

Chapter 332-120 WAC
SURVEY MONUMENTS—REMOVAL OR DESTRUCTION

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WAC

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WAC 332-120-010 Authority. The department of natural resources, in accordance with RCW 58.24.030 and 58.24.040 (1) and (8), prescribes the following regulations concerning the removal or destruction of survey monuments and the perpetuation of survey points.

[Statutory Authority: RCW 58.24.040(8). WSR 94-06-034 (Order 617), § 332-120-010, filed 2/25/94, effective 3/28/94; Order 131, § 332-120-010, filed 3/1/72, effective 4/7/72.]

WAC 332-120-020 Definitions. The following definitions shall apply to this chapter:

Covering: The physical covering of a survey monument such that the physical structure is no longer visible or readily accessible.

Department: The department of natural resources.

Engineer: Any person authorized to practice the profession of engineering under the provisions of chapter 18.43 RCW who also has authority to do land boundary surveying pursuant to RCW 36.75.110, 36.86.050, 47.36.010 or 58.09.090.

Geodetic control point: Points established to mark horizontal or vertical control positions that are part of the National Geodetic Survey Network.

Land boundary survey corner: A point on the boundary of any easement, right of way, lot, tract, or parcel of real property; a controlling point for a plat; or a point which is a General Land Office or Bureau of Land Management survey corner.

Land corner record: The record of corner information form as prescribed by the department of natural resources pursuant to chapter 58.09 RCW.

Land surveyor: Any person authorized to practice the profession of land surveying under the provisions of chapter 18.43 RCW.

Local control point: Points established to mark horizontal or vertical control positions that are part of a permanent government control network other than the National Geodetic Survey network.

Parcel: A part or portion of real property including but not limited to GLO segregations, easements, rights of way, aliquot parts of sections or tracts.

Pavement preservation treatment: Asphalt light bituminous applications such as slurry, micro seal, cape and chip seal treatments that are typically less than 5/8 inch thick.

Removal or destruction: The physical disturbance of a monument such that the physical structure no longer marks the location of the land boundary position.

Survey monument: The physical structure, along with any references or accessories thereto, used to mark the location of a land boundary survey corner, geodetic control point, or local control point.

Survey Recording Act: The law as established and designated in chapter 58.09 RCW.

[Statutory Authority: RCW 58.24.040(8). WSR 20-10-003, § 332-120-020, filed 4/23/20, effective 5/24/20; WSR 94-06-034 (Order 617), § 332-120-020, filed 2/25/94, effective 3/28/94; Order 131, § 332-120-020, filed 3/1/72, effective 4/7/72.]

WAC 332-120-030 Applicability. (1) No survey monument shall be removed or destroyed before a permit is obtained as required by this chapter.

(2) Any person, corporation, association, department, or subdivision of the state, county or municipality responsible for an activity that may cause a survey monument to be removed or destroyed shall be responsible for ensuring that the original survey point is perpetuated. It shall be the responsibility of the governmental agency or others performing construction work or other activity (including road or street resurfacing projects) to adequately search the records and the physical area of the proposed construction work or other activity for the purpose of locating and referencing any known or existing survey monuments.

A government agency, when removing a local control point that it has established, shall be exempted from the requirements of this chapter.

(3) Survey monuments subject to this chapter are those monuments marking local control points, geodetic control points, and land boundary survey corners.

In regard to local or geodetic control points the department will defer authorization for the removal or destruction of the survey monument to the agency responsible for the establishment or maintenance of the control point. Such agency may, at their discretion, exempt the applicant from the remonumentation requirements of this chapter. Such exemption shall be noted by the agency on the application form.

[Statutory Authority: RCW 58.24.040(8). WSR 94-06-034 (Order 617), § 332-120-030, filed 2/25/94, effective 3/28/94; Order 131, § 332-120-030, filed 3/1/72, effective 4/7/72.]

WAC 332-120-040 Monument removal or destruction. (1) All land boundary survey monuments that are removed or destroyed shall be replaced or witness monuments shall be set to perpetuate the survey point.

(2) A land boundary survey corner shall be referenced to the Washington plane coordinate system as established and designated by chapter 58.20 RCW, prior to removal or destruction. See WAC 332-130-070(2), land boundary survey standards.

An applicant may request a variance from this referencing requirement by so noting in the applicant information section on the permit and providing the justification on the back of the form. The department shall note whether the variance is approved or not approved and shall provide the reason for not approving the request.

