



PROPOSED RULE MAKING

CR-102 (October 2017)
(Implements RCW 34.05.320)
Do **NOT** use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: November 13, 2017

TIME: 11:23 AM

WSR 17-23-071

Agency: Department of Natural Resources

Original Notice

Supplemental Notice to WSR 17-15-076

Continuance of WSR _____

Preproposal Statement of Inquiry was filed as WSR 17-11-074 ; or

Expedited Rule Making--Proposed notice was filed as WSR _____; or

Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or

Proposal is exempt under RCW _____.

Title of rule and other identifying information: (describe subject) Topographic Map Requirements. The proposed rule is an addition to WAC 332-130 creating a new section that provides requirements for the production of topographic maps prepared by licensed professionals. The department of natural resources is authorized by RCW 58.24.040 (1) to: "Set up standards of accuracy and methods of procedure."

Hearing location(s):

Date: **Time:** **Location:** (be specific) **Comment:**

January 2, 2018	2:00 pm	Natural Resources Building, Room #342, 1111 Washington Street SE, Olympia, WA	
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Date of intended adoption: February 16, 2018 (Note: This is **NOT** the **effective** date)

Submit written comments to:

Name: Patrick J. Beehler, PLS
Address: PO Box
Email: pat.beehler@dnr.wa.gov
Fax: 360-902-1778
Other:
By (date) February 1, 2018

Assistance for persons with disabilities:

Contact Patrick J. Beehler, PLS
Phone: 360-902-1181
Fax: 360-902-1778
TTY:
Email: pat.beehler@dnr.wa.gov
Other:
By (date) February 1, 2018

Purpose of the proposal and its anticipated effects, including any changes in existing rules: Topographic surveys and the maps produced to document and display the results are a product of professional practice separate from boundary surveys. Our intention in drafting the proposed WAC is to provide a set of requirements for a topographic map that can stand on its own apart from boundary survey map requirements as set in WAC 332-130-150. The proposed requirements are specifically for topographic maps.

Reasons supporting proposal: There are currently no requirements for the production of topographic maps by licensed professionals. Critical and pertinent information is often missing from the final map. This proposal will direct the professional to provide information that is needed for the intelligent interpretation of the final topographic map. The proposed rule will be used by the board of registration for engineers and land surveyors to assure compliance. The attached language is a revision to the previous language as included with the CR-102 issued as WSR 17-15-076. The revisions eliminate certain items that may have been confusing and subject to interpretation.

Statutory authority for adoption: RCW 58.24.040 (1)

Statute being implemented: RCW 58.24.040 (1))

Is rule necessary because of a:

- Federal Law? Yes No
Federal Court Decision? Yes No
State Court Decision? Yes No

If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Name of proponent: (person or organization) Department of Natural Resources

- Private
 Public
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Patrick J. Beehler, DNR	1111 Washington St. SE, Olympia, WA 98504	360-902-1181
Implementation:	Kristina Horton, DNR	901 88 th Street SE, Tumwater, WA 98501	360-902-1197
Enforcement:	Board of Registration for PE & LS	6135 Martin Way E, Lacey, WA 98516	360-664-1564

Is a school district fiscal impact statement required under RCW 28A.305.135?

- Yes No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Is a cost-benefit analysis required under RCW 34.05.328?

- Yes: A preliminary cost-benefit analysis may be obtained by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

- No: Please explain: There is no fiscal impact to the professional surveyor preparing the topographic map.

Regulatory Fairness Act Cost Considerations for a Small Business Economic Impact Statement:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by RCW 34.05.313 before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of RCW 15.65.570(2) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025(3). Check all that apply:

- RCW 34.05.310 (4)(b) (Internal government operations)
- RCW 34.05.310 (4)(c) (Incorporation by reference)
- RCW 34.05.310 (4)(d) (Correct or clarify language)
- RCW 34.05.310 (4)(e) (Dictated by statute)
- RCW 34.05.310 (4)(f) (Set or adjust fees)
- RCW 34.05.310 (4)(g) ((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

This rule proposal, or portions of the proposal, is exempt under RCW ____.

Explanation of exemptions, if necessary:

COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES

If the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

- No Briefly summarize the agency's analysis showing how costs were calculated. _____
- Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses, and a small business economic impact statement is required. Insert statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

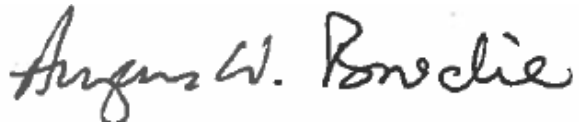
- Name:
- Address:
- Phone:
- Fax:
- TTY:
- Email:
- Other:

Date: November 7, 2017

Name: Angus Brodie

Title: Deputy Supervisor – State Uplands

Signature:



NEW SECTION

WAC 332-130-145 Topographic map requirements. The following requirements shall apply to topographic mapping surveys performed by individuals licensed under chapters 18.43, 18.96, and 18.210 RCW. Such requirements should be considered minimum only. The professional conducting the work will determine what precision and accuracy are expected to be utilized for topographic mapping services necessitating various levels of accuracy. Negotiation, requests, and contractual requirements with clients, jurisdictions or other professionals will determine the specifics and quality of the information provided.

The following elements shall be included on every topographic map.

- (1) Graphic information:
 - (a) North arrow;
 - (b) Map scale and graphic scale bar;
 - (c) Legend of symbols used;
 - (d) Company and licensee contact information;
 - (e) Seal and signature of licensee.
- (2) Statements of clarification of information shown on topographic mapping.
 - (a) Vertical datum used (such as "assume," "NAVD 88," NSRS, etc.);
 - (b) Purpose or intended use of topographic mapping;
 - (c) Basis of elevations citing benchmark(s) used with elevation(s);
 - (d) Source of contours;
 - (e) Sufficient labeling to determine contour interval(s);
 - (f) Project bench marks established (if any);
 - (g) Statement of elevations and contour accuracy and limitation of use;
 - (h) Source of boundary information.
- (3) Utilities information:
 - (a) Source of surface markings;
 - (b) Statement of positional limitation of utility depiction;
 - (c) A statement of the scope of work between the project owner and the licensee regarding the comprehensiveness, exclusions, and limits of the utility investigations leading to these utility depictions.