



The Oregon Examiner.

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Mission

The mission of the Oregon State Board of Examiners for Engineering & Land Surveying (OSBEELS) is to regulate the practice of engineering, land surveying, photogrammetric mapping, and water right certification in the state as they relate to the welfare of the public in safeguarding life, health and property.

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On the cover: Smith Rock State Park

Smith Rock was obtained between 1960 and 1975 by purchase and gifts of land from the city of Redmond and Harry and Diane Kem. Many believe that Smith Rock is named in honor of John Smith a Linn County lawman or Pvt. Volk Smith a soldier who fell to his death in the park during a battle with the Northern Paiute in 1863.

A hundred years ago, state parks were barely an idea in Oregon, little more than patches of roadside greenery. A 5-acre donation in 1922 — setting aside a special place for everyone — became Oregon's first official state park. Today, the state park system comprises 254 park properties and more than 100,000 acres.

2022 marks the 100-year anniversary of Oregon State Parks. [Find out more.](#)

Licensed professional with last name beginning with S-Z?
Your renewal deadline is **June 30.**

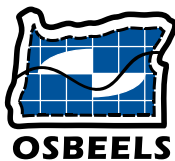
Upcoming at OSBEELS:

February 10 & 11, *Committee Meetings*

March 8, *Board Meeting*

April 14 & 15, *Committee Meetings*

Register for your MyOSBEELS account today at
<https://online.myosbeels.org>



The Oregon Examiner is published by the Oregon State Board for Engineering & Land Surveying (OSBEELS). To stay up-to-date with all things OSBEELS, find us online at www.oregon.gov/osbeels



Director's Corner

From the desk of Jason Barbee, Board Administrator & Agency Director

You may recall that OSBEELS was scheduled to reopen to the general public on January 1, 2022. However, in mid-December, we were directed by the Governor's office to remain closed to the general public due to the expected surge of new COVID cases, and no new reopen date was provided. While in the past, we did not receive very many visitors to our office, we did our best to make sure there was someone in the office that could help our customers if they did visit us in person. In this new world of working from home and office locations being closed to the general public, we needed to adjust how we provide services. To address this issue, we brainstormed and determined that to provide the best service to our customers, was to ensure all employees

were available via telephone and email, regardless of where they were working on a particular day. In addition, if you feel like you need to meet with us in person, you can schedule an appointment with your agency contact and they will be sure to be in the office when you visit. If you aren't sure who your agency contact should be, feel free to call our front desk (503-362-2666) and we will put you in contact with the right person.

On another note, some OSBEELS agency staff were able to attend the PLSO Annual meeting in person this year. Interestingly enough, in my almost 2.5 years here, I've only been able to attend two in-person conferences...and they have both been the PLSO Annual meeting. I was very impressed with

the structure, the speakers, the topics and the atmosphere of the meeting. It was wonderful for us to be able to connect with professionals and students alike, and share with them some of the projects and outreach OSBEELS has been doing. If you haven't ever attended one of the PLSO Annual meetings, I strongly suggest you consider in the future. Again, I hope to keep OSBEELS engaged and look forward to participating in these kind of events in the future.

As an agency, we look forward to the reopening of state offices to the public and future in-person engagements.

Law Enforcement Cases

The following list contains law enforcement cases that resulted in disciplinary actions and became finalized.

X0101 – Bruce Kenny

The Board issued a Final Order against Bruce Kenny assessing a \$10,000 civil penalty for 10 violations of Oregon Revised Statute (ORS) 672.020(1), practicing engineering without a valid certificate on 10 separate projects. Between July 2019 and June 2021, Mr. Kenny's professional registration as a PE had expired and his license was no longer in active status. During this

period of time, Mr. Kenny, who also holds professional registration as an architect, engaged in the practice of professional engineering on multiple projects in Oregon. The OSBEELS's Law Enforcement Committee (LEC) met with Mr. Kenny in an informal conference to discuss a settlement. Following this conference, the Board and Mr. Kenny entered into a Settlement Agreement regarding the violations above, whereby Mr. Kenny accepted a \$2,500 civil penalty.

X0093 – Andrew Holtom

The Board issued a Final Order against Andrew Holtom, PE, assessing a \$500 civil penalty for failing to notify the Board office within 45 days of license discipline received in another jurisdiction, violating Oregon Administrative Rule (OAR) 820-020-0045(4). 584 days elapsed from the time the final order from the other jurisdiction was issued and when Mr. Holtom reported it to the Board office.

As a friendly reminder, OAR 820-020-0045(4) requires registrants to give written notification to the Board with 45-days of receiving any disciplinary action by another licensing agency related to your professional practice.

