

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES

Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

www.dnr.mo.gov

AUG - 3 2015

Mr. Bruce Nesslage
U.S. Department of the Interior
Natural Resource Damage Assessment and Restoration Program
1849 C Street NW
Mailstop 3548-MIB
Washington, D.C. 20240

RE: Resolution No. TSMD-2015-002

Dear Mr. Nesslage:

Pursuant to the attached Resolution No. TSMD-2015-002, the Missouri Natural Resource Trustee Council is requesting the release of \$500,000 to implement compensatory environmental restoration projects in and around Jasper and Newton counties. The funds shall be withdrawn from the following subaccounts:

Name of Site	NRDAR Account Number	Amount to be Allocated
Newton County Wells	0493	\$137,707.21
Newton County Mine Tailings, MO	0603	\$181,146.40
Jasper County, MO	0586	\$181,146.39

The funds should be allocated to the Missouri Department of Natural Resources.

Please remit these funds as soon as possible. If you have questions or need further information, please contact me at (573) 526-3353, or Mr. John Weber, of the U.S. Fish & Wildlife Service, at (573) 234-2132 ext. 177.

Sincerely,

DIVISION OF ENVIRONMENTAL QUALITY



Eric Gramlich
Restoration and Assessment Manager

EG/ldh

Enclosure

c: Mr. Dave Mosby, USFWS
Mr. John Weber, USFSW
- Ms. Angie McMichael, MDNR
Mr. David Lamb, MDNR
- Ms. Raechell Henley, MDNR
Ms. Deanna Boland, MDNR
Ms. Layne Washburn, MDNR
Ms. Lori Gordon, MDNR

MISSOURI NATURAL RESOURCES TRUSTEE COUNCIL
ORONOGO-DUENWEG MINING BELT (JASPER COUNTY), NEWTON COUNTY
MINE TAILINGS SITES AND NEWTON COUNTY WELLS SITE

RESOLUTION NO. TSMD-2015-002

The cooperating natural resource trustees (Trustees), the State of Missouri and the U.S. Department of the Interior (DOI), for the Newton Wells Site, the Oronogo-Duenweg Mining Belt (Jasper County) and Newton County Mine Tailings Natural Resource Damage Assessments have consulted and resolved that restoration and protection of riparian corridor, sensitive karst areas and floodplain habitats in Jasper and Newton Counties should be funded from funds recovered through the ASARCO, LLC and Newton County Wells settlements.

The trustees completed a request for proposal (RFP) process for restoration project selection as part of the natural resource damage assessment and restoration process undertaken at the Oronogo-Duenweg Mining Belt (Jasper County), Newton County Mine Tailings Site (Jasper County) and Newton County Wells Site pursuant to the Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. §§ 9601-9675) and implementing regulations (43 C.F.R. Part 11). The trustees recovered monetary damages from ASARCO, LLC and FAG Bearings to settle certain legal claims concerning injuries to natural resources and their services. Monies recovered from the settlement were made available for public proposals by the trustees in accordance with the Springfield Plateau Regional Restoration Plan (SPRRP). The SPRRP provides a process framework that governs the approach for restoration project identification, evaluation, selection and implementation.

The RFP sought applicants that could implement successful compensatory environmental restoration projects programs in and around Jasper and Newton counties. The Missouri Trustee Council and the Trustees agreed that it is in the best interest of the public to award project funding to the sole respondent, a partnership comprised of the Missouri Department of Natural Resources' Soil and Water Conservation Program (SWCP), the Natural Resource Conservation Service (NRCS), and the Missouri Department of Conservation (MDC), to implement a program of riparian corridor and floodplain restoration practices including riparian livestock exclusion, installation of alternative water supplies for livestock, reinforced stream crossings, streambank stabilization and sensitive area (karst protection) projects.

The selected riparian, karst, wetland, and floodplain habitat projects will compensate for natural resources injured by the release of hazardous substances associated with the activities of ASARCO, LLC and FAG Bearings. Injured natural resources addressed by these restoration projects included migratory songbirds and their supporting habitats, surface water, sediments,

and native plant communities, and groundwater including endangered cave species. Implementation of the projects described in the selected proposals will lead to the re-establishment of forested riparian corridors and floodplains, protected streambanks and springs, and the removal of livestock from streams and rivers and protection of groundwater via karst conduit protection. Consequently, migratory song bird habitat will be enhanced and created, sediment transport to aquatic systems will be reduced, and surface and groundwater quality will be improved. Restoration investments will be protected with a minimum 10 year land owner contract.

We request a release of \$500,000 which will be disbursed by the State of Missouri, MDNR to fund the successful respondent to the RFP, a partnership comprised of the SWCP, NRCS, and MDC with SWCP acting as the lead project administrator. This total amount shall be made up from a withdrawal from the following subaccounts from the Natural Resource Damage Assessment and Restoration Fund:

Names of Site	NRDAR Account Number	Amount to be Transferred
Newton County Wells – FAG Bearings	0493	\$137,707.21
Newton County Mine Tailings, MO	0603	\$181,146.40
Jasper County, MO	0586	\$181,146.39

The funds shall be allocated as follows:

Missouri Department of Natural Resources (Not to Exceed) \$ 500,000.00

This Jasper County Natural Resources Trustee Council Resolution No. TSMD-2015-002 shall expire five years following the date of execution. Extensions or modifications of this Resolution may be made as needed, upon unanimous consent and resolution of the Trustee Council.

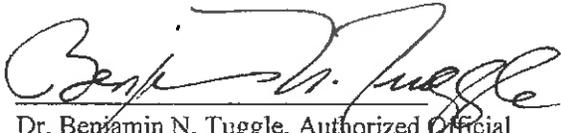
This Resolution may be executed in counterparts. This Resolution No. TSMD-2015-002 shall be effective upon execution of all parties. The date of execution shall be the date of the last party's signature. A copy of the Resolution, with all original executed signature pages affixed shall constitute the original Resolution. Copies of the Resolution shall be sent to all parties, as well as the Fund Manager of the DOI Natural Resource Damage Assessment and Restoration Fund.

If you have any questions, please contact Tim Rielly at (573) 526-3353 or Scott Hamilton at (573) 234-2132 x 122

MISSOURI NATURAL RESOURCE TRUSTEE COUNCIL
ORONOGO-DUENWEG MINING BELT SITE (JASPER COUNTY) AND NEWTON
COUNTY WELLS SITE

RESOLUTION NO TSMD-2015-002

U.S. DEPARTMENT OF THE INTERIOR



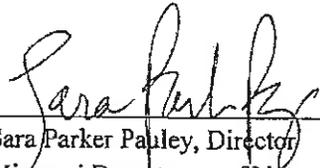
Dr. Benjamin N. Tuggle, Authorized Official
Regional Director, Region 2, U.S. Fish & Wildlife Service

7/2/2015
Date

MISSOURI NATURAL RESOURCE TRUSTEE COUNCIL
ORONOGO-DUENWEG MINING BELT SITE (JASPER COUNTY) AND NEWTON COUNTY
WELLS SITE

RESOLUTION NO TSMD-2015-002

STATE OF MISSOURI



Sara Parker Pauley, Director
Missouri Department of Natural Resources

6-10-2015

Date