

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

The Board for Professional Soil Scientists, Wetland Professionals and Geologists met on September 26, 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**

Shannon George  
Matt Heller  
Michael Lawless  
Drew Thomas

**Soil Scientists**

Larry Giannasi  
David Hall  
Alexis Jones

**Wetland Delineators**

Robin Bedenbaugh  
Justin Brown

Doug DeBerry and Molly Parker 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  
Steve Kirschner, LRPD Deputy Director  
Kathleen (Kate) R. Nobsch, Executive Director  
Bonnie Davis, Regulatory Operations Administrator  
Joseph Haughwout, Regulatory Affairs Manager

Josh Laws, Assistant Attorney General, was present from the office of the Attorney General.

Mr. Thomas, Chair, called the meeting to order at 10:01 a.m.

**Call to Order**

Mr. Thomas and Ms. Nobsch advised the Board of the emergency evacuation procedures.

**Emergency  
Evacuation**

Mr. Thomas introduced and welcomed Shannon George, Certified Professional Geologist. She will be replacing Ted Dean. Each of the board members introduced themselves.

**Announcements**

Director Melis stated Governor Youngkin has asked him to serve as Commissioner of the Virginia Employment Commission effective Monday, October 2. He also stated that Governor Youngkin appointed Kishore Thota as Director of DPOR. Ms. Nobsch wished success to Director Melis and looks forward to working with Mr. Thota as Director of DPOR.

Mr. Hall arrived at 10:04 a.m.

Arrival of Board  
Member

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

Approval of  
Agenda

Mr. Lawless moved to approve the minutes of the June 27, 2023 Board Meeting. Mr. Burks seconded the motion, which was approved by members: Bedenbaugh, Brown, Burks, George, Giannasi, Hall, Heller, A. Jones, R. Jones, Lawless, and Thomas.

Approval of  
Minutes

There was no public comment.

Public Comment  
Period

Mr. Thomas read the following resolution for consideration by the Board:

RESOLUTION TO

Resolution for  
David Spears

Warren Dean

WHEREAS, Warren Dean, did faithfully and diligently serve as a Board member of the Board for Professional Soil Scientists, Wetland Professionals, and Geologists from 2018 to 2023;

WHEREAS, Warren Dean, did devote generously of his time, talent and leadership to the Board;

WHEREAS, Warren Dean, did endeavor at all times to render decisions with fairness and good judgment in the best interest of the citizens of the Commonwealth and these professions; and

WHEREAS, the Board for Professional Soil Scientists, Wetland Professionals, and Geologists wishes to acknowledge its gratitude for devoted service of a person who is held in high esteem by the members of the Board and the citizens of the Commonwealth;

NOW THEREFORE BE IT RESOLVED, by the Board for Professional Soil Scientists, Wetland Professionals, and Geologists this 26<sup>th</sup> day of September 2023, that Warren Dean, be given all honors and respect due him for his outstanding service to the Commonwealth and its citizens; and

BE IT FURTHER RESOLVED, that this Resolution be presented to him and be made a part of the official minutes of the Board so that all may know of the high regard in which he is held by this Board.

The Board members agreed to the resolution by consensus.

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

**Soil Scientists Update**

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

**Wetland Professionals Update**

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

**Geologists Update**

Ms. Davis informed the Board that public comment for Periodic Regulatory Review ended August 21, 2023, and there were three comments for Soil Scientists, 38 comments for Wetland Delineators, and 65 comments for Geologists. Mr. Bedenbaugh moved to retain the current regulations as is. Mr. Hall seconded the motion which was unanimously approved by: Bedenbaugh, Brown, Burks, George, Giannasi, Hall, Heller, A. Jones, R. Jones, Lawless, and Thomas.

**Regulatory Review Update**

Ms. Davis informed the Board that the NOIRA for the Soil Scientists is at the Governor's office for review. The NOIRA for the Wetland Delineators has been approved by the Governor and will be published in the Virginia Register on October 23 with public comment ending on November 22, 2023. The NOIRA for the Geologists is at the Secretary of Labor's office.

Ms. Nosbisch stated DPOR's Exam Director, Greg Emerson, will be contacting the Wetland Delineator Board members to review and provide an updated Wetland Delineator Exam. She thanked them in advance for their diligence.

**Wetland Delineator Exam Review**

At the last meeting, the Board determined staff would review and approve Geologist-in-Training (GIT) applications. The staff has reviewed and approved eleven GIT applications since July 1, 2023.

**Geologist-in-Training Approved Applications**

Ms. A. Jones moved to approve the 2024 meeting dates of March 4, June 11, September 4, and December 2. Mr. Brown seconded the motion, which was unanimously approved by members: Bedenbaugh, Brown, Burks, George, Giannasi, Hall, Heller, A. Jones, R. Jones, Lawless, and Thomas.

