RESOLUTION OF THE HOLDEN MINE 
NATURAL RESOURCE TRUSTEE COUNCIL 

Management and Use of Funds Received Pursuant to the 
“Funding and Participation Agreement, Holden Mine Natural Resource Damage Assessment” 
Between Holden Mine Natural Resource Trustees and Intalco Aluminum Corporation, 
Effective July 10, 2014 

Holden Mine Natural Resource Trustees: 
The Confederated Tribes and Bands of the Yakama Nation (“Yakama Nation”) 
The United States Department of the Interior (“DOI”) 
The State of Washington (“State”) 
The United States Department of Agriculture (“USDA”) 

Pursuant to the Natural Resource Trustee Council “Memorandum of Agreement Holden Mine Site,” (“MOA”) the aforementioned Natural Resource Trustees (“Trustees”) for the Holden Mine Site (“Site”) established a Trustee Council with the authority to conduct activities associated with 
a natural resource damage assessment (“NRDA”) for the Site, including participating in 
settlement discussions with potentially responsible parties at the Site. The Trustee Council 
consists of one representative from each of the Trustees listed above. 

The Trustees have begun a cooperative natural resource damage assessment with the potentially 
responsible party at the Site, Intalco Aluminum Corporation (“Intalco”). Under the “Funding and 
Participation Agreement, Holden Mine Natural Resource Damage Assessment” (“FPA”) entered 
into by the Trustees and Intalco and effective as of July 10, 2014, Intalco agrees to remit past 
natural resource damage assessment costs incurred at the Site by USDA and DOI. The FPA also 
requires Intalco to pay the Trustees’ estimated future natural resource damage assessment costs 
related to the Site, which amount to $1,516,664.84. 

Per the terms of the FPA, Intalco has remitted the first payment of Trustees’ future costs as 
follows: 
  • $600,822.63 to the DOI Natural Resources Damage Assessment Restoration Fund (“DOI 
    NRDAR Fund”); and 
  • $157,509.79 to the Yakama Nation. 

On January 30, 2015 or within thirty (30) days of the completion of Phase I of the natural 
resource damage assessment process agreed to by the parties, whichever occurs later, Intalco shall 
pay: 
  • $600,822.64 to the DOI NRDAR Fund; and 
  • $157,509.78 to the Yakama Nation. 

Consistent with 42 U.S.C. § 9607 (f) (1), the Trustees shall only use funds for Future Costs 
received under the FPA to restore, replace, or acquire the equivalent of those natural resources
injured by hazardous releases related to the Site, including the assessment of the injury. All funds for future natural resource damage assessment activities received under the FPA are joint Trustee funds. Authorized uses of funds received by the Trustees for future natural resource damage assessment activities under the FPA will be governed by applicable law, the terms of the FPA and MOA, and those decision-making procedures adopted by the Trustees.

To fund future Trustee assessment activities, on September 9, 2014, and September 24, 2014, respectively, Intalco remitted the first scheduled payment of $157,509.79 to the Confederated Tribes and Bands of the Yakama Nation and $600,822.63 to the DOI NRDAR Fund.

The Trustees intend that, at the earliest opportunity, the DOI NRDAR Fund will disburse a portion of the September 24, 2014, distribution, as follows:

<table>
<thead>
<tr>
<th>Trustee</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>DOI Trustees</td>
<td>$129,744.69</td>
</tr>
<tr>
<td>U.S. Fish and Wildlife Service</td>
<td>$90,504.80</td>
</tr>
<tr>
<td>Bureau of Indian Affairs</td>
<td>$14,065.56</td>
</tr>
<tr>
<td>Office of the Solicitor</td>
<td>$12,166.17</td>
</tr>
<tr>
<td>DOI Indirect Costs</td>
<td>$13,008.16</td>
</tr>
<tr>
<td>USDA</td>
<td>$428,673.63</td>
</tr>
<tr>
<td>State –Washington Department of Ecology</td>
<td>$25,000.00</td>
</tr>
</tbody>
</table>

Each Trustee shall document Future Costs (as defined in the FPA) related to assessment activities at the Site and draw upon funds provided from the DOI NRDAR Fund or directly to the Confederated Tribes and Bands of the Yakama Nation by Intalco. Paragraph 6 of the FPA requires each Trustee to periodically provide a summary of its Future Costs to Intalco. Each Trustee shall concurrently provide that summary to the other Trustees.

Any and all funds deposited by Intalco into the DOI NRDAR Fund shall be placed into the Holden Mine NRDAR Account, Account Number 0325, which is a separate account within the DOI NRDAR Fund specifically created to receive funds jointly recovered by the Trustees for natural resource damages and assessment costs at the Site. Funds deposited by Intalco in the DOI NRDAR Fund for future assessment costs shall fund USDA, represented by the Forest Service (“USFS”), DOI, and the State’s future natural resource damage assessment activities, as defined by the FPA, at the Site.

