



The JOURNAL

FALL — WINTER 2022 - 2023

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Term Expires 7/2027

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Vice Chair
Spokane
Term Expires 7/2025

Aaron Blaisdell, PLS
Snohomish
Term Expires 7/2025

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Term Expires 7/2023

Marjorie Lund, PE, SE
Seattle
Term Expires 7/2026

Ivan VanDeWege, PE
Battle Ground
Term Expires 7/2024

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Port Angeles
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Ken Fuller, PE
Director

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Message from the Chair: Outreach and Development of your Practice

OPINION, by Doug Hendrickson, PE



Welcome to the Board's Journal!

You have not likely heard from me before, as this is my first opportunity to write as the Chair of the Board. Further, I am confident that few of our registrants or readers really want to hear from the Board, given that we issue licenses on one hand and discipline registrants with the other. No one wants to be involved with that second hand. I want to encourage you to embrace change in our interactions with you, your clients

and the public in our mission to safeguard life, health, property and promoting the public welfare.

Over the last several years, the Board has embarked on an odyssey to better serve the registrants and the public. Our first challenges required legislative, executive and Department of Licensing support to clearly and directly reassert independent authority and fiscal controls. Statute, administrative, and financial service changes have allowed us to migrate DOL interlaced activities to self-performance, allowing us to reduce staffing and overhead costs, thereby conserving registrant fees. Although costly, our support to the

development of the state's new licensure software system has allowed us to streamline many administrative activities to further keep staffing needs down to a minimum to support our registrants. Our latest positioning action is hiring a highly qualified outreach lead, Greg Schieferstein, as our communication and engagement strategist.

"we expect our work will be credible and of real value to your practice"

Continued on page 15

A Decade of Service

By Nirmala Gnanapragasam, Ph.D., PE



As I near the completion of my term,

I want to reflect on the past ten years as a Board member. I earned my Washington PE license in 1998 and since then have been receiving the Board Journal which was my window to the world of the "Board." I eagerly read each issue from cover to cover, as it always contained useful and interesting information: changes in the laws, pass rates for the various exams, investigations and case closures, etc. At that time, I never dreamed that I would have the honor and privilege to serve on the Board.

I still vividly remember my first Board meeting in October 2013 in

Spokane - being there like a deer in the headlights. There was so much for me to learn! Understanding the important role the Board plays in regulating our profession, how the Board fits into the bigger picture of licensees around the country and the world, the functions of the various committees within the Board, the relationship of our Board with NCEES and other jurisdictional entities, the WACs and RCWs governing our profession and other allied professions, and much more! These past ten years, I also got to work with individuals who are truly dedicated to their professions and in safeguarding the health, safety and welfare of the public. I was moved by the utmost care the Board staff and fellow Board members showed towards individuals they had to interact with, whether it be someone in their path to licensure

or a licensee against whom a complaint has been filed.

The Board also went through lots of major changes during my tenure - from being a regulatory agency under the Washington Department of Licensing - to becoming an independent agency with more control over its own activities and budget. When the pandemic hit in 2020, we learned how to be productive in a virtual environment, thanks to all the recent technological advances!

Now as we come out of the pandemic, we have moved to a hybrid mode with a mix of virtual and in-person meetings to carry out the Board business more efficiently.

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“It’s In There!”

Ensuring appropriate pricing, key to NCEES CBT exam program and organization as a whole

By David Cox, NCEES Chief Executive Officer

Reprinted with permission from NCEES Exchange, December 2021



In the 1980’s, a popular spaghetti sauce commercial featured several family members each asking if the sauce contained critical ingredients. With each inquiry, the answer was simple: “It’s in there.” Similarly, for exam pricing to be successful, all cost elements of the pricing must be included. Exam revenue constitutes nearly 70 percent of our organization’s total revenue. It is the lifeblood of NCEES, funding services for member boards. It is important that exams provide substantial, positive cashflow. With that in mind, let’s review what needs to be “in there” from a computer-based testing (CBT) perspective.



Seat/palm scan fees

When an examinee sits for a CBT exam, NCEES pays a seat fee to a third-party vendor that administers the exam. In addition, it pays a fee to verify each candidate’s identity. Currently, the two fees combined are nearly 76% of the FE and FS exam prices, leaving \$42 of the \$175 exam fee for other exam costs. For PE and PS exams, these fees are a more reasonable 43–50 percent of the exam revenue, leaving more margin available for other costs. Direct exam costs Psychometric services, exam development (PAKS/cut scores), committee work (including travel), contracted services, ADA consultants, exam security, and Exam Services staff salaries and benefits are examples of direct exam costs. These costs are critical for current and future exams and must be part of the exam fee.

Support services

Support services include committee and board meetings, zone and annual meetings, member board administration, awards, outreach, marketing—along with support costs of human resources, IT, finance, marketing, facilities and overall leadership. These costs are necessary to sustain and grow an organization and must be included in the exam fee.

Mission advancement

As a nonprofit, NCEES must consistently seek to further our mission to advance licensure. To do so, we must ensure that the exam pricing contains a reasonable “profit” that can be invested back into the organization. Converting our pencil-and-paper exams is a perfect example: prior year profits were invested into the infrastructure costs of converting our exams to CBT, further reducing barriers to licensure and ultimately aid our mission. A profit must be “in there” to advance our mission.

continued next page

“It’s In There” *continued from last page*

Value

In addition, we must always consider value when establishing an exam price. An overly high price can be a barrier to licensure, while a price set too low does not translate to the value of the exam.

President Brian Robertson, P.E., has charged the Committee on Finances with evaluating the pricing of each of our exams—including assessing the current costs associated with each exam type—to ensure future financial sustainability. Exam revenue is critical to the financial health of our organization now and long-term, and it is wise to periodically evaluate exam prices, especially after several years of heavy investments in the CBT transition. Currently, the fundamental exams are not priced sufficiently to encompass all the costs mentioned above; however, all exams will be evaluated as part of this process. Traditionally, any exam price change takes effect a full year after the approval, beginning January 1. Therefore, any pricing change approved at the August 2022 annual meeting, would become effective January 1, 2024.

