

WSR 24-02-005
PROPOSED RULES
DEPARTMENT OF
NATURAL RESOURCES

[Filed December 20, 2023, 2:19 p.m.]

Supplemental Notice to WSR 23-15-099.

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

Title of Rule and Other Identifying Information: Minimum standards for land boundary surveys. Relative accuracy, WAC 332-130-080. Clarification of guidelines for using and reporting relative accuracy when used to analyze a land boundary survey.

Hearing Location(s): On Thursday, February 15, 2024, at 11:00 a.m., at the Department of Natural Resources (DNR) Tumwater Compound, 801 88th Avenue S.E., Tumwater, WA 98501-7019. DNR Black Hills District Conference Room. Participate in person or contact David Icenhower to attend online via Microsoft Teams.

Date of Intended Adoption: February 22, 2024.

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 360-902-1178, by February 15, 2024.

Assistance for Persons with Disabilities: Contact David Icenhower, PLS, phone 360-902-1197, email david.icenhower@dnr.wa.gov, by February 14, 2024.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Provides additional guidance on reporting the results of using relative accuracy.

Reasons Supporting Proposal: Makes clear that this section only applies to principles of relative accuracy.

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 Patrick J. Beehler, PLS, Engineering Division, Natural Resources Building, 1111 Washington Street S.E., Olympia, WA 98504-7030, 360-902-1181; Implementation and Enforcement: David Icenhower, PLS, Public Land Survey Office, DNR Tumwater Compound, 801 88th Avenue S.E., Tumwater, WA 98501-7019, 360-902-1197.

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. A cost savings is anticipated due to setting up reporting systems and requiring a better system for completion reports. This revision will make the monument removal process more efficient and lower participants' cost.

The proposed rule does not impose more-than-minor costs on businesses. Following is a summary of the agency's analysis showing how costs were calculated. This revision will provide guidance to those professional land surveyors who already choose to use relative accuracy to analyze their work. This is voluntary and does not create a mandate.

December 19, 2023

Todd Welker

Deputy Supervisor State Uplands

OTS-4732.2

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 measurement precision are expected to be used in situations necessitating higher accuracy being achieved.

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