



EL DORADO COUNTY POLICY FOR ENSURING ENCROACHMENT PERMIT COMPLIANCE WITH CALIFORNIA BUSINESS AND PROFESSIONS CODE SECTION 8771(B)

California Business and Professions Code Division 3, Article 5, Section 8771(b) states, *“When monuments exist that control the location of subdivisions, tracts, boundaries, roads, streets, or highways, or provide horizontal or vertical survey control, the monuments shall be located and referenced by or under the direction of a licensed land surveyor or licensed civil engineer legally authorized to practice land surveying, prior to the time when any streets, highways, other rights-of-way, or easements are improved, constructed, reconstructed, maintained, resurfaced, or relocated, and a corner record or record of survey of the references shall be filed with the county surveyor.”*

Accordingly, El Dorado County will ensure compliance with California Business and Professions Code Section 8771(b) by requiring every applicant to engage a licensed land surveyor to determine which of the following 2 scenarios best describe the work proposed in the permit application:

1. There are no survey monuments located within the permit application’s work zone; or
2. There are survey monuments located within the permit application’s work zone.

Under scenario 1, the applicant’s licensed land surveyor will complete El Dorado County’s Certificate of Monument Preservation (attached) stating that no monuments were found within project limits and attach the Certificate to the permit application.

Under scenario 2, the applicant’s licensed land surveyor will locate and reference the survey monuments and provide DOT with a preliminary copy of a Pre-Construction Corner Record or Record of Survey before an encroachment permit will be issued. The applicant’s licensed land surveyor will then have 90 days to file the actual Pre-Construction Corner Record or Record of Survey with the El Dorado County Surveyor’s Office. After construction is complete, if any survey monuments have been damaged or destroyed, the applicant’s licensed land surveyor will set new monuments pursuant to California Business and Professions Code Section 8771(c) and file a Post-Construction Corner Record or Record of Survey with the El Dorado County Surveyor’s Office.

If an applicant believes that the work proposed under their application will in no way disturb any existing survey monument, then the applicant may request a waiver from this requirement that will be reviewed by El Dorado County on a case-by-case basis. An example of work for which a waiver might be issued is an instance where no vehicles are parked in unpaved areas of County right-of-way and no work is performed on roads or in unpaved areas of County right-of-way.



EL DORADO COUNTY

CERTIFICATE OF MONUMENT PRESERVATION

El Dorado County Department of Transportation Encroachment Permit number: _____

Utility Company Job Number: _____

Encroachment Location:

(Address/Address Range) _____

Improvement Plan Title: _____ Plan Set Date: _____

I, _____, a duly licensed land surveyor or registered civil engineer authorized to perform land surveying in California as specified in Section 8700 of the California Business and Professions Code, do hereby certify that I have performed survey monument preservation as required by Section 8771 of the California Business and Professions Code at the request of my client,

_____.

No monuments were found within the work zone of this encroachment permit application.

Monuments are located within the work area and Pre-Construction Corner Record(s) are attached.

No corner monuments were disturbed.

Project has been completed and:

Corner monuments were disturbed.

Post-construction corner record(s) are attached.

This Certificate of Monument Preservation was prepared by me, or under my direct supervision, in conformance with the Professional Land Surveyors' Act on _____, 20__.

Signed: _____

PLS or RCE number: _____

Date: _____

Stamp: