



Spring 2018 • Number 61

# Washington Board

# JOURNAL

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## Your Board Members

**Stephen Shrope, PE, SE**

Chair

Spokane

Term expires 7/2020

**Doug Hendrickson, PE**

Richland

Term expires 7/2021

**Nirmala Gnanapragasam, PE**

Seattle

Term expires 7/2018

**James Wengler, PLS, CFedS**

Port Angeles

Term expires 7/2019

**Ivan VanDeWege, PE**

Battle Ground

Term expires 7/2019

**Aaron Blaisdell, PLS**

Tacoma

Term expires 7/2020

**Marjorie Lund, PE, SE**

Seattle

Term expires 7/2021

**Ken Fuller, PE**

Executive Director

Olympia



# Message From The Chair

Articles appearing in this Journal are a reflection of the personal opinions and experiences of the author. Opinions in the article may be shared by various members of the Board, but they are not to be interpreted as a policy, position, or consensus of the Board unless specifically indicated.

**From Stephen Shrope, PE, SE**

In the Fall 2017 Journal, I briefly reviewed the Board's basic operations and responsibilities in context with operational changes that have been driven by current technology and NCEES involvement as well as Washington State Department of Licensing directives. Hopefully the discussion provided Licensees with some appreciation of the matters that continually need to be addressed by the Board and the corresponding ongoing (voluntary) efforts by individual Board members. The basic tasks identified were:

- Interpretation and application of the laws and rules of Washington State applicable to the licensure of Engineers and Land Surveyors as well as certification of On-Site practitioners.
- Review and determination of new licensee and comity applications.
- Review of complaints and determination of possible disciplinary action.
- Professional and Public Interface

However, there are also special issues, most that spin-off from the basic Board tasks or operations, that must be further addressed and resolved. As most of you are likely aware, the above basic matters are formally addressed in the pre-scheduled Board and Committee meetings that occur roughly every two months. At those meetings there is opportunity for licensees to attend, provide input on current issues or bring other matters to the Board's attention. During the meetings, staff and Board members are often assigned or volunteer to take on some elements of further investigation or other Board business to be reported and/or finally resolved at future, scheduled Board meetings. Much of these additional efforts are then undertaken during the interim period between meetings, involving interface with other members and staff and can require considerable member time and travel. Some of the more important special matters are also discussed and reported in subsequent Board Journals.

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If you, or someone you know, would like to receive a copy of this publication, please contact the Board of Registration for Professional Engineers and Land Surveyors.

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**Washington Board**  
**JOURNAL**



# News To You

## The Board Thanks Neil Norman, PE For His Dedication And Service

The term of service for one board member came to completion in July, 2017. Neil Norman PE, a licensed mechanical engineer, filled one of five professional engineer positions on the Board. He was appointed by former Governor Christine Gregoire in 2007 and reappointed to a second term in 2012.

Throughout his tenure, Neil served as the Chair of the Board from 2012-2013. He chaired the Practice Committee and the Exam Qualifications Committee, the two standing committees that guide the primary business activities of the Board. He also served on the Structural Engineering, Land Surveying and Engineer License Mobility committees. Neil was the “go-to” board member when it came to Engineering Ethics presentations. Neil gave ethics presentations to many different engineering societies, engineering students, and other organizations throughout his tenure on the Board.

Neil's professional activities go well beyond the Board. He received the National Society of Professional Engineers (NSPE) Award, which is their highest award they offer, in 2017. He has worked extensively with the NSPE Board of Ethical Review, and remains active in the Professional Engineers in Construction. Neil has been on several committees for NSPE and remains involved in the NSPE Past President Committee, which focuses on the guidance of the Society.

In every instance, Neil presented the utmost dedication to the profession and gave his best to the Board and the citizens of Washington State. The Board wants to thank Neil for his effort and commitment in safeguarding life, health, and property in promoting public welfare for the past ten years. We wish him well in his future endeavors.



## New Board Member Appointed

On July 17, 2017, Governor Inslee's office announced the appointment of Douglas Hendrickson, PE as the newest member of the Board, filling the vacancy left by Neil Norman, PE.

Mr. Hendrickson is a Chemical Engineer with a BSChE from the University of Texas at Austin, and an MSChE from Washington State University. He is licensed as a Professional Engineer in Washington, Ohio, and South Carolina.

