

Stakeholder Advisory Board Teleconference Meeting Minutes
April 25, 2007
Georgia Soil and Water Conservation Commission
Athens, GA

I. Roll Call

Mr. Hamilton called the meeting to order and called roll. Present were Stakeholder Advisory Board members, Mark Byrd, Alice Champagne, Doug Easter, James Hamilton, JoAnn Macrina, Greg Teague, Aaron Varner and Connie Wiggins. Also present from the Georgia Soil and Water Conservation Commission were Brent Dykes, Jason Ulseth and Lauren Zdunczyk. Other interested parties Betsy Nicholas.

II. Review/approve/amend minutes from March 29, 2007 meeting

There being no discussion on the minutes, Ms. Champagne made a motion to approve the minutes with a second from Mr. Teague. The minutes were approved unanimously.

III. HB 463 Update

Mr. Hamilton asked Mr. Dykes to give an update on HB 463.

Mr. Dykes stated that HB 463 was passed in the Senate and the most current version is LC 25 4975S. He then went on to state the following changes were made:

1. **Section 1(c)(1)(A)** which will not effect certification – that EPD now has ten days instead of 30 to notify all permit or variance applications. And EPD shall notify applicants within ten days of receipt of a completed application as to the name and address of the person assigned to perform the review as well as the date, time and location of the application review.
2. **Section 2 –(a)(1)** project size thresholds with regard to education and training requirements shall not exceed the state general permit requirements.
 - (3)Any land-disturbing activities by a local issuing authority shall be subject to the same requirements of the ordinances such local issuing authorities adopted pursuant to this chapter as are applied to private persons, and the divisions shall enforce such requirements upon the local issuing authority.
 - (b)The districts and the Commission or both shall review semi-annually the actions of the county.
 - (c) LIA have 90 days after notification within which to take the necessary corrective action to retain certification. If an LIA does not take action after 90 days, EPD shall revoke their certification as an LIA.
3. **Section 3 – (a)(2)**For each site on which land-disturbing activity occurs, each entity or person acting as either a primary, secondary, or tertiary permittee as defined in the state general permit, shall have as a minimum one person who is in charge of overseeing erosion and sedimentation control activities on behalf of said entity or person and meets the applicable education or training certification requirements developed by the Commission present on site whenever land-

disturbing activities are conducted on that site. A project site shall herein be defined as any land disturbance site or multiple sites within a larger common development or sale permitted by an owner operator for compliance with the state general permit.

-(a) (3) Persons or entities involved in projects not requiring a state general permit but otherwise requiring certified personnel on site may contract with certified persons to meet the requirements of this chapter.

-(a) (4) If a state general permittee who has operational control of land-disturbing activities for a site has met the certification requirements of paragraph (1) of subsection (b) of this Code section, then any person or entity involved in land-disturbing activity at that site and operating in a subcontractor capacity for such permittee shall have until December 31, 2007, to meet those educational requirements specified in paragraph (4) of subsection (b) of Code Section 12-7-19 and shall not be required to meet any educational requirements that exceed those specified in said paragraph.

-(b)(4) An awareness seminar (Level 1) will be established which does not exceed two hours in duration and which provides information regarding the erosion and sediment control practices and processes in the state and which will include an overview of the systems, laws, and roles of the participants;

-(d) In addition to the requirements of subsection (c) of this Code section, the commission shall establish and any person desirous of holding certification must obtain a passing grade as established by the Stakeholder Advisory Board on a final exam covering the material taught in each mandatory seminar; provided, however, that there shall be no final exam requirement for purposes of paragraph (4) of subsection (b) of this Code section. Final exams may, at the discretion of the commission, serve in lieu of attendance at the seminar. Any person shall be authorized to administer a final examination for any seminar for which he or she was the instructor.

The SAB discussed the draft version of the Awareness course that was created by the Georgia Soil and Water Conservation Commission's Technical Specialist Jason Ulseth.

Ms. Champagne stated that overall she liked the presentation and that she would be sending a few comments. She also asked how the Commission would differentiate between the Awareness course for municipalities and the Awareness course for subcontractors? She also asked if the Commission would be issuing a certification card for the course.

Ms. Zdunczyk responded that while not all the details have been decided, something would be issued to those attending the course and that the title of the Awareness course would have to specify that it was intended for the subcontractors as mandated by HB 463.

Mr. Easter stated that he likes the Awareness course and that he would also be sending in his comments.

IV. Certification Program Update

Ms. Zdunczyk announced that the certification update that was sent in the SAB packet has changed since it was sent and to date 40,424 certifications have been issued and that number reflects exams scored through March 27, 2007. She also stated that all February certification cards have been sent. Ms. Zdunczyk stated that between now and June 30, 2007 there are 143 courses scheduled with courses being added daily.

V. Course Material Revisions

Level II

Mr. Hamilton stated that recommendations for Level II were 95% done and that Ms. Macrina had updated the hydrology section and overall the Level II SWAT team agreed that the course needed more pictures and add a section that detailed the necessary components for a site to be in compliance with the Act and NPDES and address the confusion about the checklist.

Mr. Dykes asked Mr. Ulseth to give the SAB an update about the "new checklist".

Mr. Ulseth reported that based on a recent Attorney General's opinion, the Commission's plan review checklist is currently being revised to include provisions of the NPDES General Permits. This new checklist will be included in the Level II course material revisions and will be distributed to all current Level II certified personnel.

