

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

The Board for Professional Soil Scientists, Wetland Professionals and Geologists met on March 28, 2023 at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia, with the following members present for all or part of the meeting:

**Citizens**

Bennette Burks  
Robin Jones

**Geologists**

Matt Heller  
Michael Lawless  
Drew Thomas

**Soil Scientists**

Larry Giannasi  
David Hall  
Alexis Jones

**Wetland Delineators**

Robin Bedenbaugh  
Justin Brown

Doug DeBerry, Molly Parker, and Josh Laws were not present at the meeting with regrets.

Staff present for all or part of the meeting were:

Demetrios Melis, Director  
Kishore Thota, Chief Deputy Director  
Kathleen (Kate) R. Nobsch, Executive Director  
Kelley Smith, Executive Director, BCHOP  
Bonnie Davis, Regulatory Operations Administrator

Members of the Public present for all or part of the meeting were:

Billie Hall  
Gabby Rengifo, Board Member of the Board for Professional and Occupation Regulation

Jim Flaherty, Assistant Attorney General, was present from the office of the Attorney General.

Mr. Thomas, Chair, called the meeting to order at 10:02 a.m.

**Call to Order**

Mr. Thomas advised the Board of the emergency evacuation procedures.

**Emergency  
Evacuation**

Ms. Jones arrived at 10:03 a.m.

**Arrival of Board  
Member**

Mr. Lawless moved to approve the agenda. Mr. Giannasi seconded the motion, which was unanimously approved by members: Bedenbaugh, Brown, Burks, Giannasi, Hall, Heller, A. Jones, R. Jones, Lawless, and Thomas.

**Approval of  
Agenda**

Mr. Burks moved to approve the December 1, 2022 Board meeting minutes. Ms.

**Approval of**

A. Jones seconded the motion, which was unanimously approved by members: Bedenbaugh, Brown, Burks, Giannasi, Hall, Heller, A. Jones, R. Jones, Lawless, and Thomas.

**Minutes**

Mr. Lawless moved to approve the January 26, 2023 Geology Regulatory Review Committee meeting minutes. Ms. A. Jones seconded the motion, which was unanimously approved by members: Bedenbaugh, Brown, Burks, Giannasi, Hall, Heller, A. Jones, R. Jones, Lawless, and Thomas.

Mr. Lawless moved to approve the February 9, 2023 Geology Regulatory Review Committee meeting minutes. Mr. Burks seconded the motion, which was unanimously approved by members: Bedenbaugh, Brown, Burks, Giannasi, Hall, Heller, A. Jones, R. Jones, Lawless, and Thomas.

There was no public comment.

**Public Comment  
Period**

This item was tabled until the next Board meeting on June 27, 2023.

**Resolution for  
David Spears**

Ms. Nobsch stated Mr. Lawless is approved to attend the upcoming ASBOG meeting on April 13-15, 2023, in Greenville, SC. The fall Administrator's Workshop and Annual Meeting is October 23-25, 2023.

**2024 ASBOG  
Meeting Dates**

Ms. Nobsch stated the Universal License Recognition (ULR) bill passed effective July 1, 2023. The Board reviewed the 54.1-205. Director Melis stated that the ULR language; it just provides another pathway to licensure. A discussion took place whether the applicant would be required to take the exam. Mr. Flaherty stated if the applicant passed the exam, he should not be required to pass the exam again. Mr. Bedenbaugh inquired why the ULR only requires the applicant to have three years of experience. Mr. Flaherty noted that §54.1-2206.2. Requirements for professional wetland delineator certification states in part: applicant must hold a bachelor's degree from an accredited institution of higher education in a wetland science...curriculum...and have at least four years of experience in wetland delineation...; or must have a record of at least six years of experience in wetland delineation...; or have a record of at least four years of experience in wetland science research...

**General Assembly  
Update**

Mr. Bedenbaugh stated that you always use your best professional judgement, and this is gained by years of experience. Ms. A. Jones stated that waters and wetlands are our most valuable resource, and it is imperative to human health. The Board agreed by consensus to place this item on the June 27, 2023 agenda.

Mr. Lawless moved to adopt the revised geology regulation language. Ms. R. Jones seconded the motion, which was unanimously approved by members: Bedenbaugh, Brown, Burks, Giannasi, Hall, Heller, A. Jones, R. Jones, Lawless,

**Regulatory Review  
– Geologists –  
NOIRA**

and Thomas.