Doug has over thirty years of experience in the analysis, design, startup, and environmental regulation of chemical processes with emphasis upon waste material and off gas treatment in both radiological and non-radiological facilities. Doug has served in the corporate, governmental, and private practice of engineering including Dow Chemical, Westinghouse, Parsons, U.S. EPA, and the Washington Department of Ecology.

Doug is active in the American Institute of Chemical Engineers, the Washington Society of Professional Engineers, and the National Society of Professional Engineers. His wife, Michelle, is a Professional Engineer and Certified Hazardous Material Manager who supports him in his pursuit of triathlon activities.

Board Chair Stephen Shrope, PE, SE, appointed Doug to serve as a member of the Exam Qualification Committee.





## ALTA / NSPS Survey Maps and Recording

The Board often receive questions about ALTA/NSPS survey maps and whether they are required to be recorded. My response is generally the same; Maybe. Performing an ALTA/NSPS survey may obligate the licensee to file a Record of Survey under the Survey Recording Act (Chapter 58.09 RCW).

**Minimum Standard Detail Requirements For ALTA/NSPS Land Title Surveys (Effective February 23, 2016), Section 1, states;**

**Purpose -** For a survey of real property, and the plat, map or record of such survey, to be acceptable to a title insurance company for the purpose of insuring title to said real property free and clear of survey matters (except those matters disclosed by the survey and indicated on the plat or map), certain specific and pertinent information must be presented for the distinct and clear understanding between the insured, the client (if different from the insured), the title insurance company (insurer), the lender, and the surveyor professionally responsible for the survey.

In order to meet such needs, clients, insurers, insureds, and lenders are entitled to rely on surveyors to conduct surveys and prepare associated plats or maps that are of a professional quality and appropriately uniform, complete, and accurate. To that end, and in the interests of the general public, the surveying profession, title insurers, and abstracters, the ALTA and the NSPS jointly promulgate the within details and criteria setting forth a minimum standard of performance for ALTA/NSPS Land Title Surveys.

The significance on the section cited above is to make it clear that ALTA/NSPS surveys are actually separated in two distinct parts or functions; conducting the survey and preparing associated maps. The standards to carry out an ALTA survey are much like our state's requirements for conducting surveys pursuant to the minimum standards for Land Boundary Surveys under WAC 332-130. Under the following sections of the ALTA/NSPS requirements, the surveyor shall carry out the survey pursuant to Washington State law. Specifically, Section 3(B) states;

### **Other Requirements and Standards of Practice -**

*Many states and some local jurisdictions have adopted statutes, administrative rules, and/or ordinances that set out standards regulating the practice of surveying within their jurisdictions. In addition to the standards set forth herein, surveyors shall also conduct their surveys in accordance with applicable jurisdictional survey requirements and standards of practice. Where conflicts between the standards set forth herein and any such jurisdictional requirements and standards of practice occur, the more stringent shall apply.*

Again, much like typical surveys, surveyors carry out and perform ALTA/NSPS surveys with care and pursuant to our state law. Where the confusion usually comes up is whether to record the survey pursuant to state law, specifically, Chapter 58.09 RCW. According to this chapter, surveys are not required to be recorded when;

### **RCW 58.09.090 - When record of survey not required.**

- (1) A record of survey is not required of any survey:
  - (a) When it has been made by a public officer in his or her official capacity and a reproducible copy thereof has been filed with the county engineer of the county in which the land is located. A map so filed shall be indexed and kept available for public inspection. A record of survey shall not be required of a survey made by the United States bureau of land management. A state agency conducting surveys to carry out the program of the agency shall not be required to use a land surveyor as defined by this chapter;
  - (b) When it is of a preliminary nature;
  - (c) When a map is in preparation for recording or shall have been recorded in the county under any local subdivision or platting law or ordinance;
  - (d) When it is a retracement or resurvey of boundaries of platted lots, tracts, or parcels shown on a filed or recorded and surveyed subdivision plat or filed or recorded and surveyed short subdivision plat in which monuments have been set to mark all corners of the block or street centerline intersections, provided that no discrepancy is found as



compared to said recorded information or information revealed on other subsequent public survey map records, such as a record of survey or city or county engineer's map. If a discrepancy is found, that discrepancy must be clearly shown on the face of the required new record of survey. For purposes of this exemption, the term discrepancy shall include:

- (i) A nonexisting or displaced original or replacement monument from which the parcel is defined and which nonexistence or displacement has not been previously revealed in the public record;
  - (ii) A departure from proportionate measure solutions which has not been revealed in the public record;
  - (iii) The presence of any physical evidence of encroachment or overlap by occupation or improvement; or
  - (iv) Differences in linear and/or angular measurement between all controlling monuments that would indicate differences in spatial relationship between said controlling monuments in excess of 0.50 feet when compared with all locations of public record: That is, if these measurements agree with any previously existing public record plat or map within the stated tolerance, a discrepancy will not be deemed to exist under this subsection.
- (2) Surveys exempted by foregoing subsections of this section shall require filing of a record of corner information pursuant to RCW 58.09.040(2).

Simply performing an ALTA/ NSPS survey does not exempt a licensee from this chapter. Likewise, preparing associated plats or maps as a result of the ALTA/ NSPS survey does not exempt the licensee from this chapter either. The methods of complying with both ALTA/ NSPS requirements and Washington state law is up to the licensee. It may be prudent for the license to prepare an ALTA /NSPS survey AND a separate map for recording pursuant to Chapter 58.09 RCW. This is another scenario where performing a survey is looked upon as a separate function than the preparation of an associated map.

## Interview with the new Executive Director, Ken Fuller, PE

### Tell us about yourself:

I come from a military family residing in Steilacoom, WA. I grew up working with my dad in the family logging business. This led me to find employment with Weyerhaeuser for a number of years. After graduating as an Engineer I went to work for the City of Tacoma in their Engineering rotation program with public works. I later went on to start my own business as a consultant in downtown Tacoma renovating old buildings and building new ones. My last 6 years has been spent working for Boeing in their structural testing lab. Most recently accepting this new opportunity as the Executive Director for the Board of Registration for Professional Engineers and Land Surveyors.

### Where did you receive your Engineering degree?

I attended St. Martin's and Pacific Lutheran University graduating with a Civil Engineering degree in the 1980s. I later went on to pursue my masters in OD/MBA from Pepperdine in 2007/2008.

### What are your goals in your new role?

Always maintaining my availability to the board and board staff. I will be working to improve our licensing outreach both in practice and education. I will focus on streamlining information flow through such things as an electronic board journal. I plan to provide National awareness and avocation through associations and partnership with other jurisdictions. I will continue our interagency collaboration with local departments and state departments.

### Is there anything you would like to share with us?

This is an interesting opportunity for me to advocate for our profession. It is an honor for me to be in this seat representing the board. I am humbled by the amount of time the board dedicates to this profession.



## Minimum Standards Are Professional Requirements

According to Merriam-Webster and Collins online dictionary the definition of minimum is: The least quantity assignable, admissible, or possible allowed or required. Required is defined as: to demand as necessary or essential: have a compelling need for.

In the interest of the people of the State of Washington, the legislature declared that it was a necessity and the responsibility of the State to provide a means for the identification and preservation of survey points for the description of common land boundaries and for the adoption and maintenance of a system of permanent reference as to boundary monuments (RCW 58.24.010). The “means” the legislature chose to meet these objectives was to designate the Department of Natural Resources (DNR) as the official State Agency for Surveys and Maps (RCW 58.24.020) and further authorized them to set up standards and methods of procedures to accomplish their goals (RCW 58.24.040 (1)). Using their authority, the DNR prepared and published rules setting “minimum standards” for Land Boundary Surveys under WAC 332-130.

This chapter not only defines what a land boundary is, it goes further to discuss what is minimally required to be placed on any land boundary map, regardless if it is to be recorded or not.

We, as Case managers, under the authority of the Board of Registration for Professional Engineers and Land Surveyors, oversee investigations concerning the practice of a licensee. We may ask for and receive copies of surveys of and /or adjoining or supporting surveys of the subject properties involved in the investigation. We often receive older surveys, which were recorded at the time when the Survey Recording Act (SRA) went into effect in 1973, that do not comply with all of the elements of both the SRA and WAC 332-130. Let’s not forget these were all new laws at that time and licensees were still trying to grasp the newness of preparing a document for public recording that disclosed intelligent information previously considered private. Licensees thought that placing such information into the public record could give competitors an economic advantage and were wary to do so.

Surveys being recorded by newly licensed

practitioners also are being noticed as somewhat deficient for showing the minimum amount of information. It is understandable, but not acceptable that a survey from a new licensee may not meet all the requirements, mainly because that new licensee has only recently proven that he or she is minimally competent to practice their profession.

