



CENTRAL COAST CHAPTER
CALIFORNIA LAND SURVEYORS ASSOCIATION
MONUMENT CONSERVATION COMMITTEE GUIDELINES

GUIDELINES
for the
MONUMENT CONSERVATION COMMITTEE
of the
CENTRAL COAST CHAPTER
CALIFORNIA LAND SURVEYORS ASSOCIATION



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INTRODUCTION – MONUMENT PRESERVATION AND IMPORTANCE

Monument Preservation as required by California Business and Professions Code §8771(d) – the Professional Land Surveyors Act (PLSA) - is seen by the professional land surveying community as an issue of great importance, not only for the public but also for the land surveying community and for those entities whose responsibility it is to ensure observance of the PLSA monument preservation provisions.

The Monument Conservation Committee (MCC) of the Central Coast Chapter (Chapter) of the California Land Surveyors Association (CLSA) recognizes the parallel but separate purposes between the MCC and the Chapter's Professional Practices Committee (PPC). The PPC has the ability to request redress of specific professional practice violations. Only issues involving violations of monument preservation provisions specifically within PLSA §8771(d) are within the purview of the MCC, whereas the PPC's purview is broader.

It should be understood that the MCC is not a resource for complaints regarding violations of the PLSA outside §8771(d), and specifically any violations by an agency. Such complaints are the domain of, and should be directed to, the Chapter's Professional Practice Committee.

Complaints made to the MCC of violations of the PLSA outside PLSA §8771(d) and not within the purview of the MCC will be referred to the PPC for consideration. Complaints made to the PPC of violation(s) of the PLSA §8771(d) may be referred to the MCC for consideration.

SECTION 1 - COMMITTEE STATUS, PURPOSE & AUTHORITY

The MCC shall be a special committee of the Chapter. These Guidelines shall be amended to reflect MCC Standing Committee status at such time as the Chapter Bylaws are amended and approved to reflect any MCC change in status.

The MCC shall derive its authority from creation and support of the Chapter through its Bylaws. These Guidelines shall regulate and guide members of the Chapter's MCC.

The MCC's mission is:

- 1) *To foster a better understanding of the benefits of monument conservation;*
- 2) *To provide informational and educational materials to local public agencies, public utilities, the local construction industry and the public regarding the benefits of monument conservation;*
- 3) *To develop best practice measures for monument conservation by land surveyors and agencies;*
- 4) *To organize and provide opportunities for monument conservation outreach programs;*
- 5) *To be a resource for complaints regarding violation(s) of the Business and Professions Code §8771(d), the Professional Land Surveyors Act (PLSA), and specifically those by agencies.*

SECTION 2 - MEMBERSHIP

The MCC shall consist of no less than five (5) Corporate Chapter members in good standing with the CLSA State Association and Chapter. The President of the Chapter shall be a member *ex officio* per Chapter Bylaws §4.08, or its successive provisions.

A Chairperson (Chair) shall be appointed by the Chapter President. The Chair of the MCC may invite the President-Elect to attend MCC meetings.

In the case of a vacancy of the MCC Chair, the MCC shall select a Chairperson by majority vote of all the MCC members.



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The Chair shall invite new members as necessary at the beginning of each year so as to fulfill the minimum member requirement. The Chair may appoint a Chapter member to fill a vacancy created by the resignation or removal of a member from the MCC.

A MCC member may resign in writing with 30 days' notice.

A MCC member may be removed by proposal from the Chair and concurrence of two-thirds of the MCC, or by majority vote of the Chapter on an agenda item at a regular business meeting of the Chapter.

SECTION 3 - RESPONSIBILITIES OF CHAIRPERSON

The Chairperson shall be the only member authorized to speak or sign correspondence on behalf of the MCC as described or included in these guidelines. The Chair shall send, distribute and receive all correspondence from and to the MCC.

The Chair shall appoint a Chair *pro tem* as needed for meetings if and when the Chair is unable to attend a meeting. The Chair shall schedule, prepare agendas for, preside over, and keep minutes of MCC meetings. The Chair may delegate recording of minutes to another member of the MCC for and at a MCC meeting.

