



Resolution No. 12
Fernald Preserve Natural Resource Trustees

Re: Approval of appraisal for Hesselbrock farm pilot project by Three Valley Conservation Project as a part of the contract approved under Trustee Resolution #7.

WHEREAS, the Fernald Preserve Trustee Council was established pursuant to the July 2001 Memorandum of Understanding entered into by the Ohio Environmental Protection Agency ("Ohio EPA"), the United States Department of Energy ("DOE"), and the United States Department of the Interior ("DOI") (collectively, the "Trustees");

WHEREAS, the Natural Resource Damage Consent Decree for the Fernald Preserve, dated November 11, 2008, required DOE to deposit \$13,750,000 into an interest-bearing escrow account in the Registry of the United States District Court for the Southern District of Ohio ("Escrow Account"), and on February 17, 2009, the United States on behalf of DOE deposited \$13,750,000 into the Escrow Account;

WHEREAS, on August 23, 2010, the United States District Court for the Southern District of Ohio ordered the transfer of \$13,781,225.18 from the Escrow Account to the Treasurer, State of Ohio, to be deposited into the Natural Resource Damages Fund, for the Fernald Preserve;

WHEREAS, the Consent Decree, Paragraph 4.6, provides that any transferred funds shall be applied toward the costs of restoration, replacement, or acquisition of the equivalent of injured Natural Resources at and in the vicinity of the Fernald Preserve, as set forth in the Natural Resource Restoration Plan ("NRRP");

WHEREAS, the Consent Decree, Paragraph 4.7, provides that the Trustees shall expend the funds to implement the plan developed pursuant to Section 1.5 of the NRRP;

WHEREAS, on June 17, 2009, the Trustees published a draft Natural Resource Funds Use Plan ("draft NRFUP") for the Fernald site and accepted comments on the draft NRFUP until August 8, 2009. The Trustees also

convened a public availability session on July 8, 2009 at the Fernald site to discuss the draft NRFUP and accept comments and suggestions from the public. On February 23, 2010, the Trustees issued the final Natural Resource Funds Use Plan (“NRFUP”); and

WHEREAS, on October 13, 2010, the Trustees approved Trustee Resolution #7 authorizing Ohio EPA to enter into a contract with Three Valley Conservation Trust to among other tasks, initiate a pilot project for acquiring an easement on property within the Paddys Run Conservation Project.

WHEREAS, the Trustee Council, by unanimous consent, agrees that Ohio EPA should authorize Three Valley Conservation Trust to conduct an appraisal of the Hesselbrock farms property as a part of the contract required pilot project.

NOW THEREFORE BE IT RESOLVED that the Trustee Council agrees, by unanimous consent, that Ohio EPA should authorize the Three Valley Conservation Trust to conduct an appraisal of the Hesselbrock farms property as a part of the contract required pilot project.

Resolution No. 12
Fernald Preserve Natural Resource Trustees

DATED this 12th day of July, 2011.

United States Department of the Interior
U. S. Fish and Wildlife Service



By: Jennifer Pinfer, Columbus, Ohio Field Office

Resolution No. 12
Fernald Preserve Natural Resource Trustees

DATED this 20th day of June, 2011.

Ohio Environmental Protection Agency

A handwritten signature in black ink, appearing to read "Thomas A. Schneider", is written over a solid horizontal line.

By: Thomas A Schneider, Fernald Project Manager

Resolution No. 12
Fernald Preserve Natural Resource Trustees

DATED this 20th day of June, 2011.

United States Department of Energy

THOMAS PAULING

Digitally signed by THOMAS PAULING
DN: c=US, o=U.S. Government, ou=Department of
Energy, cn=THOMAS PAULING,
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By: Thomas C. Pauling, Director of Site Operations, Office of Legacy Management