

**From:** [Sunset Advisory Commission](#)  
**To:** [Brittany Calame](#)  
**Subject:** FW: Public Input Form for Agencies Under Review (Public/After Publication)  
**Date:** Wednesday, August 15, 2018 3:38:51 PM

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-----Original Message-----

From: sunset@sunset.texas.gov <sunset@sunset.texas.gov> On Behalf Of Texas Sunset Commission  
Sent: Wednesday, August 15, 2018 3:33 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: Robert

Last Name: Kier

Title: Ph.D.

Organization you are affiliated with: Robert S. Kier Consulting

Email:

City: Austin

State: Texas

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

I have been engaged in the practice of geosciences for over 50 years and have been practicing my craft full-time since 1971, first at the Bureau of Economic Geology, then an international water resources firm, and finally, since 1986, through my own firm, Robert S. Kier Consulting. The only times state regulatory agencies -- TCEQ or TRRC -- might "oversee" any of my work is when I am on a consulting team preparing an application for an applicant. When I have been retained by protestants, individuals, cities, or other entities not seeking a permit, or I am providing testimony in state or federal courts of law, there is no "oversight" by any regulatory agency, and the general public is protected by the requirements of my PG license and the ethical strictures of the associations and societies to which I belong.

Yes, my licensed was grandfathered, I had already been practicing full-time in Texas for 30 years. How much longer will I be practicing? I don't know, but not too much longer. Ultimately as those of us who had already been practicing in the field of geosciences when licensing came along completely leave the practice, the percentage of those who have taken the licensing exam to obtain the their license will increase. Licensing of geoscientists has been in effect in Texas for only 17 years.

Any Alternative or New Recommendations on This Agency: The seemed lack of enforcement actions is not the fault of the requirement for licensing per se, but an administrative failure. Perhaps it is time for a restructuring of the Board of Professional Geoscientists and, particularly staff leadership. Too, despite the memoranda of understanding between the Texas Board of Professional Geosciences and states regulatory agencies, TCEQ and TRRC, perhaps the failure of the state's regulatory agencies to initiate complaints reflects some interagency strife not identified in the Sunset Commission staff's recommendations. This should be investigated by the Sunset Commission before the "baby" is thrown out with the "bathwater."

My Comment Will Be Made Public: I agree