



March 14, 2013

Land Surveyor Section
Joint Board of Architects, Landscape Architects,
Professional Engineers, Designers, and Land Surveyors
c/o Thomas Wightman, Executive Director

5251 Co. Rd. C,
Danbury, WI 54830
715-866-8420

To Members of the Land Surveyor Section:

At our Annual Membership Meeting on January 25, 2013, The Wisconsin County Surveyors Association (WCSA) was informed that the members of the Land Surveyor Section were going to discuss revising Administrative Codes A-E 7, A-E 8, and A-E 10. At that time, it was recommended that members of our organization read those codes and submit any questions, concerns or comments about the current wording.

WCSA Officers:

President:

Emily Pierce

Vice President:

Bryan Meyer

Secretary:

Kathy Swingle

Treasurer:

Steve Geiger

Past President:

Bruce Bowden

Directors:

Wade Pettit

Jason Towne

Peter Kuen

On March 8th, 2013, at our Board of Directors meeting, our board and other members reviewed these comments. There were only a couple of specific comments about A-E 8 and A-E 10 that I have included and attached.

A-E 7 received the most significant amount of discussion. It was agreed by the Board, as well as the members present, that our recommendation would be to make NO changes to A-E 7. Our reasons for this are not limited to the following:

- A-E 7 works well now, so there is no need to make changes.
- We should not try to make “Minimum Standards” more flexible. They are the minimum and should be held that way.
- Our efforts should be more focused on other legislative activities. (i.e. “Land Survey Modernization Bill”)
- If Surveyors are having difficulty with understanding the current Minimum Standards, there should be educational efforts to minimize individual interpretation.
- We are not on board with the philosophy, reasoning, and process of the Land Surveyor Section in changing A-E 7.
- We do not feel the Section should take a “Borrow Here and There” approach, creating a standard that is disjointed from many sources.
- Professional third-party help should be considered in altering the standards to limit flexibility and ambiguity while still protecting the public and encouraging the advancement of our profession.



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I have included all the comments that were made by individual members for you to review, including those for A-E 7, A-E 8 and A-E 10. (see attachment)

Thank you for allowing us the opportunity to comment on this matter of mutual concern. WCSA is working toward the advancement of our profession while upholding the health, safety and welfare of our citizens of the State of Wisconsin.

If you have questions or concerns, please feel free to contact me.

Sincerely,

A handwritten signature in black ink that reads "Emily K. Pierce". The signature is written in a cursive style and is set against a light gray rectangular background.

Emily K. Pierce, President, WCSA
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Emily.Pierce@co.marathon.wi.us

A-E 7 Comments on Current Text:

1. Each County is different as to how they handle remon and maintenance of the PLSS. We have been done with re-establishing PLSS and center of section locations for some time and now are setting monuments at a few corners which had calculated positions. We are maintaining corner monuments and drafting new monument records which are out of date. I don't believe that we need four reference ties at each corner and we typically don't set them unless it is a road corner. The technology and UDN system we have make it an out of date rule that no longer makes sense in my opinion. I do not always reset missing tie monuments and don't draft a new record for those corners. If a private surveyor runs across that situation I would much prefer that he contact me and I will take care of it. I would suggest removing A-E 7.08(3)(c) and have an option of a private surveyor contacting the County Surveyor when they find maintenance issues with a corner.
2. At this point, I don't think that the requirements in A-E 7 need to change much, just the way they are spelled out should. I think that NSPS does a great job in their minimum standards for property surveys of making it very clear and concise what needs to be done. I think that DSPS should look at how they have their requirements laid out and start with that. Then they could fill in specifics.
I also feel that minimum standards should not have the ability to be waived. They are the minimum and we should not be able to go below them or do less.
A-E 7.06 should have some measurement requirements to allow for surveying with GPS, but the GPS accuracy needs to be held to the same standard or comparable to a linear measurement. I think that A-E 7.08 should allow the counties to also have some say. For instance: if there is a full-time County Surveyor, that position should be allowed to be more restrictive or have their own policies on how PLSS corner maintenance is handled.
I don't believe that we should be allowing for a Surveyor's Report as others think. This can be hard to tract, index and file in some of the current indexing systems in the County offices statewide. I think a picture is worth 1000 words and I would hate to be 30 years from having to read through 200 surveyor reports to try and figure out which document I really need. Why are we lowering our standards to allow this? To be competitive, to make a buck, to compete against a low-baller? None of those should have any bearing on minimum standards. It is not an accepted practice now, nor should it ever.
Convenient Scale needs to identified. Have a list of what is accept, leave it at that.
3. I don't believe we need a rewrite of AE 7. We need enforcement of the current version of AE 7 (and 236) that is quick and fair with some teeth. You would see the quality of work go up overnight if surveyors knew there was a hammer ready to drop when they repeatedly screw up. The current system of putting a pile of "stuff" together and sending it in then waiting years for the offender to get a slap on the wrist is a joke.
If a rewrite of AE7 is done we should really look at limiting the items that can be waived.
4. After reviewing some of the proposed revisions, my recommendation would be to leave A-E 7 alone. I don't believe we need anything else to make it more confusing. I think most surveyors have a fairly clear understanding of the current A-E 7, sure, there are some things that are subject to interpretation, but that can be said for most regulations.
If we change anything, I would recommend we change the name from "MINIMUM STANDARDS FOR PROPERTY SURVEYS" to "PROPERTY SURVEY STANDARDS". The current title insinuates that we are to do everything in the standards, as a "minimum". Yet we are allowed to waive the majority of them, doing so, does not constitute "minimum".

Comments made on current A-E 7 and also pertaining to a proposal made by WSL:

1. Please note that my comments are based on reading the document. I did not ask anyone who may have worked to develop the changes because I wanted to react to my interpretation of what is written rather than an explanation of the drafters' intent. My comments do not extend to spelling and grammar because this is a draft.

Section Comments

7.01(2) I agree that there needs to be a way to deal with the "INFINITE DIFFERENT SITUATIONS THAT WE FACE" but this code sets the MINIMUM standards. What good does it do to set minimum standards then allow waiving everything by doing a report except some GENERAL notes about what was done and making sure there is a tie sheet on file for the protection of the general public?

7.01(3) Replace 7.01(2) with this section and add certificate that the client signs acknowledging and agreeing to the deviations.

7.02 Leave this section as is. If preparing a SURVEYOR REPORT is going to be acceptable, because less cost I assume, PREPARING A MAP will not be a principal purpose. A revision that should be included would be to the last sentence; "The term includes the restoration, perpetuation or reestablishment of a U.S. public survey corner(s) required to perform the survey."

7.02(1) My County files surveys geographically because of the multiple survey systems. I do not see anything in the definition that will tell me where to file the report. Even in the Section, Town, Range areas without a legal description it will be impossible to determine where the land is. Other than reducing the surveyor's cost I do not see the reason for a report versus a map.

7.03 In the last addition, what is "near"?

7.05(1) Define "convenient scale", convenient for whom? The client? For the drafter "plot to fit" with a macro that annotates the legend and draws the graphic scale 1" = 132.65' is very convenient. The convenient scale term is ambiguous in the existing code.

7.05(4) If the curve data requirement is needed incorporate the statement into the first sentence. As this is the minimum standard the minimum curve data elements required should be stated (i.e. arc dist, chord brg & dist, central angle, etc.)

7.05(7) Rather than mandating 20 # paper, I would prefer "acceptable durable media".

7.05(11) State what coordinate system is being used. 238.18 says NAD 27, NAD83(86), NAD83(91), county coordinate systems and "a coordinate system that is mathematically relatable to a Wisconsin coordinate system are acceptable (236.18(2)).

7.06(4) There is no verb in the last sentence. For clarity I would prefer to see the word "foot" rather than the " ' " symbol.

7.07 Remove 236.15(1)(G) which requires Plat Review make the decision on what is acceptable ((g) In cases where strict compliance with this subsection would be unduly difficult or would not provide adequate monuments, the department may make other reasonable requirements.)

7.08(4) Add "and filed according to ss 59.73" to the end.

2. Other concerns:

Legibility/reproducibility – with CAD map features (i.e. text size, hatches, colors, etc.) which are acceptable on the screen can be microscopic and/or muddy on hard copy.

My County scans all surveys received for file. Colors, hatches, images, etc. can be problematic and require extra time to produce a quality image. In the future I can see My County archiving surveys the way Register of Deeds handle recorded documents where there will not be a hard copy in the office.

After looking at the mapping requirements I think every effort will be made to do survey reports rather than maps and I think that will have a negative impact on our professional image.

My County scans all surveys received for file. Colors, hatches, images, etc. can be problematic and require extra time to produce a quality image. In the future I can see My County archiving surveys the way Register of Deeds handle recorded documents where there will not be a hard copy in the office. In case you have not figured it out, I am against the Surveyor Report. This code sets the MIMIMUM standards and I think it should be revised to make it harder to waive the standards. If the work is a property survey as defined by A-E 7.02 it must meet the minimum requirements. I see the Surveyor's Report as a way get around everything. Yes there have to ways to accommodate all the situations that do not neatly fit but do by allowing a deviation not by waiving. I am not sure exactly how to read the revisions to 7.01(2), but it looks like that section says monumentation can be waived.

A-E 8 Comments on Current text:

1. A-E 8: I think that "Direct Supervision" should have a more clear definition. I think that there are many firms that the surveyor never goes out in the field and all the technical staff are deciding which evidence is needed to be located. How is that direct supervision?
2. The only thing that caught my eye in 8, was grammatical in A-E 8.11(4). I was thinking that there should be commas after contracts and which, without them the sentence doesn't seem to flow right.

A-E 10 Comments on current text:

1. A-E 10: Due to the timeframe on when there is available continuing education compared to the Land Surveyor license renewal it can be confusing on what credits count for which renewal period. I propose that in the month of January of the year that our license renewal is due, any courses offered for continuing education could be used toward fulfilling the requirement for either period, but not both. i.e. Our next renewal is January 31, 2014, and there is a seminar held on the 30th of January. That seminar should be able to count toward fulfilling the 2014 requirement or the 2016 requirement, but not both. Typically, any professional surveyor has his/her 2014 credits and has already submitted license renewal prior to the day before the deadline.
2. In A-E 10 there seemed to be some conflicting redundancy in A-E 10.03(2)(b) and A-E 10.04(4) about course hours and credits, maybe it isn't conflicting only confusing.