To: State and Local Government Senate Committee

Subject: Oppose Senate Bill 2308

Just as a brief personal background: I have been a Registered Professional Soil Classifier since 1974, receiving BS and MS degrees from NDSU in Soil Science. I have done soil classification work throughout the state and region as a Soil Scientist with the Natural Resouce Conservation Service and NDSU for 35 years. In addition, I have done so as a private company (Prairie Soil Consulting, LLC) since 2006. In this capacity we have performed High Intensity Soil Surveys for well over 100,000 acres for mined land and landfill reclamation, 1,000's of wetland determinations for private landowners and government agencies, and have assisted well over 1,000 homeowners and developers with siting septic drain fields.

I am writing in opposition to portions of Senate Bill 2308, specifically the language related to the registration of Professional Soil Classifiers. The law regulating Professional Soil Classifiers in the state has been in place for over 50 years. It was originally designed to help protect our soil resources and throughout the years has been successful in that accord. The Soil Classifiers law was modelled after the Professional Engineers requirements and requires an individual to have extensive experience, references, and rigorous testing prior to becoming a Professional Soil Classifier.   These strict requirements go beyond a simple professional association and have assured the public and industry that individuals practicing soil classification are qualified to do the best work possible.

Some of the activities Professional Soil Classifiers have been involved in for industry include the development of a pre-mine high intensity soil survey for the coal mining industry. This detailed soil survey helps assure reclamation success and is a requirement of the Public Service Commission for the permitting process. Similarly, a high intensity soil survey is required by the Department of Environmental Quality prior to permitting landfills in the state. Both of these processes assure the public that our soil resources are protected.

Although high intensity soil surveys are required certain agencies as part of the permitting process, other industries use Professional Soil Classifiers voluntarily as part of their best management practices. For instance, the Red River Valley Water Supply Project requires Professional Soil Classifiers be involved in the identification and stripping of topsoil and subsoil along their pipeline route.   This is to assure landowners that reclamation of the pipeline corridor will be done correctly. They have also been extensively involved in wetland determinations as required by state and federal agencies for highway and road projects. Additionally, they have assisted landowners in contesting or confirming federal wetland determinations. And finally, Soil Classifiers have helped individual landowners with other issues and concerns related to their soils, such as assisting farmers with drainage or salinity issues or homeowners in siting septic drain fields. No other professions or nonprofessionals have the knowledge or experience to interpret the soils and landscapes for these uses.

Over the 50 years since the enactment of the Soil Classifiers law, there have been other attempts to modify or eliminate it. The legislature in the previous cases has always recognized the importance and need for a cadre of soil scientists that meet the requirement of a Professional Soil Classifier.

Increasing the efficiency of government is an admirable goal that should be seriously addressed. However, the registration of soil classifiers is budget neutral for the state and eliminating the Board of Registration would not save the government money but would increase the potential for misuse of our soil resource.

Thank you,

C. J. Heidt, Professional Soil Classifier,