



# Oregon Geologist Examiner

October 2005

Official Publication of the Oregon State Board of Geologist Examiners

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## Geology Board Members:

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State Geologist  
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Allen Morris, Public Member  
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Eileen L. Webb, RG

**Susanna R. Knight**  
Administrator

**Marilou Arrobang**  
Licensing Specialist

**Jane F. Feinberg, RG, CEG**  
Design Editor

## Next Board Meeting:

**November 11, 2005**

**8:00 AM**

Hannon Library, Meese Room  
Southern Oregon University  
Ashland, Oregon

## Geologic Mapping Advisory Committee Meeting

On August 24, 2005, the Oregon State Department of Geology and Mineral Industries (DOGAMI) held its annual Oregon Geologic Map Advisory Committee Meeting. The purpose of this meeting was to assist DOGAMI in securing federal grant money for mapping projects in Oregon. Such grant money is used to fund new geologic mapping at 1:24,000 and compilation mapping at 1:100,000, and often is used to support educational projects, such as theses, which are funded separately as part of the National Cooperative Geologic Map Program (EDMAP). One condition of the grant is that new mapping projects must be approved by the Geologic Map Advisory Committee, which is comprised of approximately fifty geologists from a wide range of public agencies or private industry, and non-geologist stakeholders, such as municipalities, water districts, or counties. The USGS STATEMAP review panel consists of State Geologists from five states and three geologists from the USGS.

Each year DOGAMI's Advisory Committee members recommend mapping projects around the state based on identified needs for new detailed geologic mapping. Mapping projects are suggested based on various ongoing needs or problems (i.e., groundwater quality, geologic hazard safety, earthquake activity, tsunamis) in tandem with criteria established by the selection committee (i.e., aggregate supplies, energy, mining). Through a process of presentations on the proposed project areas, the Advisory Committee members discuss and vote on subsequent projects.

One of the major undertakings by DOGAMI is the Statewide Compilation map, a digitized project that ultimately will be available on the web. Individual area projects under way include the:

- Umatilla Basin Project (Mark Ferns): finished in 2005
- Klamath Falls Project (Margi Jenks and Stan Mertzman): finishing in 2006
- Eugene Area (Ian Madin): finishing in 2005-2006
- Grants Pass (Tom Wiley): finishing in 2005
- National Earthquake Hazards Reduction Program (NEHRP) funded Portland Area Project (Ian Madin)
- Prineville Urban Area (Mark Ferns and Jason McClaghry)

Additionally, the USGS is directing geologic mapping under the Northwest Oregon Mapping Program (Ray wells, USGS).

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## Knight's Notes

**F**all is the time of the year when the *Code of Ethics* is included with the newsletter. Please take a few minutes and read the insert, which is a section of the Oregon Administrative Rules (OAR) that governs your practice. As the practitioners in this profession, you are also to be policing this profession. Thank you for your assistance to the Board in this manner.

The Board published GUIDELINES FOR ENGINEERING GEOLOGY REPORTS early in 1990. In the spring of 2005, the Board released GUIDELINES FOR HYDROGEOLOGY REPORTS. Both reports are posted on the website. It is now the consensus of the Board that Guidelines for Geology Reports should also be developed, in fact, maybe that is where this project should have started many years ago! If you are willing to serve in the development of this new document, please make your interest known to staff at the Board office.

The Board will soon be bidding farewell to members David Michael and Bill Orr. Having completed the allowable two terms, their last meeting will be the November meeting. Both have been very diligent in their responsibility as members. It is always difficult when terms end, especially when appointees have the enthusiasm and knowledge of these two. They will be missed. However, the summer Board picnic will always be a time to reconnect with Bill and David and other former members. Former Board Member Lanny Fisk traveled from Sacramento for this year's picnic. We hope more of you former members will join us next year.

As always, if you have an interest in serving as a volunteer on any Board committees, please contact staff so we can point you in the right direction.

Look for information in the next newsletter about two new Board members that will be appointed soon by the Governor's office.

Happy autumn,

Susanna Knight  
Administrator



## Email Notice Effective

**T**he power of database development is amazing. The technology continues to evolve. As the brain thinks and designs, the computer can generally carry out the plan. A recent addition to the database is the ability to provide a monthly group email to all lapsed registrants.

When a registrant fails to renew their registration by their renewal date, the database automatically lapses the status of their registration. It now also creates a group email so that those registrants can be noticed that their registration has lapsed. Sometimes an error by staff has caused the lapse to occur. Sometimes the registrant's in-basket was never emptied. Or perhaps the registrant no longer intends to be an active registrant. Whatever the reason, this frontline email provides an immediate opportunity to correct the lapse status. Registrants are reminded that they must have an active registration with the Board to practice in Oregon.

