



Resolution No. 24
Fernald Preserve Natural Resource Trustees

RE: Approval to conduct appraisals for Paddys Run Conservation Project (PRCP) Round 3 applicant properties by Three Valley Conservation Trust as a continuation of the contract approved under Trustee Resolutions #10.

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 July 20, 2011, the Trustees approved Trustee Resolution #10 authorizing Ohio EPA to enter into a contract with Three Valley Conservation Trust to, among other tasks, conduct appraisals of applicant properties under the PRCP.

WHEREAS, the Trustee Council, by unanimous consent, agrees that Ohio EPA should authorize Three Valley Conservation Trust to conduct appraisals of the Round 3 applicant properties under the PRCP.

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 appraisals of the Round 3 applicant properties as a continuation of the contract.

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DATED this 24th day of May 2013.

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


By: Jennifer Finfera, Columbus, Ohio Field Office

Resolution No. 24
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DATED this 23rd day of May 2013.

Ohio Environmental Protection Agency



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

By: Thomas A Schneider, Fernald Project Manager

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DATED this ___ day of June, 2013.

United States Department of Energy

By: Jane Powell, Site Manager,
Fernald Preserve, Office of Legacy Management