

City of Sugar Hill
Agenda Item Summary

DATE: June 1, 2016
TO: Mayor and Council
FROM: Planning Dept.
SUBJECT: Resolution for Memorandum of Agreement with Georgia State Soil and Water Conservation Commission and City of Sugar Hill, Georgia to conduct review and approval of erosion and sediment control plans without referring applications and plans to the District for review.

ISSUE:..... The City of Sugar Hill desires to conduct review and approval of erosion and sediment control plans without referring applications and plans to the District for review and approval.

The Planning Department entered into a co-review process and successfully completed the Overview Program with the Georgia State Soil and Water Conservation Commission District Assessment Team, and has received recommendation that program administration and recording keeping procedure are consistent with the State Minimum Requirements.

STAFF RECOMMENDATION:..... ADOPT THE ATTACHED RESOLUTION FOR THE
MEMORANDUM OF AGREEMENT..

ATTACHMENTS:

- Resolution
- Overview Report
- Memorandum of Agreement

RESOLUTION

MEMORANDUM OF AGREEMENT
BETWEEN
THE GEORGIA STATE SOIL AND WATER CONSERVATION DISTRICT
AND
CITY OF SUGAR HILL, GEORGIA
June 2016

WHEREAS, the City of Sugar Hill (hereinafter, the “City”) entered into a Co-Review process to obtain a Memorandum of Agreement between Gwinnett County Soil and Water Conservation District (hereinafter, the “District”) and the City to review and approve erosion and sediment control plans.

WHEREAS, the City has successfully completed the Overview Program with the District Assessment Team, and has received recommendation that City of Sugar Hill’s program administration and record keeping procedures are consistent with the State Minimum Requirements.

WHEREAS, the Georgia Soil and Water Conservation Commission will consider ratification of the Memorandum of Agreement between the District and the City to allow the City to conduct the review and approval of erosion and sediment control plans without referring applications and plans to the District, in compliance with Section 7(d) of the Erosion and Sedimentation Act of 1975, as amended.

BE IT THEREFORE RESOLVED, the Memorandum of Agreement which shall be effective on the date of the concurrence herewith by the District.

This resolution adopted this _____ day of _____, 20____.

Mayor Steve Edwards

ATTEST:

City Clerk, Jane Whittington



Erosion and Sedimentation Control Program Overview
Sugar Hill, Georgia

Prepared by:
Gwinnett County SWCD
and
Brady Hart
Technical Specialist
GA Soil and Water Conservation Commission

Date: 4/27/16

District Assessment Team Recommendations

- **It is the DAT's opinion that Sugar Hill's program administration and record keeping procedures are consistent with State minimum requirements.**
- **It is the DAT'S opinion that Sugar Hill's site conditions are consistent with the State minimum requirements**
- **The DAT recommends that the site inspectors be more diligent in ensuring that the E&S BMPs are installed and maintained according to state standards.**

Overview Attendees Present:

Kaipo Awana
Kimberly Landers
Mauricio Torres
Susan Castle
Brady Hart
Jessica Bee

Sugar Hill
Sugar Hill
Sugar Hill
GSWCC
GSWCC
GSWCC

West GA Soil and Water Conservation District
LOCAL ISSUING AUTHORITY: Sugar Hill
DATE OF OVERVIEW: 4/27/2016
SCORE: 432

| | | | | |
|-------------------------|----------------|----------------------|-------------------|--------------------|
| 0 | 1 - 249 | 250 - 349 | 350 - 424 | 425 - 500 |
| Complete Failure | Failure | Below Average | Acceptable | Exceptional |
| 0% | 25% | 50% | 75% | 100% |

EXCEPTIONAL: > 425
PASSING: 350 - 425
NEEDS PLAN FOR IMPROVEMENT: 250 - 349
FAILED - NOTIFY EPD: < 250

| Potential Points | Performance Measure | Points Scored |
|------------------|---|---------------|
| I. | 30 Program Administration and Record Keeping | 29 |
| | 16 Availability and Quality of logs (Permits, Complaints, Inspections and Enforcement) | 16 |
| | 6 Issuing Authority does not issue permit until all variances, permits and approvals, including NOI, are obtained | 6 |
| | 4 Issuing Authority informs permittee of Local Ordinances | 4 |
| | 4 ES&PC Ordinance is current with state minimum requirements | 4 |
| II. | 30 Qualification and Training | 30 |
| | Percentage of all ES&PC Inspectors that are GSWCC Level 1B Certified | 30 |
| III. | 30 Complaint Resolution | 27 |
| | Promptness of Response | 15 |
| | Promptness of Complaint Resolution | 15 |
| IV. | 60 Inspection Frequency and Level of Enforcement | 51 |
| | Ratio of sites to inspector | 15 |
| | Ratio of disturbed acreage to inspector | 6 |
| | Frequency of each site inspection (At least once a week and after every rainfall event = 30) | 20 |
| V. | 50 Reporting | 40 |
| | Semi-annual reports submitted to GSWCC on schedule | 25 |
| | Monthly performance reports submitted to the District at the regularly scheduled meetings during the last twelve | 25 |
| VI. | 300 Site Conditions | 283 |
| | 40 Site is permitted with permit properly displayed on site | 40 |
| | 40 Approved set of stamped plans on site | 40 |
| | 30 Project site matches the approved plans | 22.5 |
| | 10 Proper installation of BMP's | 6.75 |
| | 10 Proper maintenance of BMP's | 4.25 |
| | 40 State waters buffer encroachment without proper variance | 40 |
| | 10 Amount of erosion on site | 8 |
| | 40 Amount of sediment leaving site | 37.5 |
| | 40 Site is in compliance with State General Permit | 27.5 |
| | 40 Required enforcement action taken | 27.5 |

