

## **Notification of Professional Registration Requirements For Persons Submitting Hydrologic Reports and Related Data to the Arizona Department of Water Resources to Support Applications for Permits or Approvals**

Effective, 04/17/2009, the Arizona Department of Water Resources (the Department) requires hydrologic, geologic and engineering reports, studies, drawings and maps, specifications, analyses or related data submitted to support the evaluation of applications for various types of Department permits or approvals provided under Arizona Revised Statutes (A.R.S.) Title 45 that qualify as the practice of geology or engineering to be signed and sealed by a professional geologist or qualified professional engineer who is registered in the State of Arizona under the authority of A.R.S. Title 32, Chapter 1.

Hydrologic, geologic and engineering reports, studies, drawings and maps, specifications, analyses or related data that require the seal and signature of an Arizona registered geologist or qualified registered engineer include reports submitted related to the evaluation of applications for:

- Assured and adequate water supply determinations. A.R.S. §§ 45-108 and 45-576; Arizona Administrative Code (A.A.C.) R12-15-701, et seq.
- Permits for new wells and replacement wells in new locations within AMAs. A.R.S. §§ 45-598 and 45-599; A.A.C. R12-15-1302.
- Underground storage facility permits and recovery well permits. A.R.S. §§ 45-811.01 and 45-834.01; A.A.C. R12-15-1303.
- Design and construction of dams. A.R.S. § 45-1201 et seq.; A.A.C. R12-15-1201, et seq.
- Water Protection Fund grants. A.R.S. § 45-2113.
- Other miscellaneous permits and approvals.

Please note that this requirement does not generally apply to well design drawings, well driller reports and logs, or other documents filed in conjunction with a Notice of Intention (NOI) to drill a well pursuant to A.R.S. § 45-596. Additionally, this requirement only applies to hydrologic, geologic and engineering reports, studies, drawings and maps, specifications, analyses or related data submitted to support the evaluation of applications for various types of Department permits or approvals, and not the actual application form.

If there are any questions regarding this notice or whether any particular document requires the seal and signature of an Arizona registered geologist or qualified registered engineer, please call the section manager of the specific program that reviews and evaluates the permit or approval application.

## **Definitions and Rules Related to the Practice of Engineering and Geology:**

### **A.R.S. § 32-101(B)(12) Definition of Engineering Practice**

"Engineering practice" means any professional service or creative work requiring engineering education, training and experience and the application of special knowledge of the mathematical, physical and engineering sciences to such professional services or creative work as consultation, research investigation, evaluation, planning, surveying as defined in paragraph 22, subdivisions (d) and (e), design, location, development, and review of construction for conformance with contract documents and design, in connection with any public or private utility, structure, building, machine, equipment, process, work or project. Such services and work include plans and designs relating to the location, development, mining and treatment of ore and other minerals. A person shall be deemed to be practicing or offering to practice engineering if the person practices any branch of the profession of engineering, or by verbal claim, sign, advertisement, letterhead, card or any other manner represents that the person is a professional engineer, or is able to perform or does perform any engineering service or other service recognized by educational authorities as engineering. A person employed on a full-time basis as an engineer by an employer engaged in the business of developing, mining and treating ores and other minerals shall not be deemed to be practicing engineering for the purposes of this chapter if the person engages in the practice of engineering exclusively for and as an employee of such employer and does not represent that the person is available and is not represented as being available to perform any engineering services for persons other than the person's employer.

### **A.R.S. § 32-101(B)(15). Definition of Geological Practice**

“Geological practice” means any professional service or work requiring geological education, training and experience, and the application of special knowledge of the earth sciences to such professional services as consultation, evaluation of mining properties, petroleum properties and groundwater resources, professional supervision of exploration for mineral natural resources including metallic and nonmetallic ores, petroleum and groundwater, and the geological phases of engineering investigations.

### **A.A.C. R4-30-304. Use of Seals**

- A. A registrant shall place a permanently legible imprint of the registrant's seal and signature on the following:
1. Each sheet of drawings or maps;
  2. Each of the master sheets when reproduced into a single set of finished drawings or maps;
  3. Either the cover, title, index, or table of contents page, first sheet of each set of project specifications;
  4. Either the cover, index page, or first sheet of each addenda or change order to specifications;

5. Either the cover, index page, or first sheet of bound details when prepared to supplement project drawings or maps;
  6. Either the cover, title, index, or table of contents page, or first sheet of any report, specification, or other professional document prepared by a registrant or the registrant's bona fide employee;
  7. The signature line of any letter or other professional document prepared by a registrant, or the registrant's bona fide employee; and
  8. Shop drawings that require professional services or work as described in the Act. Examples of shop drawings that do not require a seal include drawings that show only:
    - a. Sizing and dimensioning information for fabrication purposes;
    - b. Construction techniques or sequences;
    - c. Components with previous approvals or designed by the registrant of record; or
    - d. Modifications to existing installations that do not affect the original design parameters and do not require additional computations.
- B. A registrant shall apply a label that describes the name of the project and an original imprint of the registrant's seal and signature on all video cassettes that contain copies of professional documents.
- C. In the event that a copy of a professional document is provided to a client, regulatory body, or any other person for any reason by computer disk, tape, CD, or any other electronic form, and the document does not meet the requirements of subsection (D), the registrant shall mark the copy of the professional document: "Electronic copy of final document; sealed original document is with (identify the registrant's name and registration number)."
- D. A registrant shall sign, date, and seal a professional document:
1. Before the document is submitted to a client, contractor, any regulatory or review body, or any other person, unless the document is marked "preliminary," "draft," or "not for construction" except when the document is work product intended for use by other members of a design team; and
  2. In all cases, if the document is prepared for the purpose of dispute resolution, litigation, arbitration, or mediation.
- E. For purposes of subsection (A), all original documents shall include:
1. An original seal imprint or a computer-generated seal that matches the seal on file at the Board's office;
  2. An original signature that does not obscure either the registrant's printed name or registration number;
  3. The date the document was sealed; and
  4. A notation beneath the seal either written, typed, or electronically generated that provides the day, month, and year of expiration of current registration, as shown in Appendix B.
- F. Methods of transferring a seal other than an original seal imprint or a computer-generated seal are not acceptable.
- G. An electronic signature, as an option to a permanently legible signature, in accordance with A.R.S. Title 41 and Title 44, is acceptable for all professional documents. The registrant shall provide adequate security regarding the use of the seal and signature.