Mr. Lawless moved to submit the Notice of Intended Regulatory Action (NOIRA). Ms. R. Jones seconded the motion, which was unanimously approved by members: Bedenbaugh, Brown, Burks, Giannasi, Hall, Heller, A. Jones, R. Jones, Lawless, and Thomas.

The Soil Scientists will be the next profession to review their regulations. They will meet before the next Board meeting on June 27, 2023.

Ms. Nobsch stated the soil scientist update items were provided for informational purposes.

**Soil Scientists Update**

Ms. Nobsch stated the wetland professional update items were provided for informational purposes.

**Wetland Professionals Update**

Ms. Nobsch stated the geologist update items were provided for informational purposes.

**Geologists Update**

Mr. Thomas reviewed the licensee counts as of March 1, 2023: Soil Scientists – 81; Wetland Delineators – 121; Geologists – 936. Mr. Thomas requested licensee counts for the last ten years be added to the June 27, 2023 board meeting agenda.

**Licensed and Certified Population**

The Board reviewed the Professional Wetland Delineator (PWD) exam statistics for years 2015-2017 and 2018-2022. The PWD exam has a 60% average pass rate.

Ms. Nobsch informed the Board that the financial statements were included for informational purposes.

**Financial Statements**

There was no other business.

**Other Business**

Conflict of Interest forms and travel vouchers were completed by all board members present.

**Conflict of Interest Forms/Travel Vouchers**

There being no further business, the meeting was adjourned at 10:47 a.m.

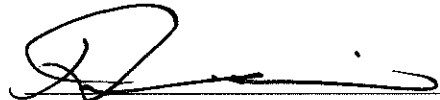
**Adjournment**

  
\_\_\_\_\_  
R. Drew Thomas, Chair

Board for Professional Soil Scientists, Wetland Professionals and Geologists

March 28, 2023

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Demetrios Melis, Secretary

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Matt Heller
2. Title: Board Member
3. Agency: Board for Professional Soil Scientists, Wetland Professionals and Geologists
4. Meeting/IFF Date: Board Meeting March 28, 2023

5. I have a personal interest in the following transaction:

\_\_\_\_\_  
\_\_\_\_\_

Nature of Personal Interest Affected by Transaction:

\_\_\_\_\_  
\_\_\_\_\_

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

\_\_\_\_\_

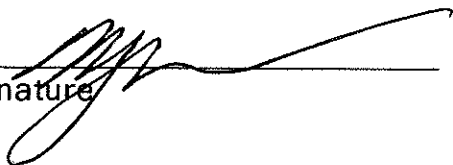
I am able to participate in this transaction fairly, objectively, and in the public interest.

**or**

I did not participate in the transaction.

6.  I **do not** have a personal interest in any transactions taken at this meeting.

Signature



Date

3/28/2023

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Alexis E. Jones
2. Title: Board Member
3. Agency: Board for Professional Soil Scientists, Wetland Professionals and Geologists
4. Meeting/IFF Date: Board Meeting March 28, 2023

5. I have a personal interest in the following transaction:

\_\_\_\_\_

\_\_\_\_\_

Nature of Personal Interest Affected by Transaction:

\_\_\_\_\_

\_\_\_\_\_

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

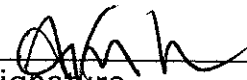
\_\_\_\_\_

I am able to participate in this transaction fairly, objectively, and in the public interest.

**or**

I did not participate in the transaction.

6.  I **do not** have a personal interest in any transactions taken at this meeting.

  
\_\_\_\_\_  
Signature

3/28/2023  
\_\_\_\_\_  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: David Hall
2. Title: Board Member
3. Agency: Board for Professional Soil Scientists, Wetland Professionals and Geologists
4. Meeting/IFF Date: Board Meeting March 28, 2023

5. I have a personal interest in the following transaction:

\_\_\_\_\_

\_\_\_\_\_

Nature of Personal Interest Affected by Transaction:

\_\_\_\_\_

\_\_\_\_\_

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

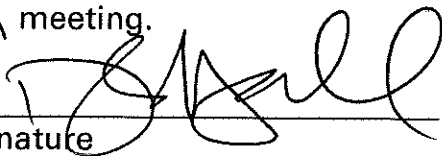
\_\_\_\_\_

I am able to participate in this transaction fairly, objectively, and in the public interest.

