



Oregon

John A. Kitzhaber, MD, Governor

Board of Geologist Examiners

707 13th Street SE, Suite 114

Salem, OR 97301

Phone: 503-566-2837

Fax: 503-485-2947

E-mail: osbge.info@state.or.us

Web: www.oregon.gov/OSBGE

Dear Chair Witt and Members of the Committee,

My name is Christine Valentine. I am the Administrator for the Oregon State Board of Geologist Examiners (OSBGE) and offer this testimony on behalf of the Board. OSBGE is a semi-independent agency under ORS 182.454 charged by the Oregon Legislature through ORS 672.505-705 with regulating the public practice of geology within the State of Oregon. Public practice of geology is defined in ORS 672.505(7) as “the performance for another of geological service or work, such as consultation, investigation, surveys, evaluation, planning, mapping and inspection of geological work, that is related to public welfare or safeguarding of life, health, property and the environment.” Any individual engaging in the public practice of geology within the State of Oregon must be registered with the Board or specifically exempted from registration under the geology practice statutes. The Board has established education, examination, and experience standards for geologist registration. Registered Geologists must adhere to a Code of Professional Conduct, respond to the Board when requested, and renew registration annually. Information on Registered Geologists is accessible to the public via the Board’s website and by contacting the Board office.

OSBGE’s position on HB 4044 and HB 4064 is neutral, but the Board has some technical concerns related to the regulation of geology practice. HB 4044 and HB 4064 use the terminology “qualified hydrologist” and would set education and experience standards for these individuals in Section 3(1)(c). Hydrology is a diverse discipline, and it is possible for a hydrologist to practice without engaging in the public practice of geology. However, the “hydrology” work as described in the bills at Section 3(4) is the practice of geology. The Board’s primary concerns are:

- (1) the work described in Section 3 (4) requires a Registered Geologist and not just a “qualified hydrologist” as defined in the bills,
- (2) unlicensed “qualified hydrologists” performing the hydrogeology work described in the bills would likely be violating Oregon’s geologist practice statutes per the statutory definition of “public practice of geology”,
- (3) the requirement for an unlicensed “qualified hydrologist” could create confusion among the public and practitioners about who is qualified to perform the hydrogeology work defined in the bills by setting different education and experience standards for “qualified hydrologists” compared to registration standards for Registered Geologists, and
- (4) the Oregon Water Resources Department does not have the statutory responsibility to regulate the practice of hydrology and hydrogeology done by registrants of the Board or to address potential violations of the geology practice statutes but would be charged with maintaining a list of “qualified hydrologists” and somehow verifying their qualifications to engage in the public practice of geology.

The Board suggests that these technical issues could be remedied by amending the bill language to require an appropriately registered professional and not creating a separate “qualified hydrologist” designation and list.

Hydrology is the study of the movement, distribution, and quality of water throughout the earth. Practitioners of hydrology possess expertise in fields such as geology, engineering, physics, or chemistry; not all hydrologists engage in geology work. Hydrogeology is the science and practice that deals with the distribution and movement of ground water in soil and rock near the earth’s surface. A common application of hydrogeology is in the realm of ground water contamination and water resources. Because hydrogeology is so closely associated with soil and rock material and geologic structures, hydrogeologic work falls within the public practice of geology for which a person must be appropriately registered with the Board or exempt from such registration.

On behalf of the Board, thank you for the opportunity to provide this testimony. I’d be happy to address any questions.