



The Georgia Soil and Water Conservation Commission

MOA Concurrence Process

A memorandum of agreement (MOA) is an agreement between the local Soil and Water Conservation District (SWCD) and a Local Issuing Authority (LIA), with concurrence from the Georgia Soil and Water Conservation Commission (GSWCC), to allow the LIA to conduct its own technical review and approval of ES&PC plans. It is recommended that this process be communicated with the SWCDs when the initial request is made by the LIA.

GSWCC Concurrence Process

(See MOA worksheet)

1. **Overviews** – To be eligible for consideration the LIA will need to have had two consecutive passing overviews (overviews should occur at least 6 months apart). The second overview should have been conducted within 1 calendar year of applying for an MOA.
 - The overview report should rate the effectiveness of the LIA's program based on program administration/record keeping, qualifications and training of ES&PC staff, complaint resolution, inspection frequency, level of enforcement and site conditions.
 - The overview reports should not raise any red flags (i.e. relying solely on the design professional who prepares the plan to make state waters determinations).
2. **Six Month Co-plan Review Period*** - During the co-plan review period the following should occur:
 - The LIA receives the ES&PC plan. The individual(s) that will be responsible for reviewing plans will conduct an initial plan review using the appropriate checklist.
 - The LIA will then submit the plan to the SWCD with their completed checklist and their recommendation to approve or deny the plan.
 - GSWCC/NRCS staff will conduct a technical review and recommend the plan be approved/denied by the SWCD for official ratification. If additional comments are made, they will be forwarded to the LIA.
3. **MOA Worksheet** -The Regional Representative must submit the MOA worksheet and supporting documentation to the Urban Program for review.
4. **Urban Program Technical Review** - GSWCC's Urban Program will use worksheet, supporting documentation and the GSWCC/NRCS reviewer's recommendation to determine whether or not the LIA has demonstrated their ability to conduct quality ES&PC plan reviews. Technical staff will forward recommendation to the GSWCC Board to approve, deny, extend or add restrictive language to the MOA.
5. **MOA Written and Signed** - It is recommended that the MOA is not signed by any party until the co-plan review period and the Urban Program technical review has ended. Once the co-plan review period and the Urban Program technical review have ended the MOA language should be drafted and signed by the SWCD and LIA, then forwarded to the GSWCC Board for concurrence. If the SWCD alters the standard MOA, Regional Representatives should notify the Urban Program of the changes before the MOA is signed by any party.

Once signed by LIA and SWCD, the Regional Representative needs to contact Urban Program in advance to ensure the MOA is placed on the GSWCC Board agenda (recommend at least 1 month). Three signed and notarized copies of the MOA should be forwarded to GSWCC Athens office before the GSWCC Board meeting

A signed and notarized copy of the MOA will be sent to the SWCD, LIA and GSWCC.

* If an inadequate number of plans have been submitted during the co-plan review period, the co-plan review period needs to be extended until there have been enough plans submitted for the reviewer to make a sound recommendation.