ASSOCIATION OF ENVIRONMENTAL & ENGINEERING GEOLOGISTS

November 28, 2018

Oregon State Board of Geologist Examiners
Hans Feige, RG, Chair
The Association Center
707 13th Street Southeast, Suite 114
Salem, Oregon 97301

On behalf of the Association of Environmental & Engineering Geologists Licensure Committee, we are writing in opposition to your proposal to modify the Oregon Revised Statutes to allow the Board to establish by rule that experience under the supervision of a geotechnical or civil engineer may count as meeting the experience requirements for an engineer geologist license (LC0480). There are a number of reasons why we oppose such a move:

First, it is bad for the geologist in training (GIT) or the RG seeking the CEG. While an engineer can provide experience in working with engineering systems and methods, they cannot provide insight into the full scope of engineering geology that would be obtained under the direction of someone working in that field. This change would place the GIT or RG in the unfortunate position of being mentored by an individual that may lack sufficient education and experience to even sit for examination, let alone attain licensure in the profession that the GIT or RG is striving to join.

Secondly, it is bad for the geology profession and, in particular for the engineering geology profession. The proposed change in legislation would take us back to 1977, when geologic work was stamped by an engineer. This situation was deemed unacceptable by the State of Oregon and was the genesis of geologist licensure in the state. Accordingly, under current law, any work done by a geologist that is considered engineering geology must be stamped by a Certified Engineering Geologist (ORS 672.525(3)).

Thirdly, it puts the geotechnical engineer in the position of having to stamp geologic work, which he/she is not qualified to do. Although engineering geology and geotechnical engineering are both geotechnical professions with significant amounts of acknowledged overlap, they are not interchangeable disciplines. For example, an engineering geologist is trained to interpret depositional environments of both soil and rock units and understand them in the context of engineering practice.

The statement on Page 2 of your Fall 2017 Newsletter “California and Washington are able to accept experience gained under a qualified civil or geotechnical engineer” is, for Washington, false. RCW

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18.220.060(7)(b) requires that "*Each year of professional specialty practice acceptable to the board, carried out under the direct supervision of a (i) geologist who is licensed in a specialty under this chapter; or (ii) specialty geologist who meets the educational and experience requirements for licensing, but who is not required to be licensed under the limitations of this chapter, qualifies as one year of practice in the applicable specialty of geology*;" The only time an engineer is qualified to provide supervisory experience in Washington is if the engineer is dual-licensed as both an engineer and an engineering geologist

The above highlights that the approach proposed by the OSBGE will introduce a significant departure in what is considered "acceptable" experience. This departure calls into question the validity of any reciprocity arrangements for licensure between the two states (Oregon and Washington).

Although your summary makes the statement that "some smaller firms do not have licensed engineering geologists that can supervise work…," we have not seen a flurry of advertisements seeking Certified Engineering Geologists for positions in Oregon. There are hundreds of practicing engineering geologists in Washington and California, some of whom would undoubtedly be available to accept positions in Oregon. We are concerned that a potential consequence of the proposed changes could be to create an environment where civil engineers are legally allowed to hire unlicensed geologist or uncertified geologists and supervise their work under the guise of "training". This could have the unforeseen impact of actually reducing the number of CEGs hired by engineering firms, since the pressure to have CEGs on staff to mentor younger geologists would be eliminated.

In summary, we question the rationale, effectiveness, and impact on the engineering geology profession of the proposed statute revision (LC0480). It is our opinion that more productive means of developing the health of the profession should be sought.

If you do pursue this proposed legislation and it is heard in committee, AEG's Licensure Committee will make someone available to testify in opposition to the bill.

Sincerely,

Kenneth G. Neal, CEG E0189, Oregon, LEG 0100, Washington

James R. Struthers, LEG 0275, Washington

Co-Chairs, Licensure Committee
Association of Environmental & Engineering Geologists