## Notice of Rulemaking Hearings

**T**he Board proposes to amend the following rules:

**Amend:** 809-015-0000, Renewal  
809-015-0005, Restoration

Two minor rule adjustments are made to correctly reflect what the statute has always stated. These are not newly written or implemented, but rather are corrections to existing rules. Renewals are to be paid *before* the renewal date, not on or before the renewal date. A restoration fee is required with a lapsed registration payment.

*Last day for public comment: October 31, 2005*

**Amend:** OAR 809-010-0001, OAR 809-040-0002, OAR 809-040-0006, OAR 809-050-0010

The fee increase for the ASBOG fundamental examination was approved by action at the December 7, 2004, Board Meeting. This increased fee represents the actual ASBOG charge to the Board to provide the examination.

By action at the March 8, 2005, Board meeting, the Oregon Geology examination was removed as a requirement for registration as a geologist in Oregon effective June 1, 2005. The above-amended rules will carry out this decision of the Board.

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## DIVISION 20

### CODE OF PROFESSIONAL CONDUCT

#### **809-020-0001**

##### **Goals**

(1) A geologist shall be guided by the highest standards of ethics, honesty, integrity, fairness, personal honor, and professional conduct.

(2) To the fullest extent possible, a geologist shall protect the public health and welfare and property in carrying out professional duties.

Stat. Auth.: ORS 672  
Stats. Implemented:  
Hist.: GE 4-1984, f. & ef. 12-18-84

#### **809-020-0006**

##### **Responsibility to Profession**

(1) A geologist shall undertake professional service or render expert opinion only when qualified by training or experience in the technical areas involved.

(2) When serving as an expert or technical witness before a court, commission, or other tribunal, a geologist shall express only those opinions founded upon adequate professional knowledge of the matters at issue.

(3) A geologist shall sign and seal only professional work, including, but not limited to, maps and reports for which the geologist has direct professional knowledge, and for which the geologist intends to be responsible for its accuracy and adequacy.

(4) A geologist shall not take credit for work conducted by others. When using the results of other geologists' work in the performance of the practice of geology, a geologist shall give due credit to the other geologists by citation or acknowledgement. Work of other geologists which is proprietary, or was not intended to be made generally available, shall not be used without the permission of the other geologist.

(5) A geologist shall not knowingly make false statements or misrepresentations, or permit the publication or use of the geologist's name or work in association with any fraudulent activities.

(6) A geologist shall make full disclosure to all parties concerned of any conflict of interest in projects or properties on which the geologist performs work.

(7) If a geologist has knowledge or reasonable cause to believe another person or geologist is in violation of the registration law, ORS Chapter 672, or the related administrative rules, the geologist shall present such information to the Oregon Board of Geologist Examiners, in writing.

(8) If a geologist's professional judgment is overruled or not adhered to under circumstances where the geologist has reasonable cause to believe there is a clear and present threat to the public health or welfare or property, the geologist shall immediately notify the client/employer. If the client/employer does not take appropriate action within a reasonable amount of time under the circumstances, the geologist shall notify in writing the agency of local government having jurisdiction, or in the case of state/federal property the state/federal agency having land management responsibility, and the Board of the nature of the public threat.

Stat. Auth.: ORS 672  
Stats. Implemented:  
Hist.: GE 4-1984, f. & ef. 12-18-84

#### **809-020-0011**

##### **Responsibility to Employer**

(1) A geologist shall avoid conflict of interest with a client/employer and shall disclose the circumstances to the client/employer if a conflict is unavoidable.

(2) A geologist shall not, during the time of the geologist's retention or employment by a client/employer, use information developed for, or the resources of, said client/employer for private gain or in any other manner that may conflict with the client/employer's interest without the knowledge and consent of the client/employer, except as specified in OAR 809-020-0006(8) Responsibility to Profession. In the case of a former client/employer, a geologist shall honor agreements with that former client/employer with regard to proprietary information, except as specified by OAR 809-020-0006(8).

(3) A geologist shall either engage or advise a client/employer to engage other experts or specialists if

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**DIVISION 20**  
**CODE OF PROFESSIONAL CONDUCT**

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the client/employer's interests are best served by such service.

(4) A geologist shall give due notice of withdrawal of service from a client/employer. Due notice shall be either 30 days or a time mutually agreed to by the geologist and the client/employer, whichever is less. However, a geologist may withdraw from service without due notice if:

(a) The geologist fails to receive compensation, or has reasonable cause to believe that compensation for services performed will not be received;

(b) The geologist knows, or has reasonable cause to believe, that continued employment will result in a violation of this Code, ORS Chapter 672, the related administrative rules, or will otherwise be illegal;

(c) The geologist knows, or has reasonable cause to believe, that the client/employer is involved in illegal or fraudulent practices, or practices dangerous to the public health, and welfare and property;

(d) The geologist knows, or has reasonable cause to believe, that continued employment will result in sickness or injury to the geologist or the geologist's dependents.

(5) A geologist shall not accept compensation concurrently from more than one client/employer on a project, unless the circumstances of payment are fully disclosed and agreed to by all financially interested parties.