Mr. Hamilton stated that in addition to combining the checklist the SWAT team has received comments on the example plan. His SWAT team is proposing that the plan is reformatted with more plan blow-ups and hands-on review of example set of plans and have pictures of live jobsites, these example plans would also be put on the GSWCC website.

Level IA

As team lead, Mr. Easter informed the SAB that the Level IA SWAT team has been trying to meet and currently they are looking at the IA agenda and moving some things around.

Mr. Hamilton asked if the recommendations would be ready by May and Mr. Easter stated yes.

Level IB

As team lead, Mr. Ulseth informed the SAB that the Level IB SWAT team had revised the IB agenda and has gone through the presentations. He stated that he was in the process of making the changes and is putting them in a memo format similar to the Level II.

The SAB reviewed the course revision timeline. The goal is to release the Level II course first so that the course can be released simultaneously with the new checklist. The release of Level IA and IB would then follow.

VI. Recertification

The SAB reviewed the recertification timeline and began discussing recertification.

Mr. Easter stated that individuals should be able to recertify whenever they would like to.

- (1) Mr. Dykes asked the SAB to focus on what is the intent of recertification? He then cited what was written in the law. 600-8-1.06 (1) Expiration of Certification

A certification provided by achieving the requirements established by the Conservation Commission shall expire no later than three years after it issuance.

- (2) A certification will be extended or renewed by attending and participating in at least four hours of approved continuing education courses, as established by the Conservation Commission, every three years after its issuance.

Authority O.C.G.A 2-6-27(7.1) and 12-7-19

Mr. Hamilton suggested that the SAB vote on the following items as a starting point and as the program was developed it could be changed along the way. The SAB agreed.

- 1. Will there be 1 recertification course for all levels or a recertification course specific to each level?**

Mr. Hamilton and Ms. Macrina were in favor of 1 course for all levels.

Mr. Easter also was in favor of 1 course for all levels as long as the course was not too technical.

Ms. Wiggins was concerned creating 1 course to fit all levels would be difficult.

Mr. Hamilton suggested that the course should cover common issues and concerns about what is happening in the field. Mr. Easter stated he would like to see a uniform set of citations and use that to track violations.

It was proposed that there be one recertification course for all 3 levels. Motion to approve was made by Ms. Wiggins with a second by Mr. Easter. It was approved unanimously.

- 2. Do approved trainers need recertification?**

The SAB agreed that trainers should be recertified.

Mr. Dykes stated that he would like to reread the Law and see if we have the ability to require them to be recertified.

It was proposed that trainers be required to be recertified. Motion to approve was made by Ms. Wiggins with a second from Mr. Varner. It was approved unanimously.

- 3. What should be covered in the recertification courses? (At minimum should include law changes, green book updates, general permit changes, and hands on training.)**

Ms. Champagne asked how the technical aspects of Level II would be covered in the recertification course?

Ms. Macrina suggested that those who want more technical training attend a continuing education course.

It was proposed that the recertification course cover at a minimum, law changes, green book updates, general permit changes and common issues and concerns. Motion to approve was made by Mr. Easter with a second from Mr. Byrd. It was approved unanimously.

4. Will recertification require an exam?

The SAB voiced concerns that if there was an exam it would have to be kept at the IA Level and could not ask questions pertaining to Level II information.

Ms. Champagne asked if the questions came from the material that was covered in the course, would there still be a concern?

Ms. Macrina stated that the exam would be an incentive for the attendees to pay attention and the questions would have to be kept simple.

Mr. Easter asked how many questions would be on the exam.

If was proposed that there be no exam with recertification. Motion to approve was made by Mr. Byrd with a second from Ms. Wiggins. Before a vote was cast, Ms. Champagne asked if the SAB could defer a vote at this time and allow Board members to think about it and have the Commission give the SAB some options to look at.

The SAB agreed and Mr. Hamilton asked the Commission to give the SAB some options.

Mr. Byrd withdrew his motion and the Board moved on to the next item.

5. How soon can an individual recertify before his/her certification expires? 1, 2, 6 months?

Both Mr. Easter and Mr. Teague felt very strongly that it needs to be flexible and an individual can recertify at anytime.

Mr. Dykes stated that for budget concerns he felt that there should be some set timeframe on when an individual recertifies. He also stated regardless of when the person recertifies their expiration date would be extend 3 years.

Mr. Varner asked if there would be a charge for recertification and Mr. Dykes replied yes.

It was proposed that an individual can recertify at anytime and the new expiration date would be 3 years from the date they took the recertification course. Motion to approve was made by Mr. Easter with a second from Mr. Teague. The motion was approved by a vote of 6-2.

6. Should there be more than one way to be recertified?

The SAB discussed the following options:

1. Attend a four hour version of a current certification course. (classroom)
2. Online courses
3. Use continuing education credits from other courses (SAB will have to approve what courses would qualify)
4. Set a list of curriculum requirements and allow third parties to create a course.

The SAB asked to Commission look into the feasibility of online courses.

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Ms. Wiggins expressed concern about using continuing education credits from other courses and the responsibility of SAB having to approve what courses would qualify.

Mr. Dykes suggested letting the Commission handle approving the courses.

Mr. Teague stated he would support third parties teaching a course created by the Commission but would not support third parties creating their own course.

The SAB agreed that only the Commission should create the course material.

Ms. Zdunczyk stated that the Commission would research the online option and present it to the SAB at the next meeting.

Mr. Hamilton asked Ms. Zdunczyk to email the SAB with possible meeting dates and time for the next meeting.

The meeting was adjourned.

VII. Adjourn