# **Expert Opinion Letter (Confidential)**

Evaluation of Exceptional Ability for EB-2 Schedule A, Group II Petition

# **Evaluator:** Ben D. Giudice, Ph.D., P.E.

# **Evaluator Info:** Associate Professor of Civil Engineering, George Fox University, Newberg, OR

Principal/Resource Director (part-time), Robertson-Bryan, Inc., Rancho Cordova, CA

# **Education**

* PhD, Environmental and Water Resources Engineering, minor in Ecotoxicology

University of California, Davis, 2012.

* MS, Civil and Environmental Engineering, University of California Davis, 2007.
* BSE with Honors, Civil Concentration, Calvin College, 2005. Minored in Business.

# **Professional Registration**

* Professional Engineer (Civil), California No. 81595

# **Employment Experience**

* George Fox University, Newberg, OR.
  + Assistant Professor of Civil Engineering 2016-2021.
  + Associate Professor of Civil Engineering 2021-2024 (tenured, 2022).
  + Interim Chair of Dept. of Mechanical, Civil, and Biomedical Engineering 2023
* Robertson-Bryan, Inc., Rancho Cordova, CA.
  + Principal/Resource Director (part-time) 2023-2024.
  + Associate (part-time) 2022.
  + Senior Engineer (full-time) 2013-2015, (part-time) 2016-2021.
  + Project Engineer, 2009-2012.
* Graduate Student Researcher, University of California, Davis

Civil and Environmental Engineering Department, Davis, CA, 2005 – 2012.

* Engineering Technician, Soil and Materials Engineers, Grand Rapids, MI, 2004.
* Tutor, Calvin College Rhetoric Center, Grand Rapids, MI, 2002 – 2005.
* Engineering Intern, V3 Infrastructure Services, Woodridge, IL, 2002.

# **Memberships in Professional Societies**

* American Society of Civil Engineers
* Association of Environmental Engineering and Science Professors

# **Awards and Honors**

* Christian Engineering Conference, *Best Paper Nominee*, 2024
* Holman Summer Research Grant, *Residential Agrivoltaics: A Continued Study on Energy Efficiency and Water Conservation in the Urban Landscape*, 2021.
* Katherine Bisbee II Fund of the Oregon Community Foundation Grant, Oregon Alliance of Independent Colleges & Universities, *A Closer Look into the Economic Benefits and Feasibility of Small Off-Grid Residential Agrivoltaics in Oregon Communities,* 2022.
* Katherine Bisbee II Fund of the Oregon Community Foundation Grant, Oregon Alliance of Independent Colleges & Universities, *Residential Agrivoltaics: A Continued Study on Energy Efficiency and Water Conservation in the Urban Landscape,* 2021.
* Holman Summer Research Grant, *Residential Agrivoltaics: Energy Efficiency and Water Conservation in the Urban Landscape*, 2020.
* Katherine Bisbee II Fund of the Oregon Community Foundation Grant, Oregon Alliance of Independent Colleges & Universities, *Residential Agrivoltaics: Energy Efficiency and Water Conservation in the Urban Landscape,* 2020.
* KEEN, Florida Institute of Technology, *Entrepreneurial Minded Making.* Subgrant. 2020.
* KEEN, George Fox University Campus 2020 KEEN Rising Star. 2020.
* George Fox University Faculty Development Grant - *Shortening the Ripening Period for Biosand Filters*, 2019.
* George Fox University Faculty Development Grant - *Evaluation of Nutrient and Metals Removal Using Agricultural Byproducts in Bioretention Systems*, 2018.
* Katherine Bisbee II Fund of the Oregon Community Foundation Grant, Oregon Alliance of Independent Colleges & Universities, *Evaluation of Nutrient and Metals Removal Using Agricultural Byproducts in Bioretention Systems*, 2018.
* George Fox University Innovation Grant – Engineering Masters 4+1 Program Research Project, 2017.
* Carollo Fellowship (outstanding graduate student), Dept of Civil and Environmental Engineering, UC Davis 2009.
* National Science Foundation Graduate Research Fellowship, 2007 – 2012.
* Dean’s List, Calvin College, 2001 – 2005.
* Chambery Health Scholarship, Calvin College, 2003.
* National Merit Finalist, National Merit Scholarship Corporation, 2001.

