

Report on the Activities and Recommendations of the Engineering Review Working Group

Submitted to the full Environmental Review Commission on March 12, 2014

Background:

Sections 58.(a) and (b) of Session Law 2013-413 directed the Departments of Environment and Natural Resources, Health and Human Services, and Transportation, along with local governments that operate delegated permitting programs to study their internal processes for review of applications and plans submitted for approval and to report their findings and recommendations to the Environmental Review Commission (ERC) by January 1, 2014.

Section 58.(c) of Session Law 2013-413 further directed the ERC to study the matter with the assistance of the departments, the local governments, the North Carolina State Board of Examiners for Engineers and Surveyors (NCBELS), and the Professional Engineers of North Carolina (PENC) and to report its findings and recommendations to the 2014 General Assembly upon its convening. In response to the study directive, the ERC Co-Chairs established the Engineering Review Working Group, led by Senator Bingham and Representative Millis. The following is a summary of the activities and the recommendations of the Engineering Review Working Group.

Monday December 9, 2013

On December 9, the Engineering Review Working Group Co-chairs met with staff and Ms. Betsy Bailey (President, PENC), Mr. Andrew Ritter (Executive Director of the NCBELS), and Mr. Gus Simmons, PE for information gathering and informal discussion.

Wednesday January 15, 2014

The Environmental Review Commission received reports from DENR and PENC pursuant to Section 58.(b) of S.L. 2013-413.

Monday February 3, 2014

On February 3, staff to the Engineering Review Working Group met with Andrew Ritter and David Tuttle, Counsel to NCBELS, for information gathering.

Thursday February 6, 2014 1:00pm – 3:00pm

On February 6, the Engineering Review Work Group Cochairs convened stakeholders to provide an informal, open forum for discussion and to specifically address the recommendations that the Environmental Review Commission received from DENR and PENC at its January 15, 2014 meeting. Stakeholders invited to participate included staff from DENR in the Ecosystem Enhancement Program; and the Divisions of Water Resources; Waste Management; Energy, Mining and Land Resources; Coastal Management; and Air Quality, staff from DHHS in the Division of Public Health, staff from DOT,

representatives from the League of Municipalities and the Association of County Commissioners, and representatives from NCBELS and PENC.

Based on the meetings with stakeholders, the Engineering Review Working Group submits the attached legislative proposal: Reform Agency Review of Engineering Work.

Many positive recommendations were proposed by the regulatory agencies, PENC, and NCBELS in the conduct of this Working Group that may be accomplished without legislation. To that end, the Working Group Co-Chairs recommend that the stakeholders continue to work together to develop and implement their suggested recommendations to the fullest extent practicable.