A Decade of Service *continued from page 1*

These past few years have made me wonder how we would have functioned if the pandemic had hit us a decade or more earlier when there were no convenient virtual meeting platforms! I hope some of these beneficial practices we learned from the pandemic will continue.

By the time I complete my term, I would have spent close to 16% of my life as Board member! When I reflect on my life years from now, this past decade is a period I will have fond memories. I like to thank the Board staff, fellow Board members (past and present) and the ad-hoc On-Site wastewater committee members for making my term memorable. It has been a truly rewarding experience despite all the long hours of work involved. It has indeed been an honor to serve!

Do you know someone who would make a great Board member?

With a retirement this July, The Board has an open seat for a professional engineer.

- Must be actively engaged in the practice for at least ten years following registration, five years just before appointment
- Must be a US citizen
- Must be a resident of Washington State for at least the last five years



The Governor’s office accepts applications throughout the year and considers all eligible candidates for upcoming vacancies. The application and instructions are available on the Governor’s website at www.governor.wa.gov/boards.

The Governor’s office typically reviews applications starting in May, with a decision in June or July. Board members and agency staff do not directly screen applicants. However, we may suggest what experience is needed to keep the Board as diverse as possible.

Every board position has an important responsibility to Washington citizens. The Board establishes and maintains standards for new licensure and evaluates competency and professionalism, when licensees and applicants are suspected of violating rules of professional conduct.

On average, a board member spends about 3 days a month (8-hour days) performing Board work. It includes attending board meetings, making presentations to stakeholder groups, participating in regional and national NCEES meetings, serving as a technical expert on investigations, exam item writing and administrative rule development.

It is very important board members attend and participate in the variety of Board activities. While member responsibilities vary over time, they share the workload, so no one member carries more than their share.

If you or anyone else has interest in applying, but have questions, please contact Ken Fuller, PE, Director at ken.fuller@brpels.wa.gov

UPDATE: Computer Based Testing

Changes ahead for Structural Engineering Examination



This is a brief notice of changes, planned for the NCEES Structural Engineering Examination.

In 2023, the SE Exam (NCEES calls it the 16-hour PE Structural Exam) will become a computer-based exam. It is the last of the engineering and surveying licensing exams to be converted to computer-based testing (CBT). As part of the development of the CBT examination, NCEES works with psychometricians to determine the equivalent testing requirements to achieve the same reliability as the current pencil-and-paper exam. They have determined a need to add more questions to the exam and due to time constraints, will split the exam into four parts, requiring four separate sessions at a computer testing center.

The four sessions will cover the same knowledge base for the breadth and depth of both vertical and lateral forces, same as the current 16-hour exam.

The breadth sections will be multiple choice problems and are expected to be available year-round. The depth portions, which currently require written calculations, will be what they call alternative item types and include multi-choice/multi-correct, drag and drop, point and click and fill in the blank. These exams will be offered twice every year. All of the reference materials will be provided to the examinee electronically for all sessions.

Additional information about the CBT process and examples of the test format are available on NCEES.org. We will keep you informed as it develops.

Agency Shred Day

Our agency had a “Spring Cleaning Day” on Wednesday, May 18th.

23 bankers boxes of old records, which had met the Board’s retention schedule, were shredded curbside outside the agency’s offices in Olympia.



Some of the files dated back to 2016 and had been in storage at the Department of Licensing and elsewhere. Shanan Gillespie, Regulatory Program Manager, supervised the event. Pitching in with handling boxes, were Rich Larson, Assistant Director and Greg Schieferstein, Communication and Outreach Manager.



A big rainstorm that day, stopped long enough to allow completion of the event.

This should be the last large scale curbside shredding, as new documents will be processed individually.

Women in Surveying

More Women are Choosing a Survey Career

By Anna Rios, President of Aerios Geo LLC



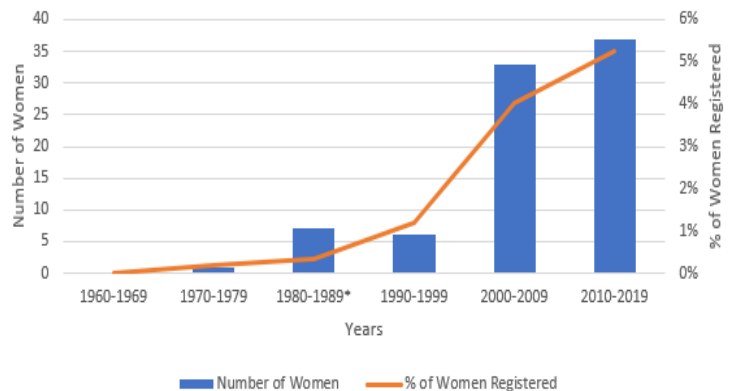
Both surveying and engineering have small numbers of women historically. A quote found on Leanin.org in a study called “Women in the Workplace 2022” states that “32% of women in technical and engineering roles are often the only woman in the room at work” and further quoted a Latina, Manager, immigrant who shared her story: “The engineering field is almost all men, and it has been for a long time. When I was at university, there were just five women in a room of sixty men. And when I started working, it was like that too. So, it’s a very challenging environment.”

Women have continued to grow in number in the workplace and now at a faster rate. Many are excited about the opportunities in the survey profession that for so long, is still primarily men. Surveying offers so many ways to satisfy different interests, whether it’s history, math, technology, research, drafting or the outdoors. In a climate where everyone is looking to hire, surveying has something special to offer but so much of the general public have never even heard of surveying. Most know of engineering, but surveying is not usually something that a child envisions as a career opportunity and this is even more true for girls. The recent increase in visibility of women in surveying has opened the doors for more young women to see the value of a profession with such a variety of opportunities. Women are just one of many under-represented groups that can help fill the need for surveyors across the country.

Researching the history of women in surveying is nearly impossible due to limited data. Most licensing boards do not ask for gender when an applicant applies or registers with the State, therefore, data cannot be easily obtained to study how the demographics are changing. Using the Texas Licensing Roster from the Texas Board of Professional Engineers and Land Surveyors (TBPELS), I was able to provide some information for reference. I originally performed this study in 2019 and updated in October of 2022. Because of the limited information available prior, my analysis starts in 1960.

