

**AMENDMENT ONE TO
MEMORANDUM OF UNDERSTANDING
RELATING TO THE NATURAL RESOURCE DAMAGE ASSESSMENT AND
RESTORATION RESULTING FROM THE
DEEPWATER HORIZON MOBILE OFFSHORE DRILLING UNIT AND THE
SUBSEA MACONDO WELL
THE STATE OF ALABAMA
THE STATE OF FLORIDA
THE STATE OF LOUISIANA
THE STATE OF MISSISSIPPI
THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
THE TEXAS PARKS AND WILDLIFE DEPARTMENT
THE TEXAS GENERAL LAND OFFICE
THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
THE UNITED STATES DEPARTMENT OF THE INTERIOR**

I. INTRODUCTION

This amendment (“Amendment One”) amends that certain Memorandum of Understanding (“MOU”) among the parties (“Natural Resource Trustees”) listed above and related to the natural resource damage assessment and restoration resulting from the Deepwater Horizon Mobile Offshore Drilling Unit and the Subsea Macondo Well. All terms not defined herein shall have the definitions provided in the MOU.

Pursuant to Article IV, Section 9 of the Florida Constitution, and as affirmed by Florida Statutes Chapter 379.102 and Rule 68A-1.002 of the Florida Administrative Code, the Florida Fish and Wildlife Conservation Commission (FWC) is vested with the regulatory and executive powers of the State of Florida with respect to wild animal life and fresh water aquatic life, as well as regulatory and executive powers of the state with respect to marine life.

Consistent with OPA, on December 15, 2010, Governor Charlie Crist of Florida issued a letter to the President of the United States, Barack Obama, designating Mimi Drew, Secretary, Florida Department of Environmental Protection (“FDEP”) and Eugene “Nick” Wiley, Executive Director, Florida Fish and Wildlife Conservation Commission (“FWC”), as the Lead Trustee and Trustee, respectively, under the natural resource damage provisions of OPA. FDEP had previously been designated as a trustee under OPA and Ms. Drew signed the MOU on behalf of FDEP and the State of Florida on November 17, 2010. The purpose of this Amendment One is to add FWC as a party to the MOU and to recognize that Mr. Wiley will be acting as a Designated Natural Resource Trustee Official under the MOU.

II. AMENDMENT OF MOU

- (a) Section I (Introduction) of the MOU is amended to add the Florida Fish and Wildlife Conservation Commission to the list of Trustees.
- (b) Section VI.A. of the MOU is amended to add the Executive Director of the Florida Fish and Wildlife Conservation Commission as a Designated Natural Resource Trustee Official under the MOU.

III. DESIGNATION OF REPRESENTATIVES BY FWC

In compliance with Section VII of the MOU, FWC hereby makes the following designations:

- (a) The Trustee Council primary member for FWC shall be Gil McRae, Director of the FWC Fish and Wildlife Research Institute, 100 8th Avenue SE, St Petersburg, FL 33701; phone (727) 896-8626; fax (727) 893-2947; email: gil.mcrae@myfwc.com.
- (b) The legal counsel for FWC is Kelly Samek, Assistant General Counsel, FWC Legal Office, 620 S. Meridian St., Tallahassee, FL 32399; phone 850-487-1764; fax 850-487-1790; email: kelly.samek@myfwc.com.

IV. AFFIRMATION BY FWC

As required by Section VI.B of the MOU, by signing below, FWC hereby affirms that it agrees to all provisions of the MOU.

SIGNATURES:

Dated: 7/29, 2011

**UNITED STATES DEPARTMENT
OF THE INTERIOR**

By:



Cynthia K. Dohner
Southeast Regional Director
U.S. Fish and Wildlife Service
Authorized Official for DOI

Dated: Jul 7, 2011

**NATIONAL OCEANIC
AND ATMOSPHERIC
ADMINISTRATION**

By:

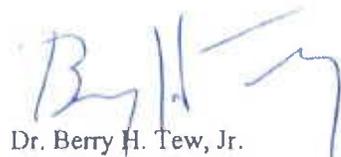


David G. Westerholm
Director
Office of Response and Restoration

Dated: 7/1, 2011

GEOLOGICAL SURVEY OF
ALABAMA

By:



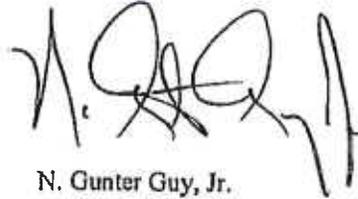
Dr. Berry H. Tew, Jr.
State Geologist

AMENDMENT ONE TO
MEMORANDUM OF UNDERSTANDING
RELATING TO THE NATURAL RESOURCE DAMAGE ASSESSMENT AND
RESTORATION RESULTING FROM THE
DEEPWATER HORIZON MOBILE OFFSHORE DRILLING UNIT AND THE
SUBSEA MACONDO WELL
THE STATE OF ALABAMA
THE STATE OF FLORIDA
THE STATE OF LOUISIANA
THE STATE OF MISSISSIPPI
THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
THE TEXAS PARKS AND WILDLIFE DEPARTMENT
THE TEXAS GENERAL LAND OFFICE
THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
THE UNITED STATES DEPARTMENT OF THE INTERIOR

Dated: 9/12, 2012
**re-executed*

**ALABAMA DEPARTMENT OF
CONSERVATION AND NATURAL
RESOURCES**

By:

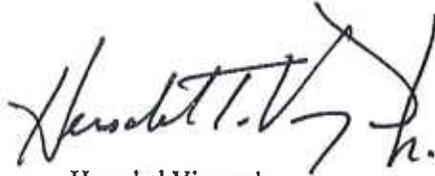
A handwritten signature in black ink, appearing to read "N. Gunter Guy, Jr.", written in a cursive style.

N. Gunter Guy, Jr.
Commissioner

Dated: 7/11, 2011

**FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION**

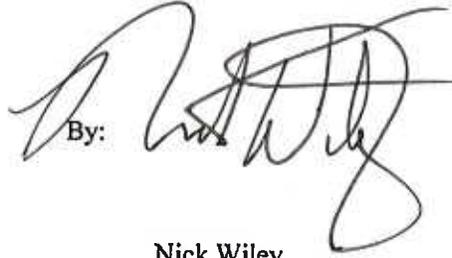
By:

A handwritten signature in black ink, appearing to read "Herschel Vinyard". The signature is stylized and cursive, with a large initial "H" and "V".

Herschel Vinyard
Secretary

Dated: 7/6, 2011

**FLORIDA FISH AND WILDLIFE
CONSERVATION COMMISSION**

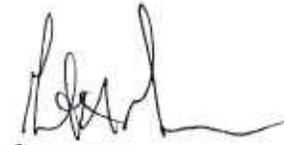
By: 

Nick Wiley
Executive Director

Dated: 8/10, 2011

**LOUISIANA COASTAL PROTECTION
AND RESTORATION AUTHORITY**

By:

A handwritten signature in black ink, appearing to read 'Garret Graves', with a long horizontal flourish extending to the right.

Garret Graves
Chair

Dated: 8/8, 2011

**LOUISIANA OIL SPILL
COORDINATOR'S OFFICE**

By:

A handwritten signature in cursive script, appearing to read "Roland Guidry".

Roland Guidry
Louisiana Oil Spill Coordinator

Dated: July 28, 2011

**LOUISIANA DEPARTMENT OF
ENVIRONMENTAL QUALITY**

By: 
Peggy Hatch
Secretary

Dated: 8/15, 2011

**LOUISIANA DEPARTMENT OF
WILDLIFE AND FISHERIES**

By:



Robert Barham
Secretary

Dated: 8/15, 2011

**LOUISIANA DEPARTMENT OF
NATURAL RESOURCES**

By:



Scott Angelle
Secretary

Dated: 7/28, 2011

MISSISSIPPI DEPARTMENT OF
ENVIRONMENTAL QUALITY

By:



Trudy D. Fisher
Executive Director

Dated: 5 July, 2011

**TEXAS PARKS AND WILDLIFE
DEPARTMENT**

By:

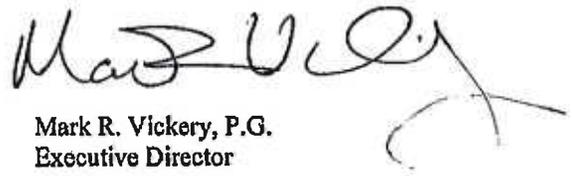


**Carter Smith
Executive Director**

Dated: 8-3, 2011

**TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

By:



Mark R. Vickery, P.G.
Executive Director

Dated: 7/28, 2011

TEXAS GENERAL LAND OFFICE

By: 

Larry L. Laine
Deputy Land Commissioner
& Chief Clerk