

November 29, 2012

James M. Irvin, Director
Howard County Department of Public Works
3430 Courthouse Drive
Ellicott City, MD 21043

Dear Mr. Irvin:

Thank you for your letter of October 23, 2012, to the State Board for Professional Engineers in which you expressed concern "about land surveyors doing Environmental Side Design to meet the new State Storm Water Management regulations." As promised, each of us shared your letter with the respective board that we chair, and below is our response, as agreed to by both the Engineers Board and the Professional Land Surveyors Board.

Both Boards wholeheartedly agree with your statement that the field of environmental site design is evolving. Moreover, the Surveyors Board commented on the fact that the new storm water management regulations promulgated by the Maryland Department of Environment bring an additional level of complexity to this particular area of site design.

However, both Boards would like to bring to your attention two very important points regarding the practice of surveying. First, Section 15-101 (i) of the Business Occupations and Professions Article, Annotated Code of Maryland, specifically includes in the scope of license of a professional land surveyor the preparation and design of plans for "(1) road and street grades; (2) sediment and erosion control measures; (3) nonpressurized closed storm drainage and stormwater management systems; and (4) open conduit storm drainage and stormwater management systems."

Secondly, the Board for Professional Land Surveyors pointed out during their discussion of your letter that in addition to education and experience in this particular area possessed by both professional engineers and professional land surveyors, a portion of the Maryland State-specific licensing examinations for professional land surveyors specifically includes the subjects of road and street grade design and stormwater management design. Thus, within the statutory parameters established by the licensing statute, a professional land surveyor is qualified by virtue of education, experience and examination to perform the services in question. Licensed professional engineers with expertise in these subject matters are also qualified by the combination of education,

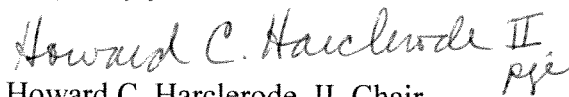
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relevant experience and examination, to perform the services. Both Boards did note, however, that the field of environmental site design is becoming increasingly specialized and often require a particular area of expertise regardless of whether the services are performed by a professional engineer or a professional land surveyor.

Please let us know if you have additional questions or comments.

Thank you for contacting the Boards.

Very truly yours,


Howard C. Harclerode, II, Chair

Board for Professional Engineers


John V. Mettee, III, Chair

Board for Professional Land Surveyors



HOWARD COUNTY DEPARTMENT OF PUBLIC WORKS

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October 23, 2012

Mr. H.C. Harclerode II, P.E., Chair
Maryland Board for Professional Engineers
Department of Labor, Licensing and Regulation
Division of Occupational and Professional Licensing
500 N. Calvert Street, Room 308
Baltimore, Maryland 21202-3651

Subject: Environmental Site Design by Land Surveyors

Dear Mr. Harclerode:

I am writing to you as a follow-up to our discussion at the County Engineers' meeting in Ocean City, Maryland. At that time, we briefly discussed my concern about land surveyors doing Environmental Site Design to meet the new State Storm Water Management regulations.


I have discussed this matter with several other engineers that are actively engaged in this aspect of engineering, and they share my concern about land surveyors conducting this type of design.

I think that the problem is that this is an evolving field of engineering that will probably only get more complicated and complex. Environmental Site Design uses simple measures to manage and treat storm water. However, I believe that the engineering complexity comes from developing a plan and approach to how the overall site will be managed and the environmental objectives are achieved.

I am not sure that the land surveying professionals have the training or background to accomplish this task.

In any case, I think that it may be worthwhile for the Board to re-examine this issue. If you have any questions, please contact me at 410-313-4401.

Sincerely,


James M. Irvin, Director
Department of Public Works