



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
P.O. BOX 4970
JACKSONVILLE, FLORIDA 32232-0019

Regulatory Division

SEP 01 2006

PUBLIC NOTICE

STATE PROGRAMMATIC GENERAL PERMIT
STATE OF FLORIDA - (SPGP IV)

TO WHOM IT MAY CONCERN: On September 24, 1997, the Corps issued an expanded State Programmatic General Permit (SPGP III). The purpose of the SPGP III was to avoid duplication of permitting between the Corps and the Florida Department of Environmental Protection (DEP) for minor work located in waters of the United States, including navigable waters. Thus, the need for separate approval from the Corps would be mostly eliminated. In addition to the four major categories of work authorized under the SPGP I and the SPGP II, the SPGP III authorized the expansion of categories of work to include those activities covered under many of the State of Florida's Exemptions and Noticed General Permits, the majority of which were already addressed under existing Department of the Army Nationwide and Regional General Permits. Furthermore, the SPGP III extended geographic coverage throughout the entire State of Florida, excluding Monroe County and those counties within the jurisdiction of the Northwest Florida Water Management District. The results of the SPGP III implementation demonstrated that environmental protection continued while increasing the service to the public. Shortly after the SPGP III was issued, we saw a need to clarify, update, and reformat it, and on December 17, 1998, we published a version of the SPGP (SPGP III-R1) that reflected the culmination of those actions.

Since the implementation of the SPGP III-R1, the complexity of the Corps' Regulatory Program has increased greatly, and, due to recent judiciary decisions and Federal rulemaking, has required Corps staff to devote more resources to consideration of isolated wetlands, essential fish habitat, and issues concerning the Endangered Species Act. This increase in complexity was jeopardizing the overall efficiency and effectiveness of the SPGP III-R1, as it caused many applications to be referred to the Corps for separate processing. Accordingly, we have limited the SPGP IV to include only those activities related to the four major categories of work authorized under the SPGP I and the SPGP II: 1) *Shoreline Stabilization*, 2) *Boat Ramps and Boat Launch Areas and Structures Associated with Such Ramps or Launch*

Areas, 3) Docks, Piers, Associated Facilities, and Other Minor Structures, 4) Maintenance Dredging of Canals and Channels (including removal of organic detrital material from freshwater lakes and rivers), and those State of Florida Exemptions and Noticed General Permits which we consider directly applicable to these categories of work, including those considered *de minimus* under 373.406(6) F.S. We have also authorized its administration not only by the DEP but by appropriate DEP duly authorized designees.

The SPGP IV will simplify the SPGP process and further increase the efficiency of both State and Federal staff in serving the public. The SPGP IV will be implemented by the DEP effective September 1, 2006. The SPGP III R-1 is, as of September 1, 2006, hereby made unnecessary, and the criteria specified in the SPGP III R-1 are superseded by the criteria specified in the SPGP IV. A copy of the SPGP IV and attachments will be posted on the Jacksonville District Regulatory Division internet web page at the following address:

http://www.saj.usace.army.mil/permit/permitting/permit_types.htm

Activities previously authorized under the SPGP III-R1 which have commenced or are under contract to commence in reliance upon the SPGP III-R1 will remain in effect until September 1, 2007.


Margaret Gaffney-Smith
Chief, Regulatory Division