



Board for Geologists and Geophysicists
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Minutes of the Board for Geologists and Geophysicists
November 20, 2008 Board Meeting
5400 W. Century Boulevard
Los Angeles, CA 90045

Declaration of a Quorum

The meeting was called to order and a quorum established. Present: Richard G. Blake, President; James R. Ashby, Vice-President; William Black, Member; Shirley Husar, Member; and Cecilia Yu, Member.

Public Forum

Sonja Merjold and Bob Holmgren from the Department of Consumer Affairs Office of Examination Resources described psychometric services currently available to the Board.

Mary Rosas from the Department of Consumer Affairs Community Consumer Empowerment Division presented the range of services available to the Board for developing informational brochures and other consumer outreach materials.

State and Consumer Services Agency Secretary Rosario Marin described opportunities for the Board to participate in the annual statewide earthquake preparedness, to support renewable energy initiatives such as geothermal, and to work cooperatively with the Office of State Architect on environmental matters, including school sites.

Minutes

The Board unanimously approved the October 10, 2008 meeting minutes.

Executive Officer Report

Executive Officer Rick Rempel introduced the following representatives of public agencies who described environmental protection and restoration efforts that are supported and strengthened through the Board's licensing, regulatory and disciplinary functions:

Tony Sawyer, San Diego County Environmental Agency
Stewart Black, Department of Toxic Substances Control
George Heise, Department of Fish and Game

Mr. Rempel reported Fiscal Year 2008-09 expenditures to date that are consistent with budgeted expenditures, but that a complete reporting of revenue was not yet available yet due to the late signing of the State's budget.

In his compliance update, Professional Standards Unit Chief George Dunfield reported three new Citations and Fines issued; cost-recovery of \$3,120 for a consumer of geological services by an unlicensed practitioner; two cases referred to technical experts for review and five technical expert reviews completed. In addition, the Professional Standards Unit continues to issue warning letters to professional reference providers who fail to accurately characterize an applicant's professional qualifying experience. Mr. Dunfield also reported ongoing cooperative work with DTSC, including the successful joint unlicensed sting operation with Contractors State Licensing Board and DTSC officials.

Protection of the public shall be the highest priority of the Board for Geologists and Geophysicists in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount. (Business and Professions Code §7810.1)

Board Action: On motion of Member Ashby, the Board voted unanimously to rescind its moratorium on accepting applications for licensure under Business and Professions Code §7847, effective January 1, 2009.

Closed Session

The Board went into closed session to discuss examination preparation, grading and validity to discuss possible reconsideration of an adopted proposed decision in OAH case No. L-2007110612 (Member Ashby was recused from deliberations regarding OAH case No. L-200711061).

Open Session

President Blake reported that during closed session, the Board had discussed examination preparation, grading and validity, and possible reconsideration of the adopted proposed decision (OAH No. L-2007110612).

Committee Reports

Policy Committee member Kim Taylor introduced herself to the Board as a licensed Professional Geologist and practicing attorney specializing in environmental law.

On behalf of Professional Affairs Advisory Committee (PAAC) Chair Tom Crosby, PAAC member Kim Taylor reported that during its October 24th meeting, the PAAC discussed strategies to promote community outreach to three target groups, including college and high school students, academic professionals, and regulatory agencies. And that the PAAC is currently working to develop draft talking points to address each group for Board consideration at its next meeting.

On behalf of Enforcement Oversight Committee (EOC) Chair Scott Magorien, EOC member Tony Sawyer reported that analysis of enforcement cases indicate that 76% of cases involve the practice of environmental geology compared to 16% engineering geology, and about 5% economic geology, groundwater supply and geophysics. The EOC also recommended that, given the complexity of legal matters requiring effective representation, the Board seek more experienced DCA counsel.

Board Directive: The EOC will continue to review closed cases, trends and procedures, evaluate processing of enforcement cases, and report findings and recommendations to the Board.

Future Board Meetings

The Board scheduled future meetings for February 13, 2009 (Northern California); May 8, 2009 (Southern California); August 14, 2009 (Northern California); and November 6, 2009 (Southern California).

Meeting adjourned at 3:30 p.m.

Richard G. Blake, Board President
Date Approved: February 13, 2009