Dear USCIS,

I am writing in support of the immigrant petition filed on behalf of Shayan Yaghoubi for classification under the EB-2 Schedule A, Group II category, based on his exceptional ability in the field of water and wastewater engineering. This letter outlines the nature of the position offered, the qualifications and contributions of Shayan Yaghoubi, and the Corporation’s intent to employ him in a permanent, full-time capacity.

To briefly introduce myself, I am an Associate Professor of Civil Engineering at George Fox University and a Principal/Resource Director (part-time) at Robertson-Bryan, Inc. I earned my Ph.D. in Environmental and Water Resources Engineering with a minor in Ecotoxicology from the University of California, Davis, in 2012. My educational journey also includes a Master of Science in Civil and Environmental Engineering from the same institution, completed in 2007. I began my academic career with a Bachelor of Science in Engineering with Honors, specializing in Civil Engineering, from Calvin College in 2005, where I also minored in Business. This diverse academic background has equipped me with a robust foundation in both engineering principles and interdisciplinary approaches.

Throughout my career, I have applied my extensive knowledge to various projects and roles that require a deep understanding of construction management and infrastructure projects, particularly in large-scale, high-profile developments. My professional experience includes the successful management of complex construction initiatives, ensuring that projects are completed on time, within budget, and to the highest safety and quality standards. I have consistently demonstrated the ability to integrate technical expertise with practical applications, ensuring that projects are both theoretically sound and feasible in real-world scenarios.

In addition to my technical skills, I hold relevant qualifications and certifications that underscore my commitment to maintaining high standards of practice in the construction management field. This certification has enabled me to take on greater responsibilities and leadership roles within projects, further honing my ability to manage teams and deliver results that meet both regulatory requirements and client expectations. My role often involves bridging the gap between technical details and broader project goals, ensuring seamless communication and execution.

My career has been characterized by a dedication to continuous learning and professional development. I have actively sought opportunities to expand my expertise, whether through advanced academic pursuits or practical, hands-on experience in the field. This approach has allowed me to stay at the forefront of advancements in construction management, positioning me as a knowledgeable and reliable professional in my field.

In preparation for this expert opinion letter, I have thoroughly reviewed the following documents related to Shayan Yaghoubi’s work and qualifications:

* Resume
* Petitioner’s Support Letter
* RFE Letter
* ETA 9141 for P-100-22236-436297 (Determination)
* Academic Records
* Memberships
* Recommendation Letters

***Overview of Schedule A, Group II Requirements:***

*Under* ***20 CFR §656.15(d)****, USCIS requires documentation that demonstrates:*

* *Widespread acclaim and international recognition from recognized experts;*
* *Evidence that the beneficiary has been working in their field in the past year;*
* *Evidence that the intended work in the U.S. will require exceptional ability;*
* *At least two of the following seven criteria:*
  + *Internationally recognized awards for excellence*
  + *Membership in associations requiring outstanding achievement*
  + *Published material about the beneficiary’s work*
  + *Judging the work of others*
  + *Original contributions of major significance*
  + *Authorship of scholarly articles in international journals*
  + *Work displayed at exhibitions in more than one country*

**Evaluation of the Beneficiary**

**Widespread Acclaim and International Recognition**

As an academic and professional evaluator with expertise in environmental and water resources engineering, I find that Shayan Yaghoubi’s achievements reflect a level of professional recognition and esteem that satisfies the threshold for widespread acclaim and international recognition. This conclusion is drawn based on my review of multiple testimonial letters authored by leading academics and senior engineers in the water and wastewater treatment field, each of whom independently confirm Shayan Yaghoubi’s reputation as an expert and contributor of uncommon caliber.

Professor Fraser Kent, a former Vice President at H2O Innovation and current Principal at Clean Water Consulting, emphasizes that Shayan Yaghoubi played an instrumental technical and strategic role in the Santa Monica Sustainable Water Infrastructure Project (SWIP), one of the most advanced indirect potable reuse projects in the United States. His design and delivery of a reverse osmosis system capable of treating PFAS contaminants contributed to the project’s success and recognition by two prestigious organizations: the Water Environment Federation’s 2024 Project Excellence Award and the Global Water Award’s 2024 Distinction Award for Water Reuse Project of the Year. It is significant that Shayan Yaghoubi’s contributions are specifically cited as critical to the international recognition of a nationally celebrated public infrastructure project. Such acknowledgments speak to his established standing within the global water engineering community.

Professor Ramin Farnood, Chair of the Department of Chemical Engineering and Applied Chemistry at the University of Toronto, also affirms Shayan Yaghoubi’s international recognition. His research on novel cellulose membranes during graduate study, combined with his later engineering leadership at H2O Innovation, is described as impactful in both academic and industry contexts. Professor Farnood explicitly states that Shayan Yaghoubi’s work in indirect potable reuse and industrial wastewater reclamation will *“reduce the overall stress on water resources on a global scale,”* a reflection not only of his technical relevance but of the broad geographic and environmental impact of his work.

Additionally, Professor Ron Hofmann, an NSERC Industrial Research Chair and expert in drinking water systems, commends Shayan Yaghoubi’s influence in bringing advanced water reuse and desalination solutions to some of the most complex projects in North America. His letter notes that Shayan Yaghoubi’s involvement with internationally respected organizations such as the Water Environment Federation (WEF), American Membrane Technology Association (AMTA), and WateReuse Association reflects not just membership but leadership within specialized professional communities dedicated to innovation in water sustainability.

Taken together, these expert testimonials, coupled with Shayan Yaghoubi’s recognized technical contributions to globally relevant projects and his affiliation with prestigious industry associations, offer compelling and well-substantiated evidence of his widespread acclaim and international recognition. His name is associated with forward-thinking environmental solutions, and his influence spans sectors, disciplines, and national borders—placing him firmly within the category of individuals who possess exceptional ability and global standing in their field.

**Evidence of Recent and Intended Work**

Shayan Yaghoubi’s established track record at H2O Innovation USA, Inc. affirms his consistent engagement in advanced water and wastewater engineering work that requires the application of exceptional ability. As a Capital Equipment Technical Sales Engineer since March 2019, he has played a key role in the development of high-performance treatment systems utilizing membrane technologies. His responsibilities involve creating complex process designs, performing capital equipment costing and lifecycle calculations, and tailoring project configurations to meet precise technical and commercial objectives. These tasks rely heavily on sophisticated modeling software, proprietary tools, and specialized knowledge of membrane bioreactor (MBR), ultrafiltration (UF), and reverse osmosis (RO) systems.

The work Shayan Yaghoubi currently performs is highly technical and central to H2O Innovation’s engineering and commercial operations. He regularly reviews and interprets technical documents, such as process flow diagrams (PFDs), piping and instrumentation diagrams (P&IDs), and general arrangement (GA) layouts, to evaluate the feasibility, performance, and risk of proposed water treatment projects. His input informs bid strategies, risk assessments, and system optimization across municipal, industrial, and reuse markets. These activities confirm that he remains deeply active in his field and that his responsibilities are of a nature that requires exceptional insight, precision, and innovation.

Following the grant of permanent residency, Shayan Yaghoubi will continue in his established role with no deviation from his current professional trajectory. His intended work includes advancing the technical development of membrane-based solutions, creating customized engineering proposals, and delivering knowledge-based support to consulting engineers, contractors, and end-users. This continued contribution will also involve participation in technical conferences and trade shows, reinforcing the company’s outreach and market leadership.