In the chart, it is evident that the rate of the percentage in Texas has increased considerably since 2000. While there could be many contributing factors to this, some could be from the 4-year degree requirement change during that time (now a 2-year requirement) with counselors promoting the program. It could be a result of more women entering the general workforce, more than ever in the past. It’s also a possibility there is more visibility of women in the profession.

% of Women Registered by Decade in Texas



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Guest Spotlight

Black Engineers Are Underrepresented in the Workforce: She’s Working to Change That

National Society of Black Engineers CEO **JANEEN UZELL** shares the steps her organization is taking to change the hiring landscape.



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Women In Surveying, continued from last page

Many women have held roles creating instant visibility through leadership within surveying organizations. For example, Amanda Allred, a Director of Surveying and Mapping for Terrane of Bellevue, Washington, recently served as the President for the National Society of Professional Surveyors (NSPS) and was highlighted as a Top 40, Under 40 Geospatial Professionals for the *xyHt Magazine* in 2016. Lisa Van Horn of Wisconsin, is a Past President for NSPS and served as the first female President for Wisconsin Society of Land Surveyors. She is now retired and tours with her collection of antique surveying equipment and old surveying ads.

Other women are serving on licensing boards across the United States. Coleen Johnson, RPLS, PMP, the Market Lead for Transportation for the Geospatial Division of WGI, Inc. in Texas, was appointed by the Governor of Texas to serve on the State Licensing Board and is a member on the EPS committee for NCEES. Dana Klett, PLS, a Survey Project Manager and sUAS Remote Pilot for Bowman Consulting in the Phoenix area was recently appointed to the Arizona Board of Technical Registration. Vickie McEntire Anglin was appointed by Governor to serve on the State licensing board (APELSCIDLA) in Virginia, also served as a Chapter President for the Virginia Association of Surveyors. She stated she “saw the most impact from teaching for 10 years in the apprenticeship program.”

Other campaigns like that of Get Kids into Survey (GKiS) has also been a great way to promote the profession and many women in surveying have stepped up to be Ambassadors for GKiS, presenting at elementary schools across the nation. Desiree Hurst-Skinner, RPLS, PS, CFedS, a Survey Director at Yazel Peebles & Associates LLC of Texas, an Ambassador for GKiS was recently presented with the Texas Society of Professional Surveyors - 2022 Young Surveyor of the Year. The Women Surveyors Summit, started by women for women, is now hosted by the Future Surveyors Foundation. It is an annual conference which began in Austin, TX in 2019, created to promote both visibility and support for women surveyors.

This is just a brief sample of the large efforts by so many women in surveying who are leading the way for others to follow. Women are making a big impact for the profession, even with a small number and usually while being the only one in the room. With the current trajectory, hopefully, we will continue to see more and more women in surveying.

Outreach & Education



Board Member and Professional Land Surveyor **AARON BLAISDELL, PLS**, presented at the Washington State Association of County Auditors Licensing and Recording Conference, September 19-22, 2022, in Pasco. Aaron reviewed the “Survey Checklist” from WAC 332-130-050, in a PowerPoint we produced. Our presentation included an introduction about our agency,

followed by a review of law for surveys filed with auditors, such as acceptable media, legibility, indexing and miscellaneous requirements. There were about a dozen questions from the audience, many centered on technology issues, such as signatures and use of media or paper.



Washington State University Bremerton - Olympic College



WSU Engineering Bremerton recently hosted our agency Board Chairman, **DOUG HENDRICKSON, PE**. He guest spoke to about 25 senior class engineering students on ethics and the importance of licensure. The class was a mixture of Mechanical and Electrical Engineering students.



SeattleU wins NCEES Engineering Education Awards

Seattle University Civil Engineering Department has won two of the eight 2022 National Council of Examiners for Engineering and Surveying (NCEES) Engineering Awards.

The awards program promotes understanding and value of professional licensure and to recognize engineering programs that demonstrate a meaningful working partnership between professional practice and education <https://ncees.org/education/engineering-award>.

SEATTLEU

10 students and the civil engineering department at SeattleU were recently honored with the awards, presented by our agency Board Member and NCEES member, **MARJORIE LUND, PE, SE**.

The competition is open to Accreditation Board of Engineering and Technology (ABET) accredited engineering programs around the country. King County sponsored one of the two winning projects, which were out of 21 blind submittals.



The first project improved stormwater infrastructure in the Bear Creek watershed, helping improve flow control and runoff water quality, while protecting downstream salmon habitat. Specifically, the county and the student team engaged Sunrise Elementary School in Redmond on a flood mitigation initiative. As part of the project, the team also developed ways of introducing engineering to local elementary school students. A team of five students were guided and supervised by a Professional Engineer from the County and a faculty advisor who is a Professional Engineer.

The second project involved the structural and architectural design of a 13,000 square foot, two-story reinforced concrete building to shelter underprivileged children in Medellin, Colombia. A team of five students worked under the supervision of a Professional Engineer from KPFF and a faculty advisor, a licensed structural engineer.

Capstone projects are an opportunity for students to closely interact with licensed engineers and other professionals, while developing technical and professional skills preparing them to enter the work force. The students also become aware of the importance of professional licensure in safeguarding public health, safety and welfare. If you are interested in mentoring engineering students, contact one of the engineering programs at your local universities.