Board Forms Task Force to Review PLS Licensure Requirements



This past year, the Board's Examination Qualifications Committee (EQC) and agency staff conducted a review of the Board's PLS education and experience requirements for licensure to determine whether current policies pose a barrier to licensure for new registrants. The review was prompted when agency staff identified despite offering many paths to licensure, in fact, there were only a few that appeared to be truly viable to applicants presently.

Over the course of the summer, the staff, with guidance and input from the EQC, analyzed current rules and policies to identify any outdated pathways, met with land surveying industry stakeholders to gather preliminary feedback, and distributed surveys to groups from various professional and academic backgrounds to receive their input. The purpose of these activities

was to identify any unintended barriers to licensure and to determine whether any alternate or additional pathways are possible while still maintaining current competency requirements. Throughout this process, the OSBEELS has been committed to involving the professional land surveying community and receiving their feedback.

At its January 2022 meeting, the Board reviewed proposed draft policy changes and formed the Land Surveying Qualifications Task Force, which is comprised of Board members who possess a PLS license. The Task Force's primary objective is to determine whether proposed rule changes adequately address previously identified issues and recommended policy changes.

As an initial step, the Task Force will be reaching out to industry stakeholders to receive feedback on the proposed policy changes and further develop proposed

rule changes, as necessary. Following this, the Task Force will share proposed policy and rule changes with other Board Committees for consideration before re-sharing with industry stakeholders once more before presenting final recommendations to the Board.

Once approved by the Board, the proposed rule language will enter into the state's rule making process. As part of the process, public members will have the opportunity to provide public comment on the proposed changes.

If you have any questions or would like more information about upcoming Task Force meetings, please contact the Board office by email at: OSBEELS.Info@OSBEELS.oregon.gov.



Interested in making a difference?

***OSBEELS currently
has vacancies on the
Board and needs *your*
expertise.***

The OSBEELS is excited to announce that we are currently seeking to fill a vacant position on the Board! We are looking to fill the vacant position with an individual who is actively registered Professional Engineer. Additionally, the Board is encouraging individuals in uncommon fields of practice or with unique experience to apply.

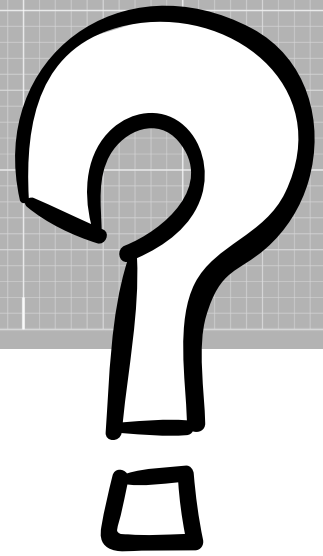
Our Board is anticipating two (2) additional vacancies becoming available this summer. The openings will be for public member positions. Public members play an important role on the Board, as they offer a unique and important perspective as non-professional members. Our Board encourages individuals who have had exposure to or are passionate about the engineering or land surveying industries to consider applying!

As a Board member, you will have the opportunity to work alongside public and professional members, and agency staff, to license individuals, address questions from the professional community, and uphold the Board's mission to protect the health, safety, and welfare of the public. The Board welcomes individuals from all areas of the state who meet the minimum experience requirements and desired professional designation to apply today!

Interested in learning more about the application process and prerequisites? [Visit the state boards and commissions' website.](#)

If you are interested in applying or learning more about becoming an OSBEELS board member, please contact Board Administrator, Jason Barbee, at Jason.Barbee@osbeels.oregon.gov.

Professional Practices Committee Respond to Registrant Questions



During Professional Practices Committee meetings, held on months in-between regular Board meetings, the Committee members review and respond to questions submitted by the professional community. Recent questions pertained to the use of drones for collecting aerial imagery, what requirements individuals designing railroad signal systems must follow, and guidance on geoprofessional work.

The Committee reviewed and responded to a question submitted by a professor from Oregon State University's Department of Crop and Soil Science regarding their planned collection of georeferenced aerial imagery via a drone. Specifically the study's purpose was to test whether aerial imagery can be used to measure pest damage in a field and to use real-time kinematic (RTK) corrections so that positions in the imagery can be matched to corresponding ground locations for ground truth measurements. After reviewing the submitted question and the relevant laws, the Committee determined based on the information provided, it did not appear that the research project would define boundaries and, in accordance with ORS 672.002(7) and ORS 672.060(15), would be permissible without a surveyor's license.

