*  
HOUSATONIC RIVER TRUSTEE COUNCIL

United States, et al., v. General Electric Company,  
Civil Action Nos. 99-30225-MAP; 99-30226-MAP; and 99-30227-MAP (D. Mass.)

**RESOLUTION # 10**

*Release of Funds to Executive Office of Energy & Environmental Affairs for Restoration*

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 Energy and Environmental Affairs ("EEA"), 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 ("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) and Resolution #4 to the MOA, a Trustee SubCouncil for the Geographic Region of Massachusetts ("MA SubCouncil") has been established, consisting of two voting members from the Mass. Trustee and the Federal Trustee agencies, EEA and USFWS, and non-voting Ex Officio Delegates;
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) Fund, Account #0251 (Housatonic River - MA Restoration), administered by the DOI and jointly managed by the MA SubCouncil; and
4. *Whereas*, the DOI/USFWS and EEA have approved the "Final Round 1 Restoration Plan and Supplemental Environmental Assessment (RP/SEA)", September 10, 2007, as prepared by Woodlot Alternatives, Inc. for the MA SubCouncil, Housatonic River Natural Resource Trustees, and the MA SubCouncil has authorized the EEA to conduct the contracting necessary for the implementation of such projects in the amount of \$4,000,000.00;
5. *NOW, THEREFORE, BE IT RESOLVED*, after a thorough review of the proposed uses for such sums, the MA SubCouncil authorizes the release of funds from the DOI NRDAR Account #0251 (Housatonic River - MA Restoration) to the Commonwealth of Massachusetts for the implementation of Round 1 Restoration Projects as approved by the MA SubCouncil in the Final RP/SEA. These funds shall be transferred and allocated as follows at this time:
  - **\$1,118,269.00 to the EEA NRD Trust Account # 2000-6020**, to the attention of Dale C. Young, NRD Program Director. Such funds shall be used for estimated "year-one" restoration costs (see attached table). Transfer shall be by check and payable to the Commonwealth of Massachusetts.

CONCURRED IN by the following who are duly authorized:

MASSACHUSETTS SUBCOUNCIL  
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RESOLUTION #10

Release of \$1,118,269.00 to Executive Office of Energy and Environmental Affairs for Restoration

FOR THE COMMONWEALTH OF MASSACHUSETTS

11/26/07

Date

Dale C. Young

Dale Young  
MA SubCouncil Trustee Representative  
NRD Program Director  
Executive Office of Energy and Environmental Affairs  
Suite 900  
100 Cambridge Street  
Boston, MA 02114

Concurred:

11/27/07

Date

Kenneth Kimmell

Kenneth Kimmell  
General Counsel  
Executive Office of Energy and Environmental Affairs  
Suite 900  
100 Cambridge Street  
Boston, MA 02114

**MASSACHUSETTS SUBCOUNCIL  
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FOR THE U.S. DEPARTMENT OF THE INTERIOR

11/27/07

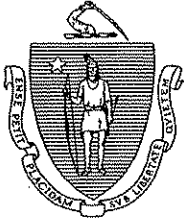
Veronica W. Varela

Date

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

ID Number	Project Name	Sender Affiliation	Funds Requested	Funds Awarded	FY1	FY2	FY3	FY4
	<b>AQUATICS</b>							
018	Rare Species Recovery on the Housatonic River	Natural Heritage and Endangered Species Program	\$ 556,950.00	\$ 556,950.00	\$ 278,475.00	\$ 278,475.00		
07	Revitalization of West Branch of Housatonic River: Dam Removal	City of Pittsfield	\$ 2,057,000.00	\$ 750,000.00	\$ 187,500.00	\$ 187,500.00	\$ 187,500.00	\$ 187,500.00
	<b>WILDLIFE</b>							
02	Rising Pond Land Acquisition	Berkshire Natural Resource Council	\$ 261,750.00	\$ 261,750.00	\$ 261,750.00			
19	Housatonic River Floodplain Forest Restoration Project	Project Native	\$ 522,456.00	\$ 522,456.00	\$ 226,958.00	\$ 131,025.00	\$ 164,473.00	
15	Clapp Park to Wild Acres Greenway	City of Pittsfield	\$ 250,000.00	\$ 250,000.00	\$ 250,000.00			
	<b>RECREATIONAL</b>							
01	Housatonic River Walk	Great Barrington Land Conservancy	\$ 133,308.00	\$ 133,308.00	\$ 89,673.00	\$ 36,661.00	\$ 6,975.00	
16	Old Mill Trail	Housatonic Valley Association	\$ 244,047.00	\$ 244,047.00	\$ 66,105.00	\$ 60,068.00	\$ 82,879.00	\$ 34,995.00
08	Enhanced Public Access to the Housatonic River	Housatonic Valley Association and ESS Group	\$ 460,000.00	\$ 415,000.00	\$ 100,000.00	\$ 130,000.00	\$ 185,000.00	
	<b>Educational</b>							
03	HELP for the River	Massachusetts Audubon Society	\$ 874,842.00	\$ 631,410.00	\$ 166,662.00	\$ 231,581.00	\$ 233,167.00	
13	Berkshire Conservation Agent Proposal	Berkshire Regional Planning Commission	\$ 248,555.00	\$ 235,079.00	\$ 31,371.00	\$ 68,045.00	\$ 65,153.00	\$ 70,510.00
<b>Sum</b>	<b>Total</b>		\$ 5,608,908.00	\$ 4,000,000.00	\$ 1,658,494.00	\$ 1,123,355.00	\$ 925,147.00	\$ 293,005.00

total - (BNRC+NHESP) \$ 1,118,289.00



# The Commonwealth of Massachusetts

Executive Office of Environmental Affairs

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## MEMORANDUM

TO: Bruce Nessler, NRDAR Manager, DOI  
FROM: Dale Young, Lead Administrative Trustee *DY*  
RE: **DOI NRDAR Disbursement Request**  
**GE/Housatonic River NRD: Massachusetts Restoration Account # 0251**  
*Resolution #10: Release of Funds for Executive Office of Energy and Environmental Affairs*  
*Restoration Activities: \$1,118,269.00*  
DATE: November 27, 2007

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As Lead Administrative Trustee for the GE/Housatonic River NRD case, I am informing you that the MASubCouncil for the GE/Housatonic River Trustees has approved the "Final Round 1 Restoration Plan and Supplemental Environmental Assessment (RP/SEA)", September 10, 2007, which is available for your viewing @ our web site <http://www.ma-housatonicrestoration.org/>. The MA SubCouncil has authorized the Executive Office of Energy and Environmental Affairs (EEA) to conduct the contracting necessary for the implementation of Round 1 projects in the amount of \$4,000,000.00.

In accordance with the above, I am requesting a disbursement be made from the DOI NRDAR Massachusetts Restoration Account (Project # 0251). The transfer request is for the sole purpose of funding the estimated first year's costs of NRD Restoration being contracted by the EEA. Attached is Resolution #10, "*Release of Funds for Executive Office of Energy and Environmental Affairs Restoration*" with appropriate signature pages. The Funds should be made payable as follows:

- **\$1,118,269.00 to the EEA NRD Trust Account # 2000-6020**, to the attention of Dale C. Young, NRD Program Director. Such funds shall be used for estimated "year-one" restoration costs. Transfer shall be by check and payable to the Commonwealth of Massachusetts with a reference to the Natural Resources Damages Trust Fund Account # 2000-6020.

As always if you have any questions in regards to this matter, please do not hesitate to contact me at 617-626-1134.

Cc: Veronica Varela, USFWS