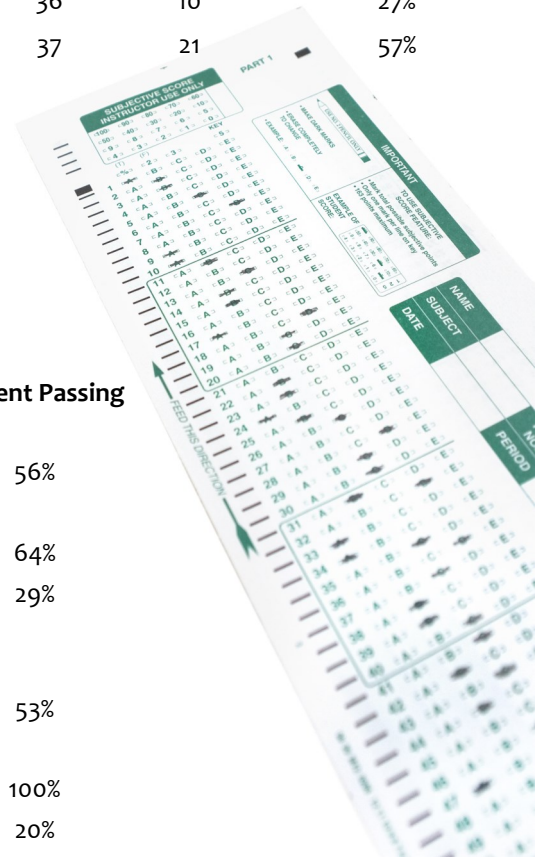
Examination Results

2022 NCEES Exam Results (WA) January 1 – October 1, 2022

	Total	Pass	Percent Passing
Principles & Practices of Engineering			
Chemical	4	2	50%
Civil	285	195	68%
Electrical	57	30	53%
Environmental	25	17	68%
Mechanical	62	46	74%
Principles & Practices of Land Surveying (6 hours)	23	16	70%
Fundamentals of Engineering (EIT)	1001	646	65%
Fundamentals of Land Surveying (LSIT)	37	26	70%
Structural Engineering			
Lateral Forces – Bridges	8	4	50%
Vertical Forces – Bridges	4	1	25%
Lateral Forces – Buildings	36	10	27%
Vertical Forces – Buildings	37	21	57%

2021 State Specific Exam Results

	Total	Pass	Percent Passing
April 2021			
WA St. Specific 4-hour Land Surveyor	27	15	56%
On-Site Designer Exam			
Designers	11	7	64%
Inspectors	14	4	29%
September 2021			
WA St. Specific 4-hour Land Surveyor	30	16	53%
On-Site Designer Exam			
Designers	6	6	100%
Inspectors	20	4	20%



Investigations and Enforcement

The following case summaries cover the disciplinary actions against licensees from January 1, 2022, through October 31, 2022. In each disposition the Board accepted the recommendations of the Case Manager, unless stated otherwise. For those cases involving a Board order, each licensee may be monitored for compliance with the conditions imposed in the order.

The summary information provided under “INFORMAL ACTIONS” is provided to educate licensees on events and circumstances that come before the Board for investigation. In those cases, no disciplinary action is taken because either the allegations are unsubstantiated, fall outside the scope of jurisdiction of the Board or it becomes unnecessary because of corrective measures taken.

Any investigations that reveal clear and convincing evidence of wrongdoing, and where a Board Order is issued, will be listed under “FORMAL ACTIONS.”

The decisions of the Board members who work as Case Managers of the investigations are based upon their personal opinions of the severity of the infraction and the best course of action to take to appropriately resolve issues. Interpreting any one or several dispositions as indicative of the Board’s view of how all such cases will be handled in the future would be incorrect. These summaries are not intended to disclose complete details related to any given investigation or action. While every effort is made to ensure accuracy of the information shown, anyone intending to make a decision based upon this information should contact the Board office for more details.

Formal Action by The Board

The following case summary covers the only formal action of the Board in 2022. The Respondent may be monitored for compliance with the conditions imposed in the order.

Engineering — Unlicensed Engineering

Ryan Hawkins

2021-09-2283-00ENG

This investigation was opened based on a complaint alleging Mr. Hawkins was practicing professional engineering without a license and doing business as Salish Water Resources. Mr. Hawkins applied to the Board to take the Professional Engineer (PE) examination (civil), on or about July 20, 2012, but did not complete the application process.

In September 2021, the Board of Registration for Professional Engineers and Land Surveyors (Board) received an email from the San Juan County Public Works Department stating that the county was trying to verify a license, but when they entered the license number into the online license look up tool, another person’s name was associated with that professional engineer license number.

Mr. Hawkins had provided San Juan County with a falsified license, which had the Department of Licensing at the top, however the Board is an independent state agency. The license was allegedly signed by a former Department of Licensing Director who was not the Department’s Director on the issuance date. The falsified license also has an issue date of December 13, 2020 and an expiration of March 3, 2024, however the Board only issues licenses for up to two years at a time. The license number currently is assigned to another licensed professional engineer who is living in another state.

Mr. Hawkins’ website for Salish Water Resources stated that Ryan Hawkins “is a licensed Professional Engineer (WA) and has 20 years of experience working with water and natural resources. He has been working in surface water engineering in the Pacific Northwest and Salish Sea region for the past 13 years.”

Mr. Hawkins digitally signed several consultant agreements with San Juan County to perform engineering services and using a title/ signature block with “PE.”

On September 16, 2021, the Board issued a Temporary Cease and Desist Order. Mr. Hawkins requested a settlement conference in lieu of a hearing. A settlement conference was held and on December 16, 2021, Mr. Hawkins signed an Agreed Order.

Terms of the Agreed Order include:

Mr. Hawkins shall permanently cease and desist from offering to practice professional engineering in the State of Washington.

Mr. Hawkins shall not represent himself or his business to current or potential clients or the public, as being able to provide and/or perform professional engineering services in the State of Washington.

Mr. Hawkins shall not distribute to any client or public agency any document, including but not limited to: letterhead, business cards, maps, or website references, which show either the firm, its officer and/or employees as having been involved or offer professional engineering activities.

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Complaint Summary by Profession			
	Filed	Closed	Active
2022 Complaints	38	31	7
Professional Engineers	21	21	0
Professional Land Surveyors	10	7	3
On-Site Designers	3	2	1
Unlicensed Engineers	1	1	0
Unlicensed Land Surveyors	3	0	3
Unlicensed On-Site Designers	0	0	0

Investigations and Enforcement

Formal Action by The Board, continued

Mr. Hawkins shall destroy any seal bearing his name as a professional engineer and provide satisfactory proof of such destruction to the Board within 30 days of the entry of this Agreed Order.

Within one hundred and twenty (120) days of the effective date of this AGREED ORDER Mr. Hawkins shall pay a fine to the Board, by check or money order, in the amount of thirty thousand dollars (\$30,000.00 (U.S.)).

Within sixty (60) days of the effective date of this AGREED ORDER Mr. Hawkins shall create a list of clients, individuals, or entities for whom he is, or has in the past, provided any services that constitute professional engineering services and shall notify all clients, individuals, or entities identified that he is not, and was not, a registered professional engineer and Respondent shall provide the Board (1) a copy of the list he has assembled and (2) proof of notification for all clients, individuals, or entities on the list.

Mr. Hawkins shall never apply to take the Professional Engineer Exam and shall never apply for licensure as a Professional Engineer in the State of Washington.

Mr. Hawkins shall not own, operate, manage, control, or possess an equity interest in any firm, organization, or entity offering professional engineering services in the State of Washington, with the exception of publicly traded companies.

On March 3, 2022, the Board accepted the Agreed Order

Informal Actions by The Board

Engineering

2019-11-10023-00ENG

This investigation was opened based a complaint alleging violation of WAC 196-27A-020(2), obligation to employer and clients specifically under paragraphs (a), (b), (d), and (h), on the part of the respondent.

Both the complainant and respondent filed statements and documentation to support their positions in the actions, communication, and contract disputes associated with a task of preparation of a short plat civil engineering work scope and filing.

The case manager reviewed the investigation file and found the complainant did receive the services and products and the short plat was filed and approved by the jurisdiction without any indication that the Respondent failed to meet timely obligation to the client nor that any deficiency in profession or product existed.

This appeared to be a contract dispute and no evidence of violation of WAC 196-27A was demonstrated.

The case manager recommended the case be closed with no further action and the board approved that recommendation.

2020-02-0104-00ENG

An investigation was opened based on a complaint alleging the respondent falsified reports deflecting damage claims from the complainant in violation of ethical standards. The complaint alleged there was water damage to her property following construction of adjacent homes. The respondent was hired by the builder, visited the complainant's property and determined from external conditions no conditions associated with the construction site could have contributed to the water in the complainant's basement.

The case manager reviewed the investigative file and determined at no time was the respondent involved with any work scope adversely impacting the complainant, nor was the respondent culpable in any way for the failure of a water heater tank valve inside the home of the complainant.

The case manager recommended the case be closed with no further action and the board approved the recommendation.

2020-03-0149-00ENG

This investigation was opened based on a complaint against the Respondent alleging unprofessional conduct.

The complainant stated the respondent was hired by her contractor in July 2019 to draw plans to rebuild her carport that was damaged in a fire. The contractor looked at the plans, he told the complainant they wouldn't work for the project. The complainant stated for 6 weeks the respondent gave her the run around. In February 2020 the respondent sent revised plans to the contractor.

The case manager reviewed the investigation file and found that throughout the investigation process the respondent was less than prompt in his responses to Board staff. The respondent produced drawings for the carport remodel that the general contractor hired by the complainant did not like and identified them as "unbuildable." The drawings were revised and were accepted and approved by the city. The subject approved drawings were not used for the carport project, documentation indicated the construction technique specified in the drawings were either too expensive or not preferred by the complainant.

The case manager recommended the case be closed following successful remedial counseling with the respondent.

more cases, next page

*Informal Actions by The Board, continued***Investigations and Enforcement**

2020-07-0321-00ENG

An investigation was opened based on a complaint the respondent had taken money for work that was never completed. The complainant appeared to be non-specific about his complaint of the respondent.

The case manager reviewed the investigation file and found the respondent provided details of the projects that were collaborative with the complainant. No evidence was uncovered during the investigation to indicate the respondent had charged clients for work not performed.

The case manager recommended the case be closed with no further action.

2020-09-1136-00ENG and 2020-09-1137-00ENG

These investigations were opened based on complaints alleging unprofessional conduct by the respondent through submission of a report and an as-built drawing that the Complainant feels was knowingly based upon false, incorrect, misleading, or fabricated information.

The Complainant provided building/construction/service support to a watershed council and community group with legal, but not ownership, interest in a housing development substantially under the design and seal of the Respondent engineer. The site conditions were heavily detailed by the Complainant. The Respondent fully addressed claims by the complainant. After reviewing the investigation files, the case manager found no evidence the respondent violated RCW 18.43.105(2).

The case manager recommended these cases be closed with no further action.

2020-10-1482-00ENG

This investigation was opened based on a complaint alleging unprofessional conduct and misconduct, unethical behavior, and poor work product by the respondent in the execution of work requested by the complainant and verbally agreed between the parties.

Following a review of the investigative file the case manager determined the respondent's work products and supplements appeared to meet the standard of practice for detail of the repairs employing the IBC 2018 code although such is not applicable to a pre-existing structure.

The case manager recommended the case be closed with no further action.

2020-11-1626-00ENG

This investigation was opened following a complaint alleging the respondent falsely represented projects from his former employer as experience of his newly formed company. The respondent also allegedly used derogatory and defamatory language regarding his former employer, in response to proposal submittals when competing for projects with his former employer.

The engineer removed project photos from his website and clarified that project experience was personal experience as project managers, rather than promoting the projects were from the newly formed company.

The case manager recommended this investigation be closed following successful remedial counseling.

2021-03-0574-00ENG

This investigation was opened following a complaint alleging the respondent was unprofessional, stating the respondent had maliciously, directly, injured the complainant's company by falsely attacking its reputation to clients via email and in person, along with bullying clients.

Following a review of the investigative file, the case manager determined there was no credible evidence the respondent had willfully or knowingly threatened the clients of the complainant or bullied them.

The case manager recommended the case be closed with no further action.

Land Surveying

2018-02-0003-00ENG

This investigation was opened following a complaint alleging the respondent was hired to survey the complainant's south line and to amend a deceased PLS' survey so it would be recorded in the correct section and township. The respondent sent a crew to the complainant's property and worked for several days. Upon completion the respondent informed them their south line was exactly where the deceased PLS had located it. The complainant's wife protested saying she believed the line to be 30 feet more to the south.

While reviewing the investigative file the case manager determined the activities performed by the survey crew, while under the direct supervision of the respondent, were documented as to the place and material found by the respondent. It also appeared the respondent then returned to the site to gather the necessary evidence and drafted a survey for recording, noting the additional evidence that reasonable analysis might result in alternate positions of lines.

more cases, next page

Informal Actions by The Board, continued

Investigations and Enforcement

The case manager recommended this investigation be closed following successful remedial counseling.

