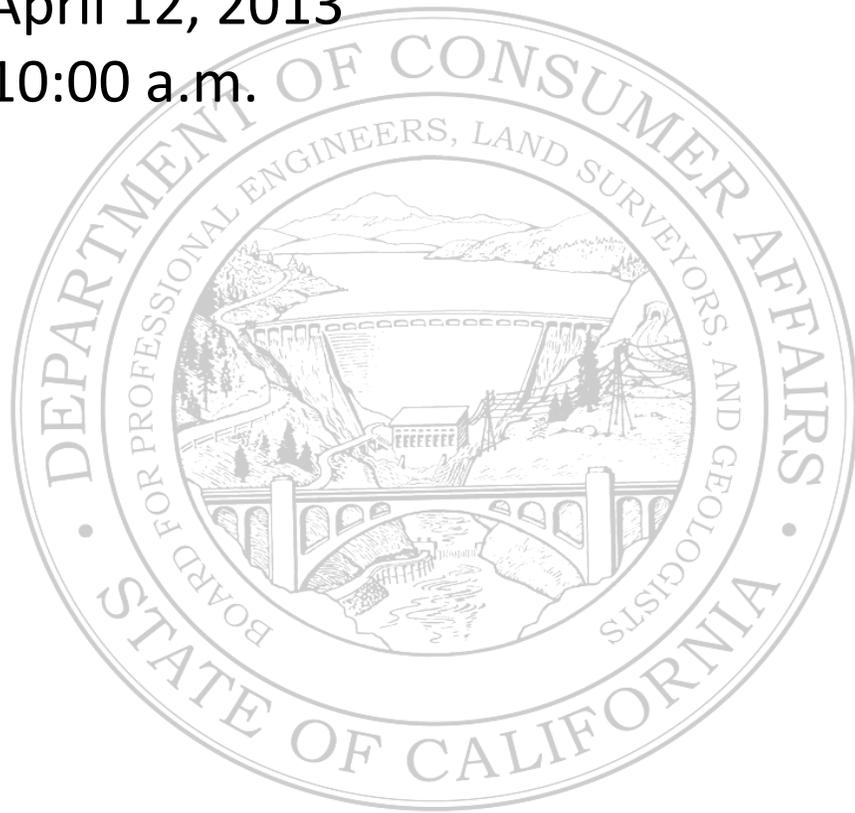




**Board for Professional Engineers,  
Land Surveyors, and Geologists**

## Meeting of the Land Surveyor Technical Advisory Committee

April 12, 2013  
10:00 a.m.



2525 Natomas Park Drive, Suite 130  
First Floor Conference Room  
Sacramento, California, 95833  
(916) 263-1835

**MEETING OF THE LAND SURVEYOR TECHNICAL ADVISORY COMMITTEE  
OF THE BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND  
GEOLOGISTS**

**Building Standards Commission  
2525 Natomas Park Drive, Suite 130  
First Floor Conference Room  
Sacramento, California, 95833  
(916) 263-1835**

**Friday, April 12, 2013, 10:00 A.M.**

**LAND SURVEYOR TECHNICAL ADVISORY COMMITTEE**

<b>Members:</b>	Michael S. Butcher, PLS; Michael B. Emmons, PLS; Paul J. Enneking, PLS; William Hofferber Jr., PLS
<b>Board Liaisons:</b>	Patrick J. Tami, PLS; Michael Trujillo
<b>Staff Liaisons:</b>	Raymond L. Mathe, PLS; Nancy Eissler

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1. Roll Call



3. Approval of LS TAC Minutes, July 6 and October 19, 2012 (Possible Action)

Moved: \_\_\_\_\_ Second: \_\_\_\_\_

Comments:

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**DRAFT**

**MEETING OF THE LAND SURVEYING TECHNICAL ADVISORY COMMITTEE  
OF THE BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS,  
AND GEOLOGISTS**

Board for Professional Engineers, Land Surveyors, and Geologists  
2535 Capitol Oaks Drive  
Third Floor Conference Room  
Sacramento, California, 95833  
(916) 263-2222

Friday, July 6, 2012, 9:30 A.M.

**TAC Members Present:** Michael S. Butcher, PLS; Michael B. Emmons, PLS;  
Paul J. Enneking, PLS; William Hofferber Jr., PLS

**TAC Members Absent:** Frank Demling, PLS

**Board Liaisons Present:** Patrick J. Tami, PLS

**Board Liaisons Absent:** Michael Trujillo

**Board Staff Present:** Ric Moore, (Executive Officer); Raymond L. Mathe,  
PLS; Nancy Eissler (Enforcement Manager); Celina  
Calderone (Board Liaison); Tiffany Criswell  
(Enforcement Analyst);

**1. Roll Call was taken and a quorum was established.**

**2. Public Comment**

Dave Woolley, representing D. Woolley and Associates, welcomed new members and provided his opinions relating to the roles and responsibilities of the TAC members. He also provided a written statement of his comments.

Mr. Tami explained that the LS TAC's role is to provide advice to the Board on land surveying issues and that there are no expectations to conduct legal research as that is the purpose of the Board's legal counsel.

**3. Approval of LS TAC minutes, March 16, 2012**

Mr. Enneking rescinded motion to approve. Directed staff to revise and return to next meeting.

**MOTION:** Mr. Enneking/Mr. Emmons moved to revise and return to next meeting.

**VOTE:** 4-0, motion carried.

**4. Discussion and Possible Recommendation Regarding Monumenting  
an Easement as it relates to Business and Professions Code Section  
8762**

Public Comment was opened - Kurt Burfield shared his personal opinion, as he has worked on private surveys in rural areas in which lot access is nineteen courses up a flume road. He stated that if all easements must be monumented, and a client requests to flag the monuments on their cabin up to the mountains, the surveyors may have to monument all nineteen courses from the nearest public road up to the cabin. This could have a severe impact on whether or not a survey will be performed.

Mr. Mathe indicated that the original request to the Board was for legal counsel to revisit 1998 opinion.

Mr. Duke provided an overview as to where his legal opinion came from. He addressed Mr. Woolley's comments and indicated that he is not an expert in the field of engineering or surveying but has worked for the board for over 20 years and is knowledgeable of the law and its history. Mr. Duke stated that he wrote an opinion on January 6, 1998 in which he still holds the same opinion. The source of his opinion is based upon standard rules of statutory construction in which the plain meaning language rule is employed. The definition of land surveying is contained in Business and Professions code 8726 and includes the term "easement". The mandatory filing procedures are found in Business and Professions code 8762. Subdivision (a) in 8762 authorizes land surveyors to file a record with the county surveyor; it states "may" so it has been open. Business and Professions code 8762 Subdivision (b), which concerns the mandatory filing requirements. 8762 goes back to 1939 and was amended in 1941. When the legislature included the term "easements" and "rights of way" into the definition of land surveying they did not alter 8762, meaning nowhere would you see the word "easement" which would require a mandatory filing.

Mr. Duke continued that the argument Mr. Frank employs is that if you look at easement at its most broad definition it is a right of interest in a land. Mr. Roger Frank believes 8762 Subdivision b(5) which states, "the points are lines set during the performance of a field survey of any parcel described in any deed or other instrument of title recorded in the county recorder's office are not shown on any subdivision official map or record of survey". That section could possibly lend itself to an interpretation. Mr. Duke stands by his previous legal opinion but is more than happy to listen and entertain what is the going practice.

Mr. Hofferber believes it's important that monuments should be shown on a map. If monuments are going to be set they are mapped so the public can be aware of those monuments. For the perpetuation of monuments, if an easement is set and mapped and later destroyed, those may be the only monuments prevailing that would allow you to reestablish other monuments. He believes if monuments are set in the ground there should be some kind of filing.

Mike Emmons, reviewed the Land Surveyors Act and stated that an easement can be a deed so it seems clear that it is mandatory. Despite that Mr. Emmons took offense to Mr. Woolley's letter and tone, he agrees with some points. He thinks the LS TAC should have Mr. Duke revisit and come

up with a legal opinion.

Mr. Duke added that his opinion was based upon his reading of the law. Mr. Frank provides compelling public policy reasons but not sure if law makes it mandatory.

**MOTION:** Mr. Enneking/Mr. Hofferber recommends to the board to have Mr. Duke revisit.

**VOTE:** 4-0, motion carried.

Mr. Enneking agrees these are compelling arguments but not so clear cut in terms of his interpretation of the language in the law; could lead to require the amendment of the law to clarify. He can see where there could be issues having to monument and file. It may lead client to not have the survey done.

Mr. Moore stated that when you're monumenting a boundary line, there is not a single owner of a monument. The owner of an access road can be an easement and is not necessarily the owner of the underlying parcel. If a record of survey is required for an easement, how will that affect the rights of the underlying property owner who does have fee title?

Mr. Emmons stated that one of the other issues is the definition of the word establish. He believes it is a problem if you are going to require a record of survey for an easement that may be three miles down a road that is not related. Mr. Butcher indicated that if you interpret the comment made referencing 19 courses up a road, the easement falls under 8762 then you must look at 8762(b)(4), the establishment of one or more points or lines not shown. If you go to the monuments, you must go to that one as well and that you are establishing a line and it is not shown on a sub division map. If you are establishing a line on an easement, for every ALTA completed, you would have to file a record of survey, even if the real property land has been shown on a previous map. He asked why the word "parcel" was included, why not "land" or "easement". He suggested, "set during the performance of a field survey of any deed or instrument of title" and omit "of any parcel described".

In reference to 8726(c) when it refers to land surveying defined, he interprets the word "boundaries" as relative to the other words in the rest of section (c). In 8762(b) references "land" boundaries. Mr. Butcher indicated that there are two arguments; if it's not included, it was omitted for a reason and the contrary, if it is not included and not excluded it is permissive. CLSA is always looking for consistency. He added that he can see arguments for both.

Mr. Duke indicated there's a distinction but 8762(b)(5) only refers to a parcel and not the others.

Mr. Tami asked to consider 8771(a) if you do a survey you must leave sufficient monumentation. If those easements do not have monuments would you be required to monument the easements?

Mr. Emmons shared that now that an easement has been established, you

are now required to file a record of survey, there are ramifications and is not sure if that is the direction the profession wants to go. He does not believe it is a simple fix.

**5. Discussion and Possible Recommendation Board Rule 425(c) and (d) Regarding Criteria for Responsible Training**

In reviewing applications for licensure, Mr. Mathe indicated that this board rule is paramount in determining whether or not experience requirements are sufficient. It would be clearer for candidates to know what is considered qualifying experience in the field and office environment. He is recommending to clean up language to assist board staff and applicants. Mr. Moore pointed out applicants are looking at 425(b) and (c). They are looking at it as an all-inclusive list which it is not intended to be. He is not sure if 425 reflects the technology changes. In reviewing applications and engagement forms they must read between the lines utilizing personal experience, understanding what they are conveying. The gaps between what the candidate is writing and what the references are saying are broadening.

Mr. Tami indicated that with today's technology many "field" activities can be done in office and asked if it was permissible.

Mr. Butcher added that a party chief is becoming more of a technician.

Ms. Eissler referenced 8742 (a)(2) which states that actual broad-based progressive experience in land surveying for at least six years including one year of responsible field training and one year of responsible office training satisfactory to the board. Mr. Tami added that when looking at responsible field training, many can be done in the office and not actually have to be done in the field by today's technology. Should there be a requirement that certain things be done outside the office or is it sufficient that someone makes the determination and accounts for them in an office setting? Mr. Moore stated that the word "office" may not be a word to emphasize because office can mean truck. Mr. Hofferber suggested tasks need to be better defined. Mr. Mathe believes there is a desire that you must have a practical experience in both environments. Not location but activity.

Mr. Woolley supplied the committee with a copy of the 1990 Office of Administrative Law opinion.

Mr. MacMillan representing CalTrans, added that it was about the same time the transportation surveyor series was implemented at CalTrans which established the professional land surveyor as a professional classification in CalTrans effective 88-89 with the hiring upswing in 1990.

Mr. Tami suggested that it may be beneficial for TAC members to view redacted applications to view what the LS applicants are including on their application.

Mr. Enneking asked if one can categorize the primary issue that people have limited field experience in general or is there limited mentoring while in the field or both. Mr. Moore said he's seeing both. The majority of the applicants are not anywhere near the six years required and are usually

pushing that responsible level. The mentorship is not necessarily the same as in the past.

Mr. Tami asked if the four year baccalaureate degree requirement, as part of responsible training, be considered. How would that factor in alternate path, direct path, and mandatory. Baccalaureate degree was a big push for a land surveyor.

Mr. Hofferber likes the idea of a baccalaureate degree to sit for an examination but does not want to see it be mandatory. He's not opposed to a baccalaureate degree requirement but is opposed to a baccalaureate degree in only geomatics to sit.

Mr. Emmons agrees with Mr. Hofferber and believes education is a good thing to have but it is not the only thing. Practical experience is important as well.

Mr. Moore pointed out that some states have a tiered path such as experience only, experience in an associate's degree, and experience in a baccalaureate degree.

Mr. Moore suggested tabling this item until item 9 to develop a proposed 2012-2013 work plan.

6. **Review selected board action for June 28-29, 2012 board meeting** - Mr. Tami announced LS TAC member appointments and Board member appointments. Request for bulletin articles are being solicited for the summer bulletin and the launch of the Board's new website was announced.

7. **Update on April Professional Surveyor Examination; New Applications Process for FE, FS, and State Examination and New Application and Testing Fees.**

Mr. Mathe started off by discussing the April 23 PLS examination. He indicated that it was held on a Monday and administered by Computer Based Test (CBT). There were 22 sites within California, Nevada, Oregon and Canada as well. There were 404 registered, 384 showed for exam. Mr. Mathe explained the CBT examination process at the various examination locations. Mr. Tami explained why design problems were in paper format and the answers appeared on the screen, was to reduce the distraction of having to scroll up and down to view the design and reading the problem. Mr. Mathe also explained the Seismic and Surveying examination printing error.

Professional Surveying examination will go to "closed book". Closed to books brought in by candidate but not to reference books provided by the test site. The purpose is to eliminate personal writings in the candidate's reference materials that can be removed from test site.

Mr. Mathe explained the new application process for FE, FS, and State Examinations.

8. **Election of Chairman and Vice-Chairman for 2012-2013**

**MOTION:** Mr. Emmons/Mr. Enneking moved to appoint Michael Butcher as chairman of TAC

**VOTE:** 4-0, motion carried.

**MOTION:** Mr. Emmons/Mr. Enneking moved to appoint William Hofferber as vice-chairman of TAC

**VOTE:** 4-0, motion carried.

**9. Develop Proposed 2012-2013 LSTAC work plan**

Mr. Woolley spoke during public comment. If you manage unlicensed people you must take a class to manage unlicensed people. In his opinion, there is an opportunity, as what is missing in land surveying is the critical thinking ability to create and believes many surveyors are functionally illiterate. The professional work is the future and requires reading and writing skills as well.

Mr. Moore distributed the work plan from 2007. Ms. Eissler provided information of various TAC's. Typically, the first nine items on the 2007 work plan as well as the introductory paragraph are standard to all TAC's. If there were specific items that they felt were important to bring to the board's attention or specific items the board wanted them to be discussed, those were added as additional items.

Mr. Mathe indicated that the TAC could recommend items to be included and the board could add more.

Mr. Tami suggested item #6 be amended to just ABET as it is no longer known as Accreditation Boards of Engineering Technology.

The releasing of responsibility for monuments on a map.

Add 425 - Responsible training and educational requirements.

Possible future agenda item.

The work plan used to be done every year but because of budget constraints, the TAC's were only able to meet once a year.

**10. Date of next TAC meeting - October 5, 2012**

An alternate date was proposed for Friday, September 21.

**11. Other Business not requiring committee action-**

Mr. Moore announced that Mr. Tami was reappointed to the board in addition to 3 new members. Mr. Woolley apologized to Mr. Emmons for offending him with his correspondence.

**12. Adjourned at 2:15 p.m.**

**PUBLIC PRESENT**

Roger Hanlin, CLSA

Kurt Burfield

David Woolley

**MEETING OF THE LAND SURVEYING TECHNICAL ADVISORY COMMITTEE  
OF THE BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS,  
AND GEOLOGISTS**

**DRAFT**

**2535 Capitol Oaks Drive, Suite 300  
Sacramento, CA 95833  
(916) 263-2222**

**Friday, October 19, 2012, 10:00 A.M.**

**TAC Members Present:** Michael S. Butcher, PLS; Michael B. Emmons, PLS;  
Paul J. Enneking, PLS; Mr. William Hofferber Jr., P.L.S.

**TAC Members Absent:** Mr. Frank Demling, P.L.S.

**Board Liaisons Present:** Patrick J. Tami, P.L.S.

**TAC Staff Present:** Ric Moore, (Executive Officer); Raymond L. Mathe, PLS;  
Nancy Eissler (Enforcement Manager); Celina Calderone  
(Board Liaison); Tiffany Criswell (Enforcement Analyst);

**1. Roll Call to Establish a Quorum**

Roll Call was taken and a quorum was established.

**2. Public Comment**

**3. Approval of LS TAC Minutes, July 6, 2012**

Mr. Mathe received an email from a member of the public who was in attendance at the last meeting regarding the accuracy of the July 6, 2012 minutes. Mr. Butcher recommends staff review recording and discuss with legal and return to next meeting. It was suggested to not take action on the minutes until the next meeting.

Mr. Duke indicated that the minutes are not a transcription but should be a summary and reflect actions. Mr. Duke recommended that minutes be minimal. Mr. Enneking agreed.

**4. Discussion and Possible Recommendation Board Rule 425(c) and (d) Regarding Criteria for Responsible Training**

Mr. Mathe provided examples of redacted applications to show experience requirements. He indicated that there is a trend in which it is difficult to determine what is responsible field training opposed to office training. When the rule was first implemented, the roles were more defined. At times the office may be the truck at a jobsite. Mr. Mathe inquired if the responsible field and office training is clear in 425 (c) and (d) and asked if the TAC has recommendations.

Mr. Butcher indicated that it reads as though the applicant should be in responsible charge. Mr. Mathe explained that an applicant cannot be in responsible charge but needs to indicate that they are making decisions under review by a licensed land surveyor that is mentoring them and the licensee will sign for the work the applicant has

done. Mr. Hofferber has viewed it as decision making versus training which he believes the terminology may be problematic.

Mr. Butcher pointed out that there is a blur between the field and the office. Mr. Mathe indicated that when you start, you train, which fits into overall experience but you must arrive at a more responsible level. The appropriate mentorship is important to keep in the law. Mr. Mathe suggested that the TAC look at the language and determine if it meets the needs and what the experience that is expected is well described. Mr. Butcher inquired if (d) (12) includes LiDAR and should it be expanded. He is aware that it is not an all-inclusive list. Mr. Mathe reported that there appears to be an issue between defining office and field training. The question is whether or not 425 is accurate for today's industry. Do these applicants meet the needs that are expected of today's surveyor before they sit for the exam?

Mr. Tami added whether or not we have clear and concise rules that would allow an applicant to know what they needed to do in order to apply. Mr. Butcher asked what the process is when there is an application that is questionable. Mr. Mathe will contact the applicant in addition to their references and have them clearly state what they did and submit more detail. He also encourages applicants to use log books to log time on projects in smaller increments, it will be easier to communicate their experience.

Mr. Mathe discussed a licensed Civil Engineer who is applying for the land surveying examination, they do not have to meet the office and field experience but they must have progressive broad based land surveying experience. It is much more difficult to get that experience due to economy. Outreach is continually being done to communicate the application process and promote licensure.

Ms. Eissler indicated that some of the issues may be clarified by possibly changing the application form and the engagement record and reference form by providing more room to be more specific about their experience. Mr. Butcher suggested a webinar to post on the Board's website. Mr. Enneking believes that it seems to cross the line to have a webinar that assists applicants to become a professional. Mr. Mathe log book is a good tool to document their time as they move from company to company. By the time the candidate is ready for licensure, those people verifying their time may no longer be available.

Mr. Mathe thinks it would be good for the TAC to review and consider discussion and come back. Mr. Butcher concurs with Ms. Eissler and thinks that looking at the forms is a good idea. Mr. Tami agrees and would like for the TAC members to get an outside point of view without too much inside knowledge to avoid bias.

Mr. Enneking asked is one year of office experience and one year of field experience without any formal surveying education sufficient. He believes it is not enough for a profession. Mr. Mathe thinks it would be good to reaffirm what is and not needed. There is less cross training in the industry these days.

Mr. Hofferber noted that it seems that the issue is with the actual tasks and skill set versus whether they are gaining experience in the office or in the field.

**5. Review the Subdivision Map Act (SMA) and Professional Land Surveyors' Act pertaining to the surveyor responsibility for monuments shown to be set on maps and recommend revisions, if deemed necessary**

Mr. Butcher inquired who is responsible for procedure of determining boundaries and gets to release the bond.

Mr. Mathe indicated that it is the licensee's responsibility to set monuments. The surveyor of record, you as a LS you have rights afforded such as a mechanics lien for work completed. Many agencies indicate that you must get a release from the surveyor of record. There are different opinions that say otherwise. Maybe law does need to be clarified.

Mr. Emmons stated that it is always the surveyor of record who would set monuments or if they provided a release.

Mr. Tami pointed out that it is important to find out when the final map indicates for when monuments have to be set.

Mr. Butcher inquired whether it could be amended in 66469 (f) on a certificate of correction.

Mr. Tami noted that Arizona changed their law.

Mr. Emmons references 498 and it indicates "may" in his opinion it says that he has the obligation unless released.

Mr. Mathe is seeking feedback from TAC. Mr. Emmons suggested language change to bring before legislation. Mr. Butcher recommended review to come back and discuss for future action.

**6. Review Corner Record requirements as specified in Board Rule 464 for possible changes**

Mr. Butcher referred to a letter submitted by R. Lee Hixson, P.L.S. regarding revisions to the Corner Record Form.

Ms. Eissler pointed out that part of the issue is the corner record form is specified under regulation and has an identifying number and is considered part of the law as it is referenced in regulation. She continued that there are certain things you can change such as a typographical error or removing the guideline or graph paper. However, when you start talking about changing the wording or the checkboxes, you are then making substantive changes that would require a full rulemaking with public comment. There are standards that must be met to justify the changes.

Mr. Tami inquired if it should indicate monument rather than corner and furthermore identification and type of monument found, also should there be a signature block for party chief.

Mr. Butcher explained that "see sketch" is referenced so he must put into words what his sketch indicates which he believes is excessive.

Mr. Mathe noted that he can see where the form could be modified due to 8771(b).

Mr. Tami inquired whether there should there be a precision statement when benchmarking.

It was agreed that it would be reviewed and brought back for discussion at the next meeting.

**7. Review portions of recently approved SB 1576, as pertaining to the practice of land surveying**

Mr. Butcher indicated that this is an omnibus bill with Business and Professions code revisions.

Ms. Eissler noted that the language for 8762(b)(4) was developed by the TAC that the Board approved and worked with CLSA's legislative committee. She believes that sections 8741 and 8773 had to do with the title of the manual of survey. Mr. Butcher added that CLSA removed the EIT exemption to sit for the LS. Ms. Eissler reported that the Board discussed and supported as well. This had to do with waiving the requirements to take the fundamentals of surveying examination and have an LSIT certificate. The law used to state that any professional engineer, any discipline or someone who has the EIT certificate was exempt from taking the Fundamental of Surveying exam. There were concerns that the exams were not equivalent to the Fundamentals of Surveying exam. She believes that CLSA worked with ACEC on the language to come to the agreement that it would change from all professional engineers in any discipline to just civil engineers and to remove the EIT certificate portion.

**8. Update on technical and professional societies' legislative activities (Discussion Only) Update on technical and professional societies' legislative activities (Discussion Only)**

Mr. Butcher indicated CLSA is looking at 8771(b) and there has been a struggle with whose duty is it for monument preservation. There has been much discussion over if it is the agencies duty or contractor. Is contractor taking it upon themselves to do the monument preservation?

There is an issue of people who have been deceased and their tags showing up on new concrete with visible fingerprints. In some historic communities it is required to cut out the original stamped concrete and reset it in new concrete when replaced.

In reference to 8772, monument identification, agencies such as the County Surveyor or CalTrans, allows a county surveyor to simply stamp county surveyor on the tag when setting a monument. There is a certain contingency that thinks that they are all required as registrants and whoever is in responsible charge needs to put their tag number on the tag. Mr. Enneking indicated that ACEC has reviewed and Mr. Emmons speculated that CEAC would oppose as they typically believe agency is responsible and not individual employee.

Mr. Tami pointed out that without the license number it is hard to know who was in responsible charge. Mr. Emmons stated that according to Government Code section, 27553, agencies must maintain field notes. Mr. Mathe inquired if the County Surveyor signing map as preparer or reviewer? Could prompt people to not research but to sue individuals. Mr. Enneking also indicated that with the budget pressures on counties is it possible that there is a concern that no one is appropriately licensed at the county that could put the license number on the monument.

Mr. Tami indicated that it helps to have input from the TAC when legislation comes before the Board for consideration.

Mr. Emmons added that CEAC is still pursuing a monument preservation fund, as far as removing the exemption for lots and tracts. Opposed by realtors.

**9. Review selected Board actions from October 11-12, 2012 Board Meeting**

Mr. Tami discussed putting some teeth into the Organizational Record form. Most states refer to it as a certificate of authority. He believes it is a public protection service. Need to strengthen and clarify laws.

**10. Review 2012/2013 LSTAC Workplan**

Board approved at the October 11-12, 2012 Board meeting.

**11. Date of Next TAC Meeting**

February 8, 2013

**12. Other Business Not Requiring Committee Action**

Mr. Frank Demling resigned from the TAC and currently recruiting for another member. Mr. Tami thanked members for their service.

**13. Adjourn**

Meeting adjourned at 12:53 PM

**PUBLIC PRESENT**

Roger Hanlin, CLSA

4. Update on Administrative Workgroup status for Board Rule 425(c) and (d) regarding Criteria for Responsible Training for applicants (Possible Action)

4. Update on Administrative Workgroup status for Board Rule 425(c) and (d) regarding Criteria for Responsible Training for applicants (Possible Action)

The Board discussed the establishment of an Administrative Workgroup at the October 2012 meeting. An Administrative Workgroup is not limited to Board members but can still have Board member involvement. Mr. Moore (The Executive Officer) would select the workgroup participants with approval by the Board President in accordance with the Board's current Operating Procedures. Any recommendations or status would be provided at each Board meeting as necessary. Participation is fluid to allow participants to come in as needed. The first meeting of the Administrative Workgroup was reviewing applications for licensure as a Professional Land Surveyor. The meeting was held on December 13 and 14, 2012 at the Board office. A review of Board Rule 425 and various portions of the PLS Act were discussed and review was considered for several applications. A follow-up meeting is anticipated prior to the next LS TAC meeting and recommendations will be compiled for the LS TAC to review and provide comments/suggestions back to the Administrative Workgroup.

5. Review the sections of the Subdivision Map Act (SMA) including the releasing of the surveyor responsibility for monuments shown to be set on maps and recommend changes to the SMA or regulation, if deemed necessary (Possible Action)

§66498. In the event of the death, disability or retirement from practice of the engineer or surveyor charged with the responsibility for setting monuments, or in the event of his refusal to set such monuments, the legislative body may direct the county surveyor or city engineer, or such engineer or surveyor as it may select, to set such monuments. **If the original engineer or surveyor is replaced by another, the former may, by letter to the county surveyor or city engineer, release his obligation to set the final monuments to the surveyor or engineer who replaced him.** When the monuments are so set, the substitute engineer or surveyor shall amend any map filed pursuant to this division in accordance with the provisions of Sections 66469 to 66472, inclusive. All provisions of this article relating to payment shall apply to the services performed by the substituted engineer or surveyor.

§66497. Within five days after the final setting of all monuments has been completed, the engineer or surveyor shall give written notice to the subdivider, and to the city engineer or the county surveyor or any other public official or employee authorized to receive these notices, that the final monuments have been set. Upon payment to the engineer or surveyor for setting the final monuments, the subdivider shall present to the legislative body evidence of the payment and receipt thereof by the engineer or surveyor. In the case of a cash deposit, the legislative body shall pay the engineer or surveyor for the setting of the final monuments from the cash deposit, if so requested by the depositor. If the subdivider does not present evidence to the legislative body that the engineer or surveyor has been paid for the setting of the final monuments, and if the engineer or surveyor notifies the legislative body that payment has not been received from the subdivider for the setting of the final monuments, the legislative body shall, within three months from the date of the notification, pay to the engineer or surveyor from any deposit the amount due.

6. Review Corner Record requirements as specified in Board Rule 464 for possible changes (Possible Action)

September 13, 2012

Rick Moore, PLS  
Board for Professional Engineers, Land Surveyors  
And Geologists  
2535 Capitol Oaks Drive, Suite 300  
Sacramento, CA 95833-2944

Re: Revisions to the Corner Record Form

Dear Mr. Moore:

According to the LS Act the Corner Record (CR) form is under the control of The Board. This form has changed quite a few times over the years and I would like to request that The Board consider some new changes:

1. About 1/4 of the way down Page 1 there are 5 boxes following "Corner." One is supposed to check the box most appropriate to the situation at hand. However, as an employee of a public agency that is actively submitting dozens of CRs each month to various Bay Area Counties, none of the 5 boxes are appropriate for what we do. Typically we set 4 new reference points for a street monument that might be impacted by new water line construction. We don't "Rebuild" it, or Re-establish" it, etc. None of the boxes apply. We find the street monument then set new reference points. We suggest that a sixth box be added: "Referenced." It's a simple addition and would be very useful for many, if not most, of the CRs being produced around the state.
2. On Pg. 1, below the above set of boxes to choose from, there are two sets of lines in the middle, presumably put there during the typewriter era, and/or for those who fill in that section by hand. Since most licensees produce their CRs using Microsoft Word, it would be so much neater to not have those lines and just use word wrap. It would be cleaner and allow for more lines of text.
3. It is impossible to line up your wet stamp with the "seal guide circle" at the bottom right side of Page 1. Is it permissible to delete it so that the wet stamp comes out clear and uncluttered?
4. On Pg. 2 is it permissible to eliminate the grid? I've noticed that most firms already delete the grid and just insert their CAD drawing. Doing so makes it far more readable, in fact the grid detracts a great deal from the legibility and clarity.

Most firms are already deleting the seal guide circle and the grid lines. We would like to make these simple, but useful changes with the blessing of The Board. I look forward to hearing from you.



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Yuba City, CA 95991  
[rlhixson@comcast.net](mailto:rlhixson@comcast.net)

#### **464. Corner Record.**

(a) The corner record required by Section 8773 of the Code for the perpetuation of monuments shall contain the following information for each corner identified therein:

- (1) The county and, if applicable, city in which the corner is located.
- (2) An identification of the township, range, base, and meridian in which the corner is located, if applicable.
- (3) Identification of the corner type (example: government corner, control corner, property corner, etc.).
- (4) Description of the physical condition of
  - (A) the monument as found and
  - (B) any monuments set or reset.
- (5) The date of the visit to the monument when the information for the corner record was obtained.
- (6) For Public Land Corners for which a corner record is required by Section 8773(a) of the Code, a sketch shall be made showing site recovery information that was used for the corner. For other kinds of corners, a drawing shall be made which shows measurements that relate the corner to other identifiable monuments.
- (7) A reference to the California Coordinate System is optional at the discretion of the preparer of the record.
- (8) The date of preparation of the corner record and, as prescribed by Section 8773.4 of the Code, the signature and title of the chief of the survey party if the corner record is prepared by a United States Government or California State agency or the signature and seal of the land surveyor or civil engineer, as defined in Section 8731 of the Code, preparing the corner record.
- (9) The date the corner record was filed and the signature of the county surveyor.
- (10) A document or filing number.

(b) A corner record shall be filed for each public land survey corner which is found, reset, or used as control in any survey by a land surveyor or a civil engineer. Exceptions to this rule are identified in Section 8773.4 of the Code.

(c) The corner record shall be filed within 90 days from the date a corner was found, set, reset, or used as control in any survey. The provisions for extending the time limit shall be the same as provided for a record of survey in Section 8762 of the Code.

(d) A corner record may be filed for any property corner, property controlling corner, reference monument, or accessory to a property corner, together with reference to record information. Such corner record may show one or more property corners, property controlling corners, reference monuments, or accessories to property corners on a single corner record document so long as it is legible, clear, and understandable.

(e) When conducting a survey which is a retracement of lines shown on a subdivision map, official map, or a record of survey, where no material discrepancies with these records are found and where sufficient monumentation is found to establish the precise location of property corners thereon, a corner record may be filed in lieu of a record of survey for any property corners which are set or reset or found to be of a different character than indicated by prior records. Such corner records may show one or more property corners, property controlling corners, reference monuments or accessories to property corners on a single corner record document so long as it is legible, clear, and understandable.

(f) The standard markings and standard abbreviations used by the Bureau of Land Management (formerly the General Land Office) of the United States Department of the Interior shall be used in the corner record.

(g) The corner record shall be filed on a form prescribed by the Board. The approved form is BORPELS-1297.

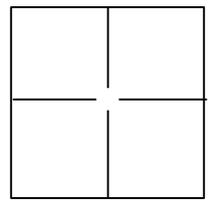
# CORNER RECORD

Document Number \_\_\_\_\_

City of \_\_\_\_\_

County of \_\_\_\_\_, California

Brief Legal Description \_\_\_\_\_



### CORNER TYPE

- Government Corner  Control
- Meander  Property
- Rancho  Other

Date of Survey \_\_\_\_\_

### COORDINATES(Optional)

- N. \_\_\_\_\_
- E. \_\_\_\_\_
- Zone \_\_\_\_\_ NAD27  NAD83
- NAD83 Epoch \_\_\_\_\_
- Elev. \_\_\_\_\_
- Vert. Datum: NGVD29  NADV88
- Meas. Units: Metric  Imperial

Corner - Left as found  Found and tagged  Established  Reestablished  Rebuilt

Identification and type of corner found: Evidence used to identify or procedure used to establish or reestablish the corner:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

