

Staff Report

Subject: ESPC Request for Review Authority Letter

Author: Jonathan Hulme, PE County Engineer

Department: Engineering

Meeting Date: 3/04/2025

Item Description: Ordinance Revision

Summary Recommendation:

Endorse a letter from the Board requesting that the Georgia Soil and Water Conservation Commission (GSWCC) prepare a Memoranda of Agreement for Effingham County to be able to review and approve plans under their program for LDA permits in Effingham County.

Executive Summary/Background:

Effingham County is currently certified by the Georgia Department of Natural resources, Environmental Protection Division, Watershed Protection Branch (EPD) as a Local Issuing Authority (LIA). As a LIA Effingham County is the “front line” regulator with regard to Erosion and Sediment Control matters. The County issues permits based on the requirements of our ordinance, inspects sites, works with permittees to maintain voluntary compliance with the ordinance and the approved plans, and, if required, regulates the applicants for ongoing violations. The County has operated the LDA program since the ordinance was originally adopted.

Currently the County issues LDA permits based on Erosion, Sedimentation, and Pollution Control Plan (ESPCP) that are reviewed and approved by the GSWCC in their role as statewide technical support to the EPD for this program. Staff has been asked to look into the process for the County take over review and approval of plans and issues permits based on plans that we review and approve. The vehicle by which the County is able to review and approve plans locally is by the County as an LIA and the Local SWCC District (SWCD) entering into a Memorandum of Agreement(MOA) in which the responsibility, authority, and expectations of each organization is outlined and agreed to. Attached is a MOA Concurrence Process information sheet from the GSWCC listing and detailing the process that is followed. The highlights are

1. The LIA requests the SWCD consider entering a MOA with the LIA.
2. The LIA's program is overviewed at least twice with favorable results.

3. The LIA participates in a 6-month co-plan review period where the LIA reviews plans and the SWCC overviews the reviews.
4. The GSWCC's Urban Program will review the documentation and results of the overviews and will make a recommendation to the GSWCC Board regarding the LIA's ability to manage the program.
5. The GSWCC Board votes to have approve the MOA between the LIA and the GSWCD.

Alternatives for Commission to Consider

Recommended Alternative: 1 Endorse Letter

Other Alternatives: 2 No Action

Department Review: *Engineering, Development Services*

Funding Source: NA

Attachments: GSWCC MOA Concurrence Process, ESPC Request for Review Authority Letter