2018-04-0004-00ENG

This investigation was opened based on a complaint alleging a licensed land surveyor performed a survey for the complainant in 2006 but when attempting to look for the corners in 2011, the complainant was unsuccessful in finding the corners set by the respondent in 2006. The complainant attempted to contact the respondent but was unsuccessful.

The original work done in 2006 was performed by the respondent while employed for a firm. In 2018 the respondent did not have access to the records of the firm. The respondent contacted the complainant and offered to resurvey the property at no cost.

From information provided and after unsuccessful attempts to contact the complainant, the survey appears in the record as complete and reflects the conditions at the time in 2018. Without more information from the complainant, this case manager found no reasonable evidence to continue the investigation and recommended the case be closed with no further action.

2018-08-0005-00ENG

An investigation was opened following a complaint alleging the respondent failed to include a tree line and fence line in a survey he did for the neighbors who were selling a portion of their property for development. The complaint alleges this failure to include these features, in part, led to the new buyers cutting down her tree line and taking out her fence, which resulted in expensive and time-consuming litigation.

The investigative file was reviewed by the case manager and found the tree line mentioned by the complainant was not on the complainant's property and no violation of land surveying laws/rules were found.

The case manager recommended the case be closed with no further action.

2019-06-0004-00ENG

An investigation was opened based on a complaint alleging the respondent, after leaving the employment of the complainant's firm, was using company equipment, computers, programs, and other resources to complete surveys on the side without the consent or knowledge of the ownership, over the course of his employment. In the months after the respondent's resignation, many survey jobs were discovered to be uncompleted, and as a result the complainant contacted the clients to let them know that they were unable to complete their surveys.

The respondent claimed the complainant gave him permission by word of mouth to use company equipment to survey for family, friends, and acquaintances. The respondent claimed the work was not done secretly or performed during work hours. He further claimed that his department was overwhelmed with work and the complainant kept taking on new work. The respondent claimed upon his resignation he entered into a contract with the complainant's firm to work for four months hoping to catch up on overdue jobs but was sent home after three weeks and was not allowed back in the firm's office or allowed to access job files needed to complete the jobs.

The case manager found no clear and convincing evidence that the respondent violated any laws regarding the practice of land surveying and that the complaint is more of a contractual dispute between the respondent and the complainant.

The case manager recommended the case be closed with no further action.

2019-07-0003-00ENG

An investigation was opened based on a complaint alleging the respondent is practicing unlicensed surveying. The complainant accused the respondent of using "geoplotting" to establish a property line. The complainant also says she offered to use a licensed land surveyor and the respondent said that hiring a surveyor would not override his findings.

After reviewing the investigative file, it appeared to the case manager this was a boundary dispute/civil matter. The respondent did not set any survey monuments/markers. The Board Investigator contacted the complainant and found a survey was completed by a licensed land surveyor.

The case manager recommended the case be closed with no further action.

2019-08-0008-00ENG

An investigation was opened following a complaint alleging the respondent set monuments consisting of 5 foot white PVC pipes along both the east and west lines without permanently marking said corners with his certificate number in violation of Chapter 58.09.120 RCW. Furthermore, the Surveyor's Certificate was not in compliance with Chapter 58.09.080 RCW.

The investigative file was reviewed by the case manager and a subject matter expert. The respondent filed an amended record of survey (AROS) and the review found the AROS answered the concerns listed in the complaint and the AROS met the minimum standard of care. The case manager recommended the case be closed with no further action.

more cases, next page

Investigations and Enforcement

Informal Actions by The Board, continued

2019-08-0009-00ENG

This investigation was opened following a complaint alleging the respondent performed a survey which contained a number of discrepancies.

The case manager and a subject matter expert reviewed the investigative file and found some of the required data was missing from the respondent's survey. Also, the requirement to identify all corners used to control the survey, whether they were calculated from a previous survey of record or found, established, or reestablished was not met. The subject matter expert felt an amended survey by the respondent would only further confuse the public record.

The case manager recommended this investigation be closed following successful remedial counseling.

2020-09-0918-00LSV

An investigation was opened following a complaint alleging the respondent performed a survey which failed to disclose four monuments he set, per said survey at angle points in the fence line that monuments the location of a previously filed boundary line agreement recorded.

The investigative file was reviewed by the case manager and a subject matter expert. The reviews found the respondent's referenced survey documents that identify different corner positions were not met. The deed calls that are at variance with the measured distances and directions of the surveyed parcel were not met. The respondent's identification of all corners used to control the survey whether they were calculated from a previous survey of record of found, established, or reestablished were not met. The respondent agreed to file an amended record of survey.

The case manager recommended this investigation be closed following successful remedial counseling.

2020-09-1125-00LSV

This investigation was opened following a complaint alleging the respondent was intentionally deceptive and made false statements surrounding an old survey map, in order to carry out a frivolous and fraudulent cove rule survey, which ignored existing legally deeded underlying tidelands for the benefit of his client and his own unjust enrichment.

The case manager found no evidence the respondent was intentionally deceptive or made false statements surrounding an old survey map. The case manager determined the work performed without recognition of the underlying legal deeded tidelands and the respondent filed to do a simple title search back to the origin of transfer of title of tidelands to upland property owners.

The case manager recommended this investigation be closed following successful remedial counseling with the respondent.

2022-04-0536-00LSV

An investigation was opened, based on a complaint regarding the respondent sitting in his truck while his crew was doing survey work. The complainant was also concerned the respondent did not set new property monuments and only found ones he set from a previous recorded survey. Complainant said he had been maintaining some property on the neighbor's side of the property line and had also built a shed that was encroaching on the line.

The case manager determined the respondent did recover and check a survey he had monumented and recorded for the property to the north of complainant's property. The respondent was in his crew truck while his party chief did survey work on the property. The respondent reported he had found the encroachments on the complainant's North property line and had measured and mapped them. He said both neighbors were trying to resolve the issue and his survey is still in the preliminary stages.