Of course, we all make mistakes and sometimes inadvertently leave something off our survey and upon further reflection wished we took extra time to show more information on them.

However, it is surprising to see a growing number of modern (recently recorded) Surveys, Plats, Short Plats, etc... that do not comply with the SRA or WAC 332-130, regardless of time spent as a licensee

As an example, the typical missing data or lacking information we routinely see on surveys reviewed by the case managers are:

1. Failing to properly report the basis of bearings! A reference to a Book and Page of a recorded document alone without citing the monuments (along with their descriptions and date visited) used to perform the survey is not in compliance with WAC 332-130-050(1)(b)(iii).
2. Not showing sufficient section subdivision data, or other such controlling parcel data, necessary to support the position of any section subdivisional corner or controlling parcel corner used to reference the parcel surveyed or referencing the record in lieu of providing the required data. WAC 332-130-030(2).
3. Lack of Documentation for GLO corners. References to documents that do not disclose all the required information does not relieve you of the responsibility of supplementing the record by supplying the missing information. WAC 332-130-030(3).
4. Failing to provide for the intelligent interpretation of the various items shown, including the location of points, lines and areas (WAC 332-130-050 (1) (f)) and failing to give the physical description of any monuments shown, found, established or reestablished, including type, size, and date visited on the map (WAC 332-130-050 (1) (f) (iv)). The date visited is not the year visited!



5. Failing to properly document an amendment or a change to a survey by not including a prominent note itemizing the change(s) to the original document or explicitly stating what the change is and where the change is located on the original. WAC 332-130-050 (3) (c) (i) and (iii).

As shown above, everything required to be reported on your survey pursuant to WAC 332-130 is what is minimally required to preserve the survey evidence in the interest of the people of the State. (The Public).

So why is this information not being disclosed on a modern record of survey?

The Land Surveyor's exam, is designed to test the minimum competency of a candidate. Once licensed a Professional is expected to expand his or her knowledge above minimum competency.

#### RULES OF PROFESSIONAL CONDUCT AND PRACTICE Chapter 196-27A-020(2)

(d) Registrants shall be competent in the technology and knowledgeable of the codes and regulations applicable to the services they perform.

WAC 196-27A-020 (1) (d) Registrants shall maintain their competency by continuing their professional development throughout their careers and shall provide opportunities for the professional development of those individuals under their supervision.

WAC 196-27A-030 (4) Failing to provide relevant information on plans and surveys in a clear manner consistent with prudent practice and (5) Failing to comply with the provisions of the Survey Recording Act, chapter 58.09 RCW and the survey standards, WAC 332-130 are explicit acts of misconduct and are actionable.

It is believed that most licensees want to do the right thing and follow the law, but possibly just do not fully understand that these are minimum requirements and not suggestions or optional! When reminded that these items are required to be shown to preserve survey evidence, some licensees have responded with the following: "Nobody does it that way around here"; "I did not know that it was a requirement"; "I was not taught to do it that way" or, "If we showed all the requirements as mentioned you would never get paid by your client of the cost you actually have." The Board regards these responses as excuses and are unacceptable and unprofessional.

## 2018 NCEES Engineering Education Award

NCEES selected North Carolina University as the grand prize winner of the 2018 NCEES Engineering Education Award. The university received the \$25,000 award for a project completed by the UNC/NCSU Joint Department of Biomedical Engineering.

The jury selected seven additional winners to receive awards of \$10,000 each:



### • Miami University (Ohio)

Department of Chemical, Paper, and Biomedical Engineering

*Design and Implementation of a Community-Driven Water System in a Rural African Village*



### • Seattle University

Department of Civil and Environmental Engineering

*Load Rating and Repair Options for Bridge Connecting Dam and Intake Structure*



### • Seattle University

Department of Civil and Environmental Engineering

*Replacement Design of a Culvert to Allow for Fish Passage*

*Continues next page*



## UNIVERSITY OF MINNESOTA

- **University of Minnesota Twin Cities**

Department of Civil, Environmental, and Geo-  
Engineering

*Multistage Drip Irrigation System in Ethiopia*



- **University of Nebraska-Lincoln**

Charles W. Durham School of Architectural  
Engineering and Construction *Children's Hospital  
and Medical Center Expansion*



- **University of Wisconsin-Madison**

Department of Civil and Environmental  
Engineering

*Interlake Lock and Boat Transfer*



- **University of Wisconsin-Madison**

Department of Civil and Environmental  
*Engineering Law Park Revitalization*

The NCEES Engineering Education Award recognizes engineering programs that encourage collaboration between students and professional engineers. EAC/ABET-accredited programs from all engineering disciplines were invited to submit projects that integrated professional practice and education.

