



PROPOSED RULE MAKING

CR-102 (December 2017) (Implements RCW 34.05.320)

Do NOT use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: July 21, 2021

TIME: 11:30 AM

WSR 21-15-127

Agency: Department of Natural Resources

Original Notice

Supplemental Notice to WSR

Continuance of WSR _____

Preproposal Statement of Inquiry was filed as WSR 21-11-091 ; 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) WAC 332-130-020, 332-130-050, 332-130-060 and 332-130-080, amending current land boundary survey standards, updating the definition and use of error analysis and relative accuracy as they relate to land boundary surveys positioning. Removing the graphic depiction requirement of auditor indexing information for records of survey.

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
August 26, 2021	2:00 pm	DNR PLSO Office 801 88th Ave. SE Tumwater, WA 98501-7019	In person at the PLSO Conference Room, and online access with M365 Teams

Date of intended adoption: September 1, 2021 (Note: This is **NOT** the **effective** date)

Submit written comments to:

Name: Patrick J. Beehler, PLS, CFedS
Address: 1111 Washington Street SE, Olympia, WA 98504-7030
Email: pat.beehler@dnr.wa.gov
Fax: 360 902-1778
Other: 360 902-1181
By (date) August 26, 2021

Assistance for persons with disabilities:

Contact _____
Phone:
Fax:
TTY:
Email:
Other:
By (date) _____

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The proposed changes and additions update existing language and clarify definitions and procedures in the practice of professional land surveying.

Reasons supporting proposal: These proposed changes to update and clarify WAC 332-130 should have little to no effect on the practice of professional land surveying. The profession has already adopted field and office procedures that comply with most of the proposed changes.

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?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> 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

<input type="checkbox"/> Private
<input type="checkbox"/> Public
<input checked="" type="checkbox"/> Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Patrick J. Beehler, PLS,	1111 Washington St. SE, Olympia, WA 98504	360 902-1181
Implementation:	Bob R Knuth, PLS	801 88th Ave. SE, Tumwater, WA, 98501-7019	360-902-1190
Enforcement:	Board of Registration, PE & LS P.O. Box 9025, Olympia, WA 98507-9025		360-664-1571

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 little or no additional cost to the professional land surveyor. The profession has already adopted field and office procedures to comply with the proposed changes.

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. The proposed revisions provide clarification and guidance on land survey professional practice. Little or no additional cost is projected due to these updates.

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: 7/20/2021

Name: Angus Brodie

Title: Deputy Supervisor State Uplands

Signature:

