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January 24, 2005

BY FAX

The Honorable Michael Alpert, Chair and Commissioners
Little Hoover Commission
926 J Street, Suite 709
Sacramento, CA 95814

RE: Opposition to the elimination of the Board of Geologists and Geophysicists

Gentlemen:

The California Council of Geoscience Organizations (CCGO) strongly supports maintaining the Board for Geologists and Geophysicists (BGG) intact as it currently stands. Consideration should not be given at this time to transferring BGG functions to the State Mining and Geology Board (SMGB), as recommended in the California Performance Review, because the Governor has recently proposed to eliminate the SMGB. At the end of this letter, we provide support for maintaining *board* administration of the Geologists and Geophysicists Act instead of *bureaucratic* administration of the act.

The attempts to streamline the government of California by Governor Schwarzenegger are commendable, given that these efforts are aimed at eventually balancing the budget and taking the tax burden off the people of the state. However, the **BGG is self-supporting** (thus there is no tax advantage to eliminating it), and is **necessary for the health, safety, and protection of the general public** in matters of the geosciences. It is our understanding that you are members of the Little Hoover Commission, and as such, we ask your support of the BGG as it currently stands.

It is widely acknowledged that the average individual homeowner or small business owner is an “unsophisticated” consumer of geologic services, and cannot see the signs of impending natural disasters that geologists are trained to observe. Every geologic disaster that requires local or state emergency response or emergency aid, such as the recent tragic re-activation of the La Conchita landslide, is a taxpayer expense. Licensure is the key to good geologic work that **can reduce or prevent such disasters** and the associated costs, including loss of life.

We also find that, when it comes to headline-grabbing geologic hazards, most of those who operate large businesses, and even the administrators of

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most government agencies, are just as “unsophisticated” as the typical homeowner. These potential geologic hazards include landslides, tsunamis, drinking water contamination, and sinkholes. In recent years, environmental contamination from mercury and asbestos has become a critical concern for many Californians. Licensed geologists have the education, mentoring, and practical experience to minimize the potential effects of these, and other, geologic hazards *for the health, safety, and protection of the general public*.

Geology licensure boards across the country serve the function of maintaining the public trust by *keeping practitioners accountable* through the credential inspection and licensure examination process. If a licensed geologist has misrepresented expertise to clients, or failed to perform in accordance with customary practice and expertise, or sidestepped regulatory requirements, he or she should face appropriate disciplinary action.

Finally, we would like to compare administration by boards in preference to that by a bureau in the state government.

- Board administration is governed by the open meetings act. There are regular meetings announced in advance, with agendas posted, and time allotted for anyone to address the board or committee on any subject not on the agenda. The board form of licensure administration makes government highly accessible to every citizen and interested party. New regulations must be proposed and adopted within the strict confines of the Administrative Procedure Act, thus providing many opportunities for public and professional input. Board administration of a licensure law is **government in the sunshine**; the government can be held accountable for its actions just as it the profession that is licensed.
- By contrast, the bureaucratic form of licensure law administration envisioned in the CPR is **government in the shadows**. There are no announced agendas, no open meetings, no opportunity for the public to be heard in recorded and public proceedings, and there is little accountability of the law administrators for their actions or inactions. The costs of geologic hazards to the citizens and the state of California are simply too large to consign the administration of the Geologists and Geophysicists Act to government in the shadows.

We appreciate your time in this matter, and again, we ask the members of the Little Hoover Commission to support the BGG as it currently stands.

Sincerely,

Jane Gill-Shaler, PG
Executive Director, CCGO
1636 West Lexington Avenue
High Point, NC 27262

cc: CCGO Board of Directors