

**From:** [Sunset Advisory Commission](#)  
**To:** [Brittany Calame](#)  
**Subject:** FW: Public Input Form for Agencies Under Review (Public/After Publication)  
**Date:** Thursday, August 16, 2018 3:42:51 PM

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

From: sunset@sunset.texas.gov <sunset@sunset.texas.gov> On Behalf Of Texas Sunset Commission  
Sent: Thursday, August 16, 2018 3:36 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: Metzger

Title: Geologist

Organization you are affiliated with: Aviles Engineering Corporation

Email:

City: Houston,

State: Texas

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

I oppose the Texas Sunset Advisory Commission's recommendation for the abolishment of the Texas Board of Professional Geosciences. I believe the Staff Report is flawed regarding its comments with regards to the aforementioned board. The report indicates that there has been no measurable impact of Geoscientist licensing on public protection. It is difficult to point to measurable impacts in geoscience that occur on a rapid time scale. Unlike when a bridge or building collapses due to improper engineering, geological impacts are often slow moving and impacts can take decades to develop, such as in areas of water availability. The public is entitled to standards of practice of geoscientists that require the public's interest be evaluated and considered in geoscience work regardless of the time scale of impact. If the PG license is removed, there is no mechanism to keep the public's interest at the forefront of geoscience work or to police or keep out unqualified individuals. Geologists are involved in many disciplines including water resource management, planning, and development; groundwater availability; soil and groundwater contamination; remediation of contaminated sites; assessment of sites for the disposal of municipal and hazardous wastes, including radioactive wastes; assessments of coastal subsidence and erosion; stability of substrates for construction of roads and large private and public-works projects, assessment of probability of flooding; flood-control work; and geologic fault identification assessment of hazards to name a few. In the Houston area, where I work, fault damage on structures, land subsidence, and flooding are important issues and have caused much damage to structures, because buildings and structures were built on areas impacted by those hazards. The result was loss of property and loss of life. Professional geologists have worked hard to bring these issues to the forefront of citizens and government officials alike. The public is more receptive to a discipline if it has a professional registration.

The purpose of the Texas Geoscience Practice Act is not as the Staff Report indicates, to "protect geoscientists from the engineers", but rather to add the perspective of the geologist. Licensing geologists removes engineers from liability for failure to trace geological factors for which engineers do not have the background/experience to render professional assessments. The Staff Report also indicates that more direct oversight of geoscientist' work is provided

by other state agencies. The PG credential establishes a common basis for assessing the qualifications of the geoscientists to assume liability for work conducted for clients in the private and public sector. This eliminates the necessity of defining fundamental credentials on an agency-by-agency basis.

The Staff Report indicates that less restrictive means exist to ensure safe practice of geoscience (i.e. certification by AIPG, AEG, AAPG, etc.). But none of these organizations has statutory authority to enforce continuing education requirements or disciplinary actions on geoscientists. Finally, the report states that most of the Texas PGs were grandfathered, therefore there is no guarantee that they are qualified. Grandfathering is part of any licensing program in any state. When the act was established, this was understood to be the case. Grandfathered geologists were typically persons who had accumulated many years of experience and may advanced degrees. In my case, I had approximately 17 years of experience and had a Masters in Science, Geology when I was grandfathered. In addition, in order to be grandfathered, there were minimum standards of education and experience. Professional and personal references were also required. Many of the grandfathered geologists including myself will be retiring in the next 20 years. The licensing population as the Staff Report indicates has declined over the years. This is due to retirement of geologists and the fact that not as many new geologists are coming on board due to the downturn in the oil and gas industry in 2014 and the decline in job opportunities and decline of geoscience enrollment in universities. I believe this cycle will reverse itself as the oil and gas industry historically has shown periods of up and down employment.

Because of these arguments, I ask that you consider not approving the Staff Report recommendation to abolish the Texas Board of Professional Geosciences.

Thank you.

Any Alternative or New Recommendations on This Agency: New Recommendation: to approve the continued existence of the Professional Geosciences Board and program.

My Comment Will Be Made Public: I agree