



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: May 23, 2018

TIME: 9:35 AM

WSR 18-11-132

Agency: Department of Natural Resources

Original Notice

Supplemental Notice to WSR 17-15-076; 17-23-071

Continuance of WSR _____

Preproposal Statement of Inquiry was filed as WSR 17-11-074 ; 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) Topographic Map Requirements. The proposed rule is an addition to WAC 332-130 creating a new section that provides requirements for the production of topographic maps prepared by licensed professionals. The department of natural resources is authorized by RCW 58.24.040 (1) to: "Set up standards of accuracy and methods of procedure".

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
June 29, 2018	1:30 pm	Department of Natural Resources Natural Resources Building, Room #342 1111 Washington Street SE Olympia, WA	

Date of intended adoption: August 3, 2018 (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: 360 902-1178

Other: 360 902-1181

By (date) July 9, 2018

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: Topographic surveys and the maps produced to document and display the results are a product of professional practice separate from boundary survey maps. Our intention in drafting the proposed WAC is to provide a set of requirements for a topographic map that can stand on its own apart from boundary survey map requirements as set in WAC 332-130-050. The proposed requirements are specifically for topographic maps.

Reasons supporting proposal: There are currently no requirements for the production of topographic maps by licensed professionals. Critical and pertinent information is often missing from the final map. This proposal will direct the professional to provide information that is needed for the intelligent interpretation of the final topographic map. The proposed rule will be used by the board of registration for engineers and land surveyors to assure compliance. The attached language is a revision to the previous language as included with the CR 102 issued as WSR 17-15-076. The revisions eliminate certain items that may have been confusing and subject to interpretation.

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? Yes No
Federal Court Decision? Yes No
State Court Decision? Yes 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 Private
 Public
 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:	Kristina Horton, PLS	801 88th Ave. SE, Tumwater, WA, 98501-7019	360-902-1190
Enforcement:	Board of Registration, PE & LS	405 Black Lake Blvd, Olympia, WA 98502	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 preparing the topographic map..

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. _____
- 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: 5/21/18	Signature: 
Name: Duane Emmons	
Title: Acting Deputy Supervisor State Uplands	

NEW SECTION

WAC 332-130-145 Topographic map requirements. For the purposes of this section, a topographic map is a type of map, drawn to scale, which depicts the horizontal and vertical positions of the features represented. Usually, contour lines and spot elevations are used to depict surface relief, but a variety of methods can be used to show changes in terrain. A contour line is a line connecting places of equal elevation. A topographic map may show natural and/or fabricated features, existing terrain and/or design surfaces.

The following requirements shall apply to topographic maps prepared by professionals registered under chapters 18.43 and 18.210 RCW. Such requirements should be considered minimum only. The professional conducting the work will determine what precision and accuracy are expected to be utilized for topographic mapping services necessitating various levels of accuracy.

(1) The following elements must be included on every topographic map:

- (a) Vertical datum used (such as "assumed," "NAVD 88," "NSRS," "unknown");
- (b) North arrow;
- (c) Map scale and graphic scale bar;
- (d) Legend of symbols used;
- (e) Licensee name and contact information;
- (f) Seal and signature of licensee.

(2) Statements of clarification for additional information if it is shown on topographic map:

- (a) Basis of elevations citing benchmark(s) used with elevation(s) (such as "city bench mark 20-01, elevation 456.32 feet, GPS observation including metadata");
- (b) Purpose or intended use of the topographic map (such as "preliminary plat," "on-site septic design," "civil engineering design");
- (c) A description of the source of the contours (such as "contours derived from direct field observations," or "contours shown are from Clallam County's GIS");
- (d) Sufficient labeling to determine contour interval(s);
- (e) Description of project benchmarks established;
- (f) Statement of elevations and contour accuracy (such as "national mapping standards, one-half the contour interval");
- (g) Statement on limitation of use (such as "preliminary-not for design");
- (h) Source of boundary information (such as record of survey including auditor indexing information, county GIS, etc., and method(s) used to spatially relate area mapped to said boundaries).

(3) Statements of clarification of utility information if it is shown on the topographic map:

- (a) Source of utility location (such as "surface markings," "as-built," "potholing," or "direct mapping");
- (b) Statement of positional limitation of utility depiction (such as "locations of underground utilities shown hereon are based upon field mapping performed" or "locations of underground utilities shown hereon are based upon as-built maps");
- (c) A statement of the scope of work between the project owner and the licensee regarding the comprehensiveness, exclusions, and limits of the utility investigations leading to these utility depictions.