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October 9, 2018

Members of the Texas Sunset Commission  
Attn: Senator Brian Birdwell, Chair and Representative Chris Paddie, Vice Chair  
Texas Sunset Advisory Commission  
P.O. Box 13066  
Austin, Texas 78711

**Re: Sunset Staff Report “Texas Board of Professional Geoscientists”, August 2018**

Dear Senator Birdwell and Representative Paddie,

On behalf of the Texas Section of the American Society of Civil Engineers (ASCE), I am providing this letter in response to the Sunset Advisory Commission’s Staff Report on the Texas Board of Professional Geoscientists (TBPG) prepared for the 2018-2019 86<sup>th</sup> Legislature and released on August 2, 2018.

The Texas Section of ASCE is a non-profit association which facilitates the technical, educational, and professional advancement of nearly 10,000 members and civil engineers state-wide. Our association is a subsidiary of ASCE and is governed by a 31-member Board of Direction, including 29 civil engineers elected, by their industry peers, to serve in their respective board positions. These board members volunteer their time as leaders in addition to their daily duties as civil engineers employed within the private, public, and educational sectors of our industry.

During our most recent board meeting held on September 21, 2018 in San Marcos, Texas, board members unanimously voted to provide the Sunset Advisory Commission with a letter opposing the recommendations presented within the staff report as they relate to the TBPG.

Many of our elected leaders, as well as our general members, are licensed professional engineers within the state of Texas. As defined by the *Texas Engineering Practice Act and Rules Concerning the Practice of Engineering and Professional Engineering Licensure*, a person practicing as a professional engineer in Texas protects the health, safety, and welfare of the public. Additionally, as members of ASCE, we adhere to a strict code of ethics of which the first cannon states, “engineers shall hold paramount the safety, health and welfare of the public and shall strive to comply with the principles of sustainable development in the performance of their professional duties.”

Geoscientists and engineers work in distinct professional field tracks with expertise and competence developed from substantively different academic, training, and experiential backgrounds. As professional engineers, we rely on the work of professional geoscientists. They provide geoscientific data and professional recommendations used as input when performing certain engineering work that protects the public health, safety, and welfare. We work closely with

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professional geoscientists on a wide array of projects that provide significant benefit to both the public and the environment, and ultimately improve our quality of life. These projects include but are not limited to: drinking water supply and wastewater treatment; remediation of contaminated surface water and groundwater; landfill design and maintenance for nuclear, hazardous, and non-hazardous wastes; foundations for buildings, bridges, and roadways; erosion control; slope failure analysis; subsidence; dams; water supply reservoirs; and tunnels used for transportation, utilities, and storm water conveyance.

As professional engineers, we respect and appreciate the gravity of the obligations and responsibilities associated with the rules adopted by our state. Furthermore, we wholeheartedly agree that properly implemented regulation of the geosciences through professional licensure is an effective tool that serves to protect the health, safety, and welfare of all Texans. This also includes welfare with respect to economics. As Texas continues to experience unprecedented population growth, licensed engineers will need to continue working with licensed geoscientists to design, construct, and maintain infrastructure across the state. It is imperative that infrastructure design, construction, and maintenance is performed with adequate geological consideration of the ground below the surface. Engineers require the support of duly licensed, responsible, and accountable professional geoscientists for all aspects of infrastructure projects. This symbiotic work will continue to result in efficient and innovate infrastructure, affording Texas and its citizens the best quality of life possible.

We believe technically defensible regulation of the practice of geoscience increases the overall quality of geoscientific work available to the engineering community, and to the public and policy decision makers. We also believe Texas citizens, and those practicing geoscience for the public, are best served by an independent geoscience board such as the TBPG.

In summary, professional licensed geoscientists are vital to develop infrastructure projects that will improve the life of Texans and we respectfully request Texas Sunset Advisory Commission staff reconsider the recommendation to abolish the Texas Board of Professional Geoscientists. **The Texas Section of ASCE disagrees with the detailed findings presented within the report and we believe that state regulation of geoscience and the maintenance of the Texas Board of Professional Geoscientists *is necessary* to protect the public.**

Please don't hesitate to contact me by phone or email if you have any questions, or if you would like to further discuss this matter with the civil engineer community.

Thank you for your time and consideration.

Respectfully,



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