ADDENDUM TO THE LOCAL OPERATING AGREEMENT
BETWEEN THE U.S. ARMY CORPS OF ENGINEERS AND THE FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP)
REGARDING RE-ISSUANCE OF
STATE PROGRAMMATIC GENERAL PERMIT (SPGP) VI FOR
MINOR IN-WATER ACTIVITIES LOCATED THROUGHOUT FLORIDA

This Addendum to the Local Operating Agreement (OA) is made by and between the U.S. Army Corps of Engineers (Corps) and the FDEP, herein referred to as the FDEP. By execution of the Agreement, the Corps authorizes the FDEP to verify whether projects are authorized under the reissued SPGP VI on its behalf.

I. WITNESSETH

WHEREAS, under Section 404 of the Clean Water Act, 33 U.S.C. § 1344, the Corps may issue permits for the discharge of dredged or fill material in the waters of the United States;

WHEREAS, under Section 10 of the Rivers and Harbors Act, 33 U.S.C. § 403, the Corps may issue permits for structures and work in navigable waters of the United States;

WHEREAS, the FDEP, or a duly authorized FDEP, has regulatory jurisdiction over activities regulated under Part IV of Chapter 373 Florida Statutes, which includes dredging and filling in wetlands and other surface waters;

WHEREAS, the FDEP has authority to issue permits for minor in-water activities in sovereign submerged lands;

WHEREAS, the categories of activities listed in the SPGP VI would require permit or exemption from both the Corps and FDEP under their respective authorities;

WHEREAS, under 33 C.F.R. 325.5(c)(3), the Corps may issue programmatic permits, a type of general permit founded on an existing state, local or other Federal agency program and designed to avoid duplication with that program;

WHEREAS, General Permits may be authorized for five years and cannot be extended beyond the expiration date.

WHEREAS, the FDEP has previously verified activities under SPGP VI on behalf of the Corps for minor in-water activities throughout the State of Florida;

WHEREAS, the OA incorporates procedures adopted by the Corps, the U.S. Fish and Wildlife Service, and the National Marine Fisheries Service to address potential effects to certain species, which will be implemented by the FDEP; and

WHEREAS, the FDEP has staff and a structured regulatory program that can expeditiously process requests to verify whether activities are authorized under the SPGP and can effectively supervise compliance with issued verifications, thereby improving efficiency and reducing duplication of regulatory effort within the State of Florida.

II. AUTHORIZATION

The SPGP VI was issued on 27 July 2021 and expires on 27 July 2026. In order to maintain continuity with implementation of the SPGP, the Corps intends to re-issue the SPGP VI to authorize certain categories of activities regulated by the Corps and the FDEP on or before its expiration date. For the purpose of maintaining continuity, there will be no change in scope of the re-issued SPGP VI or implementation procedures as outlined in the current Agreement. This Addendum hereby authorizes the FDEP to verify eligible projects under the terms and conditions of SPGP VI as long as it remains authorized, is re-issued, or superseded by the SPGP VII and a new OA.

III. SEVERABILITY

If any part of this Addendum to the Agreement is determined to be invalid or unenforceable, the other provisions of this Agreement shall remain in full force and effect, provided that both parties agree that the material purposes of this Agreement can still be effectuated without relying on the invalid or unenforceable provisions.

IN WITNESS WHEREOF, the parties hereto have caused this Addendum to the Agreement to be executed by their duly authorized representative(s) on the latest day and year noted below.

U.S. ARMY CORPS OF ENGINEERS
JACKSONVILLE DISTRICT:

Shawn H. Zinszer
Brandon L. Bowman
Colonel, U.S. Army
District Commander

Date

This 31 day of July 2026.

WITNESS: _____

FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION

John Truitt
Deputy Secretary for Regulatory
Programs

5/15/2026
Date

This 15 day of May 2026.

WITNESS: _____

APPROVED AS TO FORM

By: _____
Office of the FDEP Attorney