

Memorandum

December 4, 1998

To: BASMAA New Development Committee

From: Regional Construction Education Workgroup

re: 1998 SFEP/BASMAA "Construction Site Planning and Management for Water Quality Protection" Erosion/Sediment Control/Pollution Prevention Workshops

Recommendations for 1999

Discussed at the December 3, 1998 New Development Committee Meeting, subsequently revised and submitted to the BASMAA managers

This memo briefly summarizes outcomes of the fall workshop series and suggests some conclusions and possible direction for next year's effort.

Background/goals of BASMAA collaboration in SFEP workshops

During 1997-1998 BASMAA commissioned a study and report to recommend the most effective way of educating Bay Area construction contractors and subcontractors about construction site pollution prevention. The state of Maryland's "green card" certification of contractors, linked to a requirement that at least one certified person be present on each construction site at all times, was the model we selected as a goal. The report concluded that in light of the SF Estuary Project/Regional Board's ongoing series of well-received annual workshops for developers and public agency staff (focused on erosion and sediment control and supported largely by ACL "contributions" to the Board), our first effort should be directed towards:

- Integrating more pollution prevention information into the existing workshop agenda, and
- Expanding the audience to include more small-scale contractors (as opposed to large developer staff)

With these goals in mind, BASMAA contributed approximately \$19,000 of the \$31,300 set aside in its 1998-99 budget, to support production of a new video promoting construction site pollution prevention and presentation of seven workshops in BASMAA agency jurisdictions.

Positive outcomes:

- BASMAA agencies were generally pleased with the workshops.
- The video, "Keep it Clean: Preventing Pollution from Construction Projects" was very well received.
- George Leyva (Regional Board staff) was able to include site management/pollution prevention points in his presentation and slide show.
- Pollution prevention examples were added to at least some of the site demonstrations.

Issues for future improvement:

- Workshop outreach between SFEP and BASMAA agencies could have been smoother and more effective. A detailed outreach plan with action items and time lines for SFEP staff, BASMAA staff, and local agency staff would be helpful in the future.
- Local staff felt that limiting workshop attendance to 50 at the outset inhibited their outreach both to city employees and the contractor community. Fear of over-subscription was the culprit. Suggest more open enrollment in the future, with the possibility of adding sessions if necessary.
- While new (this year) presentations on Notice of Termination requirements and 401 certification were of interest to municipal staff in attendance at the workshop, municipalities could benefit from more step-by-step guidance on compliance, in addition to the overview provided.
- BASMAA's efforts were undoubtedly helpful to municipalities looking to fulfill permit requirements for employee training, but not particularly successful in making pollution prevention training available to the contractor/subcontractor community at large. See below for a more detailed discussion of this point and its ramifications for future BASMAA activities.

Discussion: specific comments

Format/target audiences: As agreed between BASMAA and SFEP/Regional Board staff, two different types of workshops, directed at two different audiences, were presented in most areas. Workshops for the development community were supported by ACL contributions to the Regional Board. Workshops for public agency employees were supported with BASMAA and local program funding. Agendas were similar, but the perception persisted that Regional Board staff controlled the agenda in the "commercial" workshops while BASMAA agencies had more input in the "public agency" sessions. In addition to the issue of "inhibited outreach," agency staff felt that including both city inspectors and developers/contractors in the same sessions would have been helpful for both groups, allowing for dialogue and mutual understanding.

Even more to BASMAA's point, between the Regional Board's focus on large developers and municipalities' emphasis on sending building inspection and planning staff to the workshops, the general contractors/subcontractors audience was essentially left out. Since it wasn't clear to local programs which of the workshops was most appropriate for this group, and because there were only 50 places available, broad outreach to a multitude of smaller local businesses generally did not happen.

Developing training mechanisms/outreach strategies for this audience may be one of next year's challenges.

Workshop materials: The "Erosion and Sediment Control Field Manual," revised to include a new section on General Site and Materials Management, is an excellent tool. Unfortunately the cover and title were not changed from last year, which could be misleading.

Certification component: The Regional Board issued "Certificates of Completion" for the workshop based on submittal (rather than scoring) of a multiple choice test, for which answers were provided. This follows the model for surface cleaner *recognition* developed by BASMAA. (Note that we did not use the term "certification" for that relatively informal process.) The Regional Board's *certification* of workshop attendees may be less rigorous than what we had in mind in the way of certifying contractors to serve as on-site pollution prevention resources.

General Permit requirements: The re-issued Construction General Permit (expected in early 1999) will include a new requirement for documentation of training by Regional Board workshops or their equivalent. Determination of what qualifies as “equivalent” training is critical to smooth implementation of this new requirement and unambiguous compliance.

Considerations for 1999-2000 planning

Work out relationship, including roles and responsibilities, between Regional Board and BASMAA/local programs regarding documented training requirement in reissued general permit.

Focus on outreach and messages for general contractors and subs.

Include local agency planning and building inspection staff in sessions with contractors.

Assuming that one goal of certification is to identify a group of individuals or businesses that agencies can promote as good actors, make sure outreach is broad enough and certification is widely enough available to be fair. Contractors with multiple stormwater violations may have to fulfill additional requirements in order to be certified.

Conclusions and recommendations

BASMAA’s attempt to integrate pollution prevention messages and expand the audience of the ongoing Erosion and Sediment Control Workshops was at least partially successful. However the Regional Board’s focus and emphasis on the largest developers does not seem likely to change, perhaps due to their ACL-based funding strategy. This is why we finally had two separate workshop agendas this year, with BASMAA/local program input substantially limited to the “additional” workshops supported by BASMAA and local program funding.

We recommend that in future years, BASMAA continue to emphasize on-site pollution prevention in training sessions that will not be in competition with the Board’s workshops. Target audiences can be differentiated: The Board can continue to focus on large developers, while BASMAA directs its efforts towards general contractors and subs as well as local inspectors.

Whether or not the “certification” program initiated by the Board for the E/SC workshops meets our criteria, the fact is that a Board-sanctioned certification program now exists, and some businesses are already certified. In the near future, discussions need to take place between Regional Board management and BASMAA agency managers to determine our mutual middle- and long-term goals and our respective roles and responsibilities relative to local permit compliance and state general permit requirements.