

**Enbridge Line 6B NRDA Trustee Council
Resolution 2017-01**

RE: Transfer of funds from the United States Department of the Interior's Natural Resource Damage Assessment and Restoration (NRDAR) Fund to the U.S. Fish and Wildlife Service (FWS) and to the National Oceanic and Atmospheric Administration (NOAA) for costs for planning and implementation of restoration activities.

WHEREAS, the Enbridge Line 6B NRDA Trustee Council (Trustee Council) was established pursuant to a Memorandum of Understanding (MOU) on November 5, 2010, among the State of Michigan, acting through the Department of Natural Resources and Environment and the Department of Attorney General; the United States Department of Interior (DOI), acting through the Fish and Wildlife Service (FWS) and the Bureau of Indian Affairs (BIA); the United States Department of Commerce acting through the National Oceanic and Atmospheric Administration (NOAA); the Nottawaseppi Huron Band of the Potawatomi; and the Match-E-Be-Nash-She-Wish Band of Pottawatomi. This MOU was modified on September 25, 2012, to be among the State of Michigan, acting through the Department of Environmental Quality, the Department of Natural Resources (MDNR), and the Department of Attorney General; the United States Department of Interior, acting through the Fish and Wildlife Service and the Bureau of Indian Affairs; the United States Department of Commerce acting through the National Oceanic and Atmospheric Administration; the Nottawaseppi Huron Band of the Potawatomi; and the Match-E-Be-Nash-She-Wish Band of Pottawatomi, collectively known as the Trustees.

WHEREAS, the Trustee Council previously described the NRDA settlement, funds available for projects and Trustee costs, and the process by which funds will be requested for use by the Trustees in a Trustee Council Resolution 2016-01 dated February 11, 2016.

WHEREAS, Enbridge originally made a payment of \$429,176.74 into the Enbridge Federal Trustees Account (#0924) in DOI's NRDAR Fund for future costs of DOI and NOAA; on December 31, 2015 this was replaced with a payment of \$442,450.25; on February 19, 2016, \$50,000 was released to the FWS pursuant to Trustee Council Resolution 2016-01; and the balance as of August 31, 2017 was \$395,009.62, including interest earned.

WHEREAS, the FWS and NOAA have submitted cost documentation to the Trustee Council describing their expenses for planning, oversight, and monitoring activities for the time periods and amounts listed below:

Table 1. Summary of FWS and NOAA documented costs related to the Enbridge Federal Trustees Account in DOI's NRDAR Fund

Trustee	Time Period	Amount
FWS	03/31/2013 – 12/31/2015	\$0.00*
FWS	01/01/2016 – 03/31/2016 (FY16Q2)	\$9,658.82
FWS	04/01/2016 – 06/30/2016 (F16Q3)	\$13,482.96
FWS	07/01/2016 – 09/30/2016 (F16Q4)	\$5,425.43
FWS	10/01/2016 – 12/31/2016 (F17Q1)	\$17,310.41
FWS	01/01/2016 – 03/31/2017 (F17Q2)	\$10,413.17
FWS	<i>Total</i>	<i>\$56,290.79</i>

NOAA	5/19/2013 – 12/31/2015	\$31,585.00
NOAA	01/01/2016-12/31/2016	\$17,133.69
NOAA	<i>Total</i>	<i>\$48,718.69</i>

*FWS accounts for this NRDA case for this time period have been previously reimbursed (Annette Trowbridge, FWS, email dated July 25, 2017).

WHEREAS, the Match-E-Be-Nash-She-Wish Band of Pottawatomis and the Nottawaseppi Huron Band of the Potawatomi are not requesting a release of additional funding from the Enbridge Tribal Trust Account (#0925) at this time.

NOW THEREFORE, BE IT RESOLVED that the Trustees agree, by unanimous consent, to provide \$50,000 to FWS to be used for future planning, oversight, and monitoring costs and to provide \$48,718.69 to NOAA to reimburse it for previously incurred planning, oversight, and monitoring costs as listed in Table 1 above. FWS will submit requests for transfer of these funds from the DOI's NRDAR Fund.

This Resolution No. 2017-01 may be executed in counterparts and shall be effective upon execution of all parties. The date of execution shall be the date of the last party's signature. A copy of the Resolution with all original executed signature pages affixed shall constitute the original Resolution.

Enbridge Line 6B NRDA Trustee Council
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U.S. Department of Interior
Fish and Wildlife Service



By: Lisa L. Williams
Trustee Representative
East Lansing, MI

Date: 9/27/17

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U.S. Department of Commerce
National Ocean and Atmospheric Administration



By: Julie Sims

Trustee Representative
Ann Arbor, MI

Date: 9/27/17

Enbridge Line 6B NRDA Trustee Council
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Michigan Attorney General

By: 

Polly Synk
Trustee Representative
Lansing, MI

Date: 9-27-17

**Enbridge Line 6B NRDA Trustee Council
Resolution 2017-01**

Michigan Department of Environmental Quality

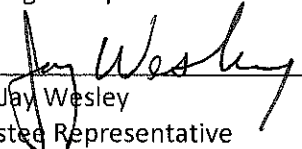


By: Michelle DeLong
Trustee Representative
Marshall, MI

Date: 9/27/17

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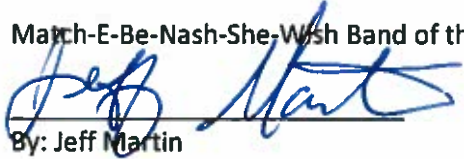
Michigan Department of Natural Resources


By: Jay Wesley
Trustee Representative
Plainwell, MI

Date: 9/28/17

**Enbridge Line 6B NRDA Trustee Council
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Match-E-Be-Nash-She-Wish Band of the Pottawatomi Indians

A handwritten signature in blue ink, appearing to read "Jeff Martin", is written over a horizontal line.

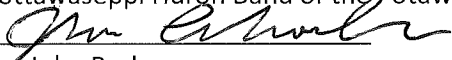
By: Jeff Martin

Trustee Representative and Tribal Council Secretary
Shelbyville, MI

Date: 9/29/17

Enbridge Line 6B NRDA Trustee Council
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Nottawaseppi Huron Band of the Potawatomi


By: John Rodwan

Trustee Representative

Pine Creek Reservation, Fulton, MI

Date: 10/11/17