The Trustees have determined that Hart Crowser, Inc. shall serve as the Trustees’ shared contractor and shall provide technical assistance and support to the Trustees for natural resource damage assessment and restoration activities at the Site. As Lead Administrative Trustee (“LAT”), USDA, represented by the USFS, proposes to enter into a contract (“the contract”) with Hart Crowser, Inc. to secure Hart Crowser, Inc.’s services as the Trustees’ shared contractor for the Trustees’ natural resource damage assessment activities at the Site. The Trustees have agreed that the USFS may expend up to $350,000, from the $428,673.63 authorized to be remitted to USDA from the DOI NRDAR Fund, to fund the contract.
NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

1. USDA, represented by the USFS, as the LAT, will ensure that this Resolution is entered into the Administrative Record for the Holden Mine Natural Resource Damage Assessment.

2. Each Trustee shall document Future Costs (as defined in the FPA) related to assessment activities at the Site and draw upon funds provided from the DOI NRDAR Fund or directly to the Confederated Tribes and Bands of the Yakama Nation by Intalco. Concurrent with its Future Costs summary to Intalco under the FPA, each Trustee shall provide that summary to the other Trustees.

3. The Trustees resolve that the USFS shall enter into a contract with Hart Crowser, Inc. and under said contract Hart Crowser, Inc. shall serve as the contractor to provide the Trustees with technical assistance for the Trustees’ natural resource damage assessment activities at the Site.

4. The Trustees request that the DOI Restoration Fund Manager disburse from the Holden Mine NRDAR Account, Account Number 0325, as follows:

   Payee: U.S. Fish and Wildlife Service
   Amount of Disbursement: $90,504.80
   ORGCODE: 9813-0325

   Payee: Bureau of Indian Affairs
   Amount of Disbursement: $14,065.56
   TAS 14-14x5198.20, BIA functional area A82152020

   Payee: Office of the Solicitor
   Amount of Disbursement: $12,166.17

   Payee: Department of the Interior
   Amount of Disbursement: $13,008.16

   Payee: U.S.D.A Forest Service
   Amount of Disbursement: $428,673.63
   Payment Information: ALC: 12401100
   WBS: FS.EX.0627.RI.CW02.02CWP
   TREASURY ACCOUNT SYMBOL: 12X5215
   FPDS 12C 04H1

   Payee: Washington Department of Ecology
   Amount of Disbursement: $25,000

5. The Trustees further resolve that the USFS may expend up to $350,000 from the $428,673.63 requested to be remitted to USDA from the DOI NRDAR Fund, to fund the contract.
By their signatures below, the Trustee representatives formally adopt this Resolution and certify that this Resolution was adopted in compliance with decision-making procedures adopted by the Trustees.

For the Department of Agriculture
USDA Forest Service

By ____________________________  October 7, 2014
Name: Julia Creed  Date
Authorized Trustee Council Representative

For the Department of the Interior
U.S. Fish and Wildlife Service

By ____________________________  
Name: ____________________________  Date
Authorized Trustee Council Representative

For the Confederated Tribes and Bands
of the Yakama Nation

By ____________________________  
Name: ____________________________  Date
Authorized Trustee Council Representative

For the State of Washington
Washington Department of Ecology

By ____________________________  
Name: ____________________________  Date
Authorized Trustee Council Representative
RESOLUTION NUMBER: 2014-2

October 2014

By their signatures below, the Trustee representatives formally adopt this Resolution and certify that this Resolution was adopted in compliance with decision-making procedures adopted by the Trustees.

For the Department of Agriculture
USDA Forest Service

By
Name: ____________________________
Authorized Trustee Council Representative

Date

For the Department of the Interior
U.S. Fish and Wildlife Service

By
Name: ____________________________
Authorized Trustee Council Representative

Date

For the Confederated Tribes and Bands
of the Yakama Nation

By
Name: ____________________________
Authorized Trustee Council Representative

Date

For the State of Washington
Washington Department of Ecology

By
Name: ____________________________
Authorized Trustee Council Representative

Date
By their signatures below, the Trustee representatives formally adopt this Resolution and certify that this Resolution was adopted in compliance with decision-making procedures adopted by the Trustees.

For the Department of Agriculture
USDA Forest Service

By
Name: ____________________________
Authorized Trustee Council Representative

Date

For the Department of the Interior
U.S. Fish and Wildlife Service

By
Name: ____________________________
Authorized Trustee Council Representative

Date

For the Confederated Tribes and Bands
of the Yakama Nation

By ____________________________
Name: ROSE M. LONGORIA
Authorized Trustee Council Representative

Date: 03 October 2014

For the State of Washington
Washington Department of Ecology

By
Name: ____________________________
Authorized Trustee Council Representative

Date
By their signatures below, the Trustee representatives formally adopt this Resolution and certify that this Resolution was adopted in compliance with decision-making procedures adopted by the Trustees.

For the Department of Agriculture
USDA Forest Service

By
Name: ____________________________
Authorized Trustee Council Representative

Date

For the Department of the Interior
U.S. Fish and Wildlife Service

By
Name: ____________________________
Authorized Trustee Council Representative

Date

For the Confederated Tribes and Bands
of the Yakama Nation

By
Name: ____________________________
Authorized Trustee Council Representative

Date

For the State of Washington
Washington Department of Ecology

By
Name: ____________________________
Authorized Trustee Council Representative

Date 10/2/14

4