



ASSOCIATION OF ENVIRONMENTAL & ENGINEERING GEOLOGISTS

Texas Chapter

August 16, 2018

Texas Sunset Advisory Commission
P.O. Box 13066, Austin, Texas 78711
Email: sunset@sunset.texas.gov

Subject: Opposition to Texas Board of Professional Geoscientists abolishment and repeal of the Texas Geoscience Practice Act

Mr. Chairman and Members of the Texas Sunset Advisory Commission,

On behalf of the AEG Texas Chapter and our 150 members, we want to thank you for the opportunity to provide comments and express our **strong opposition** to the Texas Sunset Advisory Commission Staff Report (the Staff Report) on the recommendation that the **Texas Board of Professional Geoscientists** (the Board) be abolished and the Texas Geoscience Practice Act be repealed. This is counter to the basis of the Staff Report's concern regarding protection of the public.

From the beginning, licensure creation was based in the protection of public health, safety, and welfare. In February 2001, during the 77th Legislature, Senate Bill 405 was passed with a majority vote of 26 yes votes versus 2 nays and one present not voting. The passing of SB 405 was completed after a long and very thorough vetting process. Ninety percent of voting Senators supported the licensing of the practice of geoscience for the protection of the public.

The Board was created to regulate the implementation of the Texas Geoscience Practice Act and its very mission "is to protect public health, safety, welfare, and the state's natural resources by ensuring only qualified persons carry out the public practice of geoscience and enforcing the Code of Professional Conduct the Board has established for its licenses. Licensure provides protection for the public by establishing minimum standards in the discipline that individuals wishing to practice must meet and maintain. Additionally, the license allows the license-holder to be held legally responsible for their work.

Competent geological input is integral to protecting the public health, safety and well-being. Areas of concern in the State of Texas in which geologists are directly engaged in the practice of geology where "public safety" is a concern are: GROUNDWATER RESOURCES (Groundwater Supply and Contamination), HAZARDOUS AND RADIOACTIVE WASTES, STREAM and COASTAL EROSION, LANDSLIDES and OTHER SLOPE FAILURES or SINK HOLES, SUBSIDENCE, and FAULTS. One only needs to look at events associated with the Cambria cave sinkhole in Williamson County to find a recent example where thorough subsurface exploration employing common engineering geophysics methods would have helped to identify areas of concern in the development. We can provide additional historic examples from Texas and throughout the nation upon request. A few broad groundwater issues where the public safety is at risk and where the employ of a licensed geoscientist makes a difference include, but are not limited to, the:

- Determination of subsurface geological sources of contamination to drinking water sources,



- Improperly sited and abandoned sanitary landfills represent a significant risk to public health through contamination of the groundwater by solid waste leachate, and
- Leaking underground storage tanks have destroyed shallow aquifers that once provided drinking water to entire communities.

As further support to the mission of the Board and the need for licensing in the State of Texas, please find attached the document entitled "The Value of Licensing Geologists in Texas" that provides further background information on the how geoscientists contribute to protection of the public.

In closing, AEG is in strong opposition to the Staff Report and strongly supports the Board and its mission to protect the public health, safety, welfare, and the state's natural resources by ensuring only qualified persons carry out the public practice of geoscience and enforcing the Code of Professional Conduct the Board has established for its licenses. We will be happy to expand on any of the issues listed above. We are invested in a positive outcome and want to work with you on continuing to provide a service that protects the public health, safety, and welfare of all Texans.

Sincerely,

AEG Texas Chapter

A handwritten signature in blue ink, appearing to be 'Rusty Branch'.

Rusty Branch, GIT 69
President

Melissa Cordell, PG 3659
Secretary

A handwritten signature in blue ink, appearing to be 'Eric Stiffler'.

Eric Stiffler, PG 11013, EIT 61614
Vice-President

A handwritten signature in blue ink, appearing to be 'Pat Frost'.

Patricia Frost, PG 2769
Treasurer

Attachment: "The Value of Licensing Geologists in Texas"