A jury of NCEES members and representatives from academic institutions and professional engineering

*Continues page 9*

## Seattle University Wins 2018 NCEES Engineering Education Awards

Seattle University Civil Engineering department received two of the eight 2018 NCEES Engineering Awards out of 97 blind submittals. At Seattle University all engineering undergraduates in their senior year are required to work on a year-long, team based, industrially sponsored design project.

Snohomish County Public Works sponsored one of the two winning projects. In this project, a team of four students worked under the supervision of a Professional Engineer and an aquatic biologist from the County and a faculty advisor with a dual license (PE, PLS). The team designed a replacement culvert that had previously failed which was also a fish passage barrier. The second winning project, sponsored by Seattle City Light, involved the load rating and repair option for a bridge connecting Ross Dam and its intake structure in Skagit County which exhibited cracks in one of its spans. A team of four students were guided and supervised by two Professional Engineers from Seattle City Light and a faculty advisor who is a Professional Engineer in completing the project. In both the above projects, the student teams evaluated various design options, selected a preferred alternative, carried out preliminary cost analysis, and developed preliminary engineering drawings.

These capstone projects provide an opportunity for the students to closely interact with licensed engineers and other allied professionals while developing technical and professional skills preparing them to enter the work force. The students also become aware of the importance of professional licensure in safeguarding the public health, safety and welfare.

Since the inception of the NCEES Engineering Education Awards program in 2009, Seattle University has won 27% of the awards (a total of 17 awards). As a licensee, if you are interested in mentoring engineering students in such endeavors contact one of the engineering programs at your local universities.



organizations selected the winners from the 97 blind entries. The jury members considered criteria such as

- Successful collaboration of faculty, students, and licensed professional engineers
- Protection of public health, safety, and/or welfare of the public
- Multidiscipline and/or allied profession participation
- Knowledge or skills gained
- Effectiveness of display board, abstract, and project description

Profiles of the winning submissions are available online at [ncces.org/award](http://ncces.org/award) or at NCEES offices upon request.

## Questions And Answers



# Q&A

### Question

For most of my designs I obtain topographic mapping information from a variety of sources including local surveyors, and county/city records and published maps like USGS. I spot check more detailed information on the actual site but rely upon these other sources. Is this acceptable?

### Answer

*Being knowledgeable and competent on topographic mapping is a basic skill required for licensure. Reliance upon other sources for topographic information is within your discretion provided you find it meets the requirements for your design. However, if there are inaccuracies in that information which have influence on your design the amount of spot checking becomes more important. Ultimately you, as the responsible licensee, must sign and seal the final product.*

### Question

I am a PE who has been hired to be the engineer of record for a planned construction of a design

that was completed 5 years ago. I have a set of the completed plans and an electronic version that are in complete agreement with the hard copy. The client has contacted my firm because the original design engineer has passed away and the client is now ready to proceed with the project. My preliminary study of the plans showed they were very well developed and complete but they were never submitted for review to the local building department. The Building Department is insisting that I submit a clean set of plans with only my seal and signature. Is this something I can do?

### Answer

*As the Board has stated, it is not acceptable for a PE to stamp a plan that was not prepared by them or under their direct supervision. The primary purpose of that regulation was to guard against the preparation and distribution of designs that appeared to be the product of an engineer's effort but were not.*

*Your situation is different in a couple of key respects. First, a qualified professional competently performed the original design, and second, you were hired to execute the existing design through the construction phase. As we see it there is no reason for the building department to ask for plans to be resealed with your seal. The original plans should be sufficient and can be submitted even with the deceased PE stamp. However, if the review process produces changes that need to be incorporated before the permit is issued those changes by you would need to be explained and thoroughly evaluated to ensure overall design integrity. It might also be necessary to have a clarifying statement about the dual roles on the plan and to directly inform the department staff of the situation so they know and understand your role on the project.*

