



**STATE OF WASHINGTON  
DEPARTMENT OF LICENSING  
GEOLOGIST LICENSING BOARD  
MEETING MINUTES**

**DATE:** December 1, 2022  
**TIME:** 9:00 AM  
**LOCATION:** Virtual via Microsoft Teams

**BOARD MEMBERS PRESENT:** **James Struthers**, LG/EG, Chair  
**Casey Hanell**, LG/EG, State Geologist, Vice Chair  
**Carla Brock**, LG/HG, Secretary  
**Eileen Webb**, LG, Member  
**Tom Tebb**, LG/EG/HG, Member

**STAFF PRESENT:** **Debra Allen-Ba**, Assistant Administrator  
**Sydney Muhle**, Program Specialist 5  
**Elizabeth Lagerberg**, Assistant Attorney General  
**Katherine McDaniel**, Professional Licensing  
Assistant Administrator  
**Susan Nieves**, Program Specialist 3

**1. Call to Order**

Chair James Struthers called the meeting to order at 9:01 AM.

1.1. Introductions

Program Specialist Susan Nieves conducted roll call for Board Members and staff.  
All Board Members were present.

1.2. Order of Agenda

**MOTION:** Board Member Tom Tebb made a **MOTION** to approve the agenda as presented. Vice Chair Casey Hanell **SECONDED** the motion, and it **PASSED**.

1.3. Approval of Minutes: September 1, 2022

**MOTION:** Secretary Carla Brock made a **MOTION** to approve the minutes as presented. Chair Struthers **SECONDED** the motion, and it **PASSED**.

Secretary Brock will continue reviewing draft minutes prior to meetings.

**2. Old Business**

2.1. 2022 ASBOG Annual Meeting Report

Board Member Eileen Webb reported on her attendance at the National Association of State Boards of Geology Annual meeting (ASBOG). A consultant has been retained to redesign ASBOG's website. There was a discussion panel about outreach. ASBOG has packets available about examinations, the importance of examinations that are offered, and changing topography with the undergraduate curriculum. It's difficult sometimes to decipher the names of courses from applicants and what qualifies for coursework titles, which has been an ongoing problem with other states as well. Schools are doing outreach, and state boards are trying to get coursework titles in alignment which makes it difficult to identify whether applicants are qualified for licensure or to take tests.

In 2019, Laurie Rocca contacted 35 universities in California. She used the 2015 ASBOG task analysis for dialogue with the universities that resulted in a couple of documents from their board.

There was a discussion panel to identify best practices with four people who brought some different perspectives. The panel included the youngest person in the room who had recently earned their degree in June. It was really good to get that perspective.

Chair Struthers asked if staff is currently seeing or having difficulty identifying the elements of curricula that would qualify people for examination and licensure. Assistant Administrator Debra Allen-Ba said she would seek an answer and report back at the next meeting.

Board Member Webb continued her report saying that ASBOG's budget is very strong because there wasn't a lot of money spent during the pandemic, the unused money was reinvested in new projects that had been waiting for support.

Beginning in January 2023, the Association of Environmental and Engineering Geologist (AEG) will start holding Fundamentals of Geology (FG) and Practice of Geology (PG) webinars to prepare for tests. September 2023 will be AEG's annual meeting in Portland, Oregon.

Aaron Johnson presented about the degree programs, how they changed over time and how the American Institute of Professional Geologist (AIPG) has some responsibility for safeguarding record privacy of their certified professional geologist.

For the American Association of Petroleum Geologists, Craig Smith has been working with petroleum engineers on some collaborative ideas.

Bill Keach from the American Association of State Geologists (AASG) gave a presentation. AASG groups work closely with various organizations and agencies to improve mapping techniques and data sharing.

Marty Goff with the United States Army Corps of Engineers (USACE) presented. He said there are about 400 geologists in 44 districts worldwide and USACE is employing 900 geotechnical engineers. He helps his geologists get their licenses.

