

AMENDED AGREEMENT No. _____

FIRST AMENDMENT OF THE MEMORANDUM OF UNDERSTANDING OF
FDACS CONTRACT AGREEMENT No. 022431,
BETWEEN
THE FLORIDA DEPARTMENT OF TRANSPORTATION AND THE FLORIDA
FOREST SERVICE
FOR GOPHER TORTOISE RELOCATION

A Memorandum of Understanding for Gopher Tortoise Relocation, (“MOU”) (FDACS Contract # 022431) between the Florida Department of Transportation (FDOT) and the Florida Department of Agriculture and Consumer Services, Florida Forest Service (FFS) was executed on August 13, 2015.

This First Amendment to the MOU (Amended MOU) is made by FDOT and FFS, and together, hereinafter the Parties, and each a Party to this Amended MOU.

Recitals

WHEREAS, the MOU recognizes that designated areas of a state forest impacted by FDOT’s public transportation projects may be used as recipient areas for gopher tortoises and, where appropriate, their commensals displaced by such a project; and

WHEREAS, the Parties recognize that even though the MOU only authorized relocation of tortoises from public land donor sites, such as state forests impacted by FDOT’s public transportation projects, there is also a need to provide for the relocation of tortoises from areas located on non-public land donor sites impacted by FDOT’s public transportation projects to recipient sites located on state forest lands to benefit the success of gopher tortoise conservation populations within the state of Florida; and

WHEREAS, the Parties agree that it would be beneficial for the management of the relocated tortoises if FDOT’s \$1,000.00 contribution for relocation per tortoise was distributed within 90 to 180 days after completion of a relocation event and upon notice by FDOT, instead of at the end of a specific road project which is when FDOT presently provides FFS the final number of tortoises moved for that project.

WHEREAS, the Parties agree that the MOU is amended as follows:

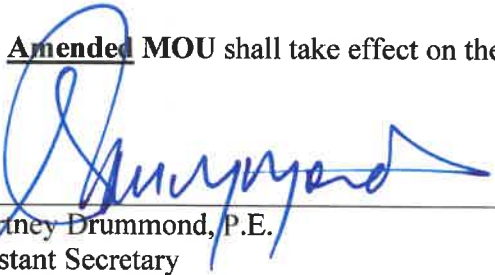
1. All references under the MOU which only authorize the relocation of gopher tortoises from FDOT public transportation impacts to publicly owned lands will under this Amended MOU be applicable to the relocation of gopher tortoises from FDOT’s

transportation impacts to non-public lands, both of which can be relocated onto state forest gopher tortoise recipient sites; and

2. The relocation of gopher tortoises from either public land donor sites or non-public land donor sites onto a state forest recipient site under this Amended MOU will meet the guidelines and requirements of FWC Relocation Permits and FFS Recipient Site Permits; and
3. In order to assist the FFS with the management of recipient sites located on forest lands, this Amended MOU will authorize FDOT's expenditure of \$1,000.00 per relocated tortoise to be available to FFS to expend those funds from 90 to 180 days after completion of each tortoise's relocation event and upon notice by FDOT.
4. Except as set forth in this Amended MOU, the existing MOU is unaffected and shall continue in full force and effect in accordance with its terms. If there is conflict between this amendment and the existing MOU, the terms of this amendment will prevail.

Effective Date

This Amended MOU shall take effect on the last signature date, as completed below.

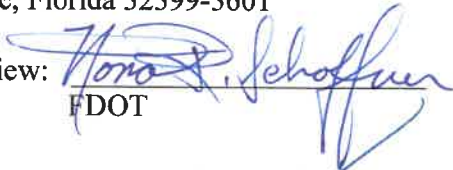


 Courtney Drummond, P.E.
 Assistant Secretary



 1/21/22
 Date

Engineering and Operations
 Florida Department of Transportation
 Haydon Burns Building
 605 Suwannee Street
 Tallahassee, Florida 32399-3601

Legal Review: 

 FDOT



 Erin Albury, Director
 Florida Forest Service
 Department of Agriculture and Consumer Services
 3125 Conner Boulevard
 Tallahassee, Florida 32399-1650

12/03/2021

 Date

Joey B. Hicks

12/21/2021

Joey B. Hicks, Director
Division of Administration
Department of Agriculture and Consumer Services
407 South Calhoun Street
Tallahassee, Florida 32399-0800

Date

Legal Review: /s/ Kelly Ann Kennedy
FDACS