[Statutory Authority: RCW 58.24.030, 58.24.040, 58.09.050, and 58.17.160. WSR 20-20-069, § 332-120-040, filed 10/1/20, effective 11/1/20. Statutory Authority: Chapter 58.24 RCW. WSR 05-13-104, § 332-120-040, filed 6/17/05, effective 7/18/05. Statutory Authority: RCW 58.24.040(8). WSR 94-06-034 (Order 617), § 332-120-040, filed 2/25/94, effective 3/28/94; Order 131, § 332-120-040, filed 3/1/72, effective 4/7/72.]

WAC 332-120-050 Application process. (1) Whenever a survey monument needs to be removed or destroyed the application required by this chapter shall be submitted to the department.

It shall be completed, signed and sealed by a land surveyor or engineer as defined in this chapter.

(2) Upon receipt of a properly completed application, the department shall promptly issue a permit authorizing the removal or destruction of the monument; provided that:

(a) In extraordinary circumstances, to prevent hardship or delay, a verbal authorization may be granted, pending the processing and issuance of a written permit. A properly completed application shall be submitted by the applicant within fifteen days of the verbal authorization.

(b) Applications received by the department concerning local or geodetic control points will be referred to the appropriate agency for action. The applicant will be notified when such action is taken.

(3) One application may be submitted for multiple monuments to be removed or destroyed as part of a single project; however, there shall be separate attachments to the application form detailing the required information for each monument removed or destroyed.

[Statutory Authority: RCW 58.24.040(8). WSR 94-06-034 (Order 617), § 332-120-050, filed 2/25/94, effective 3/28/94; Order 131, § 332-120-050, filed 3/1/72, effective 4/7/72.]

WAC 332-120-060 Project completion—Perpetuation of the original position. (1) After completion of the activity that caused the removal or destruction of the monument, a land surveyor or engineer shall, unless specifically authorized otherwise:

(a) Reset a suitable monument at the original survey point or, if that is no longer feasible;

(b) Establish permanent witness monuments easily accessible from the original monument to perpetuate the position of the preexisting monument.

(2) Land boundary survey monumentation required by this chapter shall meet the requirements of the RCW 58.09.120 and 58.09.130.

(3) After completion of the remonumentation, the land surveyor or engineer shall complete the report form required by this chapter and forward it to the department.

(4) A record of survey or land corner record shall be completed as required by the Survey Recording Act to document the remonumentation in the public record.

[Statutory Authority: RCW 58.24.040(8). WSR 20-10-003, § 332-120-060, filed 4/23/20, effective 5/24/20; WSR 94-06-034 (Order 617), § 332-120-060, filed 2/25/94, effective 3/28/94.]

WAC 332-120-070 Application/permit form. All applications must be completed on forms provided by the department and following instructions provided by the department. Completed applications shall be filed at the department.

[Statutory Authority: RCW 58.24.030, 58.24.040, 58.09.050, and 58.17.160. WSR 10-09-011, § 332-120-070, filed 4/9/10, effective 5/10/10. Statutory Authority: RCW 58.24.040(8). WSR 94-06-034 (Order 617), § 332-120-070, filed 2/25/94, effective 3/28/94.]

WAC 332-120-080 Survey monument preservation MOU for chip seal projects. The purpose of this section is to cooperatively promote a reasonable method of land survey monument preservation throughout a pavement preservation treatment project in lieu of requiring an application for permit to remove or destroy a survey monument, per WAC 332-120-030.

(1) It is the responsibility of the licensed engineer, or their designee, in responsible charge of any pavement preservation project, which may cover existing visible survey monuments, to search for and identify any such survey monuments within the project limits.

(2) A state, county, or municipal agency conducting annual pavement preservation projects that cover existing survey monuments in the roadway may enter into an MOU with DNR which must include the following requirements:

(a) Annually, prior to the start date of planned pavement preservation projects, send notification to the department of planned projects for that year with road names and mileposts and/or beginning and ending intersections, including start date and expected date of completion;

(b) Acknowledgment of the agency's responsibility to ensure that all known survey monuments within the project area are located and protected;

(c) All monuments that were covered during a project shall be uncovered and made accessible after completion of annual activities; and

(d) The professional engineer in responsible charge of pavement preservation projects shall submit an annual letter to the department certifying that the affected monuments were uncovered.

(3) An agency which does not enter into an MOU under this section is required to submit a permit application following WAC 332-120-030 through 332-120-070 for any pavement preservation project that will cover a survey monument.

[Statutory Authority: RCW 58.24.040(8). WSR 20-10-003, § 332-120-080, filed 4/23/20, effective 5/24/20.]