

WSR 23-15-099
PROPOSED RULES
DEPARTMENT OF
NATURAL RESOURCES

[Filed July 18, 2023, 2:08 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 23-11-161.

Title of Rule and Other Identifying Information: Relative accuracy statement; requirement for reporting the mathematical analysis method used to achieve a stated accuracy.

Hearing Location(s): On August 23, 2023, at 10:00 a.m., at the Department of Natural Resources (DNR), Tumwater Compound, 801 88th Avenue S.E., Main Conference Room, Tumwater, WA 98501-7019.

Date of Intended Adoption: August 30, 2023.

Submit Written Comments to: Patrick J. Beehler, PLS, 1111 Washington Street S.E., Mailstop 47030, Olympia, WA 98504-7030, email pat.beehler@dnr.wa.gov, fax 360-902-1778, 360-902-1181, by August 23, 2023.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Revision to reporting of the method for relative accuracy. Changes the permissive "should" to the mandatory "must."

Reasons Supporting Proposal: This change is needed to provide information on the face of the recorded land survey map that will support the relative accuracy claimed.

Statutory Authority for Adoption: RCW 58.24.040(1).

Statute Being Implemented: RCW 58.24.040(1).

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: DNR, governmental.

Name of Agency Personnel Responsible for Drafting: Patrick J. Beehler, PLS, Natural Resources Building, 1111 Washington Street S.E., Olympia, WA 98504-7030, 360-902-1181; Implementation and Enforcement: David Icenhower, PLS, DNR Tumwater Compound, 801 88th Avenue S.E., Tumwater, WA 98501-7019, 360-902-1190.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rules adopt, amend, or repeal a procedure, practice, or requirement relating to agency hearings; or a filing or related process requirement for applying to an agency for a license or permit.

July 10, 2023

Dale Mix

Acting Deputy Supervisor State Uplands

[AMENDATORY SECTION (Amending WSR 22-04-049, filed 1/27/22, effective 2/27/22)]

WAC 332-130-080 Relative accuracy—Principles. The following principles of relative accuracy are provided to guide those who may be analyzing their work by these procedures.

(1) Relative accuracy means the theoretical uncertainty in the location of any point or corner relative to other points or corners set, found, reestablished, or established. A standard of relative accuracy can be achieved by using appropriate equipment and implementing field and office procedures that will result in a 95 percent probability of achieving the accuracy required.

(2) In the application of a relative accuracy standard, the surveyor must consider the established land use patterns, land values of and in the vicinity of the surveyed parcel, and the client's intended use of the property. Higher levels of precision are expected to be used in situations necessitating higher accuracy.

(3) Each land boundary survey ~~should~~ analyzed using relative accuracy must contain a statement reporting the relative accuracy achieved and identifying the method of mathematical analysis used in achieving a stated relative accuracy.

[Statutory Authority: RCW 58.24.030, 58.24.040, 58.09.050, and 58.17.160. WSR 22-04-049, § 332-130-080, filed 1/27/22, effective 2/27/22. Statutory Authority: RCW 58.24.040(1). WSR 90-06-028 (Order 568), § 332-130-080, filed 3/1/90, effective 4/1/90; WSR 89-11-028 (Order 561), § 332-130-080, filed 5/11/89; Order 275, § 332-130-080, filed 5/2/77.]

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.