Shayan Yaghoubi’s responsibilities are not theoretical or academic in nature—they are directly tied to the engineering, commercialization, and implementation of critical water infrastructure projects. His work impacts real-world systems and requires ongoing adaptation to evolving technical standards, system configurations, and environmental requirements. This alignment between his qualifications and the role’s demands confirms that his intended employment not only remains within the same field, but also meets the regulatory requirement that it continues to require exceptional ability.

The employer’s support letter makes clear that the position is permanent, full-time, and located at H2O Innovation’s facility in Vista, California. There is no indication of a temporary or transitional assignment. Rather, the nature of the role and the specificity of the technical responsibilities confirm that Shayan Yaghoubi’s future work will be a direct extension of the highly specialized work he has already been performing, with clear and ongoing demand for his expertise.

In sum, Shayan Yaghoubi’s employment history and future work plan satisfy the requirement for showing both recent and intended work in the field of exceptional ability. His role is continuous, well-defined, and central to the technical operations of a company whose core business is the delivery of advanced water treatment systems, ensuring full compliance with the expectations of 20 CFR § 656.15(d).

**Evidence Meeting Two (or More) Regulatory Criteria**

1. ***Membership in Associations Requiring Outstanding Achievement***

Shayan Yaghoubi is an active member of several highly regarded professional associations in the water treatment sector, including the American Membrane Technology Association (AMTA), the Water Environment Federation (WEF), and the WateReuse Association. These organizations are internationally recognized leaders in water and wastewater innovation, policy, and advanced treatment practices. His memberships are not only current and in good standing, but they also reflect a sustained and meaningful engagement in technical and industry-leading communities that demand professional excellence and subject-matter expertise.

The American Membrane Technology Association (AMTA) is the leading authority in North America on membrane-based water and wastewater treatment technologies. AMTA’s mission is to advance the understanding and application of membrane technology, and its membership is composed of leading engineers, scientists, utility professionals, and technology providers. Shayan Yaghoubi’s inclusion as a member under H2O Innovation, a corporate leader in membrane system design, demonstrates his active involvement in this highly specialized technical community.

The Water Environment Federation (WEF) is a global non-profit association of water quality professionals. WEF members are typically researchers, utility managers, regulators, and technology developers involved in advancing sustainable water practices worldwide. The organization emphasizes innovation, education, and collaboration across sectors to solve complex water quality issues. Shayan Yaghoubi’s membership in WEF affirms his professional standing in the global water sector and his commitment to contributing to the advancement of applied water science and engineering.

In addition, Shayan Yaghoubi has been a participating member of the WateReuse Association since 2019. WateReuse is the principal national voice for water reuse policy, research, and project development in the United States. The organization works closely with federal and state regulators, agencies, and municipal utilities to support water recycling strategies critical to long-term water sustainability. As an engineer actively engaged in water reuse system design and planning, his membership is not only relevant but strongly aligned with his technical leadership in implementing membrane systems for indirect potable reuse and industrial reuse applications.

These associations represent the highest standards in the water and wastewater field and typically attract professionals with proven track records in system innovation, policy guidance, and project execution. Shayan Yaghoubi’s memberships, especially when supported by detailed letters from technical authorities affirming his role in high-impact projects, support his classification as an individual with exceptional ability under the EB-2 Schedule A, Group II framework. They serve as both a reflection and recognition of his professional standing in the field of advanced water and wastewater treatment engineering.

1. ***Original Contributions of Major Significance***

Shayan Yaghoubi has made multiple original contributions of major significance in the field of water and wastewater treatment, each documented and affirmed by leading experts in the industry and academia. During his Master of Engineering program at the University of Toronto, he conducted applied research on the development of a novel cellulose membrane and performed advanced comparative analysis against commercial polymeric membranes, including polyvinylidene fluoride (PVDF) and polyethersulfone (PES). As detailed in the letter from Professor Ramin Farnood, Shayan Yaghoubi utilized sophisticated characterization techniques such as bubble point analysis, contact angle testing, scanning electron microscopy (SEM), and zeta potential measurements. His research not only demonstrated technical ingenuity at the materials level but also laid the foundation for practical membrane bioreactor applications, which he later scaled in his professional work.