Stat. Auth.: ORS 672  
Stats. Implemented:  
Hist: GE 4-1984, f. & ef. 12-18-84

**809-020-0025**  
**Responsibility to the Board**

(1) A geologist, when requested by the Board, shall respond to communications from the Board within 30 days of the date of receipt of mailing by registered or certified mail.

(2) A geologist, when requested by the Board, shall present information and assistance to the Board in pursuing violations of laws and rules relating to the

practice of geology in the State of Oregon. A geologist shall not dismiss from his employment, or take any other sanction against another geologist because of the other geologist's compliance with this, or any other subsection, of the Code of Professional Conduct, ORS Chapter 672, or the related administrative rules.

Stat. Auth.: ORS 672  
Stats. Implemented:  
Hist: GE 3(Temp), f. & ef. 12-14-77; GE 1-1978, f. & ef. 3-9-78;  
GE 4-1984, f. & ef. 12-18-84

**809-020-0030**  
**Misconduct**

Violation of the Code of Professional Conduct is misconduct. In addition, the following specific actions are considered to be, but not limited to, misconduct for which the geologist may be disciplined:

(1) Signing or stamping work which was not prepared under the direct supervision or control of the geologist;

(2) Offering or accepting gifts (other than those of nominal value, such as entertainment or hospitality), with the intent of influencing the judgment of a client, prospective client or government official, or the geologist in connection with a project, or employment, in which the geologist is to be retained or has a financial interest;

(3) Engaging in professional conduct involving fraud, deceit, or violation of federal or state statute or rule regulating the practice of geology;

(4) Practicing geology while the geologist's ability to practice was impaired by alcohol or other drugs;

(5) Engaging in false, misleading or deceptive advertising;

(6) Making a substantial misrepresentation relating to the public practice of geology.

Stat. Auth.: ORS 672  
Stats. Implemented:  
Hist: GE 4-1984, f. & ef. 12-18-84

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## Tribal Inquiry

The Board is requesting that any tribal member that is also a registrant of this Board contact staff at the office. The Board is finalizing a Tribal Policy. Assistance from a tribal member would be helpful.

## Candidate Numbers High

The Board administered the national ASBOG (Association of State Board of Geology) examination October 7, 2005. In addition, the WA/OR Certified Engineering Geology examination was also administered on that date. Numbers for both sections of the ASBOG exam were higher.

## Welcome New Registrants!

The Board welcomes the following new registrants:

Craig C. Arola	G2073
Christopher W. Breemer	G2006
George C. Dunfield	G2074
Balin B. Strickler	G1908

*Correction: The staff apologizes for incorrectly listing new registrant Wesley P. Hill, G2062, as Wesley P. Gill in the July 2005 newsletter.*

## Geologic Mapping

*(continued from page 1)*

As a result of the 2004 Advisory Committee meeting, fourteen new candidate areas were considered as potential projects. However, only two of these projects could be solicited for consideration by the federal grant team. This year, the selected projects include a coastal strip from approximately the Coos Bay to Brookings Area. The second project includes the area of the Lower Crooked River. These projects were selected because of groundwater quality or supply issues and geologic hazard issues faced by citizens in those areas. An additional consideration was the availability and locations of DOGAMI staff who would conduct the work. DOGAMI is preparing the 2005 grant for submittal to the federal grant team by November 4, 2005. Monetary awards are expected to be announced by late December 2005.

For each project area, mapping is carried out over several years, with defined map deliverables each year. Deliverable maps are completed by June 1st, and typically are published as unreviewed, open-file reports within a few months. Geologists interested in participating in the Advisory Committee are encouraged to contact Ian Madin at DOGAMI ([ian.p.madin@state.or.us](mailto:ian.p.madin@state.or.us)).

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# VOLUNTEERS WANTED

to assist in developing

## GUIDELINES FOR GEOLOGIC REPORTS



Please contact Board staff to sign up to help!

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## Oregon State Board of Geologist Examiners

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### Lapsed Registrations

The following registrants' licenses to practice geology in Oregon lapsed during June, July, and August 2005. An active registration is required to practice in Oregon. If your renewal payment was processed, please contact the Board office so the error can be identified and a correction made. Your assistance in the process is appreciated.

Turner, Ronald J.  
Rehm JR, John M.  
Shaw, Neil B.  
Larkin II, Hugh D.  
Perkins, William J.  
Underhill, Mark R.

### 2005 Calendar of Upcoming Events

- October 7: ASBOG Exams, Salem, Oregon  
8:00 AM to 5:00 PM
- CEG Exam, Salem, 8:00 AM to 12:00 PM
- Nov. 2-3: Council of Examiners Meeting  
Portland, Maine
- Nov. 4: March ASBOG Exam Applications Due
- Nov. 5: ASBOG National Meeting  
Portland, Maine
- Nov. 10: Board Work Session, 7:00 PM  
Ashland, Oregon
- Nov. 11: Board Meeting, 8:00 AM  
SOU, Ashland, Oregon