Board Member Webb asked for an action item to be added to the next meeting's agenda about whether the Department of Licensing (DOL) has a policy outlining how many times a student can take a test before they need to reapply.

ASBOG has a budget in place for when Psychometrician Jack Warner with Test Inc, retires in 2025.

The Examinations Committee is starting in January 2023 and the item bank will be overhauled to meet the requirements of the examination.

The Council of Examiners practical and fundamental groups had participation from Secretary Brock and Board Member Webb. They found the group project to be educational and productive.

ASBOG's 2023 annual meeting will be in Spokane, Washington. Committees are looking for participation with the planning, specifically regarding swag to give away and lunch time speakers.

The Task Analysis Survey is conducted every five years and surveys across the United States and Canada. The survey seeks to find out what are the tasks done in practice. ASBOG wants to make sure examinations align with current practices in the geologist industry.

**ACTION ITEM:** Determine whether staff is currently seeing or having difficulty identifying the elements of curricula that would qualify people for examination and licensure.

**ACTION ITEM:** Return information to the Board about whether DOL has a policy outlining how many times a student can take a test before they need to reapply.

## 2.2. ASBOG 2023 Annual Meeting Update

Program Specialist Sydney Muhle shared an update on the 2023 Annual Meeting.

Secretary Brock and Ms. Muhle worked on the annual state report. Board Member Webb requested a more informative and interesting state report.

## 2.3. Master Action Items List

Ms. Muhle reviewed the action item list with the Board.

**ACTION ITEM:** Staff will reach out to Human Resources regarding the policy allowing outreach for resumes.

### 3. New Business

#### 3.1. ASBOG & Specialty Fall Exam Administration Results

Ms. Allen-Ba shared the exam pass rates, ASBOG results, and specialty results with the Board.

Board Member Tebb and Secretary Brock will look at Oregon test scores for comparison.

**ACTION ITEM:** Ms. Allen-Ba will share the list of comments from the hydrogeology exam with Secretary Brock and Board Member Tebb

#### 3.2. 2023 Meeting Dates

Ms. Muhle presented the proposed 2023 calendar.

**MOTION:** Vice Chair Hanell made a **MOTION** to approve the meeting dates as proposed. Secretary Brock **SECONDED** the motion and it **PASSED**.

#### 3.3. Board Authorizations (formerly “Delegations”)

Ms. Muhle presented the proposed Authorizations to the Board and provided an explanation of the proposed changes to update the language in the document.

Board Member Tebb asked where former Administrator Rick Storvick’s position was on the organization chart. Ms. Muhle explained DOL used to be program centric and Mr. Storvick was over all of the functions for the Board. With the DOL functional realignment, those functions are now in different units based on function.

**MOTION:** Board Member Tebb made a **MOTION** to approve the Board Authorizations as presented. Secretary Brock **SECONDED** the motion, and it **PASSED**.

#### 3.4. Allowance for ASBOG Computer-Based Testing within Existing Codes

Ms. Muhle stated that Assistant Attorney General (AAG) Elizabeth Lagerberg reviewed the applicable RCW’s and WAC’s for the Computer-Based Testing (CBT) transition and concurred with Board staff that the current codes and rules allow for CBT with no changes needed. Ms. Lagerberg said that WAC 308-15-050 states that it is required for someone to sit and take a test but does not specify the format.

#### 3.5. Scope of Practice of Hydrogeology

Chair Struthers and Board Member Tebb requested a discussion about the possible role of the Board, with scope of practice of hydrogeology, regarding requirements set forth by state agencies.

Ms. Lagerberg commented that there was arbitration with the union not directly telling the board what they should be doing. She noted two separate issues as the use of title and practice of hydrogeology. Ms. Lagerberg will let the Board know when a decision is made.

Secretary Brock shared that a lot of unlicensed letters going out in the consulting world and it should be the same for state employees and other state agencies.

Chair Struthers shared he thinks titles should be based on licensure.

Board Member Webb had no official opinion on this subject.