**or**

I did not participate in the transaction.

6.  I do not have a personal interest in any transactions taken at this meeting.

  
Signature

3/28/23  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Robin Bedenbaugh
2. Title: Board Member
3. Agency: Board for Professional Soil Scientists, Wetland Professionals and Geologists
4. Meeting/IFF Date: Board Meeting March 28, 2023

5. I have a personal interest in the following transaction:

\_\_\_\_\_

\_\_\_\_\_

Nature of Personal Interest Affected by Transaction:

\_\_\_\_\_

\_\_\_\_\_

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

\_\_\_\_\_

I am able to participate in this transaction fairly, objectively, and in the public interest.

**or**

I did not participate in the transaction.

6.  I do not have a personal interest in any transactions taken at this meeting.

Robin L. Bedenbaugh  
Signature

March 28, 2023  
Date



**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Justin T. Brown
2. Title: Board Member
3. Agency: Board for Professional Soil Scientists, Wetland Professionals and Geologists
4. Meeting/IFF Date: Board Meeting March 28, 2023

5. I have a personal interest in the following transaction: N/A

Nature of Personal Interest Affected by Transaction: N/A

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction: N/A

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6.  I do not have a personal interest in any transactions taken at this meeting.

Signature

Date

3/28/2023

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government

- 1. Name: R. Drew Thomas
- 2. Title: Board Member
- 3. Agency: Board for Professional Soil Scientists, Wetland Professionals and Geologists
- 4. Meeting/IFF Date: Board Meeting March 28, 2023

5. I have a personal interest in the following transaction:

\_\_\_\_\_  
\_\_\_\_\_

Nature of Personal Interest Affected by Transaction:

\_\_\_\_\_  
\_\_\_\_\_

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

\_\_\_\_\_

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6.  I **do not** have a personal interest in any transactions taken at this meeting.

R. Drew Thomas  
Signature

3/28/23  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Robin Jones
2. Title: Board Member
3. Agency: Board for Professional Soil Scientists, Wetland Professionals and Geologists
4. Meeting/IFF Date: Board Meeting March 28, 2023

5. I have a personal interest in the following transaction:

\_\_\_\_\_

Nature of Personal Interest Affected by Transaction:

\_\_\_\_\_

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

\_\_\_\_\_

I am able to participate in this transaction fairly, objectively, and in the public interest.

**or**

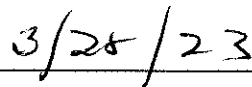
I did not participate in the transaction.

6.  I **do not** have a personal interest in any transactions taken at this meeting.

Signature



Date



**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Michael D. Lawless
2. Title: Board Member
3. Agency: Board for Professional Soil Scientists, Wetland Professionals and Geologists
4. Meeting/IFF Date: Board Meeting March 28, 2023

5. I have a personal interest in the following transaction:

\_\_\_\_\_  
\_\_\_\_\_

Nature of Personal Interest Affected by Transaction:

\_\_\_\_\_  
\_\_\_\_\_

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

\_\_\_\_\_

I am able to participate in this transaction fairly, objectively, and in the public interest.

**or**

I did not participate in the transaction.

6.  I **do not** have a personal interest in any transactions taken at this meeting.

  
\_\_\_\_\_  
Signature

3/28/23  
\_\_\_\_\_  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Bennette Burks
2. Title: Board Member
3. Agency: Board for Professional Soil Scientists, Wetland Professionals and Geologists
4. Meeting/IFF Date: Board Meeting March 28, 2023

5. I have a personal interest in the following transaction:

N/A

Nature of Personal Interest Affected by Transaction:

N/A

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

N/A

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6.  I **do not** have a personal interest in any transactions taken at this meeting.

Bennette D. Burks.

Signature

3/28/2023

Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Larry Giannasi
2. Title: Board Member
3. Agency: Board for Professional Soil Scientists, Wetland Professionals and Geologists
4. Meeting/IFF Date: Board Meeting March 28, 2023

5. I have a personal interest in the following transaction:

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Nature of Personal Interest Affected by Transaction:

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I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

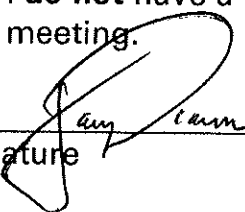
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I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6.  I do not have a personal interest in any transactions taken at this meeting.

  
Signature

3-28-23  
Date