

**WSR 23-15-106
PROPOSED RULES
DEPARTMENT OF
NATURAL RESOURCES**

[Filed July 18, 2023, 5:28 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 23-11-070.

Title of Rule and Other Identifying Information: WAC 332-120-060 and 332-120-070; monument preservation clarification of process and revision of existing requirements for creating a public record.

Hearing Location(s): On August 23, 2023, at 9:00 a.m., at the Department of Natural Resources (DNR) Tumwater Compound, 801 88th Avenue S.E., 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 the monument removal and replacement rules to make the process more efficient and lower the cost to the applicant.

Reasons Supporting Proposal: Monument preservation.

Statutory Authority for Adoption: RCW 58.24.030(2) and 58.24.040(8).

Statute Being Implemented: RCW 58.24.030(2) and 58.24.040(8).

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. 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 permits more efficient and lower participants' cost.

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 20-10-003, filed 4/23/20, effective 5/24/20)]

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~~ must, 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 must ~~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~~ must 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. The department must index the completion report in its land survey records database and make a copy available to the public online.

(5) A land corner record must be completed as required by the Survey Recording Act, RCW 58.09.040(2), to document the remonumentation of a general land office corner.

[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.]

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

[AMENDATORY SECTION (Amending WSR 10-09-011, filed 4/9/10, effective 5/10/10)]

WAC 332-120-070 Application and completion ~~/permit forms~~. All applications and completion reports must be ~~completed~~ on forms provided by the department and follow ~~the ing~~ 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.]

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