

TEXAS CITY Y OIL SPILL
NATURAL RESOURCE TRUSTEE COUNCIL

Resolution # TCY-2023-01

The Trustees for the Texas City Y Oil Spill Natural Resource Damage Assessment (NRDA) are the United States Department of the Interior (DOI), represented by the United States Fish and Wildlife Service (USFWS) and the National Park Service (NPS), the United States Department of Commerce through the National Oceanic and Atmospheric Administration (NOAA) as well as the Texas General Land Office (TGLO), the Texas Commission on Environmental Quality (TCEQ), and the Texas Parks and Wildlife Department (TPWD) on behalf of the State of Texas.

On January 20, 2022, a consent decree was entered between Kirby Inland Marine, LP (Kirby) and the Trustees to resolve the Trustees' natural resource damage claims arising from the Texas City Y Oil Spill (Consent Decree). Pursuant to the Consent Decree, Kirby paid \$15,300,000 to the DOI NRDAR Account (00844). Accordingly, there is currently sufficient funding in the Account to fund the Trustees' restoration planning activities, to include, among other things, the development and publication of a restoration plan(s) that will address the injuries incurred as a result of the Texas City Y Oil Spill.

This Resolution is consistent with the Memorandum of Agreement (MOA) (1995) among the Trustees which generally addresses, among other things, a framework for coordination and cooperation relating to the preparation and implementation of restoration plans. The Trustees have also executed a Settlement Funds Management Agreement (SFMA) which identifies USFWS as the Lead Administrative Trustee (LAT) and provides, more specifically, how funds recovered from a consent decree between the Responsible Party, Kirby, and the Trustees will be managed and expended for restoration planning and implementation and the Trustees' general administrative duties associated with this NRDA.

Through this Resolution, the Trustees authorize a release of \$51,902.68 from the Account to reimburse the Trustees for past costs incurred for their work related to the Texas City Y Oil Spill NRDA from August 1, 2021 to July 1, 2022.

The total amount identified above will be divided among the Trustees as follows:

Agency	Past Costs
*DOI	\$0.0
NOAA	\$43,977.27

TGLO	\$5,066.33
TCEQ	\$2,020.32
TPWD	\$838.76
TOTAL Allocation	\$51,902.68

*DOI, through USFWS, accrued \$7,640.72 from August 1, 2021 to July 1, 2022 in past costs. Due to an excess of up-front funding currently residing in the USFWS account, USFWS will not be requesting reimbursement funds from the DOI NRDAR Account.

Any unauthorized or inaccurate disbursement of funds must be reported to the Trustee Council immediately upon discovery.

This Resolution may be executed in counterparts. The effective date of this Resolution is the date of the last signature below.

TEXAS CITY Y OIL SPILL
NATURAL RESOURCE TRUSTEE COUNCIL

Resolution # TCY-2023-1

TEXAS CITY Y OIL SPILL NATURAL RESOURCE TRUSTEE COUNCIL

AMY
LUEDERS

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LUEDERS
Date: 2023.08.04
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Amy Lueders
Regional Director
U.S. Fish and Wildlife Service
Department of the Interior

Date

TEXAS CITY Y OIL SPILL
NATURAL RESOURCE TRUSTEE COUNCIL

Resolution # TCY-2023-1

Stephanie Powers

Stephanie Powers

NOAA Restoration Center

National Oceanic and Atmospheric Administration

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THOMPSON.1590065 POWERS.STEPHANIE.THOMPSON.1
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Date: 2023.08.15 11:22:03 -0400

Date

TEXAS CITY Y OIL SPILL
NATURAL RESOURCE TRUSTEE COUNCIL

Resolution # TCY-2023-1



Michael Cave
Natural Resource Trustee Program Manager
Texas Commission on Environmental Quality

7/25/23

Date

TEXAS CITY Y OIL SPILL
NATURAL RESOURCE TRUSTEE COUNCIL

Resolution # TCY-2023-1



Angela Sunley
Senior Director of Resource Management Division
Texas General Land Office

July 25, 2023

Date

TEXAS CITY Y OIL SPILL
NATURAL RESOURCE TRUSTEE COUNCIL

Angela
Schrift

Digitally signed by Angela Schrift
Resolution # TCY-2023-1
Date: 2023.07.25
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Angela Schrift

Team Leader

Natural Resource Damage Assessment

Texas Parks and Wildlife Department

Date