A description of the physical condition of the monument as found and as set or reset: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### SURVEYOR'S STATEMENT

This Corner Record was prepared by me or under my direction in conformance with the Land Surveyor's Act on \_\_\_\_\_, \_\_\_\_\_.  
Signed \_\_\_\_\_ P.L.S. or R.C.E. No.: \_\_\_\_\_

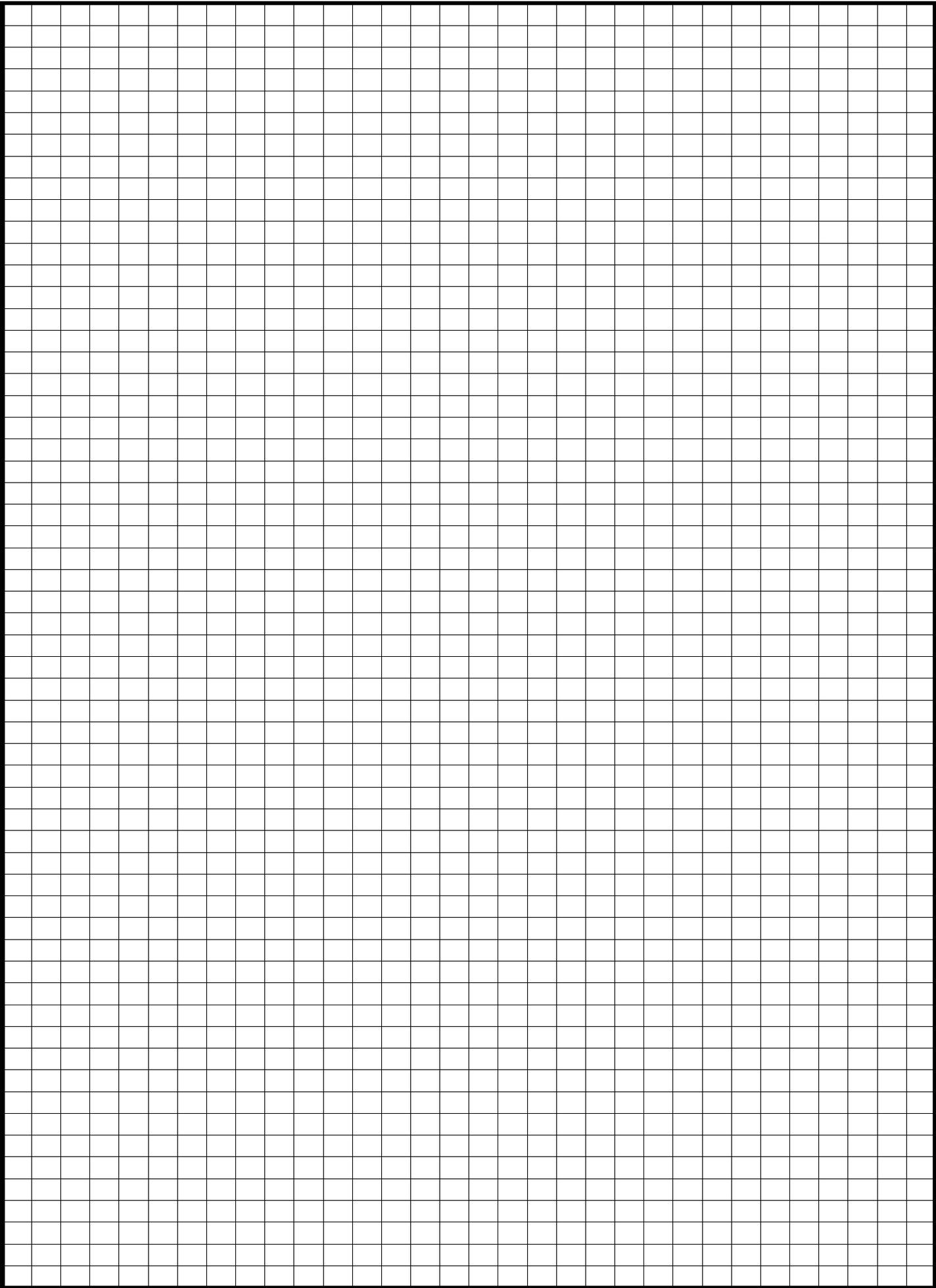


### COUNTY SURVEYOR'S STATEMENT

This Corner Record was received \_\_\_\_\_, \_\_\_\_\_ and examined and filed \_\_\_\_\_, \_\_\_\_\_.  
Signed \_\_\_\_\_ P.L.S. or R.C.E. No.: \_\_\_\_\_  
Title \_\_\_\_\_



County Surveyor's Comment \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



7. Update on technical and professional societies' legislative activities (Discussion Only)

8. Report on December 7, 2012; January 31, 2013; and March 7, 2013, Board Meetings (If necessary)

9. Review 2012/2013 LSTAC Workplan (Possible Action)

10. Date of Next TAC Meeting – August 23, 2013

11. Other Business Not Requiring Committee Action

12. Adjourn