Board Member Tebb has had agency discussions and he said that the Department of Ecology (ECY) and other state agencies have been using the position title of "hydrogeologist" for positions that do not require licensure for hiring eligibility. He clarified that some employees in these positions are performing hydrogeology work and others are not.

Vice Chair Hanell shared that if the job duties require a scope of work that requires a license, then it should reflect that. The title should reflect the licensure, not necessarily in the position description.

Chair Struthers shared there are a lot of complexities that need to be considered.

Ms. Lagerberg shared that pending a court decision, titles and classifications may need to change. Instead of talking about job series, the Board might want to focus on position descriptions and duties.

Vice Chair Hanell asked if the inconsistency that licenses aren't required by some people doing the same work as others that are required to be licensed?

The Board discussed postponing further discussion on this item pending the outcome of the court case. The Board agreed to resume this discussion in 2023 and maybe come to a decision moving forward.

**MOTION:** Chair Struthers made a **MOTION** to table discussion. Secretary Brock **SECONDED** the motion and it **PASSED**.

**ACTION ITEM:** Ms. Lagerberg will provide a summary of the court decision regarding use of a licensed title in a position that does not require a license once it is final.

**ACTION ITEM:** The Board will make a decision on this item in 2023, pending the court case decision.

3.6. Strategic Plan for Outreach

Chair Struthers shared that the outreach PowerPoint may need revision. He requested to develop a strategy for campus visits and how to select venues.

**ACTION ITEM:** Chair Struthers will put together plan to collect and distribute already existing materials.

3.7. 2022 Council of Examiners Report

This item was discussed earlier in meeting with the 2022 ASBOG Annual Meeting Report.

3.8. 2023 Task Analysis Survey

This item was tabled for when the results are available.

**4. Complaint Cases for Review\***

None.

**5. Legal Issues for Deliberation\***

None.

**6. Disciplinary and Investigation Reports**

Ms. Muhle reviewed the Geologist Complaint Status report with the Board.

**7. Assistant Attorney General's report**

None.

**8. Committee/Task Force Reports**

8.1. Charter

Ms. Muhle shared that staff is working on converting all nine Boards and Commissions charters into the same format. Once they are complete, the draft will be sent to DOL Leadership and AAG Lagerberg for final review. After that, it will be presented to the Board for review, with a goal of the March or June 2023 meeting.

8.2. Student Outreach

**ACTION ITEM:** Chair Struthers will provide a draft plan regarding Student Outreach for the committee.

**9. Board Executive's Report**

9.1. Program Operations

Ms. Allen-Ba updated the Board regarding the recruitment for Boards and Commissions Support Services (BCSS) Administrator. In the beginning of 2023, Mike George will transition from his current position of Administrator in the Business and Professions Division's (BPD) Licensing unit into the BCSS role.

Ms. Allen-Ba provided a review of the Geologist Licensee Counts and new Licensee Endorsements. Board Member Tebb asked how the data is counted, specifically if a person with two specialties is accounted for in both positions on the chart. Ms. Allen-Ba clarified that people are only counted in one category. She added that the reports are just a snapshot view and the numbers fluctuate over time.

#### 9.2. Department of Licensing

Assistant Administrator Katherine McDaniel shared the role of Regulatory Compliance, UCC, and Firearms Unit (RCUF) within DOL and how it relates to the Board.

#### 9.3. Other Items

Ms. Muhle shared that staff is working on Geologist Board Member recruitment. She said she is hopeful to get new Board Members on by the next meeting. She outlined the recruitment process in response to Vice Chair Hanell's question on whether the Board is involved.

### 10. Other Business

#### 10.1. Any Other Business

None.

#### 10.2. Action Items from This Meeting

Ms. Nieves reviewed the action items from this meeting.

**ACTION ITEM:** Research whether staff is having trouble verifying whether candidates for licensure are qualified- curriculums, etc.

**ACTION ITEM:** Does DOL have a policy of how many times someone can take the exam that they have not passed, before they have to reapply?