The Committee reviewed a question regarding whether consultants working on designs for railroad signal systems need to comply with state requirements or federal requirements as part of the Interstate Commerce Act. The individual who submitted the question noted previously completed railroad signal projects were developed and stamped by an actively licensed Oregon PE. However, the design consultants they were currently working with on a new signal systems project, stated their belief that the engineering work is not required to be performed by an Oregon registrant per ORS 672.060, "activities not requiring registration", due to the railroad being solely located on company-owned property and there is no impact on publicly used lands.

After review, the Committee determined, based on the information provided, it appeared the signal systems could ultimately affect the health and safety of the public due to expected public use of the railway system. Because of this, the project did not appear to fall under the exceptions for activities that do not require registration, per ORS 672.060(2)(b).

The Committee reviewed a question submitted by the Oregon Department of Land Conservation and Development

(ODLCD), regarding work they were conducting with Tillamook County to update the geologic hazards review section of their Land Use Codes. Specifically, the Committee was asked to describe according to OAR 820-020-0020, which allows Oregon PEs to "perform services only in the areas of their competence", how professionals know they are "competent"? The Committee shared it is the responsibility of registrants to determine whether they are competent by education or experience in a specific area of professional engineering and that the Board generally does not offer any type of competence testing or certificates. The Board, however, does recognize if a professional engineer is especially qualified in geotechnical engineering, which means they passed the professional examination to hold that branch specialty.

The Board encourages all professional registrants to consistently review Oregon statutes and rules under the OSBEELS' jurisdiction to ensure they are up-to-date on professional practice and conduct standards that may relate to their professional area of competence or services offered to the public. If you have any questions, please visit the Board website to submit a ["Question for the Board" form](#).

The Role CWREs play in the Water Right Process

Certified Water Right Examiners (CWRE) play important roles in the water right process. Most water rights are obtained in a three-step process. The water user first must apply to the Oregon Water Resources Department (Department) for a permit to use water. If a permit is approved, the applicant must construct a water system and begin using water within a certain time frame. Once the completion deadline is passed or the development is complete, one year later, a Claim of Beneficial Use (CBU) is due.

One of the main functions of a CWRE is the preparation of CBU. A CBU is both a report and map that provide the extent that beneficial use was developed under a permit or a transfer. Included in the report is information concerning the system used to appropriate, deliver, and apply water for the use, as well as a description of how conditions included in the permit or the transfer were met. This report and associated map can be thought of as an "as-built" of the development.

In addition, CWREs are required to prepare maps for several transfer related applications. The Transfer process is the process used to modify the location of the authorized point of diversion or appropriation, modify the authorized place of use, or to change the authorized character of use of a water right. Finally, many CWREs choose to assist their clients in the general navigation of the



water right process. CWREs often act as consultants and assist their client in identifying water rights and the status of those rights, applying for new permits, Assignments, Extensions, and other activities to ensure their client's interest is protected.

To help keep the CWRE community informed regarding Department programs, rules and practices, the Department will be providing continuing education workshops this fall. Workshops are tentatively planned for October in LaGrande, Bend, Roseburg, and Salem. Registration information will be mailed in July to all current CWREs. If you have questions, please contact Leona Albin at 503-986-0818 or by email: leona.m.albin@water.oregon.gov

In the meantime, the Department has updated the "[Resources for Certified Water Right Examiners \(CWRE\)](#)" page on our website to include Training Materials and Resources. Several presentations are currently available for viewing on such topics as Claims of Beneficial Use, Transfers, Assignments, the Interactive Mapper, the Platcard Utility, Allocations of Conserved Water and other topics. Many of these presentations also have PDFs of the presentation slides available for printing and note taking.

The Department is awaiting final approval to hire five limited duration employees to assist in the review of Claims of Beneficial Use. If this project goes forward, you may notice an increase in correspondence regarding projects that you have worked on. The Department, as of January 15, 2022, has a backlog of 1100 CBUs needing review.

If you have had changes in your contact information, please be sure to update your information with the Department. You can [update your information through a link](#) on the Resource page under "Other Resources". If you need help with your username and password, please contact Gerry Clark at 503-979-9103 or by email: at gerald.e.clark@water.oregon.gov

An additional reminder, please make sure your contact information is up-to-date with the OSBEELS. Registrants are able to easily review and update their information in the OSBEELS new system, MyOSBEELS, which is now accessible via the Board website at: oregon.gov/osbeels/aboutus/Pages/MyOSBEELS

MyOSBEELS

Updates

The start of 2022 marked a milestone for our agency's online registrant system, MyOSBEELS. The New Year meant the recently launched online system completed its first renewal cycle entirely online. This milestone was an achievement staff and our vendors had been working towards throughout 2021.

