

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 # 15
Restoration Support Activities

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;
4. *Whereas*, the MA SubCouncil approved the "Final Round 1 Restoration Plan and Supplemental Environmental Assessment (RP/SEA)" on September 10, 2007, are currently implementing Round 1 restoration projects, and are beginning Round 2 restoration planning activities; and
5. *Whereas*, the MA SubCouncil intends to hire a consulting firm to assist with the Round 2 restoration planning activities, as described in the *Performance Based Statement of Work: General Electric/Housatonic River Natural Resource Restoration: Assistance to the Massachusetts SubCouncil for Round 2 Restoration Planning* attached hereto;
6. **NOW, THEREFORE, BE IT RESOLVED**, after a thorough review of the proposed uses for such sums, the MA SubCouncil authorizes the release \$121,360.00 from the DOI NRDAR Account #0251 (Housatonic River - MA Restoration) to the FWS's New England Field Office for the sole purpose of funding the Restoration Coordinator contract that the USFWS will manage on behalf of the MA SubCouncil. These funds are to be used to support the restoration activities described in the attached Statement of Work.

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:

VWV

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FOR THE U.S. DEPARTMENT OF THE INTERIOR

2/5/10

Date

Veronica W. Varela

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

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FOR THE COMMONWEALTH OF MASSACHUSETTS

Feb. 5, 2000

Dale C. Young

Date

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