



CENTRAL COAST CHAPTER CALIFORNIA LAND SURVEYORS ASSOCIATION

BOARD OF DIRECTORS REPORT:

Date: October 26, 2024

Location: attended via Zoom

Attendees: Luz Garcia, PLS, and Joe Morris, PLS

Summary:

President Report-Kevin Nehring

- He will be visiting some chapters

President Elect Report-Joe Padilla

- Visited 2 more chapters and attended the Bill Young Memorial Golf Tournament as a representative of the Desert Chapter

Secretary report- Kristie Achee

- Executive committee met twice and discussed:
 - A new draft MOU for the 2025 and 2027 conferences received from NALS which makes changes to the way sponsorship income is distributed.
 - Importance of CA companies contributing to the success of the conference sponsorships.

Treasurer's Report-Michael Pulley

- **Chapter voted in favor** to change the 2025 conference budget from \$93,000 to \$85,000. The 2024 final budget was \$73,000.

Executive Director's Report:

- Kim Oreno left CAMS. CAMS had a assigned enough staff to fulfill the organization's needs.
- They are searching for a new director. Jennifer Blevins is currently the main point of contact.
- **Chapter voted in favor** to try Hyatt place in Sacramento as a new venue. It costs approximately the same as Oakland venue.

Legislative Committee:

- Mike Belote: high percentage of legislature had to do with housing
- More bills enforcing licensing to better Land surveying Practices.
 - Higher penalties for unlicensed encroaching technology such as contractors
- AB1862 Engineering, land surveying, and architecture: limited liability partnerships. has been extended for another 10 years
- AB 2451 Public works: prevailing wages- did not make it.
- AB 8766.5 Record of survey fees, Mike Belote advised to wait until the next legislative session when the state's financial situation might be different.
- **Monument Preservation committee: PLS 8776.5 suggestion guideline to review with the chapter. -see attachment**
 - Needs better format?
- **PLS 8765, 8766, and 8766.5 revised- see attachment**



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Education Foundation:

- **check scholarships online for Central Coast scholarships list**

Continuing Education Committee:

- Landon Blake has new webinars coming some, some pre recorded
- 2025 Conference will be in Reno

Chapter Reports:

- Orange County Chapter:
 - **Chapter voted in** favor to approved the motion requesting a letter of support for the Orange County chapter's letter to Orange County Public works.
 - Kevin hills, former County Surveyor, retired for the OC office in May, 2024
 - There are no signs to hire a new County surveyor. The County Surveyor's office has been splintered into 3 different departments.
 - GIS (admin department, Survey Crews (Construction Department), and Right-of-Way, Map checking remains in the Surveyor's department.
 - Orange County ad-hoc Surveyor's committee wrote a letter expressing their desire to have in place a California Licensed Surveyor as the County Surveyor.

Approved by the Board of Directors – April 27, 2024, Board Meeting.

The purpose of these changes is to eliminate disputes between public agencies and counties regarding charges for map checking fees for records of survey. This makes it clear that mapping from a public agency does not require the county recorder to be included in the process and accommodates maps filed through 8765(a) to still be included in the map checking process, including the 20 working days of review.

8765. A record of survey is not required of any survey:

- (a) When it has been made by a public officer in his or her official capacity, ~~or a licensed land surveyor employed by a public agency~~, and a reproducible copy thereof, showing all data required by Section 8764, except the recorder's statement, has been filed with the county surveyor of the county in which the land is located. Any map so filed shall be indexed and kept available for public inspection.

8766. (a) Within 20 working days after receiving the record of survey ~~or a map filed pursuant to 8765(a) of this section~~, or within the additional time as may be mutually agreed upon by the land surveyor or civil engineer and the county surveyor, the county surveyor shall examine it with respect to all of the following:

8766.5. (a) Record of survey – examination fee The county surveyor may charge a reasonable fee for examining a record of survey pursuant to Section 8766 which shall not exceed the cost of the service or one hundred dollars (\$100), whichever is the lesser. However, this one hundred dollars (\$100) maximum fee may be increased by the board of supervisors if such an increase is authorized by a duly adopted ordinance and the ordinance was adopted pursuant to a staff report demonstrating that the cost of providing the examination service actually exceeds one hundred dollars (\$100) per record of survey.

