

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

The Board for Professional Soil Scientists, Wetland Professionals and Geologists met on December 1, 2015, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia, with the following members present:

J. Meade R. Anderson
Robin Bedenbaugh
Bennette Burks (arrived 10:32 a.m.)
Larry Giannasi
Keith R. Goodwin
J. James Liu
Molly Plautz
David Spears
R. Drew Thomas
Angela Whitehead

Board members Warren Dean, Doug DeBerry and Tom Saxton were not present at the meeting.

Board staff present for all or part of the meeting were:

Kathleen (Kate) R. Nusbisch, Executive Director
Amy Goobic, Administrative Assistant

Agency staff present for all or part of the meeting were:

Jay W. DeBoer, Director
Mark N. Courtney, Senior Director, Regulatory & Public Affairs

There was no representative from the office of the Attorney General present for the meeting.

Ms. Nusbisch called the meeting to order at 10:11 a.m.

Call to Order

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

**Emergency Evacuation
Procedures**

Ms. Nusbisch welcomed and introduced new Board members: Robin Bedenbaugh, Larry Giannasi, Keith Goodwin and Molly Plautz.

**Welcome & Introduction
of New Board members**

Ms. Nusbisch asked that the agenda be amended, moving agenda item #14 Election of Officers to #5. Mr. Bedenbaugh moved that the agenda be approved as amended. Mr. Anderson seconded the motion which was unanimously approved by members: Anderson, Bedenbaugh, Giannasi, Goodwin, Liu, Plautz, Spears Thomas and Whitehead.

Approval of Agenda

Ms. Nusbisch informed the Board that an election to fill both the Chair and Vice-Chair positions was needed. She also reviewed the election

Election of Officers

cycle of the professions, stating that a Wetland Professional would assume the Chair position, and a Professional Soil Scientist the Vice-Chair position. Mr. Goodwin moved to nominate Mr. Bedenbaugh as Chair. Mr. Thomas seconded the motion. There were no further nominations. The motion was unanimously approved by members: Anderson, Bedenbaugh, Giannasi, Goodwin, Liu, Plautz, Spears Thomas and Whitehead.

Ms. Whitehead moved to nominate Mr. Giannasi as Vice-Chair. Mr. Anderson seconded the motion. There were no further nominations. The motion was unanimously approved by members: Anderson, Bedenbaugh, Giannasi, Goodwin, Liu, Plautz, Spears Thomas and Whitehead.

Ms. Nosbisch informed the Board that Mr. DeBoer was unable to attend the meeting due to a scheduling conflict and sends his regrets. She also stated that Mr. Dean, Mr. DeBerry and Mr. Saxton send their regrets as well.

Mr. Saxton moved to approve the minutes from the following meeting:

Approval of Minutes

- April 28, 2015, Board for Professional Soil Scientists, Wetland Professionals and Geologists
- June 10, 2015, Wetland Delineator Exam Review Committee
- July 9, 2015, Wetland Delineator Exam Review Committee
- August 7, 2015, Wetland Delineator Exam Review Committee

Mr. Anderson seconded the motion which was unanimously approved by members: Anderson, Bedenbaugh, Giannasi, Goodwin, Liu, Plautz, Spears Thomas and Whitehead.

There was no public comment.

Public Comment Period

Ms. Nosbisch introduced staff members in the audience: Shannon Webster, new Director of Examinations, and Bill Murray, Training Manager.

Mr. Doug Davis was present for the reading of his resolution. Mr. Bedenbaugh read the following resolution for consideration by the Board:

Resolutions for Former Board Members – Doug Davis, Rob Atkinson, Nancy Barker, and Chuck Nelson

RESOLUTION TO
Douglas S. Davis

WHEREAS, Douglas S. Davis, did faithfully and diligently serve as a Board member of the Board for Professional Soil Scientists, Wetland Professionals, and Geologists from 2011 to 2015;

WHEREAS, Douglas S. Davis, did devote generously of his time, talent and leadership to the Board;

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

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

NOW THEREFORE BE IT RESOLVED, by the Board for Professional Soil Scientists, Wetland Professionals, and Geologists this 1st day of December 2015, that Douglas S. Davis, be given all honors and respect due him for his outstanding service to the Commonwealth and its citizens; and

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

Dr. Atkinson was unable to attend the meeting, however, his resolution was presented before the Board by Mr. Bedenbaugh:

RESOLUTION TO
Dr. Robert B. Atkinson

WHEREAS, Robert B. Atkinson, did faithfully and diligently serve as a Board member of the Board for Professional Soil Scientists, Wetland Professionals, and Geologists from 2005 to 2015;

WHEREAS, Robert B. Atkinson, did devote generously of his time, talent and leadership to the Board;

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

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

NOW THEREFORE BE IT RESOLVED, by the Board for Professional Soil Scientists, Wetland Professionals, and Geologists this 1st day of December 2015, that Robert B. Atkinson, be given all honors and respect due him for his outstanding service to the Commonwealth and its citizens;

and

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

Ms. Barker was unable to attend the meeting, however, her resolution was presented before the Board by Mr. Bedenbaugh:

RESOLUTION TO
Nancy G. Barker

WHEREAS, Nancy G. Barker, did faithfully and diligently serve as a Board member of the Board for Professional Soil Scientists, Wetland Professionals and Geologists from 2004 to 2015;

WHEREAS, Nancy G. Barker, did devote generously of her time, talent and leadership to the Board;

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

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

NOW THEREFORE BE IT RESOLVED, by the Board for Professional Soil Scientists, Wetland Professionals and Geologists this 1st day of December 2015, that Nancy G. Barker, be given all honors and respect due her for her outstanding service to the Commonwealth and its citizens; and

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

Mr. Nelson was unable to attend the meeting, however, his resolution was presented before the Board by Mr. Bedenbaugh:

RESOLUTION TO
Charles E. Nelson

WHEREAS, Charles E. Nelson, did faithfully and diligently serve as a Board member of the Board for Professional Soil Scientists, Wetland

Professionals, and Geologists from 2009 to 2015;

WHEREAS, Charles E. Nelson, did devote generously of his time, talent and leadership to the Board;

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

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

NOW THEREFORE BE IT RESOLVED, by the Board for Professional Soil Scientists, Wetland Professionals, and Geologists this 1st day of December 2015, that Charles E. Nelson, be given all honors and respect due him for his outstanding service to the Commonwealth and its citizens; and

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

The Board members agreed to the resolutions by consensus.