Although we are very excited to reach this milestone, we are hard at work continuing to improve system processes and identifying best practices for streamlining our customer service operations. We thank all the applicants during this period for their patience over the course of the renewal cycle and we look forward to continuing to make progress to optimize our new system.

Licensees and first-time professional registrant applicants alike are now able to log in, easily access, and complete applications within MyOSBEELS. Moving forward, all applications for professional registration and registration renewals will be submitted and processed through MyOSBEELS. The new system portal is available online through the Board's website.

In order to access MyOSBEELS you will need to register and verify your email account in the new system. Registration is easy and can be completed within minutes. If you are a current registrant or intern, the system has the ability to synchronize your existing license information with your new MyOSBEELS profile. During your account registration, the system will ask you to enter unique ID information in order for the system to identify you- such as your social security number or license number.

FAQs

Q: How do I access MyOSBEELS?

A: Applicants and licensees seeking access to MyOSBEELS can visit the Board website at www.oregon.gov/osbeels or the system portal at <https://online.myosbeels.org>

Q: Do I need OSBEELS-issued credentials to register or access the MyOSBEELS system?

A: No, users will have the ability to enroll in the new system using their own email and personal information.

Q: Can I access MyOSBEELS on my mobile phone or tablet?

A: Yes, the system is mobile and tablet-friendly.

Q: Will I need to input all my license information into my profile?

A: Upon registering in the new system, a required field will ask you to enter your social security or license number, which will then link your profile to your license record.

Q: What can I do in MyOSBEELS?

A: The new system will allow individuals and registrants to complete a number of processes and applications online from their account. These include submitting application materials and payment directly within the application portal. Users will be able to register for state-specific exams, submit PDH documents, update their contact information, and more from the user dashboard.

FAQs About MyOSBEELS

Q: When will I be able to renew my license(s) through MyOSBEELS?

A: With the launch of MyOSBEELS, all registrants will now be able to renew and manage their license(s) online within the new system. Actively licensed registrants will only be able to renew their license 90 days before the expiration date or later.

Q: How will I know if my license(s) is eligible for renewal?

A: Once you have created a profile, logged into MyOSBEELS, and linked your profile to all current licenses, an expiration date for each eligible license will be shown on your dashboard along with a button to renew each eligible license. Reminders are also emailed to users at 90, 60, and 30 days prior to their respective renewal deadline.

Q: What information will I need to have ready to renew my license(s) through MyOSBEELS?

A: You will need to have all the information you normally would to submit a paper-based application, your license information, PDH details, and your payment. However, with MyOSBEELS, users will be able to submit this information into the new system through an easy-to-use step-by-step application process. Additionally, users will be able to save unfinished applications and re-visit them later.

Q: What if I have more than one license?

A: MyOSBEELS will allow you to link to all your current licenses in good standing and allow you to renew each license as they become eligible for renewal.

Q: What if I have a license that is dependent upon another license to practice (Structural Engineer requires a Professional Engineer license)?

A: If you have a license that requires a “base license” (i.e., Professional Engineer), you will need to ensure that all your licenses are showing up in your profile before submitting a renewal. If you notice any license information missing from your profile, please contact the OSBEELS office at osbeels.info@osbeels.oregon.gov. If all your license information is present, you should be able to renew your license from the user dashboard.

Q: What options do I have to pay for my license renewal(s)?

A: Once you have confirmed your contact information and chosen which license(s) you wish to renew, you will certify to that information and be presented with an option to process a payment by credit card, debit card or electronic check.

- If you choose credit card or debit card, you will enter the required card information and the payment will process online by electronic means.
- If you choose electronic check, you will enter the account number and routing number.
- If you need make payment by cash or money order, please contact the Board office for guidance at osbeels.renewals@osbeels.oregon.gov.

Q: How will I know that my application and payment was received?

A: Upon submittal, users return to their dashboard, where they can see the status of submitted applications via the activity tracker. Through the tracker, users are able to see what stage of the review process their application is current at with agency staff. Any submissions and results will also generate a notification from the system to your account’s email. Users are also able to view and print receipts for any online financial activity.

Q: Will registrants still receive a new wall certificate and pocket card by mail like previously?

A: Initial wall certificates suitable for framing will still be mailed to the preferred address on file. Updated electronic renewal certificates and pocket cards are automatically emailed to users in an easy-to-print format.

Q: Will I have the option to select my preferred method to receive notifications?

A: While licensees are required to provide the Board with a physical address of record, and keep the Board informed of any changes to it, MyOSBEELS does offer users the option to identify their preferred method of contact, via email or phone.

Q: How early may I submit my renewal application in the new system?

A: Individuals who are up for renewal in the upcoming cycle become eligible to submit their application for renewal 90 days before the submission deadline.