

feedback

Fire Alarm

What prompted me to write to you was your excellent editorial in this issue ("The Fire Alarm," NCEES and experience requirement for LS).

Just let me state for the record that as an engineer, but one whose first love was and remains survey, thanks in no small part to my wonderful professor Andy Kellie (at Virginia Tech, now at Murray State University, Murray, KY) who first showed me and a bunch of country boys the magic in the way this whole "survey" thing actually worked... that although I would love to be a licensed surveyor, my career path has kept me too long in civil design with little boundary experience, and I forgo licensure with a Wayne's-World-esque sense of "I'm not worthy." I have been around boundary work plenty, have even taught some of it from a software tools perspective to other practicing professionals, but I for one recognize the absolute requirement that this be mandatory for licensure as a survey professional. Should there be other certifications for the things that I do and love (3D laser scanning, engineering/construction survey, geodetic control surveying, etc.)? Most likely, and that might even enhance the rising class of "geomaticists" (you're welcome, friend Curt Sumner!) and their public perception, etc, but the bottom line and the foremost reason for licensure in the first place is protection of the public. There is no greater risk of potential damage to the public than in the inept determination of the ownership of real property... I want my property survey signed and stamped by someone who has been tested and found capable.

So in an effort to keep my soapbox put away, just let me say thank-you for the editorial and for *American Surveyor* shining the light on this. Hopefully it will spark constructive dialog and we can put this thing to bed. But even from someone who might potentially benefit from having the requirement relaxed so that I could person-

ally add "LS" to my name, I will defend enthusiastically the reason why I am *not* a licensed surveyor... too much is at stake to allow the likes of me to sit for the exam... let's keep the requirement!

—Ken Crawford, PE
Via the Internet

Chad Erickson's Articles

I have been a surveyor since 1962 and became licensed in 1974. My licenses are now retired. I have served as a Nevada representative to the Western Federation of Professional Surveyors and have held state association office. I worked on the committee that prepared the Nevada Standards of Practice during the late 1980's. During the studies in preparation of that document I found my position regarding education v. experience had changed. I came to the belief that the movement to 4 year requirements and reducing referenced experience for licensure was creating very well spoken and broadly educated surveyors with too little "on the ground" experience. In the age of technology I can understand a need for education, but not at the expense of boundary experience. I can understand the movement to make licensure easier so as to meet an economic demand but I believe it is a mistake that will result in boundary issue problems in the future. The surveyors you license today with minimal or no boundary experience will become the teachers, managers, and college professors tomorrow.

—Ron Monson
Clarkston, WA

More

I have been reading your articles in *The American Surveyor* about the decline of the art of land surveying. I would like you to know I am in complete step with you on this matter. I am the Omaha District Land Surveyor for the United States Army Corps of Engineers here in Nebraska. The Idaho Board's new position is very disappointing to me. I have been involved with surveying

for over thirty years yet am deemed not worthy for licensure in Idaho because I do not have a degree. Now, they want to marginalize the trade to enable "more young professionals" to gain licensure.

On the other hand, some of the most knowledgeable *boundary* land surveyors I ever had the chance to work with had very limited higher education credentials. I would assume there are many other potential land surveyors which were not afforded an adequate, by Idaho Code standards, education that would be great additions to the Idaho surveyor community. Many of them may very well have genius in their ability to interpret, apply and protect the integrity of the land surveying profession, as well as the rights and interests of land owners.

Wow! Counter productivity hard at work amongst the board.

Thank you for your efforts to broadcast these issues. I would never have seen the revisions proposed to Idaho Code if not for your article. Thanks, again.

—Michael F. Timblin, Land Surveyor
United States Army Corps of Engineers
Omaha District

Erickson Responds

When the board accepts the young without demonstrated ability, while rejecting the elders with proven ability, is this a violation of the Federal Age Discrimination in Employment Act?

—Chad

Civil Engineer Places Two-Million Dollar Home on Wrong Lot

The slanderous discussion against an Engineer's 'fault' for the house being built upon the wrong lot is not only disrespectful to another Professional but it highlights the self-imposed limits of the abilities of a Land Surveyors' profession.

Did ANY of the Surveyors involved with this job propose a solution? No they attacked

the parties involved and whined about the Permitting process and Regulations.

Worse yet, they turned it over to the Lawyers and the Judicial system with the accompanying huge costs and lengthy litigation.

Let me ask a question... Is it easier to move a house or to move a line on a piece of paper?

Were any of these proposals put to the property owners prior to turning it loose to the Lawyers?

1. Move the driveway. Realign the drive to the NW and intersect the new drive at the apex of the adjacent paved road for optimum sight distances. This would allow a "Bow-Tie" survey to exchange the encroached portion for the freed-up land near the existing drive entrance.
2. Create another 'park' Parcel North of the house for the Nulman family in exchange for the encroached land.
3. A combination of the two options above. Move the driveway, retain the old driveway and create a small off-street parking area for the Park with a path to the beach.

THIS is surveying, land planning and a genuine benefit to the parties involved. Lets' get off the precision bandwagon and start doing the Right thing for our clients.

—Steven Lamphear Prof.LS#21605
Via the Internet

Pallamary responds:

Thanks for your letter and suggestions. I think they are great! I must admit I am confused about your perceptions of a "slandorous discussion" about the engineer. I must assume you are not familiar with the proceedings associated with a court action nor, are you familiar with "slander." Slander is a spoken discussion and not one that is written. That is called libel. And, as I am sure you are aware, the test of libel and slander is truthfulness. I have attached copies of the findings of the court and the related pleadings. You might want to avail yourself of this material so that you can acquaint yourself with the findings of the court. My article is based upon the legal

findings of the court along with telephonic and electronic interviews with many of the involved parties.

From a professional perspective your suggested remedy is a sound one—unfortunately because of the terms of the land donation it is impermissible. The Nulman Trust, as owners of the property owners cannot adjust any lines or make any modifications to the property as you have suggested. It cannot be done. Again, these facts and limitations are all explained quite thoroughly in the legal documents and newspaper articles that also explain this problem. Please consider reading them so that you can temper your position with the facts. To do so would add immense credibility to your comments.

If you have any other questions after you review the attached, please do not hesitate to contact me. This is an important story that warrants a conversation provided it is based on the facts and the associated rules of law.

—Michael J. Pallamary, PS

How to Build Your Client Base

There have been negative responses on some internet blogs to our "How to Build Your Client Base" article which appeared in the January issue, even charges that the introduced "Discovery Report" is "unethical and illegal." Of course we want to defend ourselves, but chains in a blog just rattle around between the few, very few, participants. Besides, we want to verbalize, to a larger audience, some ideas for which there was no room in the article.

What's the Beef?

While we believe that the Discovery Report is a great way to revitalize the boundary side of our profession, we really cannot take credit for the idea. Such professional, sealed, but unrecorded products were in vogue in the 70s when Chad began his career and are still used under various titles today, in fact they were the grandparents of the ALTAs that we fawn over today. Do ALTAs find property corner monuments? Yes. Do ALTAs set monuments? Sometimes, sometimes not. Are ALTAs sealed? Yes. Are ALTAs recorded? Not usually. So, what's the beef?

Purpose

Remember, the first purpose of the Discovery Report is to educate the property owner that the original monument indisputably controls the location of his property. After thirty years of neglect by the housing industry and title companies, the general public is completely ignorant of this legality, not to mention many surveyors.

A second purpose is to provide a meaningful dialogue with the property owner. Right or wrong, if the surveyor cannot provide a firm price during the first phone contact; the majority of the populous will hang up and kiss the whole effort goodbye. This is a brick barrier for those, like us, who won't give a firm price for a full survey until the project is researched, visited and searched. There are just too many variables. However, we do know the effort involved in doing the discovery portion for a typical four sided subdivision lot, we also know up front what it will cost to perform a discovery on one acre, 5 acre or 10 acre parcel, and so do you if you have any experience.

We do these things anyway before giving a quote (which quote is often not accepted) why not at least get paid for the discovery?

What's Your Solution?

Such high principles, as espoused by some of the negative blog responses, has priced our profession right out of work while leaving a sea of opportunity unaddressed. More importantly, the resulting malaise bars new blood from entering our profession. It is ludicrous to crank out Land Survey graduates when there is nowhere for them to go. However, in the form of missing property corner monuments, there is a tremendous pent-up need for land surveyors, if we can just bust it loose. There is enough need to more than quadruple the number of survey firms and keep them all busy, but the first step is to break the barriers of the real estate agent's "why do we want to open that can of worms?" or the title company's "we haven't ordered a survey in 15 years." You think my idea of getting the ball rolling is whacky, great, what is your solution?

Hypocrisy

Our profession has other problems, and hypocrisy is one of them. For example, Arizona has a “Substantive Policy Statement” that sets forth that Land Surveyors cannot reset a missing monument unless a Results of Survey is filed. However, if we projected what we have found in Arizona during the last nine years over the whole of Arizona, we would say that there are hundreds of thousands of rebars marking property corners without the benefit of a recorded survey, and half of those do not have, and never had, a tag upon them. Further, there are thousands more set every year. We haven’t looked at them all, but as far as we know the only *replacement* rebars legitimized by a Results of Survey in the Green Valley area are our own, and there are some pretty highfalutin tags on some of these orphan rebars. If AZ’s policy is not asinine, why is it not a requirement in other states? AZ’s Substantive Policy #10 was an attempt to increase work potential, which backfired.

There is a bigger problem. Call it “globalization” or “maximization of profits for Wall Street”, Land Boundary Surveyors have been effectively marginalized. This little corrective effort that I have attempted had many names in other places and times. In Alaska they were called “As-Built Surveys”, in Mojave County, AZ they are called “Survey Reports”, and some use “Monument Inventory.” In the distant past these used to be common and were the surveyors’ “bread and butter.” Now, we have way too many Marie Antoinettes denying us our bread, saying “*Well, let them eat ALTAs.*” There are damn few who can afford ALTA class surveys.

Let’s work the problem.

—Chad & Linda Erickson

Got some feedback?

Contact us via www.amerisurv.com, or send a letter to: The American Surveyor, P.O. Box 4162, Frederick, MD 21705-4162. We reserve the right to edit letters for clarity and length. ■