Board members reviewed financial statements for informational purposes.

Review of Financial Statements

Mr. Burks arrived at 10:32 a.m.

Arrival of Board Member

Board members considered meeting dates for 2016. Ms. Whitehead moved to approve the following meeting dates:

Consideration of 2016 Meeting Dates

- March 8
- June 14
- September 1
- December 1

Mr. Giannasi seconded the motion which was unanimously approved by members: Anderson, Atkinson, Burks, Davis, Dean, Liu, Saxton, Spears, Thomas & Whitehead.

Mr. Bedenbaugh provided a brief update on the Wetland Delineator Exam Review Committee. Mr. Bedenbaugh stated that the wetland delineator exam required updating due to the addition of two regional supplements by the Army Corps of Engineers. He reported that the Committee had finalized exam questions for the February exam, but would need to create

Wetland Delineator Exam Review Committee Update

a second exam. Ms. Nobsich informed the Board that exam review sessions were closed meetings.

Ms. Nobsich reported that Sam Christiano, who had served as the National Association State Boards of Geology (ASBOG) Executive Director, had resigned from the position and Deana Sneyd is the interim executive director.

Updates on ASBOG, VAWP and VAPSS

Mr. Bedenbaugh stated that the Virginia Association of Wetland Professionals (VAWP) held their annual meeting in Fredericksburg October 14-15.

Board members reviewed a summary of public comments received during the periodic regulatory review comment period October 19-November 9, 2015:

Regulatory Update

#	REGULATION # COMMENTOR'S NAME	SUMMARY OF COMMENT(S) BOARD RESPONSE
1	Brian Owen , MSA, PC 18VAC145-30-40.B	
	Opposed to the requirement for one of the three required references be a certified PWD when applying to take the wetland delineator exam.	<i>The Board felt it necessary that at least one reference be from a certified PWD.</i> <i>This is a statutory requirement §54.1-2206.2.</i>
2	VAWP-Tara Fisher, Carolyn Keeler, Kelly Coleman, Robin Bedenbaugh	
	Supports retaining the regulations in their current form.	<i>The Board concurs.</i>
3	Michael Rolband, Wetland Studies & Solutions, Inc.	
	1) Make it mandatory for all delineations be prepared under the supervision of a certified PWD. Certification should be mandatory. 2) Add continuing education requirement 3) Clarify that neither PWDs, nor uncertified wetland delineator practitioners are allowed to	<i>1) Voluntary certification</i> <i>2) Certified programs typically do not have continuing education requirements</i> <i>3) It would be inappropriate in the Wetland Delineator regulations. Regulations governing land surveyors specify</i>

	practice land surveying.	<i>requirements.</i> <i>Already prohibited by statute §54.1-2201.B.2</i>
4	William Sledjeski	
	Comment in support of Soil Scientist licensure.	<i>The Board concurs</i>

Ms. Nobsch stated that the board must review and approve the responses. Mr. Thomas moved to approve the Board responses. Mr. Spears seconded the motion which was unanimously approved by members: Anderson, Bedenbaugh, Burks, Giannasi, Goodwin, Liu, Plautz, Spears Thomas and Whitehead. Ms. Nobsch informed the Board that the staff recommendation would be to retain the regulations as they are, and that the Board would need to vote as such for the professional soil scientist, wetland professional and geologists regulations, as well as the public participation guidelines. Mr. Thomas moved to approve the regulations as they stand. Mr. Giannasi seconded the motion which was unanimously approved by members: Anderson, Bedenbaugh, Burks, Giannasi, Goodwin, Liu, Plautz, Spears Thomas and Whitehead.

Board members reviewed correspondence received from the Louisiana Board of Professional Geoscientists regarding a Statement of Understanding (SOU) for the Board to consider. The SOU pertains to the requirements for Louisiana Professional Geoscientist applicants. Discussion was held on the value of the SOU with regards to Professional Soil Scientists. The Board agreed by consensus to have staff obtain more information and bring to next board meeting for discussion.

Review of Louisiana Board Statement of Understanding

Ms. Nobsch provided the following exams statistics for the Board:

Fall 2015 – PG Exam – 5 first time passed

1 first time fail

1 repeat fail

FG Exam – 9 first time passes

2 first time fails

1 repeat pass

2 repeat fail

Spring 2015 – PG Exam – 7 first time passes

3 repeat fails

FG Exam – 8 first time passes

2 repeat passes

4 repeat fails

February 2015 Wetland Exam - 2 taken – 1 passed

Other Business

August 2015 Wetland Exam – 2 taken, 2 passed

Ms. Nosbisch reminded the Board that they must complete the required financial disclosure statement by December 15. She also informed the Board that they will receive an email regarding Conflict of Interest Act training, which must be completed by December 31.

There being no further business, the meeting was adjourned at 11:03 a.m. **Adjournment**

Robin Bedenbaugh, Chair

Jay W. DeBoer, Secretary