

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 # 18

Release of \$223,000 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) of the MOA, a Trustee SubCouncil for the Geographic Region of Massachusetts ("MA SubCouncil") has been established and subsequently revised pursuant to MA SubCouncil Resolution #4 to consist 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, 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 EEA for continued 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:
 - **\$223,000 to the EEA NRD Trust Account # 2000-6020**, Such funds shall be used for on-going reimbursement of contract costs for "State Fiscal Year 2010" restoration. These funds will be transferred and allocated to the EEA NRD Trust Account # 2000-6020, to the attention of Bill Nichols, EEA Fiscal Director.

CONCURRED IN by the following who are duly authorized:

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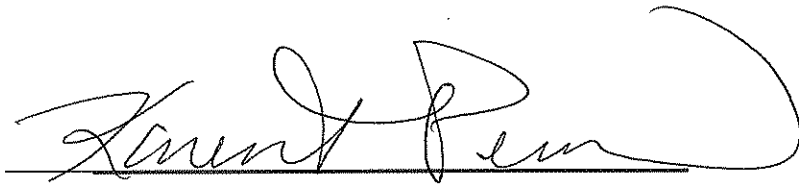
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FOR THE COMMONWEALTH OF MASSACHUSETTS

6/15/2010

Date

A handwritten signature in black ink, appearing to read "Karen I. Pelto", written over a horizontal line.

Karen I. Pelto
MA SubCouncil Trustee Representative
Department of Environmental Protection
Bureau of Waste Site Cleanup
One Winter Street, 8th Floor
Boston, MA 02114

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FOR THE U.S. DEPARTMENT OF THE INTERIOR

6/15/10

Date

Kenneth Munney

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