~~(b) Examination fees per Section 8766.5 shall may not be charged to public agencies, or Land Surveyors contracted to prepare a record of survey on behalf of public agencies filing maps pursuant to 8765(a) of this section.~~



California Land Surveyors Association

Monument Preservation Committee

Suggestions for Satisfying new requirements under 8771.6

There is a new section to the Professional Land Surveyors Act likely going into effect on January 1st, 2025. This newest section will be number 8771.6, the text of the proposed law is copied here:

8771.6

In every case where a monument or corner accessory is found with a physical condition that is less than permanent and durable, the licensed land surveyor or registered civil engineer using that monument or corner accessory as control in any survey shall reconstruct or rehabilitate the monument or corner, so that the same shall be left by them in such physical condition that it remains as permanent a monument or corner accessory as is reasonably possible and so that the same may be reasonably expected to be located with facility at all times in the future.

The CLSA Monument Preservation Committee was charged in the July 2024 Board of Directors meeting to prepare a guide with a few suggestions for complying with this new law. As in all matters related to Land Surveying the contrary to any of these suggestions may also be appropriate based on the specific conditions encountered, and it is the opinion of the Monument Preservation Committee that nothing contained herein should be used to avoid or prevent the exercise of good judgement by a licensed professional to satisfy the requirements of 8771.6 in their particular area.

The definitions that form the basis for the following suggestions are listed on page 5.

The main points of discussion surrounding this new law are expected to be the following:

- 1) What is encompassed by the term “...***using that monument or corner accessory as control in any survey...***”
- 2) What is needed to be done physically to satisfy the standard described as “...***shall be left by them in such physical condition that it remains as permanent a monument or corner accessory as is reasonably possible...***”
- 3) What is required to meet the standard described as “...***be reasonably expected to be located with facility at all times in the future.***”

The distinction between monuments and tags should be noted. This law relates to monuments, not tags. It does not automatically require the tagging of un-tagged monuments found and held by a newer survey.

Suggestions for Topic 1)

- 1) What is encompassed by the term “...*using that monument or corner accessory as control in any survey*...

The law is clear that ANY survey shall trigger this requirement. This includes; topographic maps, site plans, ALTA/NSPS maps, records of survey, corner records, parcel/final maps, or any other work product that is protected by the definition of land surveying contained in section 8726.

The part that will likely have a variety of opinions is the “*used for control*” part. This committee believes that the law is mainly focused on “BOUNDARY CONTROL” and the easiest way to determine if a monument is being used for boundary control is if a boundary line shown on a map goes through, or ends on, the monument in question. An additional test is to see if the boundary line is a specific distance from a monument based on some previous document or knowledge, IE a known offset.

Vertical and horizontal control is included within the scope of the law but is not expected to be very controversial because any monument used for vertical or horizontal control is likely durable or it would not be used in the first place. Likewise for monuments used to determine State Plane Coordinates or other control networks. The nature of the work means that the monuments defining those positions will likely be durable and easy to locate.

Some common examples that would generally be considered as “control”:

- A) A deed called for pipe.
- B) Original section corners, or their documented replacements.
- C) Found original bearing trees, or their documented replacement.
- D) A “point on line” monument set by a corner record at the top of bank of a creek
- E) A monument that is accepted as best available evidence of a corner
- F) A Brass disc on a headwall used for vertical control

Some common examples that would generally NOT be considered as control:

- Z) Monuments of no record that are found near the location of the corner as shown on the survey.
- Y) A monument set by a previous RoS that is not “accepted” or “held” by the map being prepared.
- X) Temporary benchmarks used for level loops.
- W) Any sort of temporary markings set for construction purposes. (IE ginnies, hub and tack, or paint.)
- V) Random survey control points set in the course of fieldwork.

CLSA Monument Preservation Committee Suggestions for satisfying 8771.6
Suggestions for Topic 2)

2) What is needed to be done physically to satisfy the standard described as “...*shall be left by them in such physical condition that it remains as permanent a monument or corner accessory as is reasonably possible...*”

Location and site conditions will largely determine what sort of monument satisfies this law. Monuments that last near the ocean may be different than what would last in a redwood forest, which may be different than what might be durable in the Sierra. It is expected that the local surveyors will have largely figured out what works for each area. The best indication of what should be considered “permanent” is what is being set on the majority of Records of Surveys filed in the area over the last 10 years.

If anything is added to ensure the permanence of the monument marking a position, then the additions will be required to be tagged or otherwise marked in accordance with PLSA 8772 and be shown on a Corner Record of Record of Survey as the situation requires.

Some common examples of what is generally considered permanent:

- A) Iron pipes and rebar 1/2" and larger, set in non-corrosive environments.
- B) Large wooden fence posts, such as railroad ties or 6x6 split rail posts.
- C) Any sort of monument within a monument well.
- D) Nails set in a hard structurally sound surface, like 3" PKs in new asphalt, or a 60d in a blaze.
- E) Metal washers epoxied to concrete.
- F) Cuts into a hard surface, like scribed X's on a curb.
- G) Aluminum alloy monuments set near the coast, or in salty environments.
- H) Coated magnets.

Some common examples of what is generally NOT considered permanent:

- Z) Painted spots or circles on the ground
- Y) Wood stakes or hubs with less than 6sq/in of solid rot resistant wood on their top surface.
- X) Nails, PK, spikes etc. set in structurally broken surfaces, like alligatored asphalt, or failed concrete.
- W) Iron pipes set in corrosive environments, like the ocean shore, or caustic soils.
- V) Low melting point metal monuments set in fire prone areas.

Suggestions for Topic 3)

3) What is required to meet the standard described as “...*be reasonably expected to be located with facility at all times in the future.*”

This phrase is expected to cause debate about what is meant by “located with facility” As locating monuments is part of what surveyors do, any “location” done in the future will be done by a land surveyor. This means that the skillset and tools of the average land surveyor should be used for evaluating the ease of relocation in regard to satisfying this law.

Maps and documents are an integral part of a surveyor’s job, and so the information contained on a map or other recorded document prepared by a surveyor is part of what goes into determining if something is going to be easily located at all times in the future. Monuments that would be hard to locate can become easy to locate with the addition of a clarifying note on a map. Monuments that are easy to locate because of temporary flagging or wooden lath set next to it will not satisfy the “for all times” requirement.

A simple test to see if a monument meets this requirement is if in 20 years a licensed surveyor would be expected to find it in 5-10 minutes of searching without using survey grade equipment (GPS, Total Station etc.) to stake out its location.

Some common examples of what is generally considered easy to locate:

- A) Iron pipes or rebar 1/2" and larger set in non-magnetic environments.
- B) Large wooden fence posts, such as railroad ties or 6x6 split rail posts
- C) Non magnetics discs set in concrete, as long as it is shown on a filed map tied to nearby monuments.
- D) Any sort of monument within a monument well.
- E) A nail set in a hard structurally sound open surface, like a 3” PK in new asphalt.
- F) Cuts into a hard surface, like scribed X’s on a curb, as long as they are shown on a filed map.

Some common examples of what is generally NOT considered easy to locate:

- Z) Chiseled stones, or other non-magnetic objects, buried in the dirt, without nearby reference points.
- Y) Stone mounds less than one (1) foot tall, or if they are located in very rocky areas.
- X) Wood stakes or hubs that have less than one (1) foot sticking out above the ground or duff.
- W) Nails set in dirt, since their magnetic field is variable and generally small.
- V) Iron pipes or rebars set in magnetic environments, like junkyards, magnesite mines, or magnet factories.

Definitions

For the purpose of these suggestions, the following definitions have been used:

Monument= As pertaining to land surveying, tangible landmarks indicating land boundaries.
Source Brown's Boundary Control, 7th Edition. Glossary

Corner Accessory= A physical object used as a reference to a position mark. Examples are a "Bearing Object" or a "Bearing Tree" as defined in the BLM Glossary of Surveying and Mapping Terms published 1980.

Permanent= Fixed, enduring, abiding, not subject to change. Generally opposed in law to "temporary."
Source Black's Law Dictionary 2nd Edition.

Durable= 1) able to exist for a long time without significant deterioration in quality or value 2) designed to be durable
Source: Merriam Webster.

Control= the thing that is used to determine the location of a position of a deed, map, or other real property boundary, generally the highest form of evidence on the Hierarchy of Calls as defined in CCP § 2077

Reconstruct= Same as "rehabilitate"
Source: BLM Glossary of Surveying and Mapping Terms published 1980

Rehabilitate= The restoration of a corner monument or its accessories to original conditions but not the addition of new accessories or any altering of the record. See REMONUMENTATION.
Source: BLM Glossary of Surveying and Mapping Terms published 1980

Remonumentation= The construction of a corner monument (iron post, rock cap or concrete monument) at the position of an original monument as determined from proper measurement from its original accessories. New accessories may be added if required. See REHABILITATION and PERPETUATION OF CORNERS
Source: BLM Glossary of Surveying and Mapping Terms published 1980

Reasonably= 1) being in accordance with reason 2) not extreme or excessive
Source: Merriam Webster.

Possible= 1) being within the limits of ability, capacity, or realization 2) being what may be conceived, be done, or occur according to nature, custom, or manners
Source: Merriam Webster.

Facility= 1) the quality of being easily performed 2) ease in performance
Source: Merriam Webster