The Chair shall maintain the MCC records, including (but not limited to) by whom a complaint is lodged, subject of complaint, date of complaint, nature of complaint, documentation and information supporting complaint, MCC's actions on complaints (both written and oral) and correspondence to and from the MCC. The Chair shall prepare a budget for the following year for approval by the MCC for forward to the Chapter Treasurer.

SECTION 4 – COMPLAINTS & INVESTIGATION

MCC PURVIEW - One of the MCC's responsibilities is to investigate complaints brought to it of violations of the PLSA §8771(d), and only then regarding failure of an *agency's responsibility*, and to determine if further action is necessary regarding the *agency*.

Since violation of PLSA §8771(d) presumes an *a priori* responsibility for monument preservation has been breached, redress by the responsible agency of specific violations *a posteriori* such as monuments without proper documentation, monuments not brought to grade, etc. is unavailable through MCC. Such violations may be sent to, and redress may be requested by, the Chapter PPC for action under its guidelines.

Further action on failure of an agency under PLSA §8771(d) may be taken by MCC upon approval by a majority of the MCC after consideration of facts. A quorum for considering a complaint shall be a majority of MCC members.

INVESTIGATION - The Chair may appoint MCC member(s) to investigate or assist with any complaint(s) brought before the MCC for action. If necessary, the Chair may enlist non-members constrained to the same disclosure requirements for assistance with a particular complaint.

CONFLICT OF INTEREST - Any MCC member(s) shall disclose to the MCC any conflict(s) of interest. A MCC member shall recuse her- or himself from decision making process of the MCC if a complaint or action involves that MCC member in any way.

MCC members with a conflict of interest shall:

- a) not be counted to determine quorum;
- b) not be counted to determine majority;
- c) leave MCC meeting during discussion of complaint;
- d) be able and available to answer inquiries and provide facts to the MCC.



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The Chair may appoint a Chair *pro tem* if the current Chair has conflict of interest regarding a specific complaint, and then only for action on that complaint. The Chair may appoint a former Chair as Chair *pro tem* for those prior cases initiated during the former Chair's tenure.

SECTION 5 – COMPLAINT ACTIONS

All MCC communications and/or information dissemination regarding complaints or actions shall be made at MCC meetings or in writing delivered by US mail and addressed personally to a MCC member. Email communication regarding complaints outside of meetings is not encouraged. It is the intent of this section to provide a secure means of communication within the MCC to conduct MCC business prior to final action and/or disposition by the MCC as described under Section 6 of these Guidelines.

MCC actions shall be approved by a majority vote of a meeting quorum. Action is defined as any written or oral communication from the MCC to an agency regarding a complaint.

If oral communications are made between the MCC and others, a written memorandum shall be made including to whom, by whom, date and time of communication, subjects covered, response and disposition. The MCC shall be apprised as soon as practicable of any such oral action and the memorandum.

Written correspondence shall be on the approved letterhead established by the MCC and shall be signed by the Chair. It shall be sent via US Mail as outlined in Section 6 below. The use of email and/or electronic document transfer is deemed inappropriate unless otherwise approved by the MCC.

The MCC shall review any correspondence from entities against whom a complaint has been lodged. Any person bringing a complaint before the MCC may address the MCC in person if requested before a scheduled MCC meeting. MCC members may make inquiries and direct questions to persons outside the MCC but shall not discuss pending actions with persons outside the MCC except as provided in SECTION 4.

SECTION 6 – COMPLAINT INVESTIGATION

Pre-violation complaints shall be responded to by the MCC with information and materials that will assist the agency with proper administration of 8771(d). Additionally, the MCC shall work with the PPC for outreach to mitigate any violation by an agency of 8771(d) or the complaint can be referred to the PPC. Post-violation complaints shall be lodged in writing. Information provided must substantially conform to, or be provided on, **Attachment A**, Local Complaint Form.

Complaint investigation shall consist of information gathering, verification and establishment of facts prior to any action by the MCC. Information gathering shall be conducted by MCC members only, unless non-member participation is necessary under SECTION 4, and any such information gathered shall be distributed to all MCC members as described under SECTION 5 prior to any action by the MCC.

Once a bona fide violation of PLSA §8771(d) has been verified by the MCC, a complaint **shall** be sent to the BPELSG including particulars of MCC findings. A letter with a copy of the complaint or a description of the complaint shall be sent concurrently to the responsