

# Focal Point

A publication of the Sacramento Chapter  
of the California Lands Surveyors Association



September 2023

**Guest Speaker for September 7 meeting:**  
**Michael Quartaroli PLS**  
who will talk about Monument Preservations

## President's Message

Hello future Chapter Officers!

With September here, the kids are back in school, and Summer is officially coming to an end.

I don't know about you, but I'm ready for it to start cooling off.

In my last message, I asked you to consider volunteering for an officer position in the chapter. At this coming meeting, this will your chance to make it happen. This really isn't a big commitment and is a great way to give back. If you are already coming to the meetings, it's honestly not too much more. This next year will be even better, with President-Elect Nehring announcing at the last meeting that each chapter will now have an executive member from the state as a mentor who will be available to assist when needed. As the immediate past-president, I will also still be around to help out. All of this to say, if you're worried about being left with nobody to aid you, there are people happy to mentor you along the way.

I hope to see you at the next meeting, eager to get involved! If not, please still come to hear about an important subject to our industry, presented by Michael Quartaroli.

Take care,

A handwritten signature in black ink that reads "Justin Lambert". The signature is written in a cursive, flowing style.

Justin Lambert, PLS  
2023 Sacramento Chapter President

The **Focal Point** newsletter is a publication of the Sacramento Chapter of the California Land Surveyors Association. Check us out at <https://www.sacramento-clsa.org>

### Who's Who in the Sacramento Chapter for 2023:

Justin Lambert PLS      President  
Russell Smith PLS      Vice President  
Annette Hovorka PLS      Secretary  
Adam Foster PLS      Treasurer  
Cameron Clark PLS      Board of Directors Representative  
Andrew Tapley PLS      Board of Directors Representative  
Sherry Toutges PLS      State TrigStar Coordinator  
Carl C.de Baca PLS      Editor Focal Point

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The Focal Point is offering advertisements to our business partners, suppliers and other supporters with the proceeds going to our education fund.

- Business Card      \$100/year
- 1/4 page ad      \$250/year
- 1/2 page ad      \$325/year
- Full page ad      \$400/year

You can post job ads in the Focal Point for \$100 and they will run for a maximum of 1 year. And, you can take home one of our attractive slate CLSA coasters for a \$10 donation!

Contact the Focal Point editor at [focalpointeditor@gmail.com](mailto:focalpointeditor@gmail.com)

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# Wildfires Around the Globe

In the second week of August we saw devastating wildfires destroy the Hawaiian town of Lahaina, a great little village on the Island of Maui. Fires have been burning this year all across Canada and in Washington, Oregon and our own southern desert, not to mention Spain, Portugal and Greece. By the grace of God, we haven't seen much in the way of new fires starting in the coastal range or the Sierra yet, but the year is still young. One thing that all these fires do, especially when they are near civilization, is destroy monuments. It's not the fire that wipes them out, it's the cleanup afterwards, and in our case hereabouts, potentially at least, it's the clear cutting to prevent fires, that endangers monuments. So, it is our good fortune to welcome Michael Quartaroli to speak to our chapter in September. Michael has made it his passion to give this issue the attention it deserves, as well as develop and distribute strategies to combat the loss of monuments within California's borders, and beyond. We hope you will come listen to Mike at Logan's Roadhouse on September 7, 2023 and join the fight against needless loss of critical survey monuments.  
-ED.



CLSA President-Elect Kevin Nehring speaks to Sacramento Chapter



Kevin gets a thanks... and a coaster

## Editor's Message

*The August 3<sup>rd</sup> meeting was well-attended as a few new faces came to hear what CLSA President-elect Kevin Nehring had to say. Kevin brought a lot of information to us about current activities at the state level. If you didn't make this meeting, you missed a good one. You really should start coming, you know.*

*The rant this month is on the Crownholm v Moore, et al Appeal.*

*It's time to start thinking about how you can step up and take a position with the Chapter, since elections are just around the corner. You can (and should) serve as an officer or a committee chair!*

*As always, thanks to our advertisers! That revenue goes straight to scholarships that our chapter will give out.*

-ED.



# The Rant Zone

## Calling Perry Mason

On January 23, 2023 United States District Judge Dale A. Drozd dismissed the Crownholm v Richard Moore, et al lawsuit, without leave to amend, effectively preventing Crownholm and his legal representatives the Institute for Justice from pursuing an amended case at the same court. Wasting no time, the I.J. filed an appeal to the 9<sup>th</sup> Circuit Court on February 1, 2023.

The Crownholm case, if you recall, centered on our board of registration issuing a fine and citation to the proprietor of mysiteplan.com, Ryan Crownholm for practicing surveying without a license. That is what he was doing every time he put together a site plan then added boundary information and dimensions to that boundary, and the board (rightfully) called him on it. So of course, he 'lawyered up' and sued. (*Elsewhere it has been discussed that I.J. is waging a national campaign against occupation licensing using the 1<sup>st</sup> and 14<sup>th</sup> Amendments as the basis of its whacked out legal theory that showing boundary lines on a plat is freedom of speech.*)

In January, Judge Drozd did such an overwhelmingly detailed deconstruction of the I.J.'s free speech case that no one in their right mind could rule differently. But this is the 9<sup>th</sup> Circuit Court of Appeals we are talking about here - the best justice that money can buy. The 9<sup>th</sup> Circuit Court has for years been a bastion of, shall we say, liberal legal rulings, producing rights out of thin air and leaning so far left that Lady Liberty has thrown out her hip. Though the court has over 50 previous free speech cases to look at for clues as to how they might swing, the 51 justices operate in randomly assembled Limited En Banc (LEBC) groups of 10 or so members for each case they hear, rather than the entire group hearing a case. This makes it tough to spot trends. How the Crownholm appeal goes will be highly dependent on the make up of this LEBC.

ACEC, WFPS, NSPS and CLSA have all joined on an Amicus brief, which under other circumstances would be meaningful, but with this court, who knows if that will make a difference? I am hoping for the best but in the meantime I am going to teach my 6 year old grandson to use Autocad because when the dust clears, he can be ready to start his own business making site plans showing boundary information, without a care in the world. Free Speech is where its at, baby!

Some closing thoughts on the Institute for Justice:

- ✓ *Whoever tells the best story wins. – John Quincy Adams*
- ✓ *Justice is expensive. That is why there is so little of it, and it is reserved for those few with enough money and influence to afford it. – Naomi Novik*
- ✓ *The first thing we do, let's kill all the lawyers. – William Shakespeare*



**Morrow**  
**Surveying, Inc.**  
LAND SURVEYORS

# Sacramento Chapter, CLSA

## Minutes for meeting of August 3, 2023

President Justin Lambert opened the meeting at Logan's Roadhouse at 6 pm. The meeting started with self-introductions and the following were in attendance:

Justin Lambert, Josie Campbell, Adam Foster, Dan Beever; Andrea Tirapelle, Kevin Nehring, Russ Smith, Michael Chiara, Jerry Jones, Carolina S., Kim Edwards, Caleb Koeppen, Sean Davis, Adam Foster, Andrew Tapley, Rachel Alexander, Roger P., Jon R., Mike Quartaroli, Carl C.de Baca, Bob Mac Kenzie, and Annette Hovorka

### 1. Presidents Report

President Justin Lambert reported on the following:

Thank you to CSDS for sponsoring the BBQ. It was successful and a good time was had by all. The time was changed due to hot weather. It was suggested that next year we have it at a cooler time of year.

- i. Next month we will be submitting our chapter scholarship commitments. Discussion was had about the upcoming scholarships.
- ii. Elections are next month and all are encouraged to volunteer.

### 2. Vice Presidents Report

Vice President Russ Smith reported the following:

- i. Brief additional discussion on the BBQ.
- ii. Meeting for next month will have Michael Quartaroli as a speaker.

### 3. Secretary's Report

Secretary Annette Hovorka had nothing to report.

### 4. Treasurer's Report

Treasurer Adam Foster reported on the status of accounts.

### 5. Focal Point

Carl C De Baca reported on the status of advertisements and content for the Focal Point.

### 6. Old Business

- a. Entertain a motion to approve, finalize and send out the draft letter that Cameron Clark provided to the Focal Point regarding Sacramento County map review fees. Carl C. de Baca made a motion to send the letter to the county. Motion was seconded and passed.

### 7. New Business

- a. Santiago Canyon College is looking to start an online four-year survey related degree. Discussion was had about the offerings.

*Respectfully submitted,*

*Annette Hovorka, PLS  
Secretary 2023*



4th Women Land Surveyors Summit. The Women Surveyors Summit, hosted by Future Surveyors Foundation is held to support and promote diversity in the land surveying profession. There are 8-10 PDH's available.

[Women Surveyors Summit 2023 Registration, Thu, Oct 19, 2023 at 3:00 PM | Eventbrite](#)

October 19-23, 2023 Stillwater, MN

This in-person event is the 4th Women Surveyors Summit. This is a "for women, by women" event and will include opportunities for continuing education. 8-10 PDH's will be available.

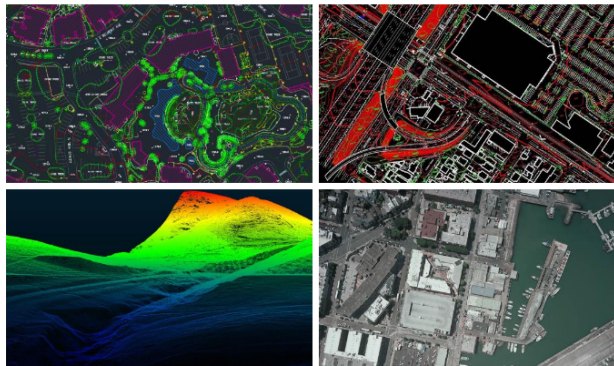
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# New California Board of Education Framework

By Al Jebrah

After four years of 'hard' work, a new 1000-page framework for mathematics was recently released and approved by the California Board of Education. The signature tenet of this new policy is the recommendation to remove of Algebra 1 from middle school and move it into high school. Among other less than desirable outcomes, this framework will make it that much harder to recruit land surveyors from the ranks of high school grads, in the future. Sadly, teaching for "Equity and Engagement" (as the new framework emphasizes), rather than excellence is par for the course in this state.

Somehow, this dunderheaded idea has not seemed to gather the outright contempt that it so richly deserves. It snuck out in July of 2023 with little fanfare and journalists, knowing a loser topic when they see one, are not saying much about it. Some of us have seen a minor headline here or a small commentary there, and we tsk, shake our heads and move on to other news. Let's think about it more seriously, for just a moment.

In the interest of discouraging the natural spread in performance between achievers and non-achievers as Vonnegut outlined in a wry short story published clear back in 1961, the achievers are being punished in order not to offend the underachievers' delicate sensibilities, (by order of the Handicapper General's office). That is the 'equity' part. The engagement part is apparently telling teachers that it's important to instruct their students about how they should feel about math. Apparently a quadratic equation has the potential to make people feel bad. And we can do better...

So what's the big deal, you ask? Well, it's this: pushing Algebra 1 from middle school to high school pushes Calculus out of high school in most cases. Gifted students will have to take Calculus via individual tutoring, or summer school or they will have to wait until community college, or junior college or for a regular college to give them the chance to catch up to where their peers in other states, not to mention other countries, already are. The good news? There's no truth to the rumor that Chemistry and Physics are being replaced by Astrology...yet.

NSPS and the state surveying societies will have to rethink TrigStar and develop a new program, AlgebraStar or maybe they should throw in the towel and go with EquityStar.

*Editor's note: for 20 points, name the short story and the Handicapper General.*

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# Regulations We Know, (But Might Have Forgotten)

## California Business and Professions Code

### Division 3 – Professions and Vocations Generally

#### Chapter 15 – Land Surveyors

#### Article 5 – Surveying Practice

#### Section 8761 – Use of the Seal and Signature

*We all know and are helpfully reminded (sometimes repeatedly) by local agencies that our submittals need to be stamped “Preliminary” or For Review Only” or else they must bear our stamp and signature. This is because of California Business and Professions Code §8761. The same goes for any reports we might prepare – they are either “preliminary” or they are wet-stamped - no grey area there. But what about Math Closures? Are those not reports? Math closures should be organized, paginated, properly titled and should contain a cover sheet bearing the seal and stamp of the preparer as §8761(d) clearly delineates. And what about a topographic survey that appears as a sheet contained within a set of improvement plans? Even though it is in a set of improvement plans, wouldn't it covered by (d) as well?*

#### **BPC §8761**

- (a) Any licensed land surveyor or civil engineer authorized to practice land surveying may practice land surveying and prepare maps, plats, reports, descriptions, or other documentary evidence in connection with that practice.
- (b) All maps, plats, reports, descriptions, or other land surveying documents shall be prepared by, or under the responsible charge of, a licensed land surveyor or civil engineer authorized to practice land surveying and shall include his or her name and license number.
- (c) Interim maps, plats, reports, descriptions, or other land surveying documents shall include a notation as to the intended purpose of the map, plat, report, description, or other document, such as “preliminary” or “for examination only.”
- (d) All final maps, plats, reports, descriptions, or other land surveying documents issued by a licensed land surveyor or civil engineer authorized to practice land surveying shall bear the signature and seal or stamp of the licensee and the date of signing and sealing or stamping. If the land surveying document has multiple pages or sheets, the signature, seal or stamp, and date of signing and sealing or stamping shall appear, at a minimum, on the title sheet, cover sheet or page, or signature sheet, unless otherwise required by law.(e) It is unlawful for any person to sign, stamp, seal, or approve any map, plat, report, description, or other land surveying document unless the person is authorized to practice land surveying.
- (f) It is unlawful for any person to stamp or seal any map, plat, report, description, or other land surveying document with the seal or stamp after the certificate of the licensee that is named on the seal or stamp has expired or has been suspended or revoked, unless the certificate has been renewed or reissued.



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