

**California Construction General Permit
QSD and QSP Training**

**REQUEST FOR QUALIFICATIONS
CGP QSD AND QSP TRAINERS**

September 7, 2021

Please Submit Responses to:

Construction General Permit Trainer of Record Web Page

<https://www.casqa.org/resources/qsp-qsd-qualification/construction-general-permit-trainer-record>

**By 4:00 p.m. PDT
Thursday, October 14, 2021**

**Program Administered by the
California Stormwater Quality Association**

www.casqa.org



Uploading an SOQ and making a payment is straightforward but does take some time so CASQA strongly advises SOQ submitters not to wait till the 'last minute' to start these processes. SOQ submitters are solely responsible for submitting a complete SOQ by the submittal deadline. Submittals not completed by the deadline will not be accepted. There is no file size limit for SOQs but it is the responsibility of the submitter to ensure the SOQ is received electronically by CASQA. CASQA encourages submitters to confirm receipt of their SOQs by CASQA by the deadline.

See section J. Payment and SOQ Submittal Instructions (p.7)

A. TRAINER NEED

The California Construction General Permit Training Team (CGPTT) is seeking qualified construction stormwater and erosion and sediment control trainers to provide the official QSD/QSP training associated with the California Construction General Permit Order No. 2009-009-DWQ, hereafter referred to as the CGP. The training to be provided is the official training to certify individuals as Qualified SWPPP Developers (QSDs) and Qualified SWPPP Practitioners (QSPs) as identified in Section IX. Storm Water Pollution Prevention Plan (SWPPP) of the CGP. The CGPTT is seeking training professionals for qualification as official CGP Trainers of Record (ToR) as defined in Section F of this RFQ.

B. BACKGROUND

The CGPTT is a collaborative group of construction stormwater and erosion and sediment controls professionals and trainers including representation from both the State Water Resources Control Board (State Water Board) and the Regional Water Quality Control Boards. The concept of the CGPTT encompassed convening a cross-section of those professionals involved with construction stormwater regulation, compliance, and training to develop a statewide construction training program to meet the training requirements identified in the CGP. The concept of CGPTT was developed jointly by State Water Board staff and California Stormwater Quality Association (CASQA). The CGPTT has met consistently since 2008 to develop and manage the CGP QSD/QSP Training Program. The CGPTT includes five sub-teams covering training content development, training program deployment, trainer qualifications, training exam development, and QSD/QSP renewal. Due to the anticipated demand for QSD and QSP Training, the CGPTT selected a training approach model where large numbers of people could be trained. The model selected is that the CGP QSD/QSP Training is to be provided by those individuals already providing construction training in the marketplace, and who will be trained and qualified by the CGPTT to provide the official CGP QSD/QSP Training.

C. PROJECT GOAL

The CGPTT Trainer Qualification Process Goal is:

Qualification of CGP QSD/QSP Trainers of Record to provide the official CGP QSD/QSP Training course to those individuals who wish to become Qualified SWPPP Developers and Qualified SWPPP Practitioners as identified in Section VII of the CGP.

D. CGP TRAINING CONTENT

The content of the CGP QSD/QSP Training is the official training to certify individuals as QSDs and QSPs as identified in Section VII. Training Qualifications and Certification Requirements of the CGP. The training encompasses the requirements in the CGP and information critical for QSDs to adequately develop SWPPPs and for QSPs to adequately implement SWPPPs. An

outline of the CGP QSD/QSP Training Content is provided in Attachment A. It should be noted that the CGP QSD/QSP Training Content is scheduled to be updated after the adoption of a new CGP as the current CGP (Order No. 2009-009-DWQ) has been administratively extended until a new CGP is adopted, which is not reflected in the outline provided in Attachment A.

E. CGP TRAINING PROGRAM ADMINISTRATION

CASQA administers the CGP QSD/QSP Training Program on behalf of the State Water Board. A memorandum of agreement between the two parties has been executed to define this relationship and more fully describe the program and is provided in Attachment B. CASQA's administration of the CGP QSD/QSP Training Program includes selection and qualification of trainers to provide the CGP QSD/QSP training, oversight of the CGP QSD/QSP Training provided by the CGP QSD/QSP Trainers, issuing certificates to QSDs, QSPs and ToRs, collection of reasonable fees to cover the costs of administering the CGP QSD/QSP Training Program, development and maintenance of the CGP Training webpages located on the CASQA website at www.casqa.org, evaluation and renewal of CGP QSD/QSP and ToR qualifications, and refresher training.

F. CANDIDATE TRAINER SELECTION CRITERIA

The CGPTT is seeking training professionals for qualification as official CGP QSD/QSP Trainers of Record as defined below:

CGP QSD/QSP Trainers of Record – Those individuals responsible for provision of all official CGP QSD/QSP Training modules in a manner consistent with delivery methodology identified by the CGPTT for Qualified SWPPP Developers (QSDs) and Qualified SWPPP Practitioners (QSPs) candidates.

The selected CGP Trainer of Record candidates must demonstrate the following competencies in their submitted qualifications:

1. Credentials – Candidates will provide their current QSD Certificate and current underlying credentials/certification to qualify as a QSD as identified in Section VII of the CGP.
2. California Construction General Permit Implementation and Erosion and Sediment Control Experience – The Candidate will quantify, in number of years of experience, his/her California Construction General Permit implementation and erosion and sediment control experience. Candidates will list and provide brief (no more than 1,000 words total for both descriptions) descriptions of two example projects, erosion control plans, and/or SWPPPs, or other erosion control projects completed by the candidate that demonstrates California Construction General Permit implementation experience and/or experience in erosion and sediment control. **Those SOQs that do not quantify years of experience in California Construction General Permit implementation and erosion and sediment control will not be considered.**

3. Training Experience – The Candidate will quantify, in number of years of experience, his/her training experience. Those SOQs that do not quantify years of training experience will not be considered. The Candidate will also demonstrate his/her ability to effectively instruct in an educational setting by providing information on his/her knowledge of training (e.g., approaches, techniques) and his/her depth and breadth of training experience (e.g., variety of audiences, organizations, settings) by listing and providing brief (no more than 1,000 words total for both descriptions) descriptions of two example projects that identify the Candidate's ability to effectively instruct in an educational setting.

G. CANDIDATE TRAINER SELECTION PROCESS

The selection of Candidate Trainers will be performed by the CGPTT Trainer Qualification Panel, which is made up of a cross-section of members of the CGPTT. The CGPTT Trainer Qualification Panel will review the Statement of Qualifications (SOQs) submitted and select Candidate Trainers based on the Candidate Trainer Selection Criteria identified in Section F of this RFQ. Each SOQ will be reviewed by at least two members of the CGPTT Trainer Qualification Panel who will make a recommendation to the overall CGPTT Trainer Qualification Panel.

Each SOQ will be evaluated and weighted with a maximum of 100 points available.

- Training Experience – 55 points
- California Construction General Permit Implementation and Erosion and Sediment Control Experience – 40 points
- Credentials – Possession of more than one underlying registration/certification required to be a QSD or QSP in the CGP – 5 points

An SOQ must achieve a minimum of 60 points to be selected as a candidate Trainer of Record, including a minimum of 30 points for Training Experience and a minimum of 20 points for California Construction General Permit Implementation and Erosion and Sediment Control Experience. The CGPTT Trainer Qualification Panel will make a recommendation with the list of selected candidate trainers to CASQA, which administers the CGP QSD/QSP Training Program. The CASQA Board of Directors will review and approve the list of selected Candidate CGP Trainers of Record who will be notified via email. Submitters of SOQs, not meeting the minimum points necessary for selection as Candidate Trainers of Record, will also be notified via email with identification of the deficiencies in competencies required.

H. TRAINER QUALIFICATION PROCESS

1. *Submittal of Statements of Qualifications (SOQs)* - Interested individuals in becoming a CGP QSD/QSP Trainer of Record (ToR Applicant) should submit an SOQ with the information identified in Section I to the CASQA website by 4:00 PM PDT on October 14, 2021.
2. *Review of SOQs* – The CGPTT Trainer Qualification Panel will review and evaluate all SOQs submitted to the CGP Training website by October 14, 2021 based on the competencies identified in Section F.
3. *Selection of Candidate CGP Trainers of Record* – The CGPTT Trainer Qualification Panel will select all qualified applicants, based on the competencies identified in Section F, as Candidate CGP QSD/QSP Trainers of Record. The CASQA Board of Directors will review and approve the list of selected Candidate CGP Trainers of Record. Candidate CGP QSD/QSP Trainers of Record will be notified via email the week of November 8, 2021 once the selections have been made. Those individuals not selected will also be notified via email with an identification of the deficiencies in competencies required.
4. ***Mandatory CGP Trainers of Record Orientation Webinar – The CGPTT will conduct a mandatory one-hour orientation webinar for the Candidate CGP Trainers of Record on November 15, 2021 at 1 PM PST. Candidate CGP QSD/QSP Trainers of Record are required to attend the orientation webinar in order to be approved as a CGP QSD/QSP Trainer of Record.***
5. *Qualification of CGP Trainers of Record* – Those Candidate CGP Trainers of Record who attend the CGP Trainer of Record Orientation Webinar will be eligible to become qualified as CGP QSD/QSP Trainers of Record by the CGPTT. To complete the qualification process, each eligible Candidate CGP QSD/QSP Trainer of Record will be required to pay a non-refundable registration fee as identified in Section M. and sign an agreement with CASQA to become a qualified CGP QSD/QSP Trainer of Record upon which CASQA will issue a Certificate of Qualification. The Agreement, provided in Attachment C, covers ethical behavior, maintenance of qualification, and providing the official CGP Training content. The CGP Trainer of Record shall not advertise, announce, or otherwise claim that he/she is a CGP Trainer of Record until they receive a fully executed copy of this Agreement and their Certificate of Qualification from CASQA. In referencing their status as a Trainer of Record, the Trainer of Record shall not refer to himself/herself as “State approved” or make an equivalent reference to the State of California or the Water Boards. The Trainer of Record may refer to himself/herself as “CASQA qualified” and/or as a “CGP-ToR”. The Trainer of Record shall not apply a CASQA, State of California, or Water Board logo to their advertisements, marketing materials, websites, or other

materials. The list of Qualified CGP Trainers of Record will be posted on the CGP Trainer of Record webpage (<https://www.casqa.org/resources/gsp-qsd-qualification/construction-general-permit-trainer-record>) located on the CASQA website. The Qualified CGP Trainers of Record will then be able to provide the CGP Training to the public.

I. STATEMENT OF QUALIFICATIONS

Individuals interested in becoming a CGP QSD/QSP Trainer of Record (ToR Applicant) should provide a detailed response to this Request for Qualifications, in the form of a Statement of Qualifications (SOQ) including but not limited to:

- ToR Applicant¹ Biographical Information
 - First and Last Name
 - Date of Birth
 - Physical Address (Number & Street, City, State, Zip Code)
 - Office Phone Number
 - Email Address
 - Name of Employer of ToR Applicant
 - Employer of ToR Applicant Physical Address (Number & Street, City, State, Zip Code)
 - Employer of ToR Applicant Phone Number
 - ToR Applicant Current Employment Start Date
- A narrative (no more than 1,000 words total) describing two (2) project examples of California Construction General Permit implementation and erosion and sediment control experience, and a narrative (no more than 1,000 words total) describing two (2) project examples demonstrating the ability to effectively instruct in an educational setting.
- Current QSD Certificate.
- Current proof of underlying credentials to qualify as a QSD (current certificate or screen shot of online database identifying current status).
- Two-page resume including education, experience, and certifications that clearly quantifies years of California Construction General Permit implementation and erosion and sediment control experience and clearly quantifies years of training/educational experience. **Those SOQs that do not have resumes that clearly quantify years of California Construction General Permit implementation and erosion and sediment control experience and years of training experience will not be considered.**

¹ Note: Biographical information is for the ToR applicant only and not biographical information for a person submitting on behalf of the ToR applicant.

- Two (2) professional letters of recommendation clearly referencing erosion and sediment control experience and training experience with reference contact information. Each letter of recommendation can reference experience in either or both categories, 1) California Construction General Permit implementation and erosion and sediment control experience; and 2) training experience, however between the two letters references for both categories must be provided. **Those SOQs that do not have, between the two letters, references for both categories 1) California Construction General Permit implementation and erosion and sediment control experience; and 2) training experience, will not be considered.**
- Signed SOQ certification statement, provided in Attachment D.

All of the above information should be included in one compiled SOQ file in PDF format to be uploaded to the CASQA website.

J. PAYMENT AND SOQ SUBMITTAL INSTRUCTIONS

Follow these instructions:

1. During the submittal period starting September 7, 2021 at 4:00 PM PDT and ending October 14, 2021 at 4:00 PM PDT, visit the CGP Trainer of Record webpage: (<https://www.casqa.org/resources/qsp-qsd-qualification/construction-general-permit-trainer-record>) on the CASQA website to pay the non-refundable SOQ Submittal Fee of \$500.00. This fee covers the review and evaluation of the SOQs submitted and shall be paid online, with credit cards only. Note that no portion of this fee will be returned to you in the event that you do not meet the minimum qualification requirements. However, if you choose to resubmit your qualifications at a later date, subsequent review fees are reduced to \$250.
2. Upon payment of the SOQ submittal fee, receive a payment confirmation email with further instructions and a link to upload the Statement of Qualifications. SOQs will be accepted online on the CASQA website starting September 7, 2021 at 4:00 PM PDT and ending October 14, 2021 at 4:00 PM PDT.

Making a payment and uploading a SOQ is straightforward but does take some time so CASQA strongly advises SOQ submitters not to wait till the 'last minute' to start these processes. SOQ submitters are solely responsible for submitting a complete SOQ by the submittal deadline. Submittals not completed by the deadline will not be accepted. There is no file size limit for SOQs but it is the responsibility of the submitter to ensure the SOQ is received electronically by CASQA. CASQA encourages submitters to confirm receipt of their SOQs by CASQA by the deadline.

K. TIMEFRAME FOR TRAINER QUALIFICATION

- **September 7, 2021 to October 14, 2021** – Statements of Qualifications will be accepted for online submittal at the CGP Trainer of Record webpage (<https://www.casqa.org/resources/qsp-qsd-qualification/construction-general-permit-trainer-record>) on the CASQA website beginning September 7, 2021 at 4:00 PM PDT. Interested individuals shall submit a Statement of Qualifications no later than 4:00 PM PDT on October 14, 2021.
- **Week of November 8, 2021** – Selection and notification of Candidate CGP QSD/QSP ToRs.
- **November 15, 2021 at 1:00 PM -2:00 PM PST** – Mandatory CGP QSD/QSP Trainer of Record Orientation Webinar – details to be provided to the Candidate CGP ToRs.
- **November 19, 2021** – Email notification of Candidate CGP QSD/QSP Trainers of Record eligible to become Qualified CGP QSD/QSP Trainers of Record upon payment of the registration fee and execution of countersigned agreement with CASQA.

L. TRAINER EVALUATIONS

Trainers of Record may be subject to periodic evaluation. Evaluations may be based on observations of a CGP QSD/QSP training course provided by a CGP QSD/QSP Trainer of Record by a member of the CGPTT Trainer Qualification Panel and student course evaluations.

M. CGP TRAINERS RENEWAL PROCESS

The renewal process for qualification of the CGP QSD/QSP Trainers of Record will occur on a biennial basis. The renewal process for qualification of CGP QSD/QSP Trainers of Record also includes a mandatory ToR Renewal Webinar, and the submittal of biennial registration fees, described in Section M of the RFQ, by the CGP QSD/QSP Trainers of Record. CGP QSD/QSP Trainers of Record must maintain their QSD Certificate and their QSD qualifying certification(s) used as part of their SOQ submittal to maintain their CGP QSD/QSP training qualification. If a CGP QSD/QSP Trainer of Record has more than one QSD qualifying certification only one certification is required to be maintained.

N. REGISTRATION FEES FOR CGP TRAINERS OF RECORD

The registration fee for CGP Trainers of Record is currently \$95 and will be assessed for each CGP QSD/QSP Trainer of Record prior to issuance of a ToR certificate and on a biennial basis. The intention of the registration fee is to cover the cost of the Trainer of Record Orientation Webinar, trainer evaluations, renewal training, and administration of the CGP QSD/QSP Training Program. The CGPTT reserves the right to reassess fees in future years.

O. SUBSEQUENT CGP TRAINERS REQUEST FOR QUALIFICATIONS

Subsequent RFQs for CGP QSD/QSP Trainers of Record are scheduled to be issued on an annual basis.

Attachment A: CGP QSD/QSP Training Content Outline

Course Objective

Provide individuals wishing to become Construction Qualified SWPPP Developers and Construction Qualified SWPPP Practitioners with a review and application of the information needed to design and direct the development and implementation of a Storm Water Pollution Prevention Plan required by the Construction General Permit (Order 2009-0009).

California's construction stormwater general permit (hereafter CGP) requires that developers of construction Stormwater Pollution Prevention Plans (SWPPPs) (known as QSDs) and practitioners that implement SWPPPs (known as QSPs) on construction sites demonstrate appropriate qualifications for this work. The CGP identifies a set of pre-requisite qualifications that would demonstrate the skills, knowledge and experience which needed to prepare and/or implement SWPPPs. In addition, the permit requires that individuals wishing to be qualified as SWPPP developers and SWPPP practitioners complete a State Water Resources Control Board (SWRCB) approved or sponsored training course within two years of permit adoption (by September 2, 2011).

The training curriculum planned by the SWRCB and the Training Steering Committee recognizes a broad set of background skills, knowledge and experience that might qualify an individual as a construction QSD or QSP. The planned training curriculum will provide an in-depth review of the information individuals planning to become construction QSDs or QSPs will be expected to know. Nevertheless the curriculum is intended as an in-depth review, the course will not teach the basics of the knowledge and skills needed to be successful. For instance knowledge of the practical application the Revised Universal Soil Loss Equation (RUSLE) is expected of individuals who will be able to meet the construction QSD requirement. The curriculum will not teach individuals how to use the RUSLE. Rather the course will demonstrate how the permit will require the application of the RUSLE in developing SWPPPs, and assessing risk levels. The curriculum will also make participants aware of the need to address local or regional water quality requirements (e.g. TMDL implementation). However, the training will not be able to provide the details on local or regional water quality issues.

