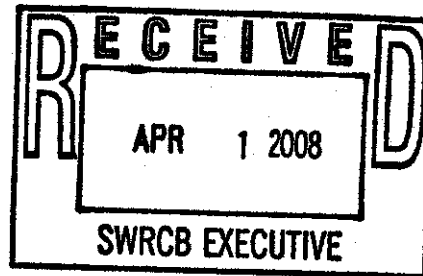


ABC's of BMP's

# Memo

**To:** Song Her, Clerk of the Board  
**From:** Shirley D. Morrow, CPESC, CISEC  
**CC:**  
**Date:** April 4, 2008  
**Re:** Comments on the Draft NPDES Construction General Permit for the State of California



I would like to provide the following comments for your consideration on the Draft NPDES Construction General Permit for the State of California.

## Section IX. A. 1. Qualified SWPPP Developer

A have two comments for this section. The first is to consider adding a Certified Preparer of Stormwater Pollution Prevention Plans (CPSWPPP) to the list of acceptable certifications to become a "Qualified SWPPP Developer". The CPSWPPP certification is a program through Stormwater USA, LLC which provides on-line training and certification. I developed these classes and have taught thousands of people over the last 15 years. I have worked with EPA and two large big box builders to provide consent ordered training. The CPSWPPP program contains seven classes with an exam after each class which must be passed with a 75% or greater to move on to the next class. The certification is good for two years then the student must retake the classes to be recertified. We will have a class available covering the new California NPDES Construction General Permit and can make that a mandatory class as part of the certification if the State prefers.

On-line training through Stormwater USA is state-of-the-art, efficient, environmentally sustainable and effective. It reduces travel and time away from work. It provides the user refresher anytime they need by re-accessing the material. It also provides a Stormwater USA Library of forms, documents, and copies of the Construction General Permit. Another feature is the Supplier Directory so people can easily find the products and services to help them stay in compliance. I have provided the classes for this certification to your office for review.

The next comment I would like to make about the entire list of professions or certifications allowed as "Qualified SWPPP Developers" is that, except for the Professional Civil Engineer, none of the other professions or certifications would have the knowledge or expertise to design "engineered features". This is an ethical issue with the certification programs. At Stormwater USA we will not provide a stamp to the CPSWPPP certified person unless they

agree to a Code of Conduct with includes a statement that they will not design outside their knowledge and expertise. I suggest a sentence be added that states if any engineered features are necessary, they be designed by a professional civil engineer and those drawings be sealed by said person. Then the Qualified SWPPP Developer seals the SWPPP as a whole. As a CPESC, I have sealed hundreds of SWPPPs but if they contain engineered features – the PE seal is also on the drawings.

#### **Section IX. A. 4. Qualified SWPPP Practitioner**

Please consider adding a Certified Compliance Inspector of Stormwater (CCIS) to the list of approved certifications to be a Qualified SWPPP Practitioner. The CCIS certification is obtained through Stormwater USA, LLC and contains six classes and an exam after each class which must be passed with a 75% or greater score before you can move to the next class. Each class can be re-accessed at any time for a refresher. The Library and Supplier Directory are also available to the student. The certification is good for two years then the student must retake the classes to be recertified. We will have a class available covering the new California NPDES Construction General Permit and can make that a mandatory class as part of the certification if the State prefers. As stated earlier, these classes have been provided for your staff to review.

#### **Section XI. 3. a. 70% Vegetative Cover Method**

The permit states that only 70% of the disturbed site must be covered uniformly with self-sustaining vegetation. I would prefer the use of the word perennial vegetation rather than self-sustaining which would need to be defined. I also believe the intention of the definition as noted under #12 footnote is for 70% density of vegetation over 100% of the disturbed site where softscape (vegetative material) is intended as final stabilization. As the permit reads now you could have a 100 acre site with 70 acres stabilized and 30 acres with just plant litter covering it which would not be perennial cover and erodible.

That concludes my comments for the Revised Draft California NPDES Construction General Permit. Thank you for the opportunity.

Shirley D. Morrow, President – ABC's of BMP's, LLC

Vice President and Director of Technical Content – Stormwater USA, LLC