*If attendance at the SWCD meetings is not required, submission of semi-annual reports will be worth 50 pts.
Site Conditions: 1= Enclave @ Hunters Creek, 2=Hadley Township, 3=HE Equipment 4=LA Fitness

MEMORANDUM OF AGREEMENT
BETWEEN
THE GWINNETT COUNTY SOIL AND WATER CONSERVATION DISTRICT
AND
THE CITY OF SUGAR HILL, GEORGIA

This Memorandum of Agreement entered into between the Gwinnett County Soil and Water Conservation District, hereinafter referred to as the "District" and the City of Sugar Hill, hereinafter referred to as the City.

WHEREAS, the City has adopted an erosion and sedimentation control ordinance governing land-disturbing activities, which ordinance meets or exceeds the standards, requirements and provisions of the Erosion and Sedimentation Act of 1975, Ga. Laws 1975, p. 994, as amended to date of execution of this agreement; and

WHEREAS, the City has been certified by the Director of the Environmental Protection Division as an issuing authority for purposes of the Erosion and Sedimentation Act of 1975, as amended; and

WHEREAS, the City has demonstrated to the District its capabilities to review and approve erosion and sediment control plans and has requested an agreement with the District to conduct such review and approval; and

WHEREAS, the District enters into this agreement with the intent of allowing the City to conduct the review and approval of erosion and sediment control plans without referring the applications and plans to the District, in compliance with Section 7(d) of the Erosion and Sedimentation Act of 1975, as amended; and

WHEREAS, both parties to this agreement, the District and the City, understand that this Agreement cannot be effective until the State Soil and Water Conservation Commission gives its written concurrence hereto, as indicated by execution of this document;

NOW THEREFORE, the parties to this Agreement, the District and the City, based on the mutual considerations as set forth below, hereby agree as follows:

- I. 1. The City shall conduct technical review and approval of erosion and sediment control plans in accordance with standards set forth in the ordinance of the City. The City shall take appropriate steps to assure that approved plans are properly installed and maintained and that all measures and practices are in compliance with the City's erosion and sedimentation control ordinance.

2. The City shall submit to the District on a quarterly basis a report of the erosion and sediment control program. The report shall contain the number of plans reviewed and the overall program status. The report shall be submitted on a timely basis and of a form and content that is acceptable to the District and to the City.

3. The City shall keep the District informed of land-disturbing plans that might affect soil and water conservation and attend the monthly District meeting when able.

4. The City shall maintain a system of records, plans, applications, etc., of all actions taken under this Agreement, and shall make such records available to the District or its representative upon request.

II. 1. The District will allow the City to conduct the review and approval of erosion and sediment control plans without the necessity of referring the application and plan to the District, so long as the City complies with the conditions specified in this Agreement.

2. The District will review and carefully consider the reports submitted by the City and shall make recommendations with regard to the adequacy of the program and its compliance with the Erosion and Sedimentation Act of 1975, as amended.

3. The District shall provide the City with expertise available through the District and through memoranda of agreement between the District and other agencies.

4. The District assures that erosion and sediment control assistance shall continue to be a priority item of the District program.

5. The District shall, upon request, provide or conduct informational and educational programs to train individuals charged with review of erosion and sediment control plans, manpower and funding permitting.

6. The District shall provide to the City an annual evaluation of the effectiveness of its erosion and sediment control program.

III. It is mutually understood and agreed as follows:

1. This memorandum shall not be amended without consent of both parties and concurrence of the State Soil and Water Conservation Commission.

2. The City's files of erosion and sediment control plans and actions shall remain accessible to the District.

3. The District may secure additional review services before making recommendations on the adequacy of the program of the City.

4. This memorandum may be terminated at any time by either party, upon sixty (60) days written notice. It will terminate automatically and without written notice if the Environmental Protection Division revokes the certification of the City program pursuant to Section 8 (c) of the Erosion and Sedimentation Act of 1975, as amended.

5. This memorandum shall be effective on the date of the concurrence herewith by the State Soil and Water Conservation Commission.

Sworn to and subscribed before me
This _____ day of _____, 20____

City

By: _____

Notary Public

Title: _____

My commission expires:

Sworn to and subscribed before me
This _____ day of _____, 20____

Gwinnett County Soil & Water Conservation
District

By: _____

Notary Public

Title: _____

My commission expires:

This memorandum is hereby concurred in by the State Soil and Water Conservation Commission
this _____ day of _____, 20____.

Sworn to and subscribed before me
This _____ day of _____, 20____

State Soil and Water Conservation Commission

By: _____

Notary Public

Title: _____

My commission expires: