

**BOARD FOR PROFESSIONAL SOIL SCIENTISTS,
WETLAND PROFESSIONALS and GEOLOGISTS MEETING
June 27, 2023
10:00 a.m. – Board Room 4 – 2nd Floor
Department of Professional & Occupational Regulation
9960 Mayland Drive
Richmond, Virginia 23233
(804) 367-8514**

1. Call to Order
2. Emergency Evacuation Procedures
3. Approval of Agenda
4. Approval of Minutes:
 - March 28, 2023 Full Board Meeting Minutes
 - May 23, 2023 Wetland Delineator Regulatory Review Meeting Minutes
 - June 1, 2023 Soil Scientist Regulatory Review Meeting Minutes
5. Public Comment Period*
6. Resolution for David Spears
7. Soil Scientists
 - i. ASA, CSSA, SSSA Science Policy Report: FY24 Appropriations and Farm Bill Updates – Emailed March 30, 2023
 - ii. ASA, CSSA, SSSA Science Policy Report: USDA Announces NIFA Leader – Emailed April 27, 2023
 - iii. ASA, CSSA, SSSA Science Policy Report: USDA Science & Research Strategy Announced – Emailed May 10, 2023
 - iv. The Early Bird Gets the Savings at the ASA, CSSA, SSSA International Annual Meeting – Emailed May 10, 2023
 - v. Four Hours to Submit Your Scientific Abstract & Save – Emailed May 26, 2023
 - vi. Share Your Work at the ASA, CSSA, SSSA International Annual Meeting – Emailed May 31, 2023
 - vii. Don't Wait Any Longer: Showcase Your Research at ASA, CSSA, SSSA Annual Meeting – Emailed June 2, 2023
 - viii. Want To Know How to Promote Your Science to The Public? Look No Further! – Emailed June 7, 2023
 - ix. Your Last Chance to Make a Scientific Impact Is Slipping Away – Emailed June 9, 2023
 - x. Unveiling the Excellence in Action Webinar Series: Seed Germination, Crop Growth, and Bio-Priming with Dr. Sarkar – Emailed June 9, 2023

8. Wetland Professionals
 - i. Save the Date: WSSI's Bat & Regulatory Update Spring 2023 – Emailed March 20, 2023
 - ii. Field Notes: Vol. 31, No. 4 – March 24, 2023 – Emailed March 27, 2023
 - iii. Register Now: WSSI's Bat and Regulatory Updates Webinar, April 12 – Emailed March 31, 2023
 - iv. Field Notes: Vol. 31, No. 5 – April 14, 2023 – Emailed April 18, 2023
 - v. Field Notes: Vol. 31, No. 6 – April 25, 2023 – Emailed April 27, 2023
 - vi. Field Notes: Vol. 31, No. 7 – May 17, 2023 – Emailed May 17, 2023
 - vii. Field Notes: Vol. 31, No. 8 – June 1, 2023 – Emailed June 2, 2023
9. Geologists
 - i. Geoscience Communication Training – Emailed March 22, 2023
 - ii. Call for Nominations to ASBOG Executive Committee – Emailed April 4, 2023
 - iii. Call for Nominations to ASBOG Executive Committee – Emailed April 11, 2023
10. Regulatory Review Update
 - Review of Wetland Delineator Proposed Regulatory Changes
 - Review of Soil Scientist Proposed Regulatory Changes
 - Exemption for Soil Scientist in the Onsite Soil Evaluator Regulations
 - WWOOSSP Board Statute 54.1-2302
11. Universal License Recognition
12. Licensed and Certified Population - Previous 10 Years
13. Licensed and Certified Population
14. Financial Statements
15. Other Business
16. Conflict of Interest / Travel Vouchers
17. Adjourn

NEXT MEETING SCHEDULED FOR September 26, 2023

Agenda materials available to the public do not include disciplinary case files or application files pursuant to §54.1-108 of the Code of Virginia.

*Five minute public comment, per person, with the exception of any open disciplinary or application files. Persons desiring to participate in the meeting and requiring special accommodations or interpretative services should contact the Department at (804) 367-8514 at least ten days prior to the meeting so that suitable arrangements can be made for an appropriate accommodation. The Department fully complies with the Americans with Disabilities Act.

- **Call to Order**
- **Emergency Evacuation**

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Materials contained in this agenda are proposed topics for discussion
And are not to be construed as regulation or official board position

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. Nosbisch, 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. Nosbisch 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. Nosbisch 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. 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

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. Nosbisch 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

Demetrios Melis, Secretary

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

The Wetland Delineator Section of the Board for Professional Soil Scientists, Wetland Professionals and Geologists met on May 23, 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:

Wetland Delineators

Robin Bedenbaugh
Justin Brown
Doug Deberry

Demetrios Melis, Director, Kishore Thota, Chief Deputy Director, and Board Member, Robin Jones were not present at the meeting with regrets.

Staff present for all or part of the meeting were:

Stephen Kirschner, LRPD Deputy Directory
Kathleen (Kate) R. Nosbisch, Executive Director
Bonnie Davis, Regulatory Operations Administrator

Josh Laws, Assistant Attorney General, was not present from the office of the Attorney General.

Ms. Nosbisch called the meeting to order at 10:13 a.m.

Call to Order

Ms. Nosbisch advised the Board of the emergency evacuation procedures.

**Emergency
Evacuation**

Ms. Nosbisch opened the floor for nominations for Chair to the Regulatory Review Committee. Mr. Deberry nominated Mr. Bedenbaugh as Chair. Mr. Bedenbaugh accepted the nomination. Mr. Brown seconded the motion. As there were no other nominations from the floor, Ms. Nosbisch closed the nominations. Mr. Bedenbaugh was approved Chair of the Committee by: Bedenbaugh, Deberry, and Brown.

**Election of
Committee Chair**

Mr. Deberry moved to approve the agenda. Mr. Brown seconded the motion, which was unanimously approved by members: Bedenbaugh, Deberry, and Brown.

**Approval of
Agenda**

There was no one present for public comment.

**Public Comment
Period**

Ms. Nosbisch stated that DPOR is developing its legislative package for the Administration to consider for the 2024 General Assembly session and the information is due by May 26, 2023 for consideration.

**Statutes and
Regulatory Review**

The Section completed a line-by-line review of the regulations and statutes using the Regulatory Review Matrix Flowchart in order to determine the relevance of each regulation. The Committee took into account the Universal Licensure Recognition statute which becomes effective July 1, 2023, when making changes to the statutes and regulations. Mr. Brown asked how the Board verifies the applicant has the experience in the field for three years. Ms. Nosbisch stated that DPOR is developing a process.

Ms. Nosbisch stated that Director Melis had stated at another board meeting that there may be another Agency deregulation bill put forward in the 20224 General Assembly Session.

The Committee took a recess from 11:36 a.m. to 11:46 a.m.

Recess

The Committee continued review of the statutes and regulations. Discussions took place regarding the definition of wetlands, qualifications for certification, qualifying experience, and qualifying for the exam. The Committee completed review of the statutes and regulations and agreed by consensus to present the changes to the regulations and statutes at the next Board meeting on June 27, 2023.

**Statutory and
Regulatory Review
continued**

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 12:30 p.m.

Adjournment

Robin Bedenbaugh, Chair

Demetrious Melis, Secretary

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

The Soil Scientists Section of the Board for Professional Soil Scientists, Wetland Professionals and Geologists met on June 1, 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:

Larry Giannasi (SS)
David Hall (SS)
Robins Jones (Citizen)

Demetrios Melis, Director, Kishore Thota, Chief Deputy Director, and Board Member, Alexis Jones were not present at the meeting with regrets.

Staff present for all or part of the meeting were:

Stephen Kirschner, LRPD Deputy Directory
Kathleen (Kate) R. Nusbisch, Executive Director
Joe Haughwout, Regulatory Affairs Manager
Bonnie Davis, Regulatory Operations Administrator

Josh Laws, Assistant Attorney General, was not present from the office of the Attorney General.

Ms. Nusbisch called the meeting to order at 10:00 a.m.

Call to Order

Ms. Nusbisch advised the Board of the emergency evacuation procedures.

**Emergency
Evacuation**

Ms. Nusbisch opened the floor for nominations for Chair to the Regulatory Review Committee. Mr. Hall nominated Mr. Giannasi as Chair. Mr. Giannasi nominated Mr. Hall as Chair. As there were no other nominations from the floor, Ms. Nusbisch closed the nominations. Ms. Jones seconded the motion for Mr. Giannasi as Chair. Mr. Giannasi accepted the nomination. Mr. Giannasi was approved Chair of the Committee by: Giannasi, Hall, and Jones.

**Election of
Committee Chair**

Ms. Jones moved to approve the agenda. Mr. Hall seconded the motion, which was unanimously approved by members: Giannasi, Hall, and Jones.

**Approval of
Agenda**

There was no one present for public comment.

**Public Comment
Period**

Mr. Haughwout provided information on the Governor's directive to reduce regulatory burden by 25%.

**Statutes and
Regulatory Review**

Ms. Nusbisch stated that DPOR's legislative package was due May 26, 2023 for

DPOR Administration to consider for the 2024 General Assembly session. She stated the Committee should review proposed statute changes submitted by the Wetland Delineators and determine what changes they may wish to consider.

The Committee began a line-by-line review of the statutes. The Committee took into account the Universal Licensure Recognition statute which becomes effective July 1, 2023, when making proposed changes to the statutes. A long discussion took place regarding how licensed Onsite Soil Evaluators can design wastewater systems, although a licensed Soil Scientists cannot unless you are also a licensed Onsite Soil Evaluator; quorum for board meetings; and experience and education requirements for licensed Soil Scientists.

The Committee requested that an exemption for Soil Scientists designing septic systems be added to the Professional Soil Scientists, Wetland Professionals, and Geologists agenda of the next scheduled Board meeting on June 27, 2023 for discussion to submit a request to the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals (WWWOSSP Board).

The Committee took a recess from 11:13 a.m. to 11:25 a.m.

The Committee continued review of the statutes and regulations. Discussions took place regarding decoupling the exams. The Committee requested staff contact the Soil Science Society of America (SSSA) and determine if decoupling the exam would impact the Fundamentals Exam or the Professional Practice Exam. The Committee requested that the information be added to the agenda of the next scheduled Board meeting on June 27, 2023.

The Committee completed review of the statutes and regulations and agreed by consensus to present the changes to the regulations and statutes at the next Board meeting on June 27, 2023.

Ms. Nosbisch stated that Director Melis had stated at another board meeting that there may be another Agency deregulation bill put forward in the 2024 General Assembly Session.

There was no other business.

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

There being no further business, the meeting was adjourned at 2:13 p.m.

Recess

**Statutory and
Regulatory Review
continued**

Other Business

**Conflict of Interest
Forms/Travel
Vouchers**

Adjournment

Larry Giannasi, Chair

Demetrios Melis, Secretary

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- **Public Comment**
- **Resolution for David Spears**

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Soil Scientists

- **ASA, CSSA, SSSA Science Policy Report: FY24 Appropriations and Farm Bill Updates – Emailed March 30, 2023**
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Wetland Professionals

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Geologists

- **Geoscience Communication Training – Emailed March 22, 2023**
- **Call for Nominations to ASBOG Executive Committee – Emailed April 4, 2023**
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COMMONWEALTH OF VIRGINIA
BOARD FOR PROFESSIONAL SOIL SCIENTISTS, WETLAND
PROFESSIONALS AND GEOLOGISTS



**REGULATIONS Governing
Certified Professional
Wetland Delineators**

Last Updated August 1, 2019

STATUTES
Title 54,1, Chapter 22



Department of Professional and Occupational Regulation

9960 Mayland Drive, Suite 400
Richmond, VA 23233
(804) 367-8500
www.dpor.virginia.gov

**NOTICE
SUMMARY OF SIGNIFICANT CHANGES**

Included in this document are relevant excerpts from the Virginia Administrative Code. Please note that the Board for Professional Soil Scientists, Wetland Professionals and Geologists, is responsible for promulgating regulations in accordance with the Administrative Process Act (§ 2.2-4000 et seq.), and the Virginia Code Commission is responsible for compiling and codifying all of the administrative regulations of state agencies into the Virginia Administrative Code.

It is your responsibility to stay informed and follow all regulations and statutes governing your profession or occupation. As a regulant of the Board, you should read and become familiar with all regulations applicable to your profession or occupation. You can stay informed of regulatory actions that may result in changes to the regulations at Virginia Regulatory Town Hall (www.townhall.virginia.gov).

This document is a complete, edited (unofficial) copy of the August 1, 2019 Regulations (18 VAC 145-30). Please refer to the Virginia Administrative Code for an official copy of the regulations applicable to your profession or occupation. You can access the Virginia Administrative Code online at <http://leg1.state.va.us/000/reg/TOC.HTM>.

The following summarizes significant revisions to the regulations effective August 1, 2019, but does not include all changes that were made to the Certified Professional Wetland Delineator Regulations.

- Makes explicit that a Virginia Certified Professional Wetland Delineator is prohibited from using the work of another without written consent.

STATEMENT OF PURPOSE

This booklet contains the information you will need to obtain your certification as a wetland delineator. The law that governs your profession is found in the *Code of Virginia*, 1950, as amended, in Title 54.1, Chapter 22. That law permits the Department of Professional and Occupational Regulation to issue regulations that tell you more about what is expected of you in your profession. This booklet contains a copy of the law and regulations that you will need to know and obey to obtain and keep your certification. BE SURE YOU READ AND UNDERSTAND THE STANDARDS OF PRACTICE AND CONDUCT. YOUR FAILURE TO OBEY THESE STANDARDS COULD RESULT IN A MONETARY PENALTY OR THE LOSS OF YOUR CERTIFICATE.

It is the goal of the Department of Professional and Occupational Regulation to provide you with the information you need to comply with the law and regulations. If you have a question and cannot find the answer to it in this booklet, please write to:

Board for Professional Soil Scientists, Wetland Professionals and Geologists
Department of Professional and Occupational Regulation
9960 Mayland Drive, Suite 400
Richmond, Virginia 23233

or call the Agency at (804) 367-8500.

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EXCERPTS FROM THE CODE OF VIRGINIA:

§§ 54.1-2200 through 54.1-220811

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PART I.

GENERAL

18VAC145-30-10. Definitions.

All terms defined in Chapter 22 (§ 54.1-2200 et seq.) of Title 54.1 of the Code of Virginia, as amended, are incorporated in this chapter.

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

“**Tidal wetlands**” means those wetlands as ~~defined subject to by the jurisdiction of~~ § 28.2-1300 of the Code of Virginia, as amended. **PARKING LOT**

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“**Non-tidal wetlands**” means ~~all other~~ wetlands ~~meeting the definition under~~ 62.1-44.3 except those ~~subject to the jurisdiction of as defined by~~ § 28.2-1300 of the Code of Virginia, as amended. **PARKING LOT**

Historical Notes:

Virginia Register Volume 20, Issue 20, eff. July 14, 2004

PART II.

ENTRY

18VAC145-30-20. Qualifications for certification.

Applicants for certification shall pass the board approved exam and meet the requirements specified in Chapter 22 (§ 54.1- 2200 et seq.) of Title 54.1 of the Code of Virginia, as amended, and this chapter.

Historical Notes:

Virginia Register Volume 20, Issue 20, eff. July 14, 2004

18VAC145-30-30. Receipt of application.

The date the completed ly documented application and fee are received in the board's office shall determine if the application has been received by the established deadline.

Historical Notes:

Virginia Register Volume 20, Issue 20, eff. July 14, 2004

18VAC145-30-40. Qualification for examination.

A. In order to qualify for the examination, an applicant shall provide three written references that comply with subsection B and satisfy one of the following criteria:

- ~~1. Hold a bachelor's degree from an accredited institution of higher education in a wetland science, biology, biological engineering, civil and environmental engineering, ecology, soil science, geology, hydrology or any similar biological, physical, natural science or environmental engineering curriculum that has been approved by the board; have successfully completed a course of instruction, in state and federal wetland delineation methods, that has been approved by the Board; and have at least four years of experience in wetland delineation, which meets the requirements of 18 VAC 145 30-50.1 or 18 VAC 145 30-50.2, the quality of which demonstrates to the Board that the applicant is competent to practice as a certified professional wetland delineator; or~~
- ~~2. Have a record of at least six years of experience in wetland delineation, which meets the requirements of 18 VAC 145 30-50.1 or 18 VAC 145 30-50.2, the quality of which demonstrates to the Board that the applicant is competent to practice as a certified professional wetland delineator; or~~

~~3. Have a record of at least four years of experience in wetland science research or as a teacher of wetlands curriculum in an accredited institution of higher education, which meets the requirements of 18 VAC 145-30-50.3, the quality of which demonstrates to the Board that the applicant is competent to practice as a certified professional wetland delineator.~~

B. ~~Every applicant shall provide three written references, on a form provided by the board, from wetland professionals with at least one from a certified professional wetland delineator.~~ Individuals who provide references shall not be related to the applicant and shall have known the applicant for at least one year. Individuals who provide references may not also verify experience, including research or teaching experience.

Historical Notes:

Virginia Register Volume 20, Issue 20, eff. July 14, 2004; amended Virginia Register Volume 23, Issue 20, eff. July 12, 2007; Virginia Register Volume 31, Issue 10, eff. March 1, 2015

18VAC145-30-50. Qualifying experience in wetland delineation.

An applicant shall demonstrate experience in one of the following areas:

1. For those individuals applying pursuant to the provisions of ~~18 VAC 145-30-40.A.1 or 18 VAC 145-30-40.A.254.1-2206.2.1 and 54.1-2206.2.2~~, the experience in wetland delineation must be as a wetland professional and include the preparation of no ~~less~~ fewer than ten delineations, which must be no more than ten years old at time of receipt by the board office, delineating wetlands in accordance with applicable state and federal regulations which include the proper identification of vegetation, soil, and hydrology indicators. At least six of the ten delineations must be for non-tidal wetlands; or
2. For those individuals applying pursuant to the provisions of ~~54.1-2206.2.1 and 54.1-2206.2.2, 18 VAC 145-30-40.A.1 or 18 VAC 145-30-40.A.2~~, the experience in wetland delineation must be as a wetland professional and include the inspection, review or confirmation of no less than thirty delineations as an employee of a federal, state or local governmental body which is authorized to review or approve such delineations, which must be no more than ten years old at time of receipt by the board office, delineating wetlands in accordance with applicable state and federal regulations which include the proper identification of vegetation, soil, and hydrology indicators. Such experience must include the performance of field verifications of a portion of those wetland delineations which were inspected, reviewed or confirmed. At least ~~six~~ eighteen of the thirty delineations must be for non-tidal wetlands, or
3. For those individuals applying pursuant to the provisions of ~~54.1-2206.2.3 18 VAC 145-30-40.A.3~~, the experience as a wetland science researcher must include the preparation of a minimum of three field studies focused on wetland delineation practice and issues,

which includes

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the proper identification of vegetation, soil, and hydrology indicators, and the experience as a teacher of wetlands curriculum must have been acquired in an accredited institution of higher education as a field or laboratory instructor of quarter or semester length classes for a minimum of six semester hours, or equivalent, within the past ten years prior to the receipt of the application by the board office, and the curriculum must have included the proper identification of vegetation, soil, and hydrology indicators.

Historical Notes:

Virginia Register Volume 20, Issue 20, eff. July 14, 2004

18VAC145-30-60. Course requirements.

The education required pursuant to ~~54.1-2206.2.1~~ ~~18VAC145-30-40.A.1~~ of this chapter must include the following:

A. For a bachelors or graduate degree ~~in any similar biological, physical, natural science or environmental engineering curriculum~~ to be approved by the board, it shall, at a minimum, contain coursework in the following:

1. ~~Fifteen semester hours, or equivalent, in b~~Biological sciences including courses such as general biology, botany, or zoology; general ecology; plant, animal, aquatic, or wetlands ecology; invertebrate zoology; taxonomy; marine science; fisheries biology; plant physiology, plant taxonomy, plant pathology, plant morphology; relevant environmental sciences, and similar courses;
2. ~~Fifteen semester hours, or equivalent, in p~~Physical sciences including courses in soils, chemistry, hydrology, physics, geology, sedimentology, oceanography, coastal processes, environmental engineering, and similar courses; and
3. ~~Six semester hours, or equivalent, in q~~Quantitative sciences including courses in math, computer sciences, basic statistics, population dynamics, experimental statistics, and similar courses.

~~B. The applicant must have successfully completed a course of instruction, of a minimum of thirty two hours, in state and federal wetland delineation methods which includes the proper identification of vegetation, soil and hydrology indicators and a field component.~~

Historical Notes:

Virginia Register Volume 20, Issue 20, eff. July 14, 2004

18VAC145-30-70. Examination.

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A. Once approved by the board, an applicant shall be eligible to sit for a board approved examination.

~~B. An applicant must meet all eligibility requirements as of the date the completedly documented application and fee is received by the board's office.~~

~~B. For examination candidates, the completely documented application and fee must be received by the board's office at least 90 days prior to the examination.~~

~~C.~~
C. A candidate approved to take an examination shall do so within one year of the date of approval or submit a new application and fee in accordance with these regulations. ~~If an applicant failing to should not~~ pass the board approved examination within one year of being approved; ~~the applicant~~ shall be required to submit a new application and fee in accordance with this chapter in order to take the examination.

D. A candidate who is unable to take the examination at the time scheduled must notify the department in writing prior to the date of the examination; such a candidate will be rescheduled for the next examination without additional fee. Failure to so notify the department will result in forfeiture of the examination or reexamination fee.

E. Candidates will be notified of passing or failing the examination.

Historical Notes:

Virginia Register Volume 20, Issue 20, eff. July 14, 2004

18VAC145-30-80. Waiver from examination.

~~An applicant shall be granted a Virginia certificate without examination, provided that:~~

~~1. The applicant holds an unexpired professional wetland delineator certificate or equivalent issued on the basis of equivalent requirements for certification in Virginia, by a regulatory body of another state, territory or possession of the United States or has been provisionally certified under the U.S. Army Corps of Engineers Wetland Delineator Certification Program of 1993 and is not, nor has been, the subject of any disciplinary proceeding before such regulatory body, and such other regulatory body recognizes the certificates issued by this board provided all other requirements of Chapter 22 (§ 54.1-2200 et seq.) of Title 54.1 of the Code of Virginia, as amended, and this chapter are satisfied; or~~

~~2. Applicants who submit a complete application so that it is received by the board on or before June 30, 2006, and are found to be qualified pursuant to § 54.1-2206.B (effective July 1, 2004) of the Code of Virginia, as amended, provided all~~

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other requirements of Chapter 22 (§ 54.1-2200 et seq.) of Title 54.1 of the Code of Virginia, as amended, and this chapter are satisfied.

Historical Notes:

Virginia Register Volume 20, Issue 20, eff. July 14, 2004

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PART III.

FEES, RENEWAL AND REINSTATEMENT REQUIREMENTS

18VAC145-30-90. Fees.

All fees required by the board are nonrefundable and shall not be prorated.

Fee Type	Amount
Application	\$90
Renewal fee	\$70
Late renewal fee	\$25
Reinstatement fee	\$90
Examination fee	\$150

Historical Notes:

Virginia Register Volume 20, Issue 20, eff. July 14, 2004; amended, Virginia Register Volume 26, Issue 22, eff. September 1, 2010.

18VAC145-30-100. Expiration.

Certificates issued under this chapter shall expire two years from the last day of the month in which they were issued, as indicated on the certificate.

Historical Notes:

Virginia Register Volume 20, Issue 20, eff. July 14, 2004.

18VAC145-30-110. Renewal.

- A. The department shall send a renewal notice to the certificate holder at the last known address of record at least 30 days prior to expiration. Failure to receive this notice does not relieve the certificate holder from the requirement to renew the certificate. If the certificate holder fails to receive the renewal notice, a copy of the certificate shall be submitted with the required fee in lieu of the renewal notice.
- B. If the renewal fee is not received by the department within 30 calendar days following the expiration date noted on the certificate, a late renewal fee of \$25 shall be required in addition to the regular renewal fee. If the certificate is renewed after 30 days from the

expiration date and prior to 180 days of the expiration date, the effective date of the renewal shall be the original renewal date. No certificate may be renewed more than 180 days following the date of expiration noted on the certificate.

- C. The date a fee is received by the department or its agent shall determine whether a late renewal fee or the requirement for reinstatement or reapplication is applicable.
- D. A certificate suspended by board order shall not be renewed until the period of suspension has ended and all terms and conditions of the board's order have been met. Individuals renewing certificates within 30 days after the suspension is lifted will not be required to pay a late fee.

Historical Notes:

Virginia Register Volume 20, Issue 20, eff. July 14, 2004

18VAC145-30-120. Reinstatement.

- A. If the renewal fee and late renewal fee are not received by the department within 180 days following the expiration date noted on the certificate, the certificate holder shall no longer be considered a certificate holder and will be required to apply for certificate reinstatement. The applicant shall meet the current eligibility standards for certification as a Virginia certified professional wetland delineator. ~~The board may require examination or reexamination.~~ The fee for reinstatement shall include the regular renewal fee plus the reinstatement fee.
- B. If the reinstatement application and fee are not received by the department within ~~one~~ two years following the expiration date noted on the certificate, the applicant shall apply as a new applicant and shall meet all current entry requirements as may be required by the board.

Historical Notes:

Virginia Register Volume 20, Issue 20, eff. July 14, 2004

18VAC145-30-130. Denial of application or renewal.

The board may, in its discretion, refuse to grant, renew or reinstate a certificate of any person for any of the reasons specified in Chapters 1, 2 or 22 of Title 54.1 of the Code of Virginia, as amended, and this chapter, including, but not limited to, Part IV of this chapter.

Historical Notes:

Virginia Register Volume 20, Issue 20, eff. July 14, 2004

PART IV.

STANDARDS OF PRACTICE AND CONDUCT

18VAC145-30-140. Standards of practice and conduct.

A Virginia certified professional wetland delineator:

1. Shall not submit any false statements, make any misrepresentations, or fail to disclose any facts requested concerning any application for certification or recertification.
2. Shall not engage in any fraud, deceit, or misrepresentation in advertising, in soliciting or in providing professional services.
3. Shall not knowingly sign any plans, drawings, blueprints, surveys, reports, specifications, maps, or other documents not prepared or reviewed and approved by the certificate holder.
4. Shall not knowingly represent a client or employer on a project on which the certificate holder represents or has represented another client or employer without making full disclosure thereof.
5. Shall express a professional opinion only when it is founded on adequate knowledge of established facts at issue and based on a background of technical competence in the subject matter.
6. Shall not knowingly misrepresent factual information in expressing a professional opinion.
- ~~7. Shall immediately notify the client or employer and the appropriate regulatory agency if the certificate holder's professional judgment is overruled and not adhered to when advising appropriate parties of any circumstances of a substantial threat to the public health, safety, or welfare.~~
- 8.7. Shall exercise reasonable care when rendering professional services and shall apply the technical knowledge, skill, and terminology ordinarily applied by practicing wetland professionals.
- ~~9. Shall sign and date all plans, drawings, blueprints, surveys, reports, specifications, maps, or other documents prepared or reviewed and approved by the certificate holder. The certified professional wetland delineator shall also indicate that he is a Virginia certified professional wetland delineator on all plans, drawings, blueprints,~~

~~surveys, reports, specifications, maps, or other documents prepared or reviewed and approved by the certificate holder and include his certificate number.~~

~~40.8.~~ Shall not utilize the design, drawings, specifications, or work of another regulant to complete or to replicate any work without the written consent of the person who or organization that owns the design, drawings, specifications, or work.

Historical Notes:

Virginia Register Volume 20, Issue 20, eff. July 14, 2004, Volume 35, Issue 21, eff. August 1, 2019

18VAC145-30-150. Grounds for suspension, revocation or other disciplinary action.

The board has the power to fine any certificate holder, and to suspend or revoke any certificate issued under the provisions of Title 54.1, Chapter 22 of the Code of Virginia, as amended, and the regulations of the board, where the certificate holder has been found to have violated or cooperated with others in violating any provision of Chapters 1, 2 or 22 of Title 54.1 of the Code of Virginia, as amended, or any regulation of the board.

Historical Notes:

Virginia Register Volume 20, Issue 20, eff. July 14, 2004

18VAC145-30-160. Change of address

A certificate holder shall keep the department informed of ~~his~~ current mailing address. Change of address shall be reported to the department in writing within 30 calendar days of the change.

Historical Notes:

Virginia Register Volume 20, Issue 20, eff. July 14, 2004

Included in this booklet are relevant excerpts from the *Code of Virginia*. Please note that the Virginia General Assembly is responsible for creating and amending the *Code*, not the Board for Professional Soil Scientists, Wetland Professionals and Geologists. The version contained herein contains all changes, if any, that have been made by the General Assembly through the 2013 session. Any changes made during the 2007 session became effective July 1, 2013, unless otherwise noted. It is your responsibility to stay informed of revisions to the regulations and the statutes governing your profession or occupation. Please consult the General Assembly or your local library for annual changes.

§ 54.1-2200. Definitions.

As used in this chapter, unless the context requires a different meaning:

"Board" means the Board for Professional Soil Scientists, Wetland Professionals, and Geologists.

"Department" means the Department of Professional and Occupational Regulation.

"Eligible soil scientist" means a person who possesses the qualifications specified in this chapter to become licensed.

"Eligible wetland professional" means a person who possesses the qualifications specified in this chapter to become certified.

"Geologist" means a person engaged in the public practice of geology.

"Geology" means the science dealing with (i) the earth and its history in general; (ii) the investigation, prediction, evaluation, and location of materials and structures which compose the earth; (iii) the natural processes that cause changes in the earth; and (iv) the application of knowledge of the earth, its processes, and its constituent rocks, minerals, liquids, gases, and other natural materials.

"Practice of geology" means the performance of any service or work for the general public wherein the principles and methods of geology are applied.

"Practice of soil evaluation" means the evaluation of soil by accepted principles and methods including, but not limited to, observation, investigation, and consultation on measured, observed and inferred soils and their properties; analysis of the effects of these properties on the use and management of various kinds of soil; and preparation of soil descriptions, maps, reports and interpretive drawings.

"Practice of wetland delineation" means the delineation of wetlands by accepted principles and methods including, but not limited to, observation, investigation, and consultation on soil, vegetation, and hydrologic parameters; and preparation of wetland delineations, descriptions, reports and interpretive drawings.

"Qualified geologist" means an uncertified person who possesses all the qualifications specified in this chapter for certification.

"Soil" means the groups of natural bodies occupying the unconsolidated portion of the earth's surface which are capable of supporting plant life and have properties caused by the combined effects, as modified by topography and time, of climate and living organisms upon parent materials.

"Soil evaluation" means plotting soil boundaries, describing and evaluating the kinds of soil and predicting their suitability for and response to various uses.

"Soil science" means the science dealing with the physical, chemical, mineralogical, and biological properties of soils as natural bodies.

"Soil scientist" means a person having special knowledge of soil science and the methods and principles of soil evaluation as acquired by education and experience in the formation, description and mapping of soils.

"Virginia certified professional geologist" means a person who possesses all qualifications specified in this chapter for certification and whose competence has been attested by the Board through certification.

"Virginia certified professional wetland delineator" means a person who possesses the qualifications required for certification by the provisions of this chapter and the regulations of the Board and who is granted certification by the Board.

"Virginia licensed professional soil scientist" means a person who possesses the qualifications required for licensure by the provisions of this chapter and the regulations of the Board and who has been granted a license by the Board.

"Wetland delineation" means delineating wetland limits in accordance with prevailing state and federal regulatory guidance and describing wetland types.

"Wetland professional" means a person having special knowledge of wetland science and the methods and principles of wetland delineation as acquired by education and experience in the formation, description and mapping of wetlands.

"Wetland science" means the science dealing with the physical, chemical, and biological properties of wetland systems integrated through ecological and morphological relationships.

"Wetlands" means the same as that term is defined in §§ [28.2-1300](#) and [62.1-44.3](#).

§ 54.1-2200.2. Board for Professional Soil Scientists, Wetland Professionals, and Geologists; membership; quorum.

A. Notwithstanding the provisions of § [54.1-200](#), the Board for Professional Soil Scientists, Wetland Professionals, and Geologists shall be composed of 13 members as follows: three

licensed professional soil scientists, three certified professional wetland delineators, three geologists, and three citizen members. The State Geologist shall serve as an ex officio member of the Board. The geologist members shall be of varied backgrounds. The professional soil scientist members shall have experience in at least one of the following areas: (i) soil mapping and classification, (ii) soil suitability and land use, (iii) teaching and research in soil science, and (iv) environmental protection regulations. Of the wetland professional members, one shall have experience in wetland delineation and description, one shall have experience in teaching and research in wetland science, and one shall have experience with natural resource regulations. Terms of the members shall be for four years.

B. The Board shall annually elect a chairman from its membership. Seven board members, consisting of at least two soil scientists, two professional wetland delineators, two geologists, and one citizen, shall constitute a quorum.

C. The Governor may select the professional soil scientist members from a list of at least three names for each vacancy submitted by the Virginia Association of Professional Soil Scientists. The Governor may notify the Virginia Association of Professional Soil Scientists of any professional vacancy other than by expiration among the professional soil scientist members of the Board and nominations may be made for the filling of the vacancy.

D. The Governor may select the wetland professionals from a list of at least three names for each vacancy submitted by the Virginia Association of Wetland Professionals. The Governor may notify and request nominations from the Virginia Association of Wetland Professionals of any professional vacancy other than by expiration among the wetland professional members.

§ 54.1-2201. Exceptions.

A. The certification program for wetland delineation set forth in this chapter shall be voluntary and shall not be construed to prohibit:

1. The practice of wetland delineation by individuals who are not certified professional wetland delineators as defined in this chapter;
2. The work of an employee or a subordinate of a certified professional wetland delineator or of an individual who is practicing wetland delineation without being certified;
3. The work of any professional engineer, landscape architect, or land surveyor as defined by § [54.1-400](#) in rendering any of the services that constitute the practice of wetland delineation or the practice of soil evaluation; or
4. The practice of any profession or occupation that is regulated by another regulatory board within the Department.

B. The licensing program for professional soil scientists shall not be construed to prohibit:

1. The work of an employee or a subordinate of a licensed soil scientist;

2. The work of any professional engineer, landscape architect, or land surveyor as defined in § [54.1-400](#) in rendering any services that constitute the practice of soil evaluation; or

3. The practice of any profession or occupation that is regulated by another regulatory board within the Department.

C. Nothing in this chapter shall authorize an individual to engage in the practice of engineering, the practice of land surveying or the practice of landscape architecture, unless such individual is licensed or certified pursuant to Chapter 4 (§ [54.1-400](#) et seq.).

§ 54.1-2203. Certification as wetland delineator.

A. Any person practicing or offering to practice as a wetland professional in the Commonwealth may submit to the Board evidence of qualification to be a certified professional wetland delineator as provided in this chapter. The Board may certify any applicant who has satisfactorily met the requirements of this chapter and its regulations and shall specify on the certificate the appropriate endorsement.

B. Any individual who allows his certification to lapse by failing to renew the certificate or failing to meet professional activity requirements stipulated in the regulations may be reinstated by the Board upon submission of satisfactory evidence that he is practicing in a competent manner and upon payment of the prescribed fee.

§ 54.1-2205. Requirements for certification.

A. In order to be certified as a professional soil scientist, an applicant shall achieve a score acceptable to the Board on an examination in the principles and practice of soil evaluation and satisfy one of the following criteria:

1. Hold a bachelor's degree from an accredited institution of higher education in a soils curriculum which has been approved by the Board and have at least four years of experience in soil evaluation, the quality of which demonstrates to the Board that the applicant is competent to practice as a professional soil scientist; or
2. Hold a bachelor's degree in one of the natural sciences and have at least five years of experience in soil evaluation, the quality of which demonstrates to the Board that the applicant is competent to practice as a professional soil scientist; or
3. Have a record of at least eight years of experience in soil evaluation, the quality of which demonstrates to the Board that the applicant is competent to practice as a professional soil scientist; or
4. Have at least four years of experience in soil science research or as a teacher of soils curriculum in an accredited institution of higher education which offers an approved four-year program in soils and at least two years of soil evaluation experience, the quality of which

demonstrates to the Board that the applicant is competent to practice as a professional soil scientist.

B. Notwithstanding the requirements in subsection A, any person appointed to serve on the Board as a professional soil scientist member prior to July 1, 1991, shall be deemed certified for the purposes of this chapter.

§ 54.1-2206. Waiver of examination.

A. The Board may waive the requirement for examination pursuant to § [54.1-2205](#) upon written application from an individual who holds an unexpired certificate or license, or its equivalent, issued by a regulatory body of another state, territory or possession of the United States and is not the subject of any disciplinary proceeding before such regulatory body which could result in the suspension or revocation of his certificate or license, if such other state, territory or possession recognizes the license issued by the Board.

~~B. The Board shall waive the requirement for examination pursuant to § [54.1-2206.2](#) upon the written application from an individual who holds an unexpired certificate or its equivalent issued by a regulatory body of another state, territory or possession of the United States or has been provisionally certified under the U.S. Army Corps of Engineers Wetland Delineator Certification Program of 1993 and is not the subject of any disciplinary proceeding before such regulatory body, which could result in the suspension or revocation of his certificate.~~

§ 54.1-2206.1. Requirements for application for professional wetland delineator certification.

The Board may certify any applicant as a Virginia certified professional wetland delineator who has submitted satisfactory evidence ~~verified by affidavits~~ that the applicant:

1. Is eighteen years of age or older;

~~2. Is of good moral character; and~~

~~3.2.~~ Has successfully completed such educational and experiential requirements as are required by this chapter and the regulations of the Board.

§ 54.1-2206.2. Requirements for professional wetland delineator certification.

In order to be certified as a professional wetland delineator, an applicant shall achieve a score acceptable to the Board on an examination, ~~which may include a field practicum, in the principles and practice of wetland delineation, provide three written references from wetland professionals with at least one from a certified professional wetland delineator,~~ and satisfy one of the following criteria:

1. Hold a bachelor's degree from an accredited institution of higher education in a wetland science, biology, biological engineering, civil and environmental engineering, ecology, soil science, geology, hydrology or any similar biological, physical, natural science or environmental engineering curriculum that has been approved by the Board; ~~have successfully completed a course of instruction, in state and federal wetland delineation methods, that has been approved by the Board;~~ and have at least ~~four~~two years of experience in wetland delineation, the quality of which demonstrates to the Board that the applicant is competent to practice as a certified professional wetland delineator;
2. Have a record of at least ~~six~~three years of experience in wetland delineation, the quality of which demonstrates to the Board that the applicant is competent to practice as a certified professional wetland delineator; or
3. Have a record of at least ~~four~~three years of experience in wetland science research or as a teacher of wetlands curriculum in an accredited institution of higher education, the quality of which demonstrates to the Board that the applicant is competent to practice as a certified professional wetland delineator.

§ 54.1-2207. Unprofessional conduct.

Any professional soil scientist who is licensed or any wetland delineator who is certified, as provided in this chapter, shall be considered guilty of unprofessional conduct and subject to disciplinary action by the Board, if he:

1. Obtains his certification or license through fraud or deceit;
2. Violates or cooperates with others in violating any provision of this chapter, the Code of Professional Ethics and Conduct or any regulation of the Board;
3. Performs any act likely to deceive, defraud or harm the public;
4. Demonstrates gross negligence, incompetence or misconduct in the practice of soil evaluation or wetland delineation; or

~~5. Is convicted of a felony.~~

5. that would render the applicant unfit or unsuited to engage in the occupation or profession applied for in accordance with § 54.1-204 of the Code of Virginia.

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§ 54.1-2208. Unlawful representation as a licensed professional soil scientist or certified wetland delineator.

A. No person shall represent himself as a licensed professional soil scientist unless he has been so licensed by the Board. Any person practicing or offering to practice soil evaluation within the meaning of this chapter who, through verbal claim, sign, advertisement, or letterhead, represents himself as a licensed professional soil scientist without holding a license from the Board shall be guilty of a Class 1 misdemeanor.

B. No person shall represent himself as a certified professional wetland delineator unless he has been so certified by the Board. Any person practicing or offering to practice wetland delineation within the meaning of this chapter who, through verbal claim, sign, advertisement, or letterhead, represents himself as a certified professional wetland delineator without holding such a certificate from the Board shall be guilty of a Class 1 misdemeanor.

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Department of Professional and Occupational Regulation

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NOTICE
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COMMONWEALTH OF VIRGINIA
BOARD FOR PROFESSIONAL SOIL SCIENTISTS, WETLAND
PROFESSIONALS AND GEOLOGISTS



**REGULATIONS Governing
Professional
Soil Scientists**

Last Updated March 1, 2015

STATUTES

Title 54.1, Chapter 22



Department of Professional and Occupational Regulation

9960 Mayland Drive, Suite 400

Richmond, VA 23233
(804) 367-8500

www.dpor.virginia.gov

NOTICE

SUMMARY OF SIGNIFICANT CHANGES

Included in this document are relevant excerpts from the Virginia Administrative Code. Please note that the Board for Professional Soil Scientists, Wetland Professionals and Geologists, is responsible for promulgating regulations in accordance with the Administrative Process Act (§ 2.2-4000 et seq.), and the Virginia Code Commission is responsible for compiling and codifying all of the administrative regulations of state agencies into the Virginia Administrative Code.

It is your responsibility to stay informed and follow all regulations and statutes governing your profession or occupation. As a regulant of the Board, you should read and become familiar with all regulations applicable to your profession or occupation. You can stay informed of regulatory actions that may result in changes to the regulations at Virginia Regulatory Town Hall (www.townhall.virginia.gov).

This document is a complete, edited (unofficial) copy of the March 1, 2015 Regulations (18 VAC 145-20). Please refer to the Virginia Administrative Code for an official copy of the regulations applicable to your profession or occupation. You can access the Virginia Administrative Code online at <http://leg1.state.va.us/000/reg/TOC.HTM>.

The following summarizes significant revisions to the regulations effective March 1, 2015, but does not include all changes that were made to the Professional Soil Scientists Regulations.

- The purpose of the revision in the regulations changes the soil scientist regulatory program from a voluntary certification program to a mandatory licensure program.

STATEMENT OF PURPOSE

This booklet contains the information you will need to obtain your license as a professional soil scientist. The law that governs your profession is found in the *Code of Virginia*, 1950, as amended, in Chapter 22 of Title 54.1. That law permits the Department of Professional and Occupational Regulation to issue regulations that tell you more about what is expected of you in your profession. This booklet contains a copy of the law and regulations that you will need to know and obey to get and keep your license. BE SURE YOU READ AND UNDERSTAND THE STANDARDS OF PRACTICE AND CONDUCT. YOUR FAILURE TO OBEY THESE STANDARDS COULD RESULT IN A MONETARY PENALTY OR THE LOSS OF YOUR LICENSE, CERTIFICATE OR REGISTRATION.

It is the goal of the Department of Professional and Occupational Regulation to provide you with the information you need to comply with the law and regulations. If you have a question and cannot find the answer to it in this booklet, please write to:

Board for Professional Soil Scientists, Wetland Professionals and Geologists
Department of Professional and Occupational Regulation
9960 Mayland Drive, Suite 400
Richmond, Virginia 23233

or call the Agency at (804) 367-8500.

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PART I.

GENERAL

18VAC145-20-10. Definitions.

Section 54.1-2200 of the Code of Virginia provide definitions of the following terms and phrases as used in this chapter.

Board
Soil
Soil evaluation
Soil science
Soil scientist

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise.

"Application" means a completed application with the appropriate fee and any other required documentation, including but not limited to references, employment verification, degree verification, and verification of examination and licenses.

"CSSE" means the Council of Soil Science Examiners.

"Field study" means the investigation of a site to secure soils information by means of landscape analysis and soil borings, excavations or test pits which are plotted on a base map or other documents (e.g., aerial photographs, topographic maps, scaled site plans, subdivision plans, or narrative description of the location).

"Soil map" means a map showing distribution of soil types or other soil mapping units in relation to the prominent landforms and cultural features of the earth surface.

"Soil survey" means a systematic field investigation of the survey area that provides a soil evaluation and a system of uniform definitions of soil characteristics for all the different kinds of soil found within the study area, all of which are incorporated into a soil report which includes a soil map.

Historical Notes:

Derived from VR627-02-01 §1.1, eff. June 1, 1989; amended, Virginia Register Volume 9, Issue 14, eff. May 5, 1993; Volume 18, Issue 7, eff. January 16, 2002; Virginia Register Volume 31, Issue 10, eff. March 1, 2015.

PART II.

ENTRY

18VAC145-20-60. General application requirements.

A. Applicants for licensure shall meet the requirements established in Chapter 22 (§54.1-2200 et seq.) of Title 54.1 of the Code of Virginia.

A.B. Current mailing address.

~~B.~~ ~~All applications and accompanying materials become the property of the board upon receipt by the board.~~

C. The board may make further inquiries and investigations with respect to applicants' qualifications and documentation to confirm or amplify information supplied.

D. Applicants who do not meet the requirements of this chapter may be approved following consideration by the board in accordance with the provisions of the Virginia Administrative Process Act (§2.2-4000 et seq. of the Code of Virginia).

Historical Notes:

Derived from VR627-02-01 §2.1, eff. June 1, 1989; amended, Virginia Register Volume 9, Issue 14, eff. May 5, 1993; Virginia Register Volume 31, Issue 10, eff. March 1, 2015.

18VAC145-20-70. Repealed.

18VAC145-20-90. Qualifying experience in soil evaluation.

Minimum experience requirements are established in Chapter 22 (§54.1-2200 et seq.) of Title 54.1 of the Code of Virginia. Applicants shall satisfy the length of experience established relative to their education. Applicants shall demonstrate experience in two or more of the following areas:

1. Soil mapping. Compiled soil maps representing at least 5,000 acres as part of a soil survey or surveys with a formal mapping legend under the direct guidance of an experienced technical supervisor. Only maps in a published report, a report scheduled to be published or a report of a publishable quality shall be deemed as acceptable for this type of experience;
2. Soil evaluation. Conducted at least 20 soil evaluations for specific land uses under the direct guidance of an experienced technical supervisor. Examples of such uses include, but are not limited to, onsite wastewater disposal, residential and commercial development, sanitary landfill sites, forestry or agriculture production, soil erosion and

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sediment control, shrink-swell, or hydric soils. The finished product must have been submitted to a client or government agency (e.g., Health Department, Environmental

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Protection Agency, Department of Environmental Quality, Department of Conservation and Recreation, or local planning commission);

3. Field/Laboratory studies. Conducted at least 10 detailed field or laboratory studies under the direct guidance of an experienced technical supervisor. The field or laboratory study must have resulted in a soil evaluation report that was accepted by the client or government agency;
4. Research/Teaching. Conducted at least one research project as part of a thesis or publication or taught at least one full-time course in a soil science curriculum at an accredited institution of higher education the quality of which demonstrates to the board that the applicant is competent to practice as a professional soil scientist;
5. Consulting (public/private). Assembled or compiled soil information with existing data or field studies and evaluated data for a specific land use. The work may have been done independently or under supervision. At least three written reports must have been submitted to the client or government agency; or

~~6. Education. Each year of full-time undergraduate study in a soils curriculum or related natural science may count as one-half year of experience up to a maximum of two years. Each year of full-time graduate study in a soils curriculum may count as one year of experience up to a maximum of two years. One year equals 30 semester credit hours earned or 45 quarter credit hours earned. Any credits used to meet the education requirements established in Chapter 22 (§54.1-2200 et seq.) of Title 54.1 of the Code of Virginia may not be used to meet experience requirements.~~

Historical Notes:

Derived from VR627-02-01 §2.4, eff. June 1, 1989; amended, Virginia Register Volume 9, Issue 14, eff. May 5, 1993; Volume 18, Issue 7, eff. January 16, 2002; Virginia Register Volume 31, Issue 10, eff. March 1, 2015.

18VAC145-20-91. Core course requirements.

At least 15 semester hours ~~selected from the identified courses in this subsection or the equivalent are required for course work or a degree core to be considered a degree~~ in a soil science ~~related curriculum are required for a related natural science degree.~~ The course must contain content that enhances applicants' knowledge in the study of soils. Applicants must demonstrate course equivalency in order to receive academic credit. Petitions to the board for such review must be made in writing.

~~A.~~

Intro to Crop and Soil Environmental Sciences	Soil—Plant—Animal Interrelationships in Grasslands
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Soil Evaluation	Aluminum Chemistry in the Soil System
Soils	Soil Physics or Physical Properties
Soils Lab	Soil Genesis/Classification
Man and Environment	Soil Fertility/Management
Soil Survey/Taxonomy	Soil Fertility/Management Lab

Soil Microbiology	Soil/Groundwater Pollution
Soil Resource Management	Soils for Waste Disposal
Soil Chemistry	Soil Microbiology Lab
Topics in Soil Genesis	Forest Soils/Hydrology
Soil Seminar	Clay Mineralogy
Special Studies(Soils Based)	Soil Interpretations
Field Studies (Soils Based)	Advanced Concepts in Soil Genesis
Soils and Land Use	Independent Studies (Soil Based)
Soil Physical and Colloidal Chemistry	Soil Biochemistry
Soil-Plant Relations	Soil Geomorphology
	Soil Conservation

~~B.A. — Applicants may petition the board to review the syllabus and other supporting documents of a course not listed in subsection A of this section for academic credit. The course must contain content that enhances applicants' knowledge in the study of soils. Applicants must demonstrate course equivalency in order to receive academic credit. Petitions to the board for such review must be made in writing.~~

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Historical Notes:

Derived from Virginia Register Volume 18, Issue 7, eff. January 16, 2002; Virginia Register Volume 31, Issue 10, eff. March 1, 2015.

18VAC145-20-100. Examination.

A. Applicants shall be required to pass all parts of the CSSE-prepared exams.

~~B. — Applicants shall meet all other requirements established in Chapter 22 (§54.1-2200 et seq.) of Title 54.1 of the Code of Virginia in order to be granted board approval to sit for the exam.~~

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B. Completed applications must be received by the board no less than 60 days prior to the exam date or the applicants may be deferred to the next exam administration. **PARKING LOT** – contacting association to determine if decoupling will affect them.

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C. Applicants approved by the board shall be exam-eligible for a period of three years from the date of their initial board approval. Applicants who do not pass the exam at the end of the three-year period are no longer exam-eligible. PARKING LOT as above

E. To become exam-eligible again, applicants shall reapply to the board and meet all entry requirements current at the time of their reapplication. Upon approval by the board, applicants shall become exam-eligible for another period of three years.

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F.D. Board-approved applicants eligible for admission to both parts of the exam must first pass the Fundamentals in Soil Science exam before being admitted to the Professional Practices in Soil Science exam. PARKING LOT

G.E. Applicants will be notified by the board of whether they passed or failed the exam. The exam may not be reviewed by the applicants. Exam scores are final and not subject to change. PARKING LOT

Historical Notes:

Derived from VR627-02-01 §2.5, eff. June 1, 1989; amended, Virginia Register Volume 9, Issue 14, eff. May 5, 1993; Volume 18, Issue 7, eff. January 16, 2002; Virginia Register Volume 31, Issue 10, eff. March 1, 2015.

18VAC145-20-111. Repealed.

PART III.

RENEWAL/REINSTATEMENT AND FEES

18VAC145-20-120. Expiration.

Licenses issued under this chapter shall expire two years from the last day of the month in which they were issued, ~~as indicated on the license.~~

Historical Notes:

Derived from VR627-02-01 §3.1, eff. June 1, 1989; amended, Virginia Register Volume 9, Issue 14, eff. May 5, 1993; Volume 18, Issue 7, eff. January 16, 2002; Virginia Register Volume 31, Issue 10, eff. March 1, 2015.

18VAC145-20-130. Procedures for Renewal.

- A. The board ~~will send~~s a renewal notice to the license holder ~~at the last known address of record~~ at least 30 days prior to expiration of the license. Failure to receive this notice does not relieve the license holder from the requirement to renew the license. License holders shall keep the board informed of their current mailing address. Changes of address shall be reported to the board in writing within 30 calendar days of the change. PARKING LOT – make this its own designation.
- B. In addition to the established fee, proof of satisfactory completion of continuing education (CE) shall be required to renew a license. Documentation submitted as proof of completion of CE must demonstrate that the CE meets the requirements established in 18VAC145-20-145.
- C. If the renewal fee and proof of completion of CE are not received by the board within 30 days following the license expiration date, a late renewal fee of \$25 shall be required in addition to the regular renewal fee. Upon receipt of the requisite fee and proof of completion of CE, the license shall be renewed for an additional two years. A license that is not renewed within six months after its expiration is no longer eligible for renewal. The license may be reinstated pursuant to the requirements of 18VAC145-20-140.
- D. The date the fee and documented proof of completion of CE are received by the board or its agent shall determine whether a late renewal fee, the reinstatement fee, or reapplication is required.
- E. A licensee applying for renewal or reinstatement shall not receive credit for completing a CE activity with the same content more than once during the time period prior to the renewal or reinstatement.

E.F. A license suspended by board order may not be renewed until the period of suspension has ended and all terms and conditions of the board's order have been met. Individuals

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renewing licenses within 30 days after the suspension is lifted will not be required to pay a late fee.

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F-G. A revoked license may not be renewed. An individual whose license has been revoked shall file a new application and obtain board approval to recover licensure. Examination may not be waived.

Historical Notes:

Derived from VR627-02-01 §3.2, eff. June 1, 1989; amended, Virginia Register Volume 9, Issue 14, eff. May 5, 1993; Volume 18, Issue 7, eff. January 16, 2002; Virginia Register Volume 31, Issue 10, eff. March 1, 2015.

18VAC145-20-140. Reinstatement.

- A. If the renewal fee, late renewal fee, and documented proof of completion of CE are not received by the board within six months following the license expiration date, the license holder shall be required to pay the fee for reinstatement. The fee for reinstatement shall include the regular renewal fee plus the reinstatement fee.
- B. If the reinstatement fee and documented proof of completion of CE are not received by the board within ~~one~~ two years following the license expiration date, the individual shall no longer be ~~considered a license holder eligible for reinstatement~~. To become licensed again, the individual shall apply as a new applicant, meet all current education, experience, and examination requirements established in this chapter.

Historical Notes:

Derived from VR627-02-01 §3.3, eff. June 1, 1989; amended, Virginia Register Volume 9, Issue 14, eff. May 5, 1993; Volume 18, Issue 7, eff. January 16, 2002; Virginia Register Volume 31, Issue 10, eff. March 1, 2015.

18VAC145-20-145. Continuing education requirements.

- A. Licensees shall complete eight ~~contact~~ hours of continuing education (CE) per ~~year for~~ renewal period or reinstatement. CE shall be completed pursuant to the provisions of this section.
- B. CE must be completed during the time prior to the renewal or reinstatement of a license and shall be valid for that renewal or reinstatement only.
- C. CE activities completed by licensees may be accepted by the board provided the activity:
 - 1. Consists of content and subject matter directly related to the practice of soil science;
 - 2. Has a clear purpose and objective that will maintain, improve, or expand the skills and knowledge relevant to the practice of soil science and may be in areas related to business practices, including project management, risk management, and ethics,

that have demonstrated relevance to the practice of soil science as defined in § 54.1-2200 of the Code of Virginia;

~~3. Is taught by instructors who are competent in the subject matter, either by education or experience, for those activities involving an interaction with an instructor;~~

~~4.3. _____ Contains an assessment by the sponsor at the conclusion of the self directed activity that verifies that the licensee has successfully achieved the purpose and objective for any self directed activity; and~~

~~4. Results in documentation that verifies the licensee's successful completion of the activity.~~

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~~D. Computation of credit.~~

~~1. Fifty contact minutes shall equal one hour of CE. For activities that consist of segments that are less than 50 minutes, those segments shall be totaled for computation of CE for that activity.~~

~~2. The number of hours required to successfully complete any CE activity must have been predetermined by the sponsor. A licensee shall not claim more credit for any CE activity than was predetermined by the sponsor at the time the activity was completed.~~

~~3. A licensee may not receive credit for any CE activity that was not completed in its entirety. No credit shall be given for partial completion of a CE activity.~~

~~4. A licensee applying for renewal or reinstatement shall not receive credit for completing a CE activity with the same content more than once during the time period prior to the renewal or reinstatement.~~

Historical Notes:

Derived from Virginia Register Volume 31, Issue 10, eff. March 1, 2015.

18VAC145-20-151. Fees.

The fees for licensure are listed below. Checks or money orders shall be made payable to the Treasurer of Virginia. All fees required by the board are nonrefundable. In the event that a check, money draft, or similar instrument for payment of a fee required by statute or regulation is not honored by the bank or financial institution named, the applicant or regulant shall be required to remit fees sufficient to cover the original fee, plus an additional processing charge as authorized by § [2.2-614.1](#) C of the Code of Virginia.

Fee Type	When Due	Amount Due
New application	With application	\$90
Renewal fee	Prior to license expiration	\$70
Late renewal fee	More than 30 days after license expiration	\$25
Reinstatement fee	More than six months after license expiration	\$90

Historical Notes

Derived from Virginia Register Volume 18, Issue 7, eff. January 16, 2002; amended, Virginia Register Volume 21, Issue 3, eff. December 1, 2004; Volume 26, Issue 22, eff. September 1, 2010; Virginia Register Volume 31, Issue 10, eff. March 1, 2015.

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PART IV.

STANDARDS OF PRACTICE AND CONDUCT

18VAC145-20-160. Professional conduct.

A licensed professional soil scientist:

1. Shall not submit any false statements, make any misrepresentations or fail to disclose any facts requested concerning any application for initial licensure, renewal, or reinstatement;
2. Shall not engage in any fraud, deceit or misrepresentation in advertising, in soliciting or in providing professional services;
3. Shall not knowingly sign, stamp, or seal any plans, drawings, blueprints, surveys, reports, specifications, maps or other documents not prepared or reviewed and approved ~~him~~ the licensed professional;
4. Shall not knowingly represent a client or employer on a project on which he represents or has represented another client or employer without making full disclosure thereof;
5. Shall express a professional opinion only when it is founded on adequate knowledge of established facts at issue and based on a background of technical competence in the subject matter;
6. Shall not knowingly misrepresent factual information in expressing a professional opinion;
7. Shall immediately notify the client or employer and the appropriate regulatory agency if his professional judgment is overruled and not adhered to when advising appropriate parties of any circumstances of a substantial threat to the public health, safety, or welfare; and
8. Shall exercise reasonable care when rendering professional services and shall apply the technical knowledge, skill, and terminology ordinarily applied by practicing soil scientists.

Historical Notes:

Derived from VR627-02-01 §4.1, eff. June 1, 1989; amended, Virginia Register Volume 9, Issue 14, eff. May 5, 1993; Volume 18, Issue 7, eff. January 16, 2002; Virginia Register Volume 31, Issue 10, eff. March 1, 2015.

18VAC145-20-170. Sanctions and powers of the board.

- A. The board has the power to sanction any license holder at any time after a hearing conducted pursuant to the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia). Sanctions may include but are not limited to the issuance of fines, the suspension of a license, the revocation of a license, or the levying of an additional requirement for remedial education. Sanctions may be levied against any regulant who has been determined by the board to have:
1. Committed fraud or deceit in obtaining or attempting to obtain initial licensure, renewal, or reinstatement;
 2. Performed any act in the practice of his profession likely to deceive, defraud, or harm the public;
 3. Committed any act of gross negligence, incompetence, or misconduct in the practice of soil science;
 4. Been convicted of a felony under the terms specified in § 54.1-204 of the Code of Virginia; or
 5. Violated or cooperated with others having violated any provisions of Chapter 22 (§ 54.1-2200 et seq.) of Title 54.1 of the Code of Virginia or any regulation of the board.
- B. The board may refuse to grant, renew, or reinstate the license of any person for any of the reasons specified in subsection A of this section or in circumstances where an individual fails to comply with the requirements of Chapter 22 (§ 54.1-2200 et seq.) of the Code of Virginia and this chapter.

Historical Notes:

Derived from VR627-02-01 §4.2, eff. June 1, 1989; amended, Virginia Register Volume 9, Issue 14, eff. May 5, 1993; Volume 18, Issue 7, eff. January 16, 2002; Virginia Register Volume 31, Issue 10, eff. March 1, 2015.

Included in this booklet are relevant excerpts from the *Code of Virginia*. Please note that the Virginia General Assembly is responsible for creating and amending the *Code*, not the Board for Professional Soil Scientists, Wetland Professionals and Geologists. The version contained herein contains all changes, if any, that have been made by the General Assembly through the 2013 session. Any changes made during the 2007 session became effective July 1, 2013, unless otherwise noted. It is your responsibility to stay informed of revisions to the regulations and the statutes governing your profession or occupation. Please consult the General Assembly or your local library for annual changes.

§ 54.1-2200. Definitions.

As used in this chapter, unless the context requires a different meaning:

"Board" means the Board for Professional Soil Scientists, Wetland Professionals, and Geologists.

"Department" means the Department of Professional and Occupational Regulation.

"Eligible soil scientist" means a person who possesses the qualifications specified in this chapter to become licensed.

"Eligible wetland professional" means a person who possesses the qualifications specified in this chapter to become certified.

"Geologist" means a person engaged in the public practice of geology.

"Geology" means the science dealing with (i) the earth and its history in general; (ii) the investigation, prediction, evaluation, and location of materials and structures which compose the earth; (iii) the natural processes that cause changes in the earth; and (iv) the application of knowledge of the earth, its processes, and its constituent rocks, minerals, liquids, gases, and other natural materials.

"Practice of geology" means the performance of any service or work for the general public wherein the principles and methods of geology are applied.

"Practice of soil evaluation" means the evaluation of soil by accepted principles and methods including, but not limited to, observation, investigation, and consultation on measured, observed and inferred soils and their properties; analysis of the effects of these properties on the use and management of various kinds of soil; and preparation of soil descriptions, maps, reports and interpretive drawings.

"Practice of wetland delineation" means the delineation of wetlands by accepted principles and methods including, but not limited to, observation, investigation, and consultation on soil, vegetation, and hydrologic parameters; and preparation of wetland delineations, descriptions, reports and interpretive drawings.

"Qualified geologist" means an uncertified person who possesses all the qualifications specified in this chapter for certification.

"Soil" means the groups of natural bodies occupying the unconsolidated portion of the earth's surface which are capable of supporting plant life and have properties caused by the combined effects, as modified by topography and time, of climate and living organisms upon parent materials.

"Soil evaluation" means plotting soil boundaries, describing and evaluating the kinds of soil and predicting their suitability for and response to various uses.

"Soil science" means the science dealing with the physical, chemical, mineralogical, and biological properties of soils as natural bodies.

"Soil scientist" means a person having special knowledge of soil science and the methods and principles of soil evaluation as acquired by education and experience in the formation, description and mapping of soils.

"Virginia certified professional geologist" means a person who possesses all qualifications specified in this chapter for certification and whose competence has been attested by the Board through certification.

"Virginia certified professional wetland delineator" means a person who possesses the qualifications required for certification by the provisions of this chapter and the regulations of the Board and who is granted certification by the Board.

"Virginia licensed professional soil scientist" means a person who possesses the qualifications required for licensure by the provisions of this chapter and the regulations of the Board and who has been granted a license by the Board.

"Wetland delineation" means delineating wetland limits in accordance with prevailing state and federal regulatory guidance and describing wetland types.

"Wetland professional" means a person having special knowledge of wetland science and the methods and principles of wetland delineation as acquired by education and experience in the formation, description and mapping of wetlands.

"Wetland science" means the science dealing with the physical, chemical, and biological properties of wetland systems integrated through ecological and morphological relationships.

"Wetlands" means the same as that term is defined in §§ [28.2-1300](#) and [62.1-44.3](#).

§ 54.1-2200.2. Board for Professional Soil Scientists, Wetland Professionals, and Geologists; membership; quorum.

A. Notwithstanding the provisions of § [54.1-200](#), the Board for Professional Soil Scientists, Wetland Professionals, and Geologists shall be composed of 13 members as follows: three

licensed professional soil scientists, three certified professional wetland delineators, three geologists, and three citizen members. The State Geologist shall serve as an ex officio member of the Board. The geologist members shall be of varied backgrounds. The professional soil scientist members shall have experience in at least one of the following areas: (i) soil mapping and classification, (ii) soil suitability and land use, (iii) teaching and research in soil science, and (iv) environmental protection regulations. Of the wetland professional members, one shall have experience in wetland delineation and description, one shall have experience in teaching and research in wetland science, and one shall have experience with natural resource regulations. Terms of the members shall be for four years.

B. The Board shall annually elect a chairman from its membership. Seven board members, consisting of at least ~~two~~one soil scientists, ~~two~~one professional wetland delineators, ~~two~~one geologists, and one citizen, shall constitute a quorum.

C. The Governor may select the professional soil scientist members from a list of at least three names for each vacancy submitted by the Virginia Association of Professional Soil Scientists. The Governor may notify the Virginia Association of Professional Soil Scientists of any professional vacancy other than by expiration among the professional soil scientist members of the Board and nominations may be made for the filling of the vacancy. **PARKING LOT -**

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D. The Governor may select the wetland professionals from a list of at least three names for each vacancy submitted by the Virginia Association of Wetland Professionals. The Governor may notify and request nominations from the Virginia Association of Wetland Professionals of any professional vacancy other than by expiration among the wetland professional members.

§ 54.1-2201. Exceptions.

A. The certification program for wetland delineation set forth in this chapter shall be voluntary and shall not be construed to prohibit:

1. The practice of wetland delineation by individuals who are not certified professional wetland delineators as defined in this chapter;
2. The work of an employee or a subordinate of a certified professional wetland delineator or of an individual who is practicing wetland delineation without being certified;
3. The work of any professional engineer, landscape architect, or land surveyor as defined by § [54.1-400](#) in rendering any of the services that constitute the practice of wetland delineation or the practice of soil evaluation; or
4. The practice of any profession or occupation that is regulated by another regulatory board within the Department.

B. The licensing program for professional soil scientists shall not be construed to prohibit:

1. The work of an employee or a subordinate of a licensed soil scientist;

2. The work of any professional engineer, landscape architect, or land surveyor as defined in § [54.1-400](#) in rendering any services that constitute the practice of soil evaluation; or

3. The practice of any profession or occupation that is regulated by another regulatory board within the Department.

C. Nothing in this chapter shall authorize an individual to engage in the practice of engineering, the practice of land surveying or the practice of landscape architecture, unless such individual is licensed or certified pursuant to Chapter 4 (§ [54.1-400](#) et seq.).

§ 54.1-2203. Certification as wetland delineator.

A. Any person practicing or offering to practice as a wetland professional in the Commonwealth may submit to the Board evidence of qualification to be a certified professional wetland delineator as provided in this chapter. The Board may certify any applicant who has satisfactorily met the requirements of this chapter and its regulations and shall specify on the certificate the appropriate endorsement.

B. Any individual who allows his certification to lapse by failing to renew the certificate or failing to meet professional activity requirements stipulated in the regulations may be reinstated by the Board upon submission of satisfactory evidence that he is practicing in a competent manner and upon payment of the prescribed fee.

§ 54.1-2205. License required; application; requirements for licensure; continuing education

A. No person shall engage in, or offer to engage in, the practice of soil evaluation in the Commonwealth unless he has been licensed under the provisions of this chapter.

B. In order to be licensed as a professional soil scientist, an applicant shall:

1. Submit satisfactory evidence verified by affidavits that the applicant:

a. Is 18 years of age or older;

b. Is of good moral character; and

c. Has successfully completed such educational and experiential requirements as are required by this chapter and the regulations of the Board.

- Achieve a score acceptable to the Board on an examination in the principles and practice of soil evaluation and satisfy one of the following criteria:
 - Hold a bachelor's degree from an accredited institution of higher education in a soils curriculum which has been approved by the Board and have at least ~~four~~two years of experience in soil evaluation, the quality of which demonstrates to the Board that the applicant is competent to practice as a professional soil scientist; or
 - have three years of experience in soil evaluation the quality of which demonstrates to the Board that the applicant is competent to practice as a professional soil scientist.

~~d. Hold a bachelor's degree in one of the natural sciences and have at least five years of experience in soil evaluation, the quality of which demonstrates to the Board that the applicant is competent to practice as a professional soil scientist; or~~

~~e. Have a record of at least eight years of experience in soil evaluation, the quality of which demonstrates to the Board that the applicant is competent to practice as a professional soil~~

scientist; or

- f. Have at least four years of experience in soil science research or as a teacher of soils curriculum in an accredited institution of higher education which offers an approved four-year program in soils and at least two years of soil evaluation experience, the quality of which

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~~demonstrates to the Board that the applicant is competent to practice as a professional soil scientist.~~

C. The Board shall establish by regulation requirements for continuing education as a prerequisite to the maintenance and renewal of a license issued under this chapter, not to exceed eight contact hours per ~~year~~renewal cycle.

~~D. Individuals applying for a license as a professional soil scientist between July 1, 2013, and July 1, 2015, who (i) have been certified as professional soil scientists by the Board or (ii) have achieved a score set by the Board on the examination required by this section shall be licensed by the Board if all other requirements of this chapter or Board regulations have been met, unless an applicant is found by the Board to have engaged in any act that would constitute grounds for disciplinary action.~~

1987, c. 626, § 54-975; 1988, c. 765; 1991, c. 181; 2011, cc. [777](#), [859](#).

§ 54.1-2206. Waiver of examination.

A. The Board may waive the requirement for examination pursuant to § [54.1-2205](#) upon written application from an individual who holds an unexpired certificate or license, or its equivalent, issued by a regulatory body of another state, territory or possession of the United States and is not the subject of any disciplinary proceeding before such regulatory body which could result in the suspension or revocation of his certificate or license, if such other state, territory or possession recognizes the license issued by the Board.

~~B. The Board shall waive the requirement for examination pursuant to § [54.1-2206.2](#) upon the written application from an individual who holds an unexpired certificate or its equivalent issued by a regulatory body of another state, territory or possession of the United States or has been provisionally certified under the U.S. Army Corps of Engineers Wetland Delineator Certification Program of 1993 and is not the subject of any disciplinary proceeding before such regulatory body, which could result in the suspension or revocation of his certificate.~~

§ 54.1-2206.1. Requirements for application for professional wetland delineator certification.

The Board may certify any applicant as a Virginia certified professional wetland delineator who has submitted satisfactory evidence ~~verified by affidavits~~ that the applicant:

1. Is eighteen years of age or older;

~~2. Is of good moral character, and~~

~~3.2. Has successfully completed such educational and experiential requirements as are required by this chapter and the regulations of the Board.~~

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§ 54.1-2206.2. Requirements for professional wetland delineator certification.

In order to be certified as a professional wetland delineator, an applicant shall achieve a score acceptable to the Board on an examination, ~~which may include a field practicum, in the principles and practice of wetland delineation, provide three written references from wetland professionals with at least one from a certified professional wetland delineator,~~ and satisfy one of the following criteria:

1. Hold a bachelor's degree from an accredited institution of higher education in a wetland science, biology, biological engineering, civil and environmental engineering, ecology, soil science, geology, hydrology or any similar biological, physical, natural science or environmental engineering curriculum that has been approved by the Board; ~~have successfully completed a course of instruction, in state and federal wetland delineation methods, that has been approved by the Board;~~ and have at least ~~four~~two years of experience in wetland delineation, the quality of which demonstrates to the Board that the applicant is competent to practice as a certified professional wetland delineator;
2. Have a record of at least ~~six~~three years of experience in wetland delineation, the quality of which demonstrates to the Board that the applicant is competent to practice as a certified professional wetland delineator; or
3. Have a record of at least ~~four~~three years of experience in wetland science research or as a teacher of wetlands curriculum in an accredited institution of higher education, the quality of which demonstrates to the Board that the applicant is competent to practice as a certified professional wetland delineator.

§ 54.1-2207. Unprofessional conduct.

Any professional soil scientist who is licensed or any wetland delineator who is certified, as provided in this chapter, shall be considered guilty of unprofessional conduct and subject to disciplinary action by the Board, if he:

1. Obtains his certification or license through fraud or deceit;
2. Violates or cooperates with others in violating any provision of this chapter, the Code of Professional Ethics and Conduct or any regulation of the Board;
3. Performs any act likely to deceive, defraud or harm the public;
4. Demonstrates gross negligence, incompetence or misconduct in the practice of soil evaluation or wetland delineation; or

~~5. Is convicted of a felony.~~

~~5. that would render the applicant unfit or unsuited to engage in the occupation or profession applied for in accordance with § 54.1-204 of the Code of Virginia.~~

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§ 54.1-2208. Unlawful representation as a licensed professional soil scientist or certified wetland delineator.

A. No person shall represent himself as a licensed professional soil scientist unless he has been so licensed by the Board. Any person practicing or offering to practice soil evaluation within the meaning of this chapter who, through verbal claim, sign, advertisement, or letterhead, represents himself as a licensed professional soil scientist without holding a license from the Board shall be guilty of a Class 1 misdemeanor.

B. No person shall represent himself as a certified professional wetland delineator unless he has been so certified by the Board. Any person practicing or offering to practice wetland delineation within the meaning of this chapter who, through verbal claim, sign, advertisement, or letterhead, represents himself as a certified professional wetland delineator without holding such a certificate from the Board shall be guilty of a Class 1 misdemeanor.

§ 54.1-2208.1. Exemptions.

A. The certification program set forth in this article is voluntary and shall not be construed to prevent or affect the practice of geology by uncertified geologists; however, no person may represent himself as a Virginia certified professional geologist unless he has been so certified by the Board.

B. This article shall not prevent or affect the practice of any profession or trade for which licensing, certification, or registration is required under any other Virginia law, including the practice of licensed professional engineers lawfully practicing engineering in its various specialized branches.

(1981, c. 132, § 54-968; 1988, c. 765, § 54.1-1401; 2012, cc. 803, 835.)

§ 54.1-2208.2. Certification; minimum qualifications.

A. Any person practicing or offering to practice as a geologist or in a geological specialty in this Commonwealth may submit reasonable evidence to the Board that he is qualified to practice and to be certified as provided in this article. The Board shall approve the application for certification of any person who, in the opinion of the Board, has satisfactorily met the requirements of this article and who has paid any applicable fees fixed by the Board. Certifications shall expire at intervals as designated by the Board. A certification may be renewed by the Board upon receipt of a formal request accompanied by any applicable fees.

B. To be eligible for certification as a professional geologist, an applicant shall meet each of the following minimum qualifications:

1. Be of ethical character.

2. Have a baccalaureate or higher degree from an accredited college or university with either a major in geology, engineering geology, geological engineering, or related geological sciences; or have completed at least 30 semester hours or the equivalent in geological science courses ~~leading to a major in geology.~~

3. Have at least seven years of geological work that shall include either a minimum of three years of geological work under the supervision of a qualified or certified professional geologist or a minimum of three years of experience in responsible charge of geological work. The adequacy of the position and the required supervision and experience shall be determined by the Board in accordance with standards set forth in its regulations. The following criteria of education and experience qualify toward the required seven years of geological work:

a. Each year of full-time undergraduate study in the geological sciences shall count as one-half year of experience up to a maximum of two years, and each year of full-time graduate study shall count as a year of experience up to a maximum of three years. Credit for undergraduate and graduate study shall in no case exceed a total of four years toward meeting the requirements for at least seven years of geological work.

b. The Board may consider, in lieu of the above-described geological work, the cumulative total of geological work or geological research of persons occupying research or post-graduate positions as well as those teaching geology courses at the college or university level, provided such work or research can be demonstrated to be of a sufficiently responsible nature to be equivalent to the geological work required in this section.

4. Have successfully passed an appropriate examination approved by the Board and designed to demonstrate that the applicant has the necessary knowledge and skill to exercise the responsibilities of the public practice of geology.

At the discretion of the Board, separate examinations may be prepared for various subspecialties of geology; however, there will be no specialty certification, only certification as a professional geologist.

(1981, c. 132, §§ 54-964, 54-965; 1984, c. 51; 1988, c. 765, § 54.1-1403; 2012, cc. 803, 835.)

§ 54.1-2208.3. Waiver of examination.

The Board may waive the examination requirement for certification as a professional geologist for an applicant who otherwise meets the requirements of this article and who also meets any of

the following conditions:

1. Makes written application to the Board and has at least 12 years of geological work that includes the geological work as specified in subsection B of § 54.1-1403.
2. Makes written application to the Board and holds an unexpired certificate of registration, certification, or license to engage in the practice of geology issued to him on the basis of comparable requirements by a proper authority of a state, territory, or possession of the United States or the District of Columbia.

(1981, c. 132, § 54-966; 1988, c. 765, § 54.1-1404; 1994, c. 247; 1996, c. 49; 2012, cc. 803, 835.)

§ 54.1-2208.4. Professional ethics and conduct.

A. The Board, in coordination with an ad hoc panel of certified professional geologists convened by the Board and representing various geological interests in Virginia, shall have prepared and adopted a Code of Professional Ethics and Conduct that shall be published and made known in writing to every Virginia certified professional geologist and applicant for certification under this article. The Board may revise and amend this code as needed and shall forthwith notify each certified professional geologist in writing of such revisions or amendments.

B. The full Board, by majority vote, shall have the power to suspend, revoke, or refuse to renew the certification of any professional geologist who, after an appropriate formal hearing, is found to have been involved in:

1. Any fraud or deceit in obtaining certification;
2. Any violation of the Code of Professional Ethics and Conduct or other regulations of the Board;
3. Demonstrated gross negligence, incompetence, or misconduct in the practice of geology as a professional geologist; or
4. Any conviction of a felony which, in the opinion of the Board, would adversely affect the practice of geology.

C. The Board, by majority vote of the quorum, may reinstate a revoked or suspended certification to any professional geologist who makes written application to the Board showing good cause for such action.

(1981, c. 132, § 54-967; 1988, c. 765, § 54.1-1405; 2012, cc. 803, 835.)

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Department of Professional and Occupational Regulation

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NOTICE
PLEASE REFER TO FIRST PAGE OF BOOKLET FOR NOTES ON IMPORTANT CHANGES.

➤ **Exemption for Soil Scientist in the Onsite Soil Evaluator Regulations**

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Code of Virginia

Title 54.1. Professions and Occupations

Subtitle II. Professions and Occupations Regulated by the Department of Professional and Occupational Regulation and Boards within the Department

Chapter 23. Waterworks and Wastewater Works Operators

§ 54.1-2302. License required

No person shall operate a waterworks or wastewater works, perform the duties of an onsite soil evaluator, or install or operate an alternative onsite sewage system, without a valid license.

1979, c. 408, § 54-573.18; 1988, c. 765; 2007, cc. [892](#), [924](#).

The chapters of the acts of assembly referenced in the historical citation at the end of this section(s) may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

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VIRGINIA ACTS OF ASSEMBLY -- 2023 SESSION

CHAPTER 3

An Act to amend the Code of Virginia by adding in Chapter 2 of Title 54.1 a section numbered 54.1-205, relating to Department of Professional and Occupational Regulation; universal license recognition.

[S 1213]

Approved March 3, 2023

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 2 of Title 54.1 a section numbered 54.1-205 as follows:

§ 54.1-205. Universal license recognition.

A. The regulatory boards within the Department of Professional and Occupational Regulation shall, upon application by an individual, recognize licenses or certificates issued by another state as fulfillment of qualifications for licensure or government certification in the Commonwealth if the following conditions are met:

1. The individual holds a current and valid professional or occupational license or government certification in another state in a profession or occupation with a similar scope of practice, as determined by the board in the Commonwealth;

2. The individual has held the professional or occupational license or government certification in the other state for at least three years;

3. The board in the other state or state of original licensure required the individual to pass an examination and to meet certain standards related to education, training, or experience;

4. There are no pending investigations or unresolved complaints against the individual, and the board in the other state holds the individual in good standing;

5. The individual does not have a disqualifying criminal record as determined by the board in the Commonwealth in accordance with § 54.1-204;

6. No board in another state has imposed discipline on the licensee, except for discipline involving only a financial penalty and no harm to the health or economic well-being of the public; and

7. The individual pays all applicable fees.

B. The regulatory boards within the Department of Professional and Occupational Regulation shall, upon application by an individual, recognize work experience in another state as fulfillment of qualifications for licensure or government certification in the Commonwealth if the following conditions are met:

1. The individual worked in another state that does not use a professional or occupational license or government certification to regulate a profession or occupation, but the Commonwealth uses a professional or occupational license or government certification to regulate a profession or occupation with a similar scope of practice, as determined by the board;

2. The individual has worked in the profession or occupation for at least three years;

3. The individual passes any examination required by the board of applicants for licensure or certification; and

4. The individual satisfies the conditions outlined in subdivisions A 5, 6, and 7.

C. The regulatory boards within the Department of Professional and Occupational Regulation may require an individual seeking a professional or occupational licensure or government certification pursuant to this section to pass a jurisprudential examination specific to relevant state laws and administrative rules that regulate such profession or occupation if such an examination is required of other applicants for the same license or certification.

D. For purposes of this section, "other state" or "another state" means any state, territory, possession, or jurisdiction of the United States.

E. This section shall not apply to any professional services, as defined in § 2.2-4301.

PSSWPG Counts for 2012-2022

Profession	1/13/2012	2/1/2012	3/1/2012	4/3/2012	5/1/2012	6/1/2012	7/3/2012	8/1/2012	9/4/2012	10/1/2012	11/1/2012	12/2/2012	Average
Geologists	859	864	867	873	873	876	883	883	883	889	889	891	878
Soil Scientists	132	132	132	131	133	133	133	133	134	134	134	134	133
Wetland Delineators	108	108	109	105	107	107	106	107	107	107	105	107	107
Profession	1/3/2013	2/1/2013	3/1/2013	4/1/2013	5/1/2013	6/3/2013	7/1/2013	8/1/2013	9/3/2013	10/2/2013	11/1/2013	12/1/2013	
Geologists	909	910	914	915	916	927	929	929	767	846	859	863	890
Soil Scientists	134	134	134	136	136	136	136	53	79	87	90	92	112
Wetland Delineators	109	109	109	107	107	107	107	107	108	108	110	110	108
Profession	1/1/2014	2/1/2014	3/1/2014	4/1/2014	5/1/2014	6/1/2014	7/1/2014	8/1/2014	9/1/2014	10/1/2014	11/1/2014	12/1/2014	
Geologists	869	877	880	881	889	893	894	900	909	911	917	917	895
Soil Scientists	95	119	121	121	128	128	127	128	131	130	131	132	124
Wetland Delineators	110	111	114	113	114	114	114	113	116	111	111	112	113
Profession	1/1/2015	2/1/2015	3/1/2015	4/1/2015	5/1/2015	6/1/2015	7/1/2015	8/1/2015	9/1/2015	10/1/2015	11/1/2015	12/1/2015	
Geologists	927	926	931	932	934	945	954	958	959	871	889	896	927
Soil Scientists	132	132	131	130	132	132	109	118	124	122	125	127	126
Wetland Delineators	112	112	110	111	113	112	112	113	114	114	113	114	113
Profession	1/1/2016	2/1/2016	3/1/2016	4/1/2016	5/1/2016	6/1/2016	7/1/2016	8/1/2016	9/1/2016	10/1/2016	11/1/2016	12/1/2016	
Geologists	911	911	911	915	916	927	933	933	940	942	943	944	927
Soil Scientists	128	129	125	125	125	121	121	122	116	118	125	125	123
Wetland Delineators	114	114	109	114	114	114	115	114	110	108	108	109	112
Profession	1/1/2017	2/1/2017	3/1/2017	4/1/2017	5/1/2017	6/1/2017	7/1/2017	8/1/2017	9/1/2017	10/1/2017	11/1/2017	12/1/2017	
Geologists	952	955	956	960	960	971	972	976	976	870	884	890	944
Soil Scientists	125	125	121	119	120	122	83	96	105	100	102	104	110
Wetland Delineators	109	109	109	111	110	110	108	109	109	109	109	109	109
Profession	1/1/2018	2/1/2018	3/1/2018	4/1/2018	5/1/2018	6/1/2018	7/1/2018	8/1/2018	9/1/2018	10/1/2018	11/1/2018	12/1/2018	
Geologists	909	917	920	924	924	940	945	950	954	954	960	961	938
Soil Scientists	103	105	102	101	99	101	102	102	101	95	98	98	101
Wetland Delineators	111	110	113	114	114	114	114	113	112	114	112	112	113
Profession	1/1/2019	2/1/2019	3/1/2019	4/1/2019	5/1/2019	6/1/2019	7/1/2019	8/1/2019	9/1/2019	10/1/2019	11/1/2019	12/1/2019	
Geologists	977	977	979	979	980	996	997	1005	1004	909	923	929	971
Soil Scientists	98	98	99	98	97	99	100	86	86	90	91	92	95
Wetland Delineators	113	114	115	115	116	116	116	116	117	117	117	117	116

PSSWPG Counts for 2012-2022

Profession	1/1/2020	2/1/2020	3/1/2020	4/1/2020	5/1/2020	6/1/2020	7/1/2020	8/1/2020	9/1/2020	10/1/2020	11/1/2020	12/1/2020	
Certified Professional Geologists	946	947	891	892	892	900	900	908	908	911	911	917	910
Professional Soil Scientists	92	92	92	93	92	93	93	92	91	90	90	89	92
Professional Wetland Delineators	116	116	117	114	114	115	115	115	119	117	116	116	116
Profession	1/1/2021	2/1/2021	3/1/2021	4/1/2021	5/1/2021	6/1/2021	7/1/2021	8/1/2021	9/1/2021	10/1/2021	11/1/2021	12/1/2021	
Geologists	928	932	936	939	939	945	945	952	951	851	867	875	922
Soil Scientists	91	90	90	86	83	84	84	71	75	72	77	77	82
Wetland Delineators	116	117	119	117	117	117	117	117	118	115	115	117	117
Profession	1/1/2022	2/1/2022	3/1/2022	4/1/2022	5/1/2022	6/1/2022	7/1/2022	8/1/2022	9/1/2022	10/1/2022	11/1/2022	12/1/2022	
Certified Professional Geologists	897	882	887	89	890	909	912	915	917	918	920	929	839
Professional Soil Scientists	77	81	79	78	81	80	81	81	81	83	83	82	81
Professional Wetland Delineators	117	116	115	117	117	117	117	117	121	119	118	119	118

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Licensed and Certified Population

As of June 1, 2023

Soil Scientists	82
Wetland Delineators	117
Geologists	949

Department of Professional and Occupational Regulation
Statement of Financial Activity

**Board for Professional Soil Scientists, Wetland Professionals, and Geologists
954180**

2022-2024 Biennium

April 2023

	April 2023 Activity	Biennium-to-Date Comparison	
		July 2020 - April 2021	July 2022 - April 2023
Cash/Revenue Balance Brought Forward			16,455
Revenues	615	11,440	11,965
Cumulative Revenues			28,420
Cost Categories:			
Board Expenditures	1,236	7,587	13,005
Board Administration	909	14,518	15,434
Administration of Exams	10	2,206	353
Enforcement	1	8	11
Legal Services	0	28	68
Information Systems	1,015	10,123	8,984
Facilities and Support Services	312	3,535	3,117
Agency Administration	542	6,669	10,322
Other / Transfers	0	0	(15)
Total Expenses	4,025	44,674	51,279
Transfer To/(From) Cash Reserves	(3,504)	0	(22,952)
Ending Cash/Revenue Balance			93

Cash Reserve Beginning Balance	25,207	0	44,655
Change in Cash Reserve	(3,504)	0	(22,952)
Cash Reserve Ending Balance	21,703	0	21,703

Number of Regulants	
Current Month	1,219
Previous Biennium-to-Date	1,193

Department of Professional and Occupational Regulation
Supporting Statement of Year-to-Date Activity
Board for Professional Soil Scientists, Wetland Professionals, and Geologists - 954180
Fiscal Year 2023

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Fiscal YTD Charges	Planned Annual Charges	Current Balance	Projected Charges at 6/30	Projected Variance Favorable (Unfavorable)	
																	Amount	%
Board Expenditures	5,639	132	57	1,652	87	2,823	77	780	523	1,236	0	0	13,005	22,108	9,103	15,574	6,534	29.6%
Board Administration	2,247	1,541	1,501	801	1,460	2,497	794	1,456	2,228	909	0	0	15,434	23,526	8,091	17,413	6,112	26.0%
Administration of Exams	55	38	40	20	38	62	19	42	28	10	0	0	353	3,400	3,048	258	3,142	92.4%
Enforcement	2	1	1	1	1	2	1	1	1	1	0	0	11	16	5	12	4	25.5%
Legal Services	0	0	0	0	0	0	34	17	17	0	0	0	68	68	0	82	-14	-20.0%
Information Systems	613	976	754	541	906	817	909	1,421	1,030	1,015	0	0	8,984	12,184	3,200	10,532	1,652	13.6%
Facilities / Support Svcs	198	374	299	260	322	362	280	369	340	312	0	0	3,117	4,385	1,268	3,667	718	16.4%
Agency Administration	1,119	794	1,590	787	1,055	1,470	463	949	1,554	542	0	0	10,322	14,575	4,253	11,790	2,785	19.1%
Other / Transfers	0	0	0	0	0	0	-15	0	0	0	0	0	-15	0	15	-18	18	
Total Charges	9,874	3,856	4,243	4,061	3,869	8,033	2,561	5,035	5,723	4,025	0	0	51,279	80,262	28,983	59,310	20,952	26.1%

- **Other Business**
- **Conflict of Interest Forms /
Travel Vouchers**
- **Adjourn**

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