The case manager reviewed a copy of his preliminary measurements on said North line of complainant's property and he will be recording some form of survey and documentation when a decision is made by both property owners.

The case manager recommended the case be closed with no further action.

2022-05-0703-00LSV

This investigation was opened following a complaint alleging unlicensed surveyors, surveyed the complainant's property to the North of his parcel and did not perform the survey correctly. They placed markers that did not fit his North line and complainant accused surveyors of stealing land from him. He also accused the surveyors of removing previously set property corners.

The case manager reviewed the file and found no violations. The case manager also determined the respondent did have a survey crew survey the parcel to the North of complainant's property and they were not licensed but were working under the direct supervision of the Designated Land Surveyor (DLS). The DLS sent a preliminary copy of the survey and it was found to be in compliance.

The case manager recommended the case be closed with no further action.

more cases, next page

Investigations and Enforcement

Informal Actions by The Board, continued

2022-06-0900-00LSV

An investigation was opened, based a complaint alleging the respondent broke several points in the professional agreement between the respondent and complainant, and accused the respondent of incorrectly surveying his property, recording an incorrect record of survey and saying that map was used against him in court.

Following a review of the investigative file, the case manager determined there were no violations of laws/rules relating to land surveying.

The case manager recommended the case be closed with no further action.

On-Site Septic System Designing

2020-02-0122-00OSW

An investigation was opened based on a complaint from a county health department alleging the respondent, a licensed onsite wastewater system designer submitted several sewage system proposals designed by the respondent that did not meet the minimum requirements of their sanitary code and the applicable WAC. The county had requested revisions from the respondent, but these did not result in satisfactory changes which resulted in significant delays in the process.

Review of the case file shows that the respondent had violated the setback requirements in several of the above projects and had not adhered to the drain field design requirement for site soil conditions. Both setback and drain field design for site soil characteristics are clearly outlined in the WACs and local codes. Because the respondent had not had any prior complaints from other jurisdictions, the case manager recommended remedial counseling to reinforce the importance of judiciously following state and local guidelines and duties/responsibilities as a designer in protecting public health and safety.

The case manager recommended the case be closed following successful remedial counseling.

2022-08-1149-00OSW

An investigation was opened based on a complaint alleging an On-Site septic system designer, he hired to design a new drain field on his property, designed a gravity system which would have been allowable, but could not obtain a flow. The repair went back to the county for reevaluation and the final decision was to install a pump system. The complainant alleges this flawed design cost him undue expense.

The case manager reviewed the file and found the complainant was very specific about where the location should be and he did not want his yard destroyed, nor anything put in the front yard. There was not a written contract.

The case manager recommended the case be closed following successful remedial counseling.

These case summaries, cover the disciplinary actions against licensees from January 1, 2022, through October 31, 2022.

In each disposition the Board accepted the recommendations of the Case Manager, unless stated otherwise. For those cases involving a Board order, each licensee may be monitored for compliance with the conditions imposed in the order.

The summary information provided under "INFORMAL ACTIONS" is provided to educate licensees on events and circumstances that come before the Board for investigation. In those cases, no disciplinary action is taken because either the allegations are unsubstantiated, fall outside the scope of jurisdiction of the Board, or it becomes unnecessary because of corrective measures taken,

Any investigations that reveal clear and convincing evidence of wrongdoing and where a Board Order is issued, were listed under "FORMAL ACTIONS."

The decisions of the Board members who work as Case Managers of the investigations are based upon their personal opinions of the severity of the infraction and the best course of action to take to appropriately resolve issues. Interpreting any one or several dispositions as indicative of the Board's view of how all such cases will be handled in the future would be incorrect. These summaries are not intended to disclose complete details related to any given investigation or action. While every effort is made to ensure accuracy of the information shown, anyone intending to make a decision based upon this information, should contact the Board office for more details.

Message from the Chair

Continued from page 1

Circling back – why am I writing and what does this mean? This is really an *Objective Statement of the Chair*—what do I want to see happen while serving on the Board. Throughout the tumult and actions above, my thrust has been to position BRPELS to be a better advocate and supporter of superior delivery of our registrants' products and services and improve public recognition of our practices. Frankly, before day one on the Board, I had recognized that there are far too many complaints to the Board to even hope to suggest that our practice deserves the respect and admiration that I believe should exist. Much as we all may wish, our clients and the public do not hold Professional Land Surveyors and Professional Engineers in the same view as other licensed professionals, such as physicians and dentists.

Even though our products and services can impact their lives, safety, health and welfare, as much or more.

This is about growing and for the Board, embracing change. To grow our practices, the Board needs to reach out to registrants, the public and jurisdictions to identify what continuing development areas can best raise the standard of practice and the recognition of the profession. In our approach, we currently see two primary paths of this outreach. The first, soliciting requests for development from licensees, jurisdictions and technical organizations. The second, using complaints to target areas of practice which may address issues of common errors, omissions, or approach. If you have another approach, please share that with us.

Knowing, but not doing, is not enough. The Board wants to deliver. We intend to work

with all parties to develop informational content and experiences which can aid your practice.

A recent County Auditor's conference allowed one of our Board members to review issues of the Surveying Checklist of WAC 332-130. We want to deliver informational content to appropriate forums where you, our registrants and the public may benefit. This is not about market-share or moving toward Engineering licensure competency metrics, such as our current Surveyor continuing professional development hours. However, we expect our work will be credible and of real value to your practice as continuing professional development hours for those whose licenses require such. Please look forward to hearing from us as we look forward to hearing from you.

New Board Employees



MACKENZIE WHERRETT has been promoted to Executive Assistant, after serving the State of Washington for 5 years, including 4½ years as a Customer Service Specialist III with our agency. She is known for her positive attitude, strong work ethic and extensive background in customer service. Mackenzie has 3 crazy dachshunds, a 3½ year old boy and loves spending time with family.



EMILY WESTON was hired in September 2022 as a Customer Service Specialist II. Her job duties include answering phones, licensing applicants and many office tasks. Emily's grandfather, Sybren Klein, was a Civil Engineer in Washington State for over 30 years and served as the Director of Public Works for the City of Kelso. Emily enjoys geology and collecting minerals. She greatly appreciates working for the Board.



