

**PORT ANGELES HARBOR TRUSTEE COUNCIL RESOLUTION
NO. 7
ADOPTED DECEMBER 11, 2014**

WHEREAS the Trustees entered into a Natural Resource Damage Assessment Funding and Participation Agreement (FPA) with Rayonier Properties, LLC (Rayonier) on June 6, 2013, and

WHEREAS Addendum No. 1 of the FPA includes an agreement by Rayonier to provide the Trustees with an advance lump sum payment of \$21,963.64 for Assessment Phase 1A of the cooperative assessment process representing an approved Phase 1A budget as detailed in Attachment 1 to Addendum No. 1, and

WHEREAS Attachment 1 to Addendum No. 1 of the FPA includes each Trustee's individual projected and approved budget for Assessment Phase 1A, and

WHEREAS Addendum No. 1 to the FPA includes an agreement by Rayonier to pay the \$21,963.64 Phase 1A advance lump sum payment to the Trustees promptly upon execution of Addendum No. 1, and

WHEREAS Addendum No. 2 of the FPA includes an agreement by Rayonier to provide the Trustees with an advance lump sum payment of \$313,757.00 for Assessment Phases 2 and 3 of the cooperative assessment process representing an approved Phase 2 and 3 budget as detailed in Attachment 1 to Addendum No. 2, and

WHEREAS Addendum No. 2 to the FPA includes an agreement by Rayonier to pay the \$313,757.00 Phase 2 and 3 advance lump sum payment to the Trustees in two installments: first in the amount of \$100,000 as promptly as possible upon execution of Addendum No. 2, and the second in the amount of \$213,757.00 after the beginning of the year 2015 upon reasonable written request of the Trustees and in no case later than April 15, 2015, and

WHEREAS Attachment 1 to Addendum No. 2 of the FPA includes each Trustee's individual projected and approved budget for Assessment Phases 2 and 3, and

WHEREAS the FPA requires Rayonier to remit the advance funding of the Trustee's Phase 1A, 2 and 3 projected and approved budget costs into the Department of Interior Natural Resource Damage Assessment and Restoration Fund at the times specified in the Addendums, and

WHEREAS the Assessment Cost Guidelines approved by the Trustees in Port Angeles Trustee Council Resolution No. 1 (July 26, 2012), provide that, at the beginning of each Phase, the Trustee Council will authorize the withdrawal of advance funding by individual Trustees from the NRDAR account established for that purpose, and

WHEREAS the Assessment Cost Guidelines provide that Trustees withdrawing funds in advance of expenditure will provide the Trustee Council with a cost package at the conclusion of each Assessment Phase containing documentation detailing the Trustee's actual expenditures for the Phase, and

WHEREAS the Assessment Cost Guidelines further provide that any Trustee choosing to withdraw funding from the NRDAR account on a reimbursement basis, instead of in advance, may do so periodically during the implementation of the Phase Plan.

IT IS HEREBY RESOLVED THAT: The Trustee Council authorizes disbursement of Rayonier's \$21,963.64 advanced lump sum funding for the Trustee's Assessment Phase 1A costs as follows:

	Estimated Phase 1A Budget Amount	Amount for disbursement to Trustees
National Oceanic and Atmospheric Administration	\$ 8,015.48	\$ 8,015.48
U.S. Fish and Wildlife Service	\$ 4,868.00	\$ 4,868.00
Washington Department of Ecology	\$ 5,265.36	\$ 5,265.36
Jamestown S'Klallam Tribe	\$ 1,015.50	\$ 1,015.50
Lower Elwha Klallam Tribe	\$ 2,072.30	\$ 2,072.30
Port Gamble S'Klallam Tribe	\$ 727.00	\$ 727.00
total	\$ 21,963.64	\$ 21,963.64

IT IS HEREBY RESOLVED THAT: The Trustee Council authorizes disbursement of Rayonier's \$100,000.00 advanced lump sum funding for the First Installment of the Trustee's Phase 2 and 3 costs as follows:

	Estimated Phase 2 and 3 Budget Amount	Amount for disbursement to Trustees – First Installment (31.87%)
National Oceanic and Atmospheric Administration	\$ 78,316.00	\$ 24,960.72
U.S. Fish and Wildlife Service	\$ 81,000.00	\$ 25,816.16
Washington Department of Ecology	\$ 61,561.00	\$ 19,620.59
Jamestown S'Klallam Tribe	\$ 16,482.00	\$ 5,253.11
Lower Elwha Klallam Tribe	\$ 59,766.00	\$ 19,048.50
Port Gamble S'Klallam Tribe	\$ 16,632.00	\$ 5,300.92
total	\$ 313,757.00	\$ 100,000.00

IT IS HEREBY RESOLVED THAT: The Trustee Council authorizes disbursement of Rayonier's \$213,757.00 advanced lump sum funding for the Second Installment of the Trustee's Phase 2 and 3 costs as follows:

	Estimated Phase 2 and 3 Budget Amount	Amount for disbursement to Trustees – second Installment (68.13%)
National Oceanic and Atmospheric Administration	\$ 78,316.00	\$ 53,355.28
U.S. Fish and Wildlife Service	\$ 81,000.00	\$ 55,183.84
Washington Department of Ecology	\$ 61,561.00	\$ 41,940.41
Jamestown S'Klallam Tribe	\$ 16,482.00	\$ 11,228.89
Lower Elwha Klallam Tribe	\$ 59,766.00	\$ 40,717.50
Port Gamble S'Klallam Tribe	\$ 16,632.00	\$ 11,331.08
total	\$ 313,757.00	\$ 213,757.00

By their signatures below, representatives of the Trustees hereby certify that this Resolution was adopted in compliance with decision-making procedures adopted by the Trustee Council, and that the costs for which this reimbursement is provided were incurred for the purposes documented and consistent with applicable law.

THE WASHINGTON DEPARTMENT OF ECOLOGY

By: Rebecca S. Lause

On: 12/11/14

THE LOWER ELWA KLALLAM TRIBE

By: _____

On: _____

THE PORT GAMBLE S'KLALLAM TRIBE

By: _____

On: _____

THE JAMESTOWN S'KLALLAM TRIBE

By: _____

On: _____

UNITED STATES FISH AND WILDLIFE SERVICE ON BEHALF OF THE DEPARTMENT OF THE INTERIOR

By: _____

On: _____

THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

By: _____

On: _____

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THE WASHINGTON DEPARTMENT OF ECOLOGY

By: _____

On: _____

THE LOWER ELWA KLALLAM TRIBE

By: 

On: 12-11-14

THE PORT GAMBLE S'KLALLAM TRIBE

By: _____

On: _____

THE JAMESTOWN S'KLALLAM TRIBE

By: _____

On: _____

UNITED STATES FISH AND WILDLIFE SERVICE ON BEHALF OF THE DEPARTMENT OF THE INTERIOR

By: _____

On: _____

THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

By: _____

On: _____

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THE WASHINGTON DEPARTMENT OF ECOLOGY

By: _____

On: _____

THE LOWER ELWA KLALLAM TRIBE

By: _____

On: _____

THE PORT GAMBLE S'KLALLAM TRIBE

By:  _____

On: 12-19-14 _____

THE JAMESTOWN S'KLALLAM TRIBE

By: _____

On: _____

UNITED STATES FISH AND WILDLIFE SERVICE ON BEHALF OF THE DEPARTMENT OF THE INTERIOR

By: _____

On: _____

THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

By: _____

On: _____

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THE WASHINGTON DEPARTMENT OF ECOLOGY

By: _____

On: _____

THE LOWER ELWA KLALLAM TRIBE

By: _____

On: _____

THE PORT GAMBLE S'KLALLAM TRIBE

By: _____

On: _____

THE JAMESTOWN S'KLALLAM TRIBE

By: Douglas Felton

On: 12/18/2014

UNITED STATES FISH AND WILDLIFE SERVICE ON BEHALF OF THE DEPARTMENT OF THE INTERIOR

By: _____

On: _____

THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

By: _____

On: _____

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THE WASHINGTON DEPARTMENT OF ECOLOGY

By: _____

On: _____

THE LOWER ELWA KLALLAM TRIBE

By: _____

On: _____

THE PORT GAMBLE S'KLALLAM TRIBE

By: _____

On: _____

THE JAMESTOWN S'KLALLAM TRIBE

By: _____

On: _____

UNITED STATES FISH AND WILDLIFE SERVICE ON BEHALF OF THE DEPARTMENT OF THE INTERIOR

By:  _____

On: 15OEC14

THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

By: _____

On: _____

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THE WASHINGTON DEPARTMENT OF ECOLOGY

By: _____

On: _____

THE LOWER ELWA KLALLAM TRIBE

By: _____

On: _____

THE PORT GAMBLE S'KLALLAM TRIBE

By: _____

On: _____

THE JAMESTOWN S'KLALLAM TRIBE

By: _____

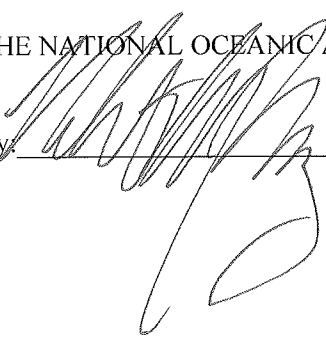
On: _____

UNITED STATES FISH AND WILDLIFE SERVICE ON BEHALF OF THE DEPARTMENT OF THE INTERIOR

By: _____

On: _____

THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

By:  _____

On: 2014-12-11 _____