**ACTION ITEM:** Staff will reach out to Human Resources regarding the timeline of the policies allowing outreach to resume. (Move current item from On Hold to In Progress)

**ACTION ITEM:** Ms. Allen-Ba to share Excel document with comments from the examination with Secretary Brock and Board Member Tebb. Ms. Manly to provide feedback/form a committee (CC Chair Struthers on Committee work.)

**ACTION ITEM:** Ms. Lagerberg to provide summary of court decision regarding use of title when it is final.

**ACTION ITEM:** Scope of Practice of Hydrogeology. Board to make a decision in 2023. (Tabled pending court decision.)

**ACTION ITEM:** Chair Struthers to put together Outreach plan to collect and distribute already existing materials.

**ACTION ITEM:** Chair Struthers will provide a draft plan regarding Student Outreach for the committee.

### 10.3. Agenda Items for Next Meeting

**AGENDA ITEM:** Create a committee to develop best practices document that provides guidance according to the RCW/WAC regarding LG/HG.

## 11. Public Comment Opportunity

Mark Molinari addressed the Board and said that if state staff are reviewing reports on regulatory basis, they should have license to review the reports. If they are doing technical work, they should have license or have it reviewed by someone who has a license.

Christer Loftenius addressed the Board and said RCW 18.220.190 (3) implicitly states that geological work with a substantial impact to public health, safety, and welfare must be performed by a licensed geologist/hydrogeologist. The work that Ecology performs has a substantial impact to public health, safety, and welfare. The official job descriptions for the Ecology Hydrogeologist 1 through 5 are available on the Office of Financial Management website.

Mary Green addressed the Board and asked how do Washington's pass rates compare to Oregon. Secretary Brock and Ms. Allen-Ba shared the state does not share results.

Board Member Webb shared that Oregon's meeting was the next day and their Board may report on their test result. She directed Ms. Green to visit Oregon State Board of Geologist Examiners (OSBGE) website for more information.

Patrick Cabbage addressed the Board and said that pass rates are challenging. Looking at a pass rate of 28%, something needs to happen. Nearly half of our licensed HGs (Hydrogeologist) are in the 45-55 age range. We're in a crisis.

Anthony Palmieri addressed the Board and said there is a lot of ambiguity in consulting as well. Working titles need more clarity and a defined line of work. Secretary Brock replied that this is a big topic and the Board will continue to discuss it. Board Member Webb urged for clarity with geology and hydrogeology practice. Chair Struthers said this should be addressed by board. Board Member Webb asked to **add to agenda item** next meeting.

Eugene Freeman addressed the Board and said licensing was previously required and has now been relaxed. He asked where do you get to the point where you don't require a license at all and expressed concerns about dual standards between state employees and the private sector.



Eric Daiber addressed the Board and said that most licensees are retiring in 10-15 years. We are going to lose a lot of knowledge and experience and a 28-percent pass rate is concerning.

Christer Loftenious addressed the Board and said a shortage of licensees is not a reason to lower standards. The public expects anyone working in that area to be licensed.

Tamara Welty addressed the Board and said the inconstancy is not only in research positions, it is also in applied positions.


One comment was submitted in writing from Gary Flowers:  
Mr. Flowers feels he is suffering an injustice with the City of Seattle and would like some advice or assistance. He states that Seattle requires an engineer for everything and believes that his experience to handle geotechnical duties should not require an engineer. There was a time when he could practice certain geotechnical engineering tasks. He is now required to have an engineer oversee his special inspection work and countersign his field reports. He is having a difficult time collaborating with a geotechnical engineer and his business is suffering. He feels he will have to quit working in Seattle and abandon his independent practice.

## 12. Adjournment

Chair Struthers adjourned the meeting at 11:38 AM

### Next Board Meeting:

March 9, 2022, at 10:00 AM  
Virtual via Microsoft Teams

Submitted by:   
Debra Allen-Ba, Assistant Administrator

03-09-2023  
Date

Approved by:   
James Struthers, Chair

03-09-2023  
Date