



Association of Environmental & Engineering Geologists

Southern California Section

"Connecting Professionals, Practice, and the Public"

March 12, 2006

Mr. Craig Copelan, President
Board for Professional Geologists and Geophysicists
2535 Capitol Oaks Drive, Suite 300A
Sacramento, CA 95833-2926

RE: Section 7847 Comity Applications

Dear Mr. Copelan:

During the discussion of item 8 at the February 17, 2006 Board meeting, *Consideration of Approval of Comity Applications for licensure via Section 7847 of the Geologists and Geophysicists Act*, I questioned if it was possible for any applicant for reciprocal licensure to meet the requirements of Section 7847 without having taken and passed the California Specific Exam. The Board's legal counsel responded that this issue had been discussed and resolved at an earlier date and that the applicants do meet the requirements of the Act. I assert that the Board's counsel's statement is in error, and that the text of Sections 7847 and 7841(d) and a statement by Executive Officer Paul Sweeney proves this is so.

Section 7847 states: "The board...may issue a certificate of registration as a geologist...without written examination, to any person holding an equivalent certificate of registration as a geologist...issued to him by any state or country *when the applicant's qualifications meet the other requirements of this chapter and the rules established by the board*" [emphasis added]. Section 7841(d) of the Act reads: "Successfully pass a written examination that incorporates a national examination for geologists created by a nationally recognized entity approved by the board, **and a supplemental California specific examination**" [emphasis added].

Additionally, the Board's Executive Officer, Mr. Paul Sweeney, states on page 5 of his document *The California Specific Exam – A Value Appraisal* (April 20, 2005) that "Out-of-state licensees who have passed ASBOG since 1996 **are prohibited from practicing in California until they have passed the CSE.** Individuals who are licensed in other states through 'grandfathering' (non-examination licensure) **must take both the ASBOG and CSE**" [emphasis added].

It is the Board's fiduciary duty to correctly apply and enforce the provisions of the Geologist and Geophysicist Act. I request that the Board and counsel provide a written determination of the legal qualifications of all those licensed under Section 7847 and take appropriate action as warranted.

Sincerely,

Charles Nestle, Chair
Association of Environmental and Engineering Geologists
Southern California Section
PG 6400, CEG 2065

CC: W. Black, J. Schmidt, C. Yu