

JOURNAL #8 – April 2021

Long time coming...our first journal entry since 2019!

As with most of the world, those of us here in the administrative office of the Louisiana Board of Professional Geoscientists have been feeling a bit disconnected and generally outside our normal routines since our last issue of the journal. “Social distance” hasn’t been just the six feet required; it has meant being “socially distanced” from each other and from our licensees; it has meant not going to professional meetings in person and not making presentations or having board meetings without that nearly universal tool, Zoom. We are hoping this pandemic and the havoc it has created will all soon be a “socially distanced” memory, a moment relegated to history. In the meanwhile, life does go on, and we have news to share. This issue provides details of some the board’s recent work in areas of staffing, building policy, and setting procedures for the board’s responsibilities as set forth in the statute. Read on for details.

Mallory’s Moment



Mallory in the mycology section of the Shirley C. Tucker Herbarium on Louisiana State University’s campus. Top right: *Neomyleptodiscus pertusus* fungi spore found in sample from the South China Sea that suggests warm, subtropical, and humid climate in the Middle Miocene. Bottom right: Monolete spore with pyrite inclusions found in sample from the South China Sea.

Hello! My name is Mallory Pilić, and I am the Project Coordinator for the Louisiana Board of Professional Geoscientists. I started working with the Board in January helping with document creation and management, event planning, examination proctoring, and aiding in the application and renewal process of licensees. My hope is to learn as much as I can while being emersed in the geoscience community and simultaneously providing my perspective as a graduate student in geology.

When I am not assisting the Board, I spend my time doing graduate research at LSU. I am a master's student under Dr. Sophie Warny working in the Center for Excellence in Palynology. My thesis focuses on global fungi abundance, diversity, and distribution in the South China Sea, the Bengal Fan, and McMurdo Sound, Antarctica during the Middle Miocene Climatic Optimum, a global warming event that took place 15 to 17 million years ago. This warmer-than-current time can be used as a proxy to predict the effects of Earth's future warming events. Fungi are responsible for breaking down organic matter, making them vital decomposers in ecosystems. They play an important role in controlling the amount of carbon in the atmosphere, with some species absorbing carbon and others releasing it, meaning they could potentially help or hinder efforts to control global warming. The results from my research will help deliver the first global view of fungal biodiversity, ecology, and biogeography for a time interval significantly warmer than today. This work will also aid in determining what impact we can expect an increase in global temperature to have on modern fungi.

Moving Forward on Board Responsibilities:

New standard operating procedures used to implement board policy

In an effort to develop policies and processes that will assist members of the board in executing their duties, in creating continuity in the performance of those duties, and in lending transparency to the Board's activities and choices, each board committee has drafted a set of steps used in that committee's work. These Standard Operating Procedures (SOPs) have been published on the LBOPG webpage to offer guidance to new board members, clarity to the board's constituents, and information to the public.

- **Evaluating Applications for Geologist-in-Training (GIT) Certification and Professional Geoscientist (PG) Licensure in Louisiana**

To be eligible for licensing by the Board, an applicant must meet certain qualifications. A Professional Geoscientist applicant is required to have a degree in a discipline of geoscience or equivalent educational requirements, at least five years of relevant work experience, three letters of reference attesting to good moral and ethical character, and a passing score on an examination covering the fundamentals and practice of geoscience. A Geologist-in-Training applicant is required to have completed at least three years of a degree in a discipline of geoscience, one letter of reference attesting to good ethical character, a passing score on an examination of the fundamentals of geology, and a completed application. The Application Review Committee will then review the applications and submit a summary of recommendations for licensure to the office staff.

- **Request for waiver of licensing requirement**

An applicant can request a waiver for only one of the required credentials for licensure. The Board will assess the request and determine if the candidate qualifies for a waiver. If one is seeking a waiver for education in lieu of experience, he or she must:

1. provide a statement of good cause*;
2. hold a four-year degree with at least 15 hours in courses of geoscience;
3. provide a record of continuing education and workshop participation in geoscience fields;
4. provide documentation of 15 years of relevant work experience;
5. pass both the examination for fundamentals of geology and the examination for practices of geology; and
6. get approval from the Application Committee.

If one is seeking to waive the licensing examinations, then he or she must:

1. provide a statement of good cause*;
2. provide a record of continuing education and workshop participation in geoscience fields;
3. provide documentation of 15 years of relevant experience;
4. provide results of any practice exam equivalent to the ASBOG Practice of Geology exam; and
5. get approval from the Application Review and License Examination Committees.

No waivers will be granted for qualifying work experience or the five-year waiting period for reciprocity after receiving licensure from another participating state. For any waiver request to be considered, it must be submitted with a complete application, including payment of fees.

*Good cause should indicate why the applicant feels a waiver is needed and should provide a description of the applicant's qualifications and/or restrictions that would persuade the board of the necessity for granting the waiver.

- **Obtaining and Evaluating Professional Development Hours (PDH) submitted by Licensees in Compliance with Licensing Requirements**

Each licensee is required to obtain 15 total PDH of continuing education, 14 in geoscience and one in geoscience ethics. A licensee must also maintain records of activity completion, complete a log sheet provided by the Board, which can be found at the bottom of [the continuing education page](#) on our website, and provide the Board with these materials upon an audit request. After a licensee is notified that he or she has been selected for an audit, the individual is required to provide documentation by email or postal mail to the Board. If the licensee does not meet the Board's requirements, they can correct these issues in 60 days to continue with the license renewal process.

- **Enforcement**

When a complaint is filed against a licensee, the Board will initially evaluate and investigate the criticism. The Board will then act based on the investigation conclusion. This standard operating procedure then goes into detail regarding the general procedures of enforcement.

- **Penalty Matrix**

Related to the Enforcement SOP, the board has developed a draft penalty matrix. This matrix is available for review and comment on our website [here](#). This document has been on the website since March 11 and will be available for comment until May 12. If you have comments or suggestions, please send them to apply@LBOPG.org or attend the Thursday, May 13, board meeting to comment in person.

State Government Employee Waiver Program

The Louisiana Professional Geoscience Practice Act (RS 37:711.12) states that "...a person shall not engage in the practice of geoscience unless the person holds a license...." The Act also allows for certain types of practice to be exempted. In the early days of licensing there was some confusion over the exemption of "Federal government employees," resulting in many state employees believing they were exempt from the licensing requirement. In fact, some people, including members of the board, recall discussion of exempting state employees at early stages of the legislative process.

However, those discussions did not lead to actual language in the bill or resulting statute that exempts state employees, so at present, there is no statutory exemption for state employees. On July 14, 2020, the board's legal counsel rendered an opinion that, according to the statute, Louisiana state employees do not have a special exemption; the details of that opinion are available later in this issue (see "Legal Counsel's Opinion Clarifies Board Authority"). Please visit our web pages to view the "[Act](#)" and the "[Rules](#)" under the resources tab for the full text of these documents.

Because of this confusion, state employees who would have taken advantage of the grandfathering period may have missed this option. The board has voted to open a window of opportunity for any qualified geoscientist employed by the State of Louisiana (including exempted employees) to apply for the Louisiana Professional Geoscientist license without taking the ASBOG exams. The period for this waiver is from January 15, 2021 through December 31, 2021. A form, available [here](#), must accompany each application. Please send the completed form to apply@LBOPG.org or mail to Louisiana Board of Professional Geoscientists, 9643 Brookline Avenue, Suite 101, Baton Rouge, LA 70809.

Shreveport Geological Society and LSU Department of Geology and Geophysics is hosting a geological field trip

This field trip will be held the morning of May 8th from 8 am to 12pm. The primary focus of the field trip is to look at stratigraphy of the Wilcox formation in Northwest Louisiana. Members of the Shreveport Geological Society, as well as Dr. Carol Wilson from LSU will lead the field trip and help attendees learn about some of the interesting geology Louisiana has to offer! If you have any questions or are interested in attending this field trip, please contact David Williamson at dwilliamson.wa@gmail.com.



Left: People investigating geology of Northwest Louisiana on a preliminary trip to determine the stops for the geological field trip.

Right: Sandstone boulders of the Wilcox Formation on Clyde Fant Parkway in Shreveport, LA. Photos are courtesy of David Williamson.

Legal Counsel's Opinion Clarifies Board Authority

In July 2020, Mabelle Hall, Assistant Attorney General with the Louisiana Department of Justice and legal counsel to the Louisiana Board of Professional Geoscientists, provided board members with her responses to four questions the board had asked her. Those questions and her responses follow:

Q: Are the employees of State agencies and those of its political subdivisions, agencies, and offices who practice geoscience as part of their official, non-research duties required to be licensed professional geoscientists under the Act?

A: Yes, while there is an exception for federal employees, there are no exceptions for state employees.

Q: Are geoscientific documents considered to be under the “responsible charge” of a government agency employee when said employee is reviewing it for official, non-research reasons?

A: Yes, as long as the employee is performing work that is regulated by the board.

Q: Does the LBOPG have the authority to review geoscientific reports or portions of reports required by municipal or parish ordinance, state or federal law, state agency rule, or federal regulation in order to

determine whether such documents are geoscientific in nature? If so, may the LBOPG establish standards to apply to the application process for these engineering and environmental projects?

A: For the first part of the question, the board has the same right to examine public documents that any other member of the public has. Records can be requested by a standard public records request; public databases can be searched; and agency offices can be contacted to request information. For the second part of the question, the board cannot tell another agency how to establish its own standards, rules, and regulations. If, in regulating geoscientists, the board elects to establish rules and guidance, that is acceptable, but other agencies cannot be required to adopt those rules and guidance.

Q: May the LBOPG advertise its function to the public and regulatory agencies responsible for evaluating compliance, so they are informed about the importance of geoscience evaluations and aware of procedures and have access to contacts for reporting violations?

A: No, the LBOPG cannot “advertise” its functions; but it can present its mission and function to the public as an educational activity. Providing the public with information is acceptable.

And, once again, a final note and a request...

As we mentioned in our previous journal issue, we are embarking upon a project to discover and report on geoscience work in Louisiana, wherever that work is being produced. Since our office is in Baton Rouge, we started with research and other work at LSU. We are hoping to be in contact with other Louisiana colleges and universities that offer geoscience courses and perform geoscience research because we would love to include those institutions as well. If you have leads we can follow to learn more about projects that exemplify the importance of geoscience to Louisiana and beyond, please send us that information. You can contact us at apply@lbopg.org or 225-505-3766.