GREG SCHIEFERSTEIN is in the newly created position of Communication and Outreach Manager. He synchronizes Education programs and also serves as Editor of *The Journal*. Greg is new to state government, after 34 years in television news. He is a graduate of Pacific Lutheran University in Tacoma and is married to a marketing professional, Barbara.



STATE OF WASHINGTON
Board of Registration for
Professional Engineers & Land Surveyors

Board Staff

This is a list of our staff and their responsibilities. Please contact us whenever you have a question or comment about your service.

Ken Fuller, PE

Director
360-664-1565
Ken.Fuller@brpels.wa.gov

Agency Director and Chief Executive Officer for Board operations. Manages overall staff and program budget. Oversees liaison activities between the Board, other state agencies, and stakeholders. Provides guidance on application of statute, rules and policies on engineering, land surveying and On-Site practice.

Rich Larson, PLS

Deputy Director
360-968-4804
Rich.Larson@brpels.wa.gov

Deputy to Director. Provides support to the Director related to staff management, guidance on application of statute, rules and policies on engineering, land surveying and On-Site practice. Provides guidance to staff regarding exams and investigations.

Mackenzie Wherrett

Executive Assistant
360-664-1568
Mackenzie.Wherrett@brpels.wa.gov

Executive Assistant to the Board. Coordinates all board meetings, minutes, and schedules. Office coordinator and planner.

Shanan Gillespie

Regulatory Manager
360-664-1570
Shanan.Gillespie@brpels.wa.gov

Agency rule-making coordinator, records retention coordinator, public records officer. Supports the work of the Board's Executive and Survey Committees.

Jill Short

Investigations & Compliance Manager
360-664-1561
Jill.Short@brpels.wa.gov

Supports the Practice Committee and manages investigations and board enforcement. Conducts engineering, land surveying and On-Site designer investigations. Tracks Board Order compliance.

Greg Schieferstein

Communication and Outreach Manager
360-664-1290
Greg.Schieferstein@brpels.wa.gov

External & internal communications, outreach and education. Manages website, newsletter and stakeholder relations.

Licensing

Processes applications for PE or PLS license, Engineer-in-Training, Land Surveyor-in-Training, On-Site Designers/Inspectors, Limited Liability Companies and Corporations. Oversees local examination administrations, notifications to applicants and license renewals.

Vonna Cramer

Licensing Specialist - Lead
360-664-1573
Vonna.Cramer@brpels.wa.gov

Supports the work of the Exam Qualification Committee of the Board. Processes refunds. Provides guidance to applicants and licensing staff on application of statute, rules and policies on engineering, land surveying and On-Site designer/inspector practice as it relates to the licensing process.

Nghiem Pham

Licensing Specialist
360-664-1577
Nghiem.Pham@brpels.wa.gov

Processes PE exam, PE initial license, SE exam, Professional Land Surveyor and On-Site Wastewater Designer/Inspector exam applications. Processes state specific PLS and OS exams. Processes refunds, renewals, license verification requests and answers general licensing questions.

Emily Weston

Licensing Specialist
360-664-1575
Emily.Weston@brpels.wa.gov

Processes PE comity, SE comity applications, EIT/LSIT exam and certifications and Corp/LLC applications. Processes refunds, renewals, license verifications and assists in general questions about the licensure process.



STATE OF WASHINGTON
Board of Registration for
Professional Engineers & Land Surveyors

Board Mailing Address (documents without payments)
 Board of Registration for Professional Engineers and Land Surveyors
 PO Box 9025
 Olympia, WA 98507-9025

Board Mailing Address (applications or renewals with payments)
 Board of Registration for Professional Engineers and Land Surveyors
 Department of Licensing
 PO Box 3777
 Seattle, WA 98124-3777

Board Office Location
 605 11th Avenue SE Suite #201
 Olympia, WA 98501

E-mail Address Engineers@brpels.wa.gov

Website <https://brpels.wa.gov>



Board Office Access

Our office is in a secure building and public access is not available without an appointment. If you have a scheduled meeting in our building, please follow the instructions posted by the two main entrances and call our staff. Someone will be happy to bring you to your meeting.



2023 Events Calendar

These are the Board’s planned meetings and participating events for 2023. Dates and locations are subject to change. **Committee & Board Meetings are TBD.** For more information including locations, dial-in information, agendas and meeting minutes visit <https://brpels.wa.gov/about-us/board-meetings-and-minutes> or email engineers@brpels.wa.gov.

<p>January 2023</p> <p>1-2 State Holiday (Office Closed) 15 SE Exam Registration Deadline 16 State Holiday (Office Closed)</p>	<p>February 2023</p> <p>15-17 LSAW Conference, Spokane 20 State Holiday (Office Closed) 22-23 Cmte. & Board Mtgs; Vancouver 24 State Specific Exam Application Deadline</p>	<p>March 2023</p> <p>24 State Specific Exams</p>
<p>April 2023</p> <p>13-14 NCEES Structural Exams 14 PNW ASCE Student Symposium, MSU Bozeman 17-21 & 26 Cmte. & Board Mtgs; Olympia 27-29 NCEES W. Meeting, Houston</p>	<p>May 2023</p> <p>29 State Holiday (Office Closed)</p>	<p>June 2023</p> <p>19 State Holiday (Office Closed) 21-22 Cmte. & Board Mtgs; Tri-Cities</p>
<p>July 2023</p> <p>4 State Holiday (Office Closed) 31 SE Exam Registration Deadline</p>	<p>August 2023</p> <p>9-10 Cmte. & Board Mtgs; Sea-Tac 15-18 NCEES Annual Meeting, Boston 25 State Specific Exam Application Deadline</p>	<p>September 2023</p> <p>4 State Holiday (Office Closed) 22 State Specific Exams</p>
<p>October 2023</p> <p>18-19 Cmte. & Board Mtgs; Spokane 26-27 NCEES Structural Exams</p>	<p>November 2023</p> <p>10 State Holiday (Office Closed) 23-24 State Holiday (Office Closed)</p>	<p>December 2023</p> <p>6-7 Cmte. & Board Mtgs; Olympia 25 State Holiday (Office Closed)</p>

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