

9626. RESOLUTION 07-34 AMENDS THE ORIGINAL AGREEMENT OBLIGATION AND CONTRIBUTION AGREEMENTS AUTHORIZED UNDER RESOLUTIONS 05-19 AND 06-11 REVITALIZING OYSTERS IN THE DELAWARE BAY

WHEREAS, in 2005 The Delaware River and Bay Authority (the "Authority") agreed to participate in a three (3) year Oyster Revitalization Study ("Study") by providing \$150,000.00 as the cash match requirement to a federal Energy and Water Appropriations grant ("Grant") in an effort to increase oyster production along the Delaware in the States of Delaware and New Jersey; and

WHEREAS, the Study is a joint initiative involving the U.S. Army Corps of Engineers (USACE), the New Jersey Oyster Industry, the Delaware Department of Natural Resources and Environmental Control (DNREC), the Divisions of Fish and Wildlife in Delaware and New Jersey and support from the Delaware Shellfish Advisory Council, the New Jersey Shell Fisheries Council and various legislators in Delaware and New Jersey; and

WHEREAS, the Authority fulfilled its financial commitment in March, 2006 by providing the total cash match within a two (2) year period and under two (2) Contribution Agreements with the Delaware Department of Natural Resources and Environmental Control (DNREC); and

WHEREAS, the Oyster Industry Revitalization Task Force ("OIRTF"), with assistance from various legislatures in Delaware and New Jersey, was successful in receiving an additional \$2 million dollars in federal funding in FY2007 to carry the Study to its third (3) year; and

WHEREAS, the Authority has been requested by the OIRTF to continue its participation by contributing an additional \$134,000.00 as the cash match to the FY 2007 federal funds; and

WHEREAS, the Authority, in contributing the FY2007 cash match of \$134,000.00, fulfills the Authority's commitment to the Study.

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to negotiate the terms and conditions of a Contribution Agreement in the amount of \$134,000.00 with the Study's Cooperating Agency to revitalize the oyster industry in the Delaware Bay and, with the advice and consent of counsel, to have such an Agreement executed by the Chairperson, Vice-Chairperson and Executive Director.

A motion to approve Resolution 07-34 was made by Commissioner Patterson, seconded by Commissioner Smith, and approved by a roll call vote of 10-0.