

ADDENDUM TO THE LOCAL OPERATING AGREEMENT
BETWEEN THE U.S. ARMY CORPS OF ENGINEERS AND BROWARD COUNTY
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 (Agreement) is made by and between the U.S. Army Corps of Engineers (Corps) and BROWARD COUNTY (DESIGNEE). By execution of the Agreement, the Corps authorizes the Designee 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 DESIGNEE, by and through its Public Works and Environmental Services Department, 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 DESIGNEE 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 DESIGNEE 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 (5) years and cannot be extended beyond the expiration date;

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

WHEREAS, the Agreement 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 DESIGNEE; and

WHEREAS, the DESIGNEE 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 the 27th of July 2021 and expires on the 27th of 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 DESIGNEE 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 DESIGNEE to verify projects that qualify for authorization under the terms and conditions of SPGP VI as long as it remains authorized, is re-issued, or is superseded by the SPGP VII and a new Agreement is signed by both parties.

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.

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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:

BROWARD COUNTY, by and through
its Board of County Commissioners

Brandon L. Bowman
Colonel, U.S. Army
District Commander

Mayor
This ____ day of ____ 2026

Date

By: _____
Broward County Administrator, as
ex officio Clerk of the Broward County
Board of County Commissioners

This ____ day of ____ 2026.
WITNESS: _____

Approved as to form by
Andrew J. Meyers
Broward County Attorney
115 South Andrews Avenue, Suite 423
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600

Jennifer
By **Brown** _____
Jennifer D. Brown (Date)
Senior Assistant County Attorney

Digitally signed by
Jennifer Brown
Date: 2026.05.15 14:21:31
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MAITE AZCOITIA
By _____
Maite D. Azcoitia (Date)
Deputy County Attorney

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Date: 2026.05.16 16:46:57 -04'00'