The training is designed in eight modules (see Table 1), to address key aspects of the CGP. The required training for a construction QSP entails approximately 14 hours of training (Modules 1-5). For the construction QSD, the training will include more detailed coverage of SWPPP development and the required assessments and entails approximately 21 hours (Modules 1-8). The first five modules are common to the two qualifications, and the final three modules are specific to the construction QSD. Trainers and training programs may incorporate an optional field component module or may use videos or other in-materials to provide practical implementation elements.

Note that module content and length may change based upon the results of feedback from pilot training.

Trainers are highly encouraged to bring local municipal and regional perspectives into the training program to the extent feasible. Trainees are encouraged to participate in a training program held in the area in which they will be working to help ensure they have an understanding of local water quality issues.

Table 1. List of Modules

QSP/QSD Modules	Hours	QSD Only Modules	Hours
1. Training Overview and Regulations	1.5	6. Project Planning and Site Assessment	4
2. Erosion Processes and Sediment Control	2	7. SWPPP Development and PRDs	2
3. SWPPP Implementation	3	8. Project Closeout	1
4. Monitoring	4		
5. Reporting	3		

Module 1 Training Overview and Regulations

Learning Objectives:

- *To provide a brief overview of the new permit requirements and regulatory background*
- *To provide context for the permit requirements relative to local agency requirements and local and regional water quality issues*
- *To provide a quick review of the new acronyms and terms utilized in the new permit*
- *To better understand the background and intention of the permit*
- *To provide an overview of the structure of the new permit.*
- *To highlight key sections of the permit*

Module Purpose:

Provide construction QSDs and QSPs with background information on the permit update and regulatory requirements of the construction stormwater program and place these requirements in context of other water quality programs that may affect the planning and implementation of the SWPPP.

Module 2 Erosion Theory

Learning Objectives:

- *To understand the types of erosion.*
- *To understand the causes of erosion.*
- *To understand the factors that can be influenced to affect erosion rate.*
- *This module will provide the foundation to be able to select the appropriate type (category) of Best Management Practices.*
- *The module will also aid in the Risk Level calculation.*

Training Purpose

Provide construction QSDs and QSPs with an in-depth review of erosion theory and an understanding of the tools and procedures available to predict erosion.

Module 3 SWPPP Implementation

Learning Objectives:

- *To understand implementation [by category of BMP] from ‘Module 2’.*
- *To evaluate the effectiveness of BMP measures once implemented.*
- *To understand how to conduct a site inspection and populate a checklist.*
- *To understand how to update the REAP and SWPPP.*
- *To describe general ATS requirements.*

Module Purpose:

Provide construction QSDs and QSPs with the overview information necessary to successfully implement a SWPPP on a construction site.

Module 4 Construction Site Monitoring**Learning Objectives:**

- *Provide an overview of the construction site monitoring plan requirements of the new permit.*
- *Identify roles and responsibilities for the design, implementation, changes, and certification of the elements of the Construction Site Monitoring Program (CSMP).*
- *Provide basic information on the selection of sampling locations.*
- *Identify and describe the required monitoring components.*
- *Identify the tools and methods to accomplish monitoring.*
- *Identify reporting and documentation requirements.*
- *Provide a summary overview ATS monitoring requirements.*

Training Purpose

Provide construction QSD and QSPs with the information needed to design and direct the monitoring required by the CGP including the visual and water quality assessment components of the Monitoring and Reporting Program.

Module 5 Reporting**Learning Objectives:**

- *The gain understanding of how SMARTS system is used.*
- *Define roles of those who can have access to the SMARTS system.*
- *Understand when and how to complete required Annual Reports.*
- *Understand when to update SWPPP*
- *Understand when to complete all other required reports.*

Training Purpose

Provide QSDs and QSP with an understanding of the reports, reporting timeframes, and reporting format required by the Construction General Permit. Additionally, provide understanding of the record keeping requirements needed to file reports and document compliance.

Module 6 Project Planning and Site Assessment**Learning Objectives:**

- *Provide an overview of water balance requirements and related BMP selection.*
- *Provide basic information on bioassessment surveys.*
- *Provide basic information and methods for soil sampling and environmental assessment in relation to potential for soil contamination.*
- *Provide basic information and background on sediment risk on the Risk Worksheet.*
- *Provide basic information and background on receiving water risk on the Risk Worksheet.*
- *Provide basic tools and information for identifying receiving waters.*
- *Provide background information on final site stabilization.*

Training Purpose

Train construction QSDs regarding construction project and site information, analyses, and assessments that must be performed to support preparation of the permit registration documents, including SWPPPs.

Module 7 SWPPP Development and PRDs

Learning Objectives:

- *To understand the use of the Risk Analysis in the building of the SWPPP.*
- *To determine BMP selection based on potential pollutants.*
- *To determine when ATS should be included in BMP selection.*
- *To understand the process for developing NALs.*
- *To understand how to write a REAP into the SWPPP.*
- *To understand what documents are required to be filed electronically and when they are required to be filed and who must certify the documents.*

Training Purpose

Provide QSDs with the information needed to develop a construction site SWPPP as required by the CGP and complete and file the required Permit Registration Documents.

Module 8 Project Close Out

Learning Objectives:

- *To understand what is necessary to deem a project complete.*
- *To understand what documents are required to be filed electronically and when they are required to be filed and who must certify the documents.*

Training Purpose

Provide QSDs with the information needed to plan for the termination of the permit coverage for a project and an understanding of the process to terminate a project's permit coverage.

Attachment B

MEMORANDUM OF AGREEMENT

BETWEEN THE STATE WATER RESOURCES CONTROL BOARD AND THE CALIFORNIA STORMWATER QUALITY ASSOCIATION

Regarding

TRAINING REQUIREMENTS SET FORTH IN GENERAL WASTE DISCHARGE REQUIREMENTS AND NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT FOR DISCHARGES OF STORM WATER ASSOCIATED WITH CONSTRUCTION ACTIVITIES, ORDER NO. 2009-0009-DWQ

This Memorandum of Agreement (MOA) memorializes the understanding of the State Water Resources Control Board (State Water Board) and the California Stormwater Quality Association (CASQA) (collectively, the Parties) regarding training of Qualified Developers and Practitioners of Storm Water Pollution Prevention Plans (SWPPPs) required for compliance with State Water Board Order No. 2009-0009-DWQ, the Construction General Permit (CGP) for Storm Water Discharges Associated with Construction Activities.

I. Recitals

- (a) The CGP requires that all entities subject to the permit (dischargers) are required to appoint two positions – the Qualified SWPPP Developer (QSD) and the Qualified SWPPP Practitioner (QSP) – who must obtain appropriate training.
- (b) The CGP specifies the minimum qualifications for the QSD/QSP (“Training Qualification and Certification Requirements”) in Section VII of the CGP.
- (c) The CGP requires that the QSD and QSP attend a State Water Board-sponsored or approved QSD or QSP training course within two years from the date of adoption of the CGP (i.e., before September 2, 2011).
- (d) As of December 9, 2009, 15,510 construction projects were active in the state. At any given time, the State Water Board estimates that 12,000 to 17,000 construction sites are covered under the CGP.
- (e) Since early 2008, key representatives of the State Water Board and CASQA have led the CGP Training Team, which is a collaborative group made up of stakeholders and their representatives (e.g., Regional Water Boards, CASQA, construction managers, the development community, linear project managers, academics, etc.). The State Water Board plans to continue to lead and support the CGP Training Team.

- (f) One function of the CGP Training Team is to develop the QSD/QSP Training Program, which CASQA will lead.
- (g) The CASQA QSD/QSP Training Program constitutes a State Water Board-approved QSD and QSP training course, pursuant to the CGP.
- (h) CASQA will lead further development and administration of the QSD/QSP Training Program, and the CGP Training Team will provide oversight and guidance.

II. QSD/QSP Training Program

- (a) Program Goals: The Parties agree that the QSD/QSP Training Program will help to achieve the following goals:
 - 1. Compliance with the CGP;
 - 2. Protection of California's waters from storm water discharges associated with construction activities; and
 - 3. Fair, firm and consistent, statewide enforcement of the CGP.
- (b) The Parties agree that all candidate QSDs/QSPs that have attended a course in the Training Program must take an examination, which staff of the State or Regional Water Boards will provide, schedule, and proctor.
- (c) The Parties agree that a centralized database of QSDs and QSPs (who have successfully completed the QSD/QSP training course and related requirements) is necessary.
- (d) The Parties agree that a separate centralized database of qualified instructors to provide QSD/QSP training (hereinafter referred to individually in this MOA as “Trainer of Record” or “ToR”) is necessary.
- (e) Only CASQA and the State Water Board will have access to modify the centralized databases in (c) and (d) above.
- (f) The Parties agree that a public web site providing information and resources related to the QSD/QSP Training Program is necessary.
- (g) The Parties agree that CASQA will oversee and maintain both databases as well as the public web site.

III. QSD/ QSP Training Courses

- (a) Course Objectives and Content Areas: The Parties agree that the QSD/QSP training courses shall include a minimum of 16 hours instruction time and shall be

designed and implemented to provide participants with, at a minimum, knowledge and guidance of the following:

1. A better working knowledge of provisions and practical application of the CGP requirements.
2. A thorough understanding of the QSD/QSP roles and responsibilities.
3. General knowledge of erosion and sediment control theory and best practices to control sediment discharges.
4. Knowledge needed to design and direct the CGP's monitoring requirements.
5. Guidance for preparation of SWPPPs, Rain Event Actions Plans (REAPs), and other documents that may be required for CGP compliance.
6. Guidance for effective implementation of Best Management Practices (BMPs) as set forth in the CGP.
7. Guidance on how to conduct non-stormwater and stormwater visual observations, sampling and analysis.
8. Guidance for preparation of permit registration documents (PRDs) and use of the State Water Board's electronic reporting system (SMARTS).
9. An overview presentation of the CGP requirements and regulatory intent/background.
10. A refresher for participants on the types of erosion, causes of erosion, and factors influencing erosion rates.
11. A refresher for participants on the implementation of effective erosion and sediment control BMPs.
12. Education for participants on how and when to conduct site inspections as required by the CGP.
13. Education for participants on how and when to develop and update SWPPPs and REAPs as required by the CGP.
14. Education for participants on how to comply with the monitoring and other specialized requirements in the CGP.

(b) Training Course Instructors: The Parties agree that:

1. CASQA shall approve all instructors for the QSD/QSP training courses covered by this MOA to be a Trainer of Record;
2. Trainers of Record are responsible for further development and refinement of the basic training curricula and materials provided by CASQA; and
3. CASQA has the right to revoke the qualification status of a Trainer of Record based on criteria.

IV. Roles and Responsibilities of the Parties

(a) CASQA shall do all of the following:

1. Web Site – Develop, publicize and maintain a web site to inform the public about the QSD/QSP Training Program, and link it to the State Water Board’s web site.
2. Trainers of Record – Administer the process to qualify Trainers of Record, including tasks such as:
 - Establish selection criteria for Trainers of Record.
 - Develop and post a Request for Qualifications (RFQ) on the web site and respond to questions from prospective trainers. Repeat the process at intervals determined by the CGP Training Team.
 - Establish a committee to review Statements of Qualifications (SOQs) and make recommendations for selection to CASQA’s Board of Directors.
 - Select and notify candidate Trainers of Record.
 - Conduct mandatory Trainer of Record orientation workshops.
 - Create an ethics/compliance agreement and facilitate candidates signing the agreement before they can receive Trainer of Record status.
 - Develop, maintain, and post on the web site for public access, a centralized database of Trainers of Record.
 - Establish a process and frequency to periodically evaluate/investigate Trainers of Record for maintenance of minimum qualifications and/or to respond to complaints.
 - Seek funding and establish fees to cover the cost of conducting the work described above, and any other tasks deemed necessary.
 - Revoke a Trainer of Record’s qualification status, if necessary.
3. QSD/QSP Training –
 - Regularly assess, and update as needed the minimum QSD/QSP Training Program content requirements.
 - Develop, maintain and post on the web site, a centralized database of QSDs and QSPs who have successfully completed the appropriate training course as required by the CGP and passed the examination (discussed *infra*).
 - Determine a process and frequency for QSD/QSP renewal and periodic evaluation of qualifications as needed.
 - Seek funding and establish fees to cover the cost of conducting the work described above, and any other tasks deemed necessary.
4. QSD/QSP Exam – Participate in the development of the exam content (described *infra* in this MOA) and administer the process to score exams and notify candidates. Conduct the following tasks:
 - Process, correct and score exams received from the State Water Board.
 - Notify exam-takers of their results and address questions.

- Issue QSD/QSP certificates to those passing the exam (names of certificate-holders will be placed on the web site, as discussed above).
5. CGP Training Team – Assist the State Water Board with leading the CGP Training Team by continuing to facilitate meetings of the CGP Training Team, including preparing agendas and meeting summaries, and arranging for guest speakers as needed.

(b) The State Water Board shall do all of the following:

1. Advertise the availability of the web site (and key updates, such as the posting of Trainer of Record RFQ and Trainer of Record/QSD/QSP lists described above) through the LYRIS networks.
2. Assist in identifying training needs to improve the QSD/QSP Training Program.
3. Continue to commit staff resources to and lead the CGP Training Team and participate in its committees.
4. Commit staff resources to and review training course materials and provide timely feedback, including providing assistance as needed in interpreting the intent of the CGP such that the training materials may reflect this intent.
5. Commit staff resources to and create/present training content, including representative photos for the Trainers of Record to use, inspection/enforcement case studies, and content related to background/intent of the CGP and the SMARTS program.
6. Work with the nine Regional Water Boards to commit appropriate staff resources to and participate in/provide speakers for QSD/QSP training courses offered in their regions.
7. Commit staff resources to and participate in orientation workshops for the Trainers of Record and training for State/Regional Water Board staff.
8. QSD/QSP Exam – Participate in the process to develop the QSD/QSP examination and administer the delivery process. Work with a committee of the CGP Training Team to conduct the following tasks:
 - Describe the examination process.
 - Write questions related to each training module.
 - Address need to rotate questions on exams.
 - Determine length of exams.
 - Beta-test the exams prior to delivery.

Commit staff resources to, advertise and proctor at least 12 QSD/QSP examinations per fiscal year, at locations distributed throughout the State

Explore a “test-out” option¹ for professionals seeking to become QSDs/QSPs who did not attend the QSD/QSP Training Course described in this MOA. CASQA shall recover all costs associated with offering a test-out option if this is offered. Also, the test-out option may only be offered on an as-needed basis and could include an entirely different examination, to be determined by the CGP Training Team.

9. Commit staff resources to and lead investigations regarding complaints against ToRs, QSDs, and QSPs and report this information to CASQA within 30 days of completion.
10. Establish procedures consistent with CASQA's ToR procedures for selection of instructors for any "State Water Board-sponsored" QSD or QSP training provided by the State or Regional Water Boards.
11. Assist CASQA to seek funding to cover the cost of conducting any work that cannot be funded by fees, or to help reduce fees and make them as reasonable as possible for the regulated community.

V. Ownership of Documents

CASQA and the State Water Board shall jointly retain all right, title and interest in and to the training materials developed in connection with this MOA from this date forward, including all intellectual property rights and any derivative works made or derived from the training materials, whether or not protected under U.S. Copyright or trade secret law. Neither CASQA nor the State Water Board shall transfer, pledge or convey any interest in the training materials to any third party without the prior written consent of the other party, such consent not to be unreasonably withheld or delayed. Both CASQA and the State Water Board shall take all reasonably necessary actions, at their sole cost and expense, to confirm the other party's rights, title and interests in and to such training materials upon the other party's reasonable written request.

VI. Disclaimer of Guarantee

Nothing in this MOA shall be construed as a promise or guarantee by CASQA or the State Water Board regarding the substance of either the training materials, or the application or interpretation of the training materials by any third party, including any participants in the Training Program. CASQA specifically

¹ A test-out option is defined as the option for a candidate QSD/QSP to take the examination without taking an approved course.

disclaims any liability to the State Water Board or any third party for any third parties' compliance or failure to comply with the CGP.

VII. Term

This MOA will terminate upon the reissuance of State Water Board Order No. 2009-0009-DWQ, unless extended by mutual consent of the Parties.

Amendments

The Parties agree that should funding to carry out the roles and responsibilities of either party become insufficient, the Parties agree to mutually reconsider the terms and conditions of the MOA. This MOA may be amended at any time with the written approval of both Parties.

7/16/10

STATE WATER RESOURCES CONTROL BOARD



Dorothy Rice, EXECUTIVE DIRECTOR

7/16/10

**CALIFORNIA STORMWATER QUALITY
ASSOCIATION**



Geoff Brosseau, EXECUTIVE DIRECTOR

Attachment C

**Agreement
Qualified CGP QSD/QSP Trainer of Record
California Construction General Permit**

This is an Agreement between California Stormwater Quality Association (hereinafter referred to as “CASQA”) and the Qualified Construction General Permit (CGP) QSD (Qualified SWPPP Developer)/QSP (Qualified SWPPP Practitioner) Trainer of Record (hereinafter referred to as “Trainer of Record”), to provide services related to and including **CGP QSD/QSP Training**. This Agreement contains the mutual rights and responsibilities of CASQA and the Trainer of Record and their relationship to each other.

1.0 GENERAL PROVISIONS

- 1.1** This Agreement will cover services to be provided by the Trainer of Record for the CGP QSD/QSP Training for the period of two (2) years from the date of execution of this Agreement (see page 5). The Trainer of Record will provide Trainer of Record services, as developed by the California Construction General Permit Training Team (CGPTT). Courses are defined as presentation of CGP QSD/QSP Training Materials (see Section 3 of this document) prepared by the CGPTT and provided to the Trainer of Record for instructing the CGP QSD/QSP Training. CASQA cannot guarantee any number of, or specific sites for, the course(s).
- 1.2** The Trainer of Record shall not advertise, announce, or otherwise claim that he/she is a Trainer of Record until they receive a fully executed copy of this Agreement and their Certificate of Qualification. In referencing their status as a Trainer of Record, the Trainer of Record shall not refer to himself/herself as “State approved” or make an equivalent reference to the State of California or the Water Boards. The Trainer of Record may refer to himself/herself as “CASQA qualified” and/or as a “CGP-ToR”. The Trainer of Record shall not apply a CASQA, State of California, or Water Board logo to their advertisements, marketing materials, websites, or other materials.
- 1.3** CASQA will post information about Trainers of Record on its website, including name, contact information, and certificate expiration date. The Trainer of Record is responsible for ensuring the accuracy of name and contact information, and for informing CASQA of any changes to that information.
- 1.4** The Trainer of Record will provide the minimum classroom instruction hours as stated in the CGP QSD/QSP Training Materials. The Trainer of Record will provide a maximum of 10 instruction hours per day. The 15-minute breaks may count toward the total and daily minimums; the lunch breaks will not count toward the total and daily minimums.
- 1.5** The Trainer of Record should provide at least two 15-minute breaks, one mid-morning and one mid-afternoon, plus a lunch break in the schedule, per course day.
- 1.6** The Trainer of Record will: a) set up his/her CGP QSD/QSP Training course with dates and locations, b) as an option, inform CASQA of the dates of all upcoming courses, and c) as an option, provide this information to CASQA for the purpose of listing the course on the CASQA website.

- 1.7 The Trainer of Record is responsible for handling all financial transactions associated with his/her CGP QSD/QSP Training courses. This includes, but is not limited to, registration, course materials, audio/visual, and classroom.
- 1.8 Unless the Trainer of Record has been qualified by CASQA to offer and conduct training live using the Internet (i.e., virtual training), the Trainer of Record will conduct CGP QSD/QSP Training only in-person, physically with his/her students.
- 1.9 The Trainer of Record will enter information about their students online using the OWP website. The information to enter online must include each student's name, direct e-mail address, phone number, and SSN4 (last four digits of Social Security Number). For the process to work effectively and efficiently, **you must enter your student's information into the online system by the end of the last day of their training class**, as your students may register and take the exam(s) as soon as they return from your class to a computer at home, work or elsewhere, which could be as soon as the same day their training ends. If you have not entered their information into the online system, the exam system will not recognize them and will not allow them to proceed to testing. Only a Trainer of Record, or their designee, may enter student information to start the process (i.e., a student may not do so).
- 1.10 In the special cases when the exam(s) are administered on paper rather than online, the Trainer of Record may not be the Proctor for exams. Proctoring of exams is handled separately and not under this Agreement.
- 1.11 Trainer of Record agrees that CASQA, or its agent, will have the right to audit the Trainer of Record's Training courses and review, obtain, and copy all records pertaining to performance of this Agreement. Trainer of Record agrees to provide CASQA, or its agent, with any relevant information requested for the purpose of determining compliance with this Agreement. Trainer of Record further agrees to maintain such records for a period of three (3) years after final payment under this Agreement.
- 1.12 Given the disruption and waste of time and money caused by the canceling of training courses, the Trainer of Record will avoid cancellations as much as possible. Postponements are preferred over outright cancellations. In any case, at least 48 hours before the scheduled start time of a training course, any change to the timing, location, or delivery of a scheduled training course will be communicated by the Trainer of Record to each registered student and any information about the course posted to the CASQA website will be updated. The Trainer of Record will confirm the receipt of the communication by each student registered in an affected course.

2.0 QUALIFICATIONS

- 2.1 Each Trainer of Record must be a current QSD in good standing, and must be qualified by CASQA as a Qualified CGP QSD/QSP Trainer of Record.
- 2.2 The credential(s) of the Trainer of Record was (were) a significant consideration in the Trainer of Record selection process. The Trainer of Record shall immediately notify CASQA should any credential held by the Trainer of Record become suspended, revoked, cancelled, not renewed, placed in inactive status, placed in retired status,

placed in a non-practicing status, or becomes delinquent, as a result of voluntary or involuntary disciplinary actions, failure to comply with continuing education requirements, voluntary or involuntary self designations, or nonpayment of credential fees. For the purposes of this section, "credentials" means any credential defined in the Construction General Permit as qualifying a person to be a QSD or QSP, and "immediately" notifying CASQA shall mean notifying CASQA's Executive Director in writing within 30 days of the effective date of the described actions. The Trainer of Record shall not act as a Trainer of Record between the effective date of the described action and the notification to CASQA, and for a period of 60 consecutive calendar days following the notification to CASQA, during which time CASQA shall consider whether the Trainer of Record may continue to act as a Trainer of Record.

- 2.3 Each Candidate CGP Trainer of Record must have attended a Trainer of Record Orientation Workshop to become a Trainer of Record or Renewal Training to maintain Trainer of Record status.
- 2.4 Assisting instructor(s) can be used without the approval of CASQA as long as the assisting instructor(s) is instructing under the Trainer of Record, and adheres to the Professionalism requirements under Section 4 of this document.
- 2.5 To maintain their status, approved Trainers of Record are required to renew their designation as a Trainer of Record every two (2) years per CASQA Policies and Procedures.

3.0 CGP QSD/QSP TRAINING MATERIALS

- 3.1 CASQA will provide the Trainer of Record with CGP QSD/QSP Training Materials during the mandatory Train the Trainer Orientation Workshop. The Trainer of Record Instructors will be showing presentations during the Train the Trainer Orientation Workshop. These presentations are the property of Trainer of Record Instructors and may not be duplicated without the written consent of the Trainer of Record Instructors (see permission to use notes next to modules on ToR website).
- 3.2 The Trainer of Record will adhere to the copyright statement in the CASQA best management practice (BMP) Handbook / Portal. Additionally, CASQA grants permission to the Trainer of Record for use of the Construction BMP Handbook / Portal in providing regulatorily required CGP QSD/QSP Training for the following individual uses only, not for resale:
 - a. online access and demonstration of BMP Handbook / Portal during training,
 - b. incorporation of still images from BMP Handbook / Portal into electronic training presentation, and
 - c. paper printing of PDF of training presentation and distribution to CGP QSD/QSP students. The Trainer of Record **does not** have permission to provide electronic copies of the BMP Handbook / Portal, including portions thereof (e.g., REAP Template) to his/her students.
- 3.3 It is essential that the Trainer of Record adheres to and covers the entire CASQA course outline and content. However, the Trainer of Record is also encouraged to supplement the required information as he or she sees fit. Be aware that significant

deviations from the course outline can lead to dissatisfaction from course participants and can be perceived as a misrepresentation of the qualifications material.

- 3.4 Any supplemental materials must be restricted to the subject matter of the course and may not include any promotional materials for the Trainer of Record or his/her organization.

4.0 PROFESSIONALISM

- 4.1 The Trainer of Record is under contract with CASQA and will be representing the organization. The Trainer of Record shall conduct the course in a professional manner, befitting the ethical code of his/her profession. Clothing, anecdotal comments, humor, and other aspects of the course presentation shall adhere to the highest social standards. Sexist, racist or otherwise degrading comments will not be tolerated and are grounds for termination as a Trainer of Record.
- 4.2 The Trainer of Record shall afford the professional respect due to CASQA, its members and staff, the CCGPTT, and the CGP Training Program. CASQA serves its members and the broader stormwater quality professional community through opportunities such as these courses. Trainers of Record should not belittle or make derogatory remarks about CASQA, its members and staff, the CCGPTT, and the CGP Training Program.
- 4.3 The use of profanity is inappropriate and **is not** to be used in the classroom. A professional manner is always required.
- 4.4 The Trainer of Record shall avoid the mention of specific product names or manufacturers during the course presentation. CASQA does not endorse any products or proprietary techniques.
- 4.5 The Trainer of Record shall not use the scheduled course time to distribute any material that is self-promoting or represents business interests other than those directly related to CASQA or the CGP Training Program.
- 4.6 Trainers of Record are encouraged to make themselves available to assist participants with questions regarding course content, before, during and after the course but not on the day of or during the exam.

5.0 FINANCIAL

- 5.1 All Trainers of Record **will not** be compensated through CASQA for instruction of the CGP QSD/QSP Training. Trainers of Record are responsible for all costs associated with training, and are encouraged to price each event to ensure profitability for their training by also including total compensation for time to and from the venue, any prior preparation time, and the actual instruction time.
- 5.2 Meals, coffee breaks, or other refreshments are optional and are at the discretion of the Trainer of Record or if working with a sponsoring organization, that organization.

6.0 INDEMNIFICATION

- 6.1** The Trainer of Record agrees to indemnify and hold CASQA and its officers, directors, employees, or agents harmless from any damages, claims, or actions against CASQA for bodily injury or property damage, including attorney fees incurred by CASQA in defending any such damages, claims, or actions to the extent caused by the negligence or willful misconduct of the Trainer of Record in the performance of his/her obligations under this Agreement.
- 6.2** In the event the Trainer of Record and/or CASQA is named as a defendant in any legal action as a result of the negligence or willful misconduct of the Trainer of Record in the performance of his/her obligations under this Agreement, the Trainer of Record shall indemnify CASQA, its officers, members, employees, or agents against any and all claims, lawsuits, damages, or costs incurred in responding, including but not limited to, reasonable attorney fees and costs of suit.

7.0 COMPLAINTS / DISCIPLINARY REVIEW AND ACTION

- 7.1** Any documented violation of this Agreement may result in disciplinary action against the Trainer of Record, up to and including revocation of the Trainer of Record's "Qualified" status.
- 7.2** Upon receipt of written complaints by students, fellow Trainers of Record, or CASQA, and confirmation of the same, a letter of reprimand will be issued detailing the problem and warning of possible revocation of their Trainer of Record status.
- 7.3** Upon the receipt by CASQA of other complaints within the next twelve months, the Trainer of Record will be immediately referred to the CASQA Board of Directors for a decision on the appropriate disciplinary action. The Trainer of Record has the right to rebut or refute the alleged complaint in writing.
- 7.4** Trainers of Record under disciplinary review will make themselves available for a conference call meeting with the CASQA Board of Directors. Trainers of Record who fail to make themselves available for this telephonic hearing, or who fail to dispute the complaint against them will have their "Qualified" status summarily revoked.
- 7.5** Decisions made by the CASQA Board of Directors may not be appealed. Decisions of the CASQA Board of Directors shall be final. Trainers of Record who wish to challenge the decision of the CASQA Board of Directors shall submit the matter through the arbitration process as noted in 7.7 below.
- 7.6** CASQA will not be responsible for damages or personal injury suffered by the Trainer of Record while performing the tasks of providing CGP QSD/QSP Training or any other related activities. The Trainer of Record will provide any insurance deemed necessary.
- 7.7** In the event of any controversy or dispute arising out of this Agreement, all such matters shall be submitted to arbitration to be conducted under Commercial Rules of the American Arbitration Association. Any award of the arbitrator shall be enforceable in any court of competent jurisdiction.

CASQA—Construction General Permit Trainer of Record Agreement

The Trainer of Record's signature below indicates his/her Agreement to follow all the terms and conditions of this Agreement.

Failure to sign and return this Agreement will result in the Trainer of Record's removal from the list of Trainers of Record.

For CASQA Use Only	
Effective: _____	
_____	_____
CASQA	Date

Trainer of Record (Please Type or Print)

(Signature)

Organization

Date

Attachment D



California Stormwater Quality Association®

Dedicated to the Advancement of Stormwater Quality Management, Science and Regulation

I certify that all information submitted in my CGP Trainer of Record Statement of Qualifications is true. I certify that I will not advertise, announce, or otherwise claim that I am a CGP Trainer of Record until I receive a fully executed copy of the Trainer of Record Agreement with CASQA and my Certificate of Qualification. Once fully qualified, in referencing my status as a Trainer of Record, I will not refer to myself as “State approved” or make an equivalent reference to the State of California or the Water Boards. I may refer to myself as “CASQA qualified” and/or as a “CGP-ToR”. I will not apply a CASQA, State of California, or Water Board logo to my advertisements, marketing materials, websites, or other materials. Classes that I provide will be held in-person under my responsible charge, and will contain the minimum content and class time specified by CASQA and the SWRCB. On-line training is not allowed as qualified QSP or QSD training.

Print Name

Signature

Date