

Report to the Environmental Review Commission

Pursuant to S.L. 2014-120, Sec. 29 REFORM AGENCY REVIEW OF ENGINEERING WORK

January 14, 2015

Name of Local Government Unit: City of Lincolnton, NC

Approved/delegated program subject to reporting requirements:

☐ Sedimentation/erosion control

☐ Stormwater

☐ Water/sewer

☐ Cross-connection

☐ 401 certifications

☒ Other

Water Supply Watershed plans review

Mark Carpenter

Signature



1/5/2015

Date 1/5/15

*Submit this report electronically to Mariah Matheson, Commission Assistant,
Environmental Review Commission, at Mariah.Matheson@ncleg.net.*

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Please attach any written procedures that may have been developed to implement the provisions of this law.

☒ Check to indicate that this plan review program implemented procedures whereby plan reviewers distinguish between plan changes that are required by statutory or other legal authority and those that the reviewer offers as suggestions for improvement. Refer to S.L. 2014-120, Section 29.(b)(1) for further details about this requirement.

☒ Check to indicate that this plan review program identifies the statutory or regulatory authority for any revisions or requests for additional information that are required by the program in order to grant the requested plan permit, approval, or license. Refer to S.L. 2014-120, Section 29.(b)(2) for further details about this requirement.

☒ Check to indicate that this plan review program implemented procedures for local governments to follow when (1) a Professional Engineer submits a sealed design or practice that is not in the local government's guidance, manuals, or standard operating procedures, and (2) the submitting Professional Engineer requests additional internal review of that design or practice. Refer to S.L. 2014-120, Section 29.(c)(1) for further details about this requirement.

☒ Check to indicate that this plan review program established a procedure whereby the plan reviewer's supervisor OR the approving/delegating state agency can provide further review and oversight of these design details. Refer to S.L. 2014-120, Section 29.(c)(1) for further details about this requirement.

☒ Check to indicate that this plan review program either employs a Professional Engineer who can conduct further review of these innovative designs, or maintains a list of consulting Professional Engineers of the local government unit's choice that may conduct this review, if requested by and paid for by the submitting Professional Engineer. Refer to S.L. 2014-120, Section 29.(c)(1) for further details about this requirement.

☒ Check to indicate that this plan review program established an informal internal process to address disputes when a plan reviewer identifies a change to the plans as being "required" under a specific, identified legal authority. Refer to S.L. 2014-120, Section 29.(c)(2) for further details about this requirement.

☒ Check to indicate that this plan review program discontinued use of the word "engineer" in the job titles of all program employees whose responsibilities include review of plans in affected programs, *unless* those employees hold Professional Engineer licenses. Refer to S.L. 2014-120, Section 29.(h) for further details about this requirement.

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☒ Check to indicate that this plan review program reviewed the titles of all employees conducting plan reviews for this program. Refer to S.L. 2014-120, Section 29.(h)(1) for further details about this requirement.

☒ Check to indicate that this plan review program proposed revisions to those employees' job titles in order to eliminate use of the word "engineer" when publicly identifying those employees, if those employees do not hold Professional Engineer licenses. Refer to S.L. 2014-120, Section 29.(h)(2) for further details about this requirement.

Additional information: SEE ATTACHED.

CITY OF LINCOLNTON

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MEMO TO: Laura Elam, Planning Director

FROM: Mark Carpenter, Administrator of Water Supply Watershed Ordinance

SUBJECT: Senate Bill 734, Section 29 (c)

DATE: January 5, 2015

Outlined you will find the agreed upon procedure for meeting the intent of Senate Bill 734, Section 29 (C) relating to the City of Lincoln's Informal review process for submitted Water Supply Watershed Plans. This process was implemented on December 1, 2014

When there is a Regulatory Submittal of a design or practice sealed by a Professional Engineer but not included in the City's existing guidance, manuals, or standard operating procedures, the plan reviewer will review the proposal of appropriate performance as it relates to the intended field application. In the event where the plan reviewer cannot approve the design or practice with performance reservation, the Regulatory Submittal will be reviewed by the reviewer's immediate supervisor or appointee by the City of Lincoln's Planning Department. If this review is not conducted by a Professional Engineer, then the submitting Party may request review by the North Carolina Department of Environment and Natural Resources.

This procedure should allow for an expedited formal review process as well as satisfy the intent of Senate Bill 734, Section 29, (C) as enacted by the General Assembly of North Carolina. If you have question with regard to this procedure, please let me know.

Attachment: Senate Bill 734, Section 29