**2024 Meeting Dates**

Mr. Thomas reviewed the licensee counts as of September 1, 2023: Soil Scientists – 77; Wetland Delineators – 122; Geologists – 959.

**Licensed and Certified Population**

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

**Financial  
Statements**

Mr. Hall requested an update on the on the exemption for soil scientists in the onsite soil evaluator regulations that was discussed at the June 27, 2023 Board meeting. Mr. Giannasi stated the onsite soil evaluator (OSE) license requirement is burdensome to the licensed soil scientists. Licensed onsite soil evaluators can design a wastewater system, but a licensed soil scientist cannot unless the regulant is also a licensed OSE. Ms. Nosbisch stated that if the requirement is in statute, then a bill must be submitted in General Assembly to change the statute. Director Melis stated that staff will determine if the requirement is in statute or regulation and communicate the process that needs to take place to allow a soil scientist to design a wastewater system. Ms. Nosbisch stated the next Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals (WWWOSSP) meeting is on October 24, 2023. Ms. Nosbisch will communicate the next steps to the Soil Scientist Board members.

**Other Business**

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

**Conflict of Interest  
Forms/Travel  
Vouchers**

Steve Kirschner arrived at 10:23 a.m.

**Arrival of Staff**

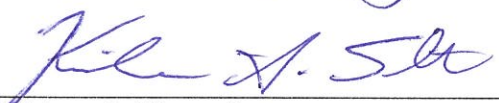
All Board Members present attended the Conflict of Interest Act Training webinar.

**Conflict of Interest  
Act Training**

There being no further business, the meeting was adjourned at 10:56 a.m.

**Adjournment**

  
\_\_\_\_\_  
Carlyle "Robin" Jones, Vice Chair

  
\_\_\_\_\_  
Kishore S. Thota, Secretary

STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government

1. Name: Shannon George
2. Title: Board Member
3. Agency: Board for Professional Soil Scientists, Wetland Professionals and Geologists
4. Meeting/IFF Date: Board Meeting September 26, 2023

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

NONE

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.

Shannon J. George  
Signature

9/26/2023  
Date

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 September 26, 2023

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

NO

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.

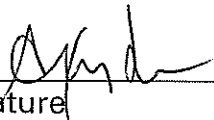
or

I did not participate in the transaction.

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

Signature

Date



9/26/2023

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 September 26, 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:

\_\_\_\_\_

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

9/26/23

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 September 26, 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

9/26/23

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 September 26, 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:

\_\_\_\_\_

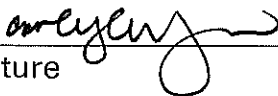
I am able to participate in this transaction fairly, objectively, and in the public interest.

or

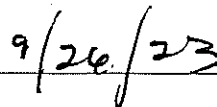
I did not participate in the transaction.

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: Justin T. Brown
2. Title: Board Member
3. Agency: Board for Professional Soil Scientists, Wetland Professionals and Geologists
4. Meeting/IFF Date: Board Meeting September 26, 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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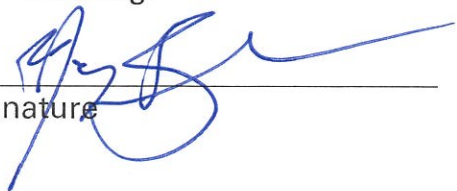
I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

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

Signature



Date

9/26/2023

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 September 26, 2023

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

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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:

\_\_\_\_\_

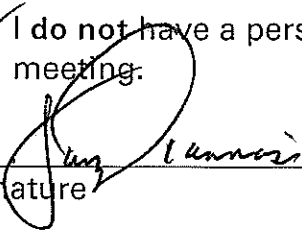
I am able to participate in this transaction fairly, objectively, and in the public interest.

or

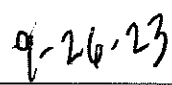
I did not participate in the transaction.

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: Bennette Burks
2. Title: Board Member
3. Agency: Board for Professional Soil Scientists, Wetland Professionals and Geologists
4. Meeting/IFF Date: Board Meeting September 26, 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.

B. Burks

Signature

9/26/2023

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 September 26, 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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\_\_\_\_\_

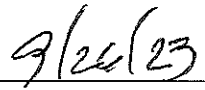
I am able to participate in this transaction fairly, objectively, and in the public interest.

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: Robin Bedenbaugh
2. Title: Board Member
3. Agency: Board for Professional Soil Scientists, Wetland Professionals and Geologists
4. Meeting/IFF Date: Board Meeting September 26, 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:

\_\_\_\_\_

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

9/26/23  
Date

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 September 26, 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.

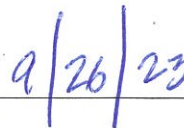
or

I did not participate in the transaction.

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



Signature



Date