### Question:

I see a continuing issue that I believe needs clarification. Amongst the surveyors in the county I practice there seems to be differing opinions about the signature requirements on the Record of Survey map. The Survey Recording Act specifies a "Surveyor's Certificate" that includes the signature

*Continues page 13*



# Examinations

## 2017 EXAMINATION RESULTS

	Total	Pass	% Pass
Principles & Practice of Engineering			
Chemical (CBT)	0	0	0%
Civil	190	126	66%
Control Systems	11	8	73%
Electrical	58	33	57%
Environmental	5	1	20%
Fire Protection	12	2	17%
Mechanical	70	44	63%
Metallurgical & Materials	3	1	33%
Mining & Mineral Processing	2	1	50%
Naval Architecture/ Marine Engineering	4	3	75%
Nuclear	4	3	75%
Professional Land Surveyor	7	4	57%

## 16 Hour Structural

Lateral Forces Bridges	14	4	31%
Vertical Forces Bridges	11	7	64%
Lateral Forces Buildings	13	4	31%
Vertical Forces Buildings	17	11	65%

## On-Site Wastewater Management

On-Site Designer	11	4	36%
On-Site Inspector	8	2	25%

## 2017 COMPUTER-BASED TESTING (JUNE - DECEMBER)

	Total	Pass	% Pass
Fundamentals of Engineering (EIT)			
Fundamentals of Land Surveying (LSIT)	663	445	67%
Fundamentals of Land Surveying (LSIT)	18	10	56%

# Statistics Of Actions

## STATISTICS OF ACTIONS TAKEN BY THE BOARD

### JULY 1, 2017 THROUGH DECEMBER 31, 2017

Active investigations as of July 1, 2017	25
Investigations Opened	38
Investigations Closed	17
Active Investigations as of December 31, 2017	46

### SUMMARY BY MONTH:

	Complaints Received	Inquiries Received	Investigations Opened *
July	5	0	4
August	4	0	1
September	9	0	7
October	7	0	7
November	10	0	10
December	9	0	9
Totals	44	0	38

\* Investigations can be opened by either a complaint or an inquiry received.

### SUMMARY BY PROFESSION AS OF DECEMBER 31, 2017

	Active Investigations	Legal Status	Compliance Orders
Prof. Engineers	20	1	1
Prof. Land Surveyors	17	3	2
Unlic. Engineers	3	0	0
Unlic. Land Surveyors	4	0	1
On-Site Designers	2	1	0
Totals	46	5	4

Legal status refers to the investigations that the Case Manager has referred to legal for violations and the Board Order is in progress of being issued.



# Investigations & Enforcements

## Summaries Of Investigations And Actions By The Board

The following case summaries cover the disciplinary actions against licensees from July 1, 2017 through December, 31, 2017. In each disposition the Board accepted the recommendations of the Case Manager, unless stated otherwise. For those cases involving a Board order, each licensee may be monitored for compliance with the conditions imposed in the order.

The summary information provided under "INFORMAL ACTIONS" is provided to educate licensees on events and circumstances that come before the Board for investigation. In those cases, no disciplinary action is taken because either the allegations are unsubstantiated, fall outside the scope of jurisdiction of the Board or it becomes unnecessary because of corrective measures taken. Any investigations that reveal clear and convincing evidence of wrongdoing, and where a Board Order is issued, will be listed under "FORMAL ACTIONS".

The decisions of the Board members who work as Case Managers of the investigations are based upon their personal opinions of the severity of the infraction and the best course of action to take to appropriately resolve issues. Interpreting any one or several dispositions as indicative of the Board's view of how all such cases will be handled in the future would be incorrect.

These summaries are not intended to disclose complete details related to any given investigation or action. While every effort is made to ensure accuracy of the information shown, anyone intending to make a decision based upon this information should contact the Board office for more details.

### FORMAL ACTIONS:

#### *Professional Engineers*

##### **Cash Carr, PE Case No. 15-09-0003**

This investigation was opened based on a complaint alleging Mr. Carr was working outside his area of competence, and advertising such on his website.

Mr. Carr submitted an application to participate in the City of Seattle's geotechnical special inspection program and stated on his resume that he was a professional engineer with experience in geotechnical engineering. On his website he advertised himself as a structural engineer and that he provided geotechnical services. Mr. Carr is not licensed as a structural engineer in Washington. As part of the submittal to the City of Seattle, he provided two geotechnical projects that failed to meet the City of Seattle's Department of Planning and Development standards and his application was denied.

On March 14, 2017 the Board issued a Statement of Charges and settlement option in the form of a Stipulated Findings of Fact, Conclusions of Law, and Agreed Order. After a settlement conference, Mr. Carr accepted the settlement option and signed the Agreed Order.

Terms of the Agreed Order include:

- Removal of language and references in his personal resume, website and any other place that would imply qualifications outside his field of expertise until such time he either obtains the appropriate license or required experience.
- At his own expense, Mr. Carr shall remove language and references from his firm's promotional material including the website and other media that would imply the firm is offering those services that is not qualified to perform, unless his firm directly employs a professional with the applicable experience and license.

On August 10, 2017, the Board accepted the Agreed Order.

*Continues next page*



## Professional Land Surveyors

### **Knud Knudsen, PLS** **Case No. 15-11-0005**

This investigation was opened based on a complaint alleging Mr. Knudsen failed to record a survey with the Grant County Auditor. Another professional land surveyor was performing a survey in Grant County, and discovered ½ inch iron pipes with a surveyor's cap marked "LS 8588" placed in the ground. Further research by that surveyor found that a Record of Survey was never recorded.

On January 4, 2017 the Board issued a Statement of Charges and settlement option in the form of a Stipulated Findings of Fact, Conclusions of Law, and Agreed Order. After a settlement conference, Mr. Knudsen accepted the settlement option and signed the Agreed Order.

Terms of the Agreed Order include a fine of \$500 to be submitted to the Board, and he shall reimburse the Stewart Title Guaranty Company \$175.

On August 10, 2017, the Board accepted the Agreed Order.

### **Bruce Studeman, PLS** **Case No. 16-06-0002**

This investigation was opened based on a complaint alleging Mr. Studeman was hired to do a boundary line adjustment, however, he did not finish it. According to the complainant, Mr. Studeman was contacted several times and he responded promising to finish the project. It was alleged the surveyor stopped responding to any emails or phone calls. The complainant finally fired him from the project.

During the course of the investigation, Mr. Studeman failed to respond to multiple requests for information by the Board, and did not submit his log of professional development hours that was requested.

On September 20, 2017 the Board issued a Statement of Charges and settlement option in the form of a Stipulated Findings of Fact, Conclusions of Law, and Agreed Order. After a settlement conference, Mr.

Studeman accepted the settlement option and signed the Agreed Order.

The terms of the Agreed Order included: Mr. Studeman's license as a professional land surveyor is suspended for one year. The suspension will be stayed (not imposed) contingent upon him complying with the conditions below:

- He shall pay a \$3,000 fine.
- He must complete the on-line law review with passing scores, within one year of the effective date of the Agreed Order.
- On October 19, 2017, the Board accepted the Agreed Order.

## INFORMAL ACTIONS:

### *Professional Engineers*

### **Case No. 16-10-0003**

This investigation was opened based on a complaint alleging the Respondent used another professional engineer's (PE) stamp on engineering drawings without permission.

The Board Investigator spoke with the PE whose stamp is in question, and the Respondent. The PE stated that he and the Respondent are partners and he personally reviews all of the Respondent's work in Washington, and then stamps and signs the documents himself.

Based on the information submitted, the Case Manager recommended closing the case with no further action.

### **Case No. 17-05-0005**

This investigation was opened based on an email from the California Board for Professional Engineers, Land Surveyors and Geologists regarding action taken against the Respondent who is licensed in both California and Washington. There have been no complaints against the Respondent in Washington State.



*Continued from page 9*

## Questions & Answers

After reviewing the investigation file, the Case Manager concluded the Respondent has not performed any engineering work in Washington despite being licensed in the state, and recommended closing the case.

*Professional Land Surveyors*

### **Case No. 16-06-0003**

This investigation was opened based on a complaint alleging that the Respondent, a professional land surveyor, failed to show the correct information on a survey. During the course of the investigation the Respondent was also audited for his PDH hours, and he lacked sufficient hours at the time of the complaint. Also, during the course of the investigation the Respondent recorded an amended record of survey (AROS) he felt addressed the specific issues concerning the first survey.

After a review of the investigation file, and the AROS, it was the Case Manager's opinion that the AROS still lacked sufficient information. The Respondent voluntarily offered to permanently retire his PLS license.

Based on the Respondent's actions to permanently retire his license, the Case Manager recommended closing the case with no further action.

*of the surveyor. The Board rules also seem to require a signature across the seal. Some sign only the certificate, others only the seal. Can you clarify?*

### **Question**

I see a continuing issue that I believe needs clarification. Amongst the surveyors in the county I practice there seems to be differing opinions about the signature requirements on the Record of Survey map. The Survey Recording Act specifies a "Surveyor's Certificate" that includes the signature of the surveyor. The Board rules also seem to require a signature across the seal. Some sign only the certificate, other only the seal. Can you clarify?

### **Answer**

*The final Record of Survey map has two separate law requirements for signature so the map should contain two signatures. The "Surveyors Certificate" is one and the Board's defined use of the PLS seal and signature is the other.*



Continued

## Message From The Chair

A number of major additional matters or concerns that have been, or continue to be addressed this past year include:

- Search for an Executive Director. The candidate search for this position has been on-going for over a year and included several rounds of country-wide advertisements and interview sessions in Olympia. I am pleased to report, as of February 1, the position has been filled by very qualified candidate (see article this issue). I would also take this opportunity to recognize our Board staff member, Shanan Gillespie, and her outstanding effort in temporarily serving in that position in the interim.
- Policies to Rules. This past year, at the direction of the Board's AG representative, the Board and staff have continued to progress in codifying heretofore Board policy language to more enforceable Washington Administrative Code (WAC) rules. This effort has involved considerable examination, condensation and iterative development of rule language as well as public hearings to obtain comment and input.
- License Examination Changes. Two tasks have been underway and continue in this area: Coordination with NCEES (including at national and regional interstate meetings) regarding the gradual conversion of PE exams to Computer Based Testing (CBT); and efforts by staff regarding make-up and administration of our state-specific exams for surveyors and on-site designers.
- Legal Issues. Although not generally reported pending resolution, suffice it to say that there are typically a few Board legal matters that are always in progress. These can vary from the generally more mundane contractual issues with testing or other vendors, to development, notification and/or negotiation of disciplinary charge documents and sometimes the arranging and conducting of remote-location, full Board, disciplinary hearings.

The above listing, is by no means inclusive of all Board and staff activities between formal meetings. It should also be noted that the bulk of such effort is generally borne by the Board staff in Olympia. However, as mentioned in my previous message, our seven members, most of whom are otherwise occupied with their full-time professional careers, graciously donate their time to continue the mission of BORPELS.

Finally, as I approach the end of my term as the Board Chair, I want to sincerely thank the staff and Board members for their support and effort to maintain the quality and integrity of the Board itself, the professions we serve and ultimately for the protection of public health and safety.





# Schedules

## Spring 2019 Administration

The following exams are offered year round as computer-based exams:

- Fundamentals of Engineering (NCEES FE)
- Fundamentals of Land Surveying (NCEES FS)
- Professional Land Surveying (NCEES 6 hour)
- Chemical Engineering

For more information, visit <http://ncees.org/exams/cbt/> or call (360) 664-1575. For information about the WA State Specific 2-hour land surveying exam, please call 360-664-1575.

Examination	Type	Examination Date	Application Deadline
Agricultural & Biological Engineering, Architectural (Building Systems), Environmental, Industrial & Systems, Naval Architecture & Marine, Mechanical, Electrical, Engineering		Friday April 5, 2019	Tuesday January 15, 2019
16-hour Structural Vertical/Lateral	NCEES	Friday & Saturday April 5 & 6, 2019	Tuesday January 15, 2019
On-Site Wastewater Designer / Inspector Certification	State	Friday March 15, 2019	Tuesday January 15, 2019

For information regarding the WA State Specific 2-hour Land Surveyor's exam, please contact our office.

# Calendar

The following calendar displays the Board's planned meetings and participating events for 2018.

Dates and locations are subject to change. For more information, visit <http://www.dol.wa.gov/business/engineersandsurveyors/meetings.html> or call (360) 664-1564.

### Board and Committee Meetings

#### August

Olympia

#### October

Olympic Peninsula

#### December

SeaTac

### Board Participating Events

#### August 15-18

2018 NCEES Annual Meeting  
Scottsdale, AZ



Board of Registration for Professional  
Engineers and Land Surveyors  
P.O. Box 9025  
Olympia, WA 98507

Presorted  
Standard  
**US Postage  
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