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SENATE BILL NO. 184

Offered January 10, 2024

Prefiled January 8, 2024

A BILL to amend and reenact § 54.1-2200 of the Code of Virginia, relating to Department of Professional and Occupational Regulation; practice of geology; definitions.

Patron—Rouse

Referred to Committee on General Laws and Technology

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-2200 of the Code of Virginia is amended and reenacted as follows:

§ 54.1-2200. Definitions.

As used in this chapter, unless the context requires a different meaning:

"Board" means the Board for Professional Soil Scientists, Wetland Professionals, and Geologists.

"Department" means the Department of Professional and Occupational Regulation.

"Eligible soil scientist" means a person who possesses the qualifications specified in this chapter to become licensed.

"Eligible wetland professional" means a person who possesses the qualifications specified in this chapter to become certified.

"Geologist" means a person engaged in the public practice of geology.

"Geology" means the science ~~dealing with~~ *encompassing those principles and methods related to* (i) the earth and its history in general; (ii) the investigation, prediction, evaluation, and location of materials and structures ~~which that~~ compose the earth; (iii) the natural processes that cause changes in the earth; and (iv) the application of knowledge of the earth, its processes, and its constituent rocks, minerals, liquids, gases, and other natural materials.

"Practice of geology" means the performance of any *professional* service or work ~~for the general public~~ wherein the principles and methods of geology are applied, *including (i) investigating, evaluating, and consulting; (ii) geological mapping; (iii) describing the natural processes that act upon the earth's materials; (iv) predicting the probable occurrence of natural processes; and (v) inspecting, planning, and performing and supervising geological work in order to enhance and protect the health, safety, and welfare of the public and the environment.*

"Practice of soil evaluation" means the evaluation of soil by accepted principles and methods including, ~~but not limited to,~~ observation, investigation, and consultation on measured, observed, and inferred soils and their properties; analysis of the effects of these properties on the use and management of various kinds of soil; and preparation of soil descriptions, maps, reports, and interpretive drawings.

"Practice of wetland delineation" means the delineation of wetlands by accepted principles and methods including, ~~but not limited to,~~ observation, investigation, and consultation on soil, vegetation, and hydrologic parameters; and preparation of wetland delineations, descriptions, reports, and interpretive drawings.

"Qualified geologist" means an uncertified person who possesses all the qualifications specified in this chapter for certification.

"Soil" means the groups of natural bodies occupying the unconsolidated portion of the earth's surface which are capable of supporting plant life and have properties caused by the combined effects, as modified by topography and time, of climate and living organisms upon parent materials.

"Soil evaluation" means plotting soil boundaries, describing and evaluating the kinds of soil, and predicting their suitability for and response to various uses.

"Soil science" means the science dealing with the physical, chemical, mineralogical, and biological properties of soils as natural bodies.

"Soil scientist" means a person having special knowledge of soil science and the methods and principles of soil evaluation as acquired by education and experience in the formation, description, and mapping of soils.

"Virginia certified professional geologist" means a person who possesses all qualifications specified in this chapter for certification and whose competence has been attested by the Board through certification.

"Virginia certified professional wetland delineator" means a person who possesses the qualifications required for certification by the provisions of this chapter and the regulations of the Board and who is granted certification by the Board.

"Virginia licensed professional soil scientist" means a person who possesses the qualifications

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59 required for licensure by the provisions of this chapter and the regulations of the Board and who has
60 been granted a license by the Board.

61 "Wetland delineation" means delineating wetland limits in accordance with prevailing state and
62 federal regulatory guidance and describing wetland types.

63 "Wetland professional" means a person having special knowledge of wetland science and the
64 methods and principles of wetland delineation as acquired by education and experience in the formation,
65 description, and mapping of wetlands.

66 "Wetland science" means the science dealing with the physical, chemical, and biological properties of
67 wetland systems integrated through ecological and morphological relationships.

68 "Wetlands" means the same as that term is defined in §§ 28.2-1300 and 62.1-44.3.