

**BOARD FOR PROFESSIONAL SOIL SCIENTISTS, WETLAND PROFESSIONALS
and GEOLOGISTS
MEETING MINUTES**

The Board for Professional Soil Scientists, Wetland Professionals and Geologists held a public hearing on August 7, 2013, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia, to receive public comment regarding the Board's proposed regulations transitioning Professional Soil Scientists from certification to licensure.

Board staff present:
Kathleen (Kate) R. Nosbisch, Executive Director
Joseph (Joe) Shaver, Board Administrator

Ms. Nosbisch began the public hearing at 10:00 a.m. and read an introductory statement regarding the purpose and rules of the hearing.

Commencement of Public Hearing

Public Comment Period – Lauren Schmitt, lobbyist for the Virginia Association of Professional Soil Scientists (VAPSS), was present for public comment. Ms. Schmitt stated that the association and members are in support of the regulations and believe they are necessary to protect the land and property of citizens, protect from unqualified professionals, and provide consistency to states.

Public Comment Period

Ryan Reed, President, VAPSS, was also present for public comment. Mr. Reed stated that the current regulations do not provide adequate protection. The proposed regulations provide additional structure. He further stated that there are many ramifications from unqualified professionals and that this helps provide consistency across the country. Mr. Reed supports the transition from certification to licensure and asks the Board to approve the regulations.

There being no further comment, the meeting was adjourned at 10:30 a.m. **Adjournment**

Warren (Ted) Dean, Chair

Gordon N. Dixon, Secretary

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION
BOARD FOR PROFESSIONAL SOIL SCIENTISTS, WETLAND
PROFESSIONALS AND GEOLOGISTS

IN RE: PUBLIC HEARING

HEARD BEFORE: Kate Nosbisch

AUGUST 7, 2013
SECOND FLOOR CONFERENCE ROOM
9960 MAYLAND DRIVE
RICHMOND, VIRGINIA 23233
10:00 A.M.

Reported by: Cherryl J. Maddox

MADDOX REPORTING SERVICE, INC.
Registered Professional Reporter
684 Burnt House Point
Colonial Beach, Virginia 22443
(540) 372-6874
(804) 224-7275

Maddox Reporting Service, Inc.

1 BOARD DESIGNEE:

2 Kate Nosbisch, Presiding Officer

3

4 STAFF:

5 Joseph Shaver, Board Administrator

6

7

8

9 ALSO PRESENT:

10 Lauren Schmitt, Speaker
11 Ryan Reed, Speaker

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 MS. NOSBISCH: Good morning, ladies and
2 gentlemen. I am Kate Nosbisch and I am staff to the
3 Board for Professional Soil Scientists, Wetland
4 Professionals and Geologists.

5 This is a public hearing being held at the
6 Department of Professional and Occupational Regulation,
7 9960 Mayland Drive, Richmond, Virginia 23233. This
8 hearing is being held pursuant to Section 54.1-310 of
9 the Code of Virginia for the purpose of receiving
10 public comment for the Board's proposed regulations
11 regarding certification to licensure for Professional
12 Soil Scientists published in the Virginia Register on
13 Monday, July 1, 2013.

14 The list of interested parties and
15 organizations which were notified of this process and
16 invited to comment is available upon written request.

17 The staff of the Department of Professional
18 and Occupational Regulation will prepare a report of
19 all public comments received, which will be presented
20 to the Board for consideration.

21 Now I would like to present the rules for
22 this public hearing.

23 The rules for this hearing: Comments will be
24 received from any member of the public and comments
25 will be limited to a maximum of five minutes depending

1 upon the number of individuals who wish to speak. If
2 you have not signed up to speak and you wish to give
3 testimony today, please sign your name on the sign up
4 sheet at this time.

5 I may ask speakers questions to clarify
6 statements.

7 Any speaker who wishes to provide a written
8 statement in addition to his oral testimony or in lieu
9 of oral testimony may do so until Friday, August 30,
10 2013.

11 So, the floor is yours, Ms. Schmitt.

12 MS. SCHMITT: Good morning, my name is
13 Lauren Schmitt. I am the lobbyist for the Virginia
14 Association of Professional Soil Scientists. I have
15 submitted a public comment on the Virginia Register,
16 but we also wanted to come here and speak. We are
17 actually for the proposed regulations. We believe
18 they are necessary and that they will serve to protect
19 the land, property and citizens of Virginia. We think
20 that licensure will help protect consumers from
21 unqualified professionals practicing soil science.
22 And we also believe that by transitioning to a
23 national exam, this will provide consistency within
24 the state that professionals coming to Virginia or
25 leaving Virginia will have an easier time to find

1 work. So, again, we are very much in support of the
2 regulations. Thank you.

3 MS. NOSBISCH: We are ready for your
4 comment so you can wrap us up.

5 MR. REED: All right. Great. Okay,
6 good morning. My name is Ryan Reed, and I am the
7 president of the Virginia Association of Professional
8 Soil Scientists. We believe the proposed regulations
9 to transition soil scientists to licensure are
10 necessary and will serve to protect the land,
11 property, and citizens of Virginia.

12 Currently, certification of soil scientists
13 is only optional under Virginia law, and does not
14 provide adequate protection from unqualified
15 professionals practicing soil science. Licensure will
16 insure that only those professionals specifically
17 educated and trained in the field of soil science can
18 practice soil science in the Commonwealth. Licensure
19 will also provide a structure in which these
20 professionals can be properly regulated.

21 Proper soil evaluation is critical to
22 building housing, developments and structures,
23 developing agricultural farm land, and protecting the
24 Chesapeake Bay Watershed. Inaccurate soil
25 interpretation can have disasterous effects at the cost

1 of the tax payers. Cracked foundations, failing
2 roadways, loss of vegetation and contamination to our
3 water resources are all some of the ramifications of
4 unqualified professionals practicing soil science.
5 These proposed regulations would prevent the severe
6 economic impact and negative consequences homeowners,
7 farmers, and developers experience as a result of
8 unregulated professionals practicing soil science.

9 In addition, switching from certification to
10 a national examination will provide consistency with
11 the rest of the country and promote the industry of
12 soil science by attracting more soil scientists to work
13 in Virginia. The national exam is a standard licensing
14 examination for soil scientists, and is given to soil
15 scientists throughout the country.

16 We fully support the transition of soil
17 scientists from certification to licensure and
18 respectfully ask that the Board for Professional Soil
19 Scientists, Wetland Professionals and Geologists
20 approve these proposed regulations in their current
21 form. Thank you very much.

22 MS. NOSBISCH: You are welcome. Thank
23 you for coming today.

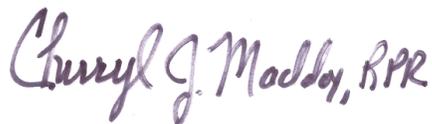
24 -----
25 HEARING CONCLUDED AT 10:28 A.M.

CERTIFICATE OF COURT REPORTER

I, Cherryl J. Maddox, hereby certify that I was the Court Reporter in the Public Hearing of the Board for Professional Soil Scientists, Wetland Professionals and Geologists, regarding proposed regulations, at the offices of the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia, on August 7, 2013, at the time of the hearing herein.

I further certify that the foregoing transcript is a true and accurate record of the hearing herein.

Given under my hand this 19th day of August, 2013.



CHERRYL J. MADDOX, RPR, Court Reporter