A hallmark of Shayan Yaghoubi’s career is his leadership in one of the most advanced water reuse initiatives in the United States, the Santa Monica Sustainable Water Infrastructure Project (SWIP). As described by Professor Fraser Kent, he served as the commercial lead and process engineer for this project, which includes the Advanced Water Treatment Facility (AWTF) and the Santa Monica Urban Runoff Recycling Facility (SMURRF). His work involved designing a reverse osmosis (RO) system capable of removing perfluorinated compounds such as PFOA and PFOS, “forever chemicals” that pose significant environmental and health risks. These contributions were instrumental to the project’s success and ultimately led to its recognition with the 2024 Water Environment Federation Project Excellence Award and the Global Water Award’s Distinction Award for Water Reuse Project of the Year. His ability to meet stringent effluent quality standards under California’s Title 22 regulations reflects not just innovation, but leadership in high-stakes regulatory compliance and public health protection.

In the industrial sector, he led the development and execution of a high-recovery ultrafiltration (UF) system for a major data center client in Oregon. Under a compressed timeline and high-performance requirements, he produced the engineering design and proposal that secured the project for H2O Innovation. According to Professor Kent, this project was critical in positioning the company as a key player in the tech sector’s sustainability efforts. Following this success, Shayan Yaghoubi was promoted to Director of Strategic Accounts, where he now leads water reuse initiatives for data centers and high-tech clients striving to achieve “Water Positive” goals. His contributions directly influence the environmental strategies of global corporations, extending his impact beyond technical engineering to the corporate sustainability landscape.

Shayan Yaghoubi has also been integral in guiding the strategic design and technical execution of several municipal water reuse and drinking water projects, including those for the City of Grants Pass, the Donald C. Tillman Water Reclamation Plant, and the City of Billings. His technical insights have informed competitive bid strategies and lifecycle cost analysis, enabling the successful delivery of innovative water treatment systems. Professor Ron Hofmann further affirms his influence in elevating H2O Innovation’s profile as a global leader in membrane-based water solutions, attributing part of the company’s growth and technical excellence to his engineering capabilities and problem-solving acumen.

Across each of these contributions, academic, municipal, and industrial, Shayan Yaghoubi has demonstrated a consistent ability to apply scientific knowledge to address complex water treatment challenges. His work is not only innovative but widely applied, cited in expert evaluations, and central to recognized environmental infrastructure projects. These accomplishments collectively meet and surpass the standard for original scientific and engineering contributions of major significance in the field, as required under 20 CFR §656.15(d).

**Conclusion**

Based on my evaluation of the documents and my expertise in the field, I affirm that Shayan Yaghoubi meets the threshold for classification under EB-2 Schedule A, Group II. The beneficiary possesses exceptional ability, has garnered international recognition, and meets at least two of the seven outlined regulatory criteria. His skills and continued contributions will be highly beneficial to the United States. His record of engineering leadership in membrane-based water reuse systems, including his central role in nationally awarded public infrastructure projects and strategic initiatives for high-impact industrial clients, clearly establishes the high level of expertise required for this classification.

In my professional opinion, Shayan Yaghoubi exemplifies the caliber of engineer whose technical capabilities, innovation in sustainable water solutions, and professional recognition extend beyond domestic boundaries and reflect a level of acclaim held by only a small number of individuals in the field. His trajectory demonstrates consistent advancement of critical technologies that address environmental challenges of both national and global importance. Given the demands of the role he holds and the ongoing projects he leads, his future work in the U.S. will continue to serve communities, industries, and the broader public good through more sustainable and efficient water management practices.

I am confident that his continued presence and work in the United States will further elevate the nation's position as a leader in advanced water treatment and environmental engineering solutions. It is for these reasons that I strongly support the approval of this petition.

To the best of my knowledge, I have no reason to doubt the authenticity and accuracy of these documents.

Sincerely,

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Ben D. Giudice, Ph.D., P.E.

Associate Professor of Civil Engineering

George Fox University

April 11, 2025

**References:**

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