

Provisions of Plea Agreement between BP and U.S. Department of Justice
Pertaining to the National Fish and Wildlife Foundation

Note: The Plea Agreement has been filed with the United States District Court for the Eastern District of Louisiana and will not become final or effective unless and until approved by the Court and entered as judgment in the case.

The following are excerpts from the plea agreement pertaining to NFWF:

35. The defendant shall pay \$2.394 billion (\$2,394,000,000.00) to the National Fish and Wildlife Foundation (“NFWF”), a nonprofit organization.

36. The defendant’s payments to NFWF shall be made according to the following schedule: (a) \$100 million to be paid within 60 days of sentencing; (b) an additional \$300 million to be paid within one year of sentencing; (c) an additional \$300 million to be paid within two years of sentencing; (d) an additional \$300 million to be paid within three years of sentencing; (e) an additional \$500 million to be paid within four years of sentencing; and (f) the remainder to be paid within five years of sentencing...

37. NFWF shall use the money it receives from the defendant pursuant to this Order for the following purposes and subject to the following conditions:

a. To remedy harm and eliminate or reduce the risk of future harm to Gulf Coast natural resources, NFWF shall use approximately half of the payments to conduct or fund projects to remedy harm to resources where there has been injury to, or destruction of, loss of, or loss of use of those resources resulting from the Macondo oil spill. NFWF

shall conduct or fund projects in the following states in approximately the following proportions: (1) Alabama, 28%, (2) Florida, 28%, (3) Mississippi, 28%, and (4) Texas, 16%. NFWF shall consult with appropriate state resources managers, as well as federal resource managers that have the statutory authority for coordination or cooperation with private entities, to identify projects and to maximize the environmental benefits of such projects.

b. To remedy harm and eliminate or reduce the risk of future harm to the State of Louisiana and its natural resources, NFWF will use approximately half of the payments to create or restore barrier islands off the coast of Louisiana and/or to implement river diversion projects on the Mississippi and/or Atchafalaya Rivers for the purpose of creating, preserving, and restoring coastal habitat, in order to remedy harm to resources where there has been injury to, or destruction of, loss of, or loss of use of those resources resulting from the Macondo oil spill. In conducting or funding these projects, NFWF will consult with State resource managers, as well as federal resource managers that have the statutory authority for coordination or cooperation with private entities regarding management or protection for coastal habitat, to identify the highest priority projects, and to maximize the environmental benefits of such projects. In identifying projects, NFWF shall consider the State's Coastal Master Plan, as well as the Louisiana Coastal Area Mississippi River Hydrodynamic and Delta Management Study, as appropriate.

NFWF shall report to the Probation Officer and to the parties regarding the status and disposition of money it has received pursuant to this Order, on at least an annual basis, until all such money has been spent.