

From: [Sunset Advisory Commission](#)
To: [Brittany Calame](#)
Subject: FW: Public Input Form for Agencies Under Review (Public/After Publication)
Date: Thursday, August 16, 2018 12:41:54 PM

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From: sunset@sunset.texas.gov <sunset@sunset.texas.gov> On Behalf Of Texas Sunset Commission
Sent: Thursday, August 16, 2018 12:20 PM
To: Sunset Advisory Commission <Sunset@sunset.texas.gov>
Subject: Public Input Form for Agencies Under Review (Public/After Publication)

Agency: TEXAS BOARD PROFESSIONAL GEOSCIENTISTS TBPG

First Name: John

Last Name: Berry

Title: Mr.

Organization you are affiliated with: John Berry Associates

Email:

City: Austin

State: Texas

Your Comments About the Staff Report, Including Recommendations Supported or
Opposed:

Dear Mr. Chairman and Members of the Commission,

I believe that licensure of geoscience profession is essential to the health, safety, and welfare of Texas citizens. I think the Texas public deserves the highest possible standards of geoscience practice, and that this requires oversight of geoscience professionals. I appreciate all of your willingness to devote your valuable time to this effort.

However, I believe that the Board under its present Executive Director has been totally ineffective in this role. In the one case of professional misconduct of which I know some details, a case in which the profession had proved unwilling to police itself, the Board administered only a gentle slap on the wrist (Admittedly perhaps because the harm done was to a professional organization and not to outside members of the public). Therefore I think that reform of the Board's operations is essential, and this begins with appointing an Executive Director who is a licensed professional geoscientist, preferably one with extensive experience in state government and a determination to make this profession in Texas great.

It is my belief that almost all of the reasons given in the Texas Sunset Advisory Commission Staff Report (henceforth the Report) are baseless, and show the lack of diligence of the Sunset Commission Staff in (a) researching exactly why the Board was created, in determining what Geoscientists actually do for a living, and how their judgement is called for in many places in Texas statutes, and (b) why petroleum geologists were exempted from licensure (the Report even shows ignorance of why there are so many petroleum geologists in Texas). It also reveals a great deal of ignorance of the effect of abolition of TBPG on Texas' GDP: geologists based in Texas would be prevented from working elsewhere in the country, and all work in Texas that requires a PG would have to be done by outsiders at greater expense. Other people are addressing the individual points made in the Report, so I will focus on the larger picture.

Geoscientists are the people who ensure that Texas, the United States and the World have sufficient energy, sufficient metals, sufficient industrial minerals and fertilizers, and sufficient groundwater resources needed to sustain our civilization. We are the profession that studies and tries to ameliorate the effects of earthquakes, volcanic eruptions, tsunamis, and floods. We are also the profession that maps, evaluates and monitors groundwater. And finally, we are the profession that tries to ensure that our built-environment (highways, bridges, tunnels, factories, houses) sits on foundations that are properly designed to deal with geologic conditions. It is clear just looking around central Texas today that Geoscientists are not being properly utilized for this latter task – many developers, financiers and engineers are still not persuaded that an investment in proper geological investigation is a good investment. As a result we have the Mopac widening held up for nearly a year by the unexpected discovery of a cave in the 5th Street access tunnel, and by the failure of the sound walls to stay up. We have the discovery of a large cave in Cambria Drive, Austin, that threatens several houses. We have the deterioration of the southern section of TX130 just after it is finished. A few years ago a large cave in the path of a tunnel in front of the Tom Miller Dam required many months to fill with concrete before tunneling could proceed. All of these matters caused large damage to the public, directly or through the cost to government agencies, and could have been avoided. However, I am sure that “No complaints have been brought by the public.”

Only one person in 10,000 in the United States is a Geoscientist. There are only 8 times as many Geoscientists (34,000) as there are Brain Surgeons (4,000). There are nearly 4 architects (113,000) for every Geoscientist. These facts have several results: very few people know what we do. We have very little political power because of our small numbers, and so are vulnerable to attacks such as this one on the Board. The work that each one of us does is incredibly important to our society. An extreme example of this, though not in Texas, is the Mosul Dam in Iraq. Geoscientists warned that it should not have been built, but were over-ridden for political reasons. The dam is built on karstic limestone which is underlain at shallow depth by salt beds. It has required constant pumping of grout into the foundations since the day the reservoir began to fill, and when it fails, as it must eventually do, it is expected to drown 1.5 million people. I know of several other large dams around the world with problems as great, and of several smaller dams in Texas that are at risk because the rock under their foundations was inadequately investigated (e.g. the Waco dam). The Board’s role is to make sure that no such potential disaster ever happens in Texas by disciplining poor professional work and, ideally, by disciplining the people who go ahead with projects after having been told that the geoscientific background work has been inadequate.

I thank you for your attention, and I fully expect that you will fight hard to defend the integrity of this profession which, though invisible to the majority of our citizens, actually makes our energy-, metal- and fertilizer-intensive civilization possible. I also have to assure you that Geoscientists as a group are extremely ethical, and that is one reason there are no complaints. We are also hard-working and have taken advantage of IT advances, which is the reason there are so few of us (another wrong reason to shut us down given in the Report). We are so hard-working that many of us never retire, a huge plus for the country and the state when there are worries about the burden of an aging population; but, one that translates to a lot of “Grandfathered-in” PGs still active, which the Report also listed as a reason to abolish the Board.

Yours sincerely

John L. Berry
55 years a proud geologist

Any Alternative or New Recommendations on This Agency: I believe that at the earliest possible moment a new Exec. Dir. of the Board should be appointed.

This person should be a Texas licensed P.G. and should be given a remit to aggressively pursue instances of poor professional geologic practice. I would suggest that a fertile field would be the large civil engineering and development projects recently undertaken in Texas: many of these show evidence of insufficient soil/bedrock investigation, resulting in unexpected encounters with voids, damage due to the presence of shrink-swell soils, and exacerbation of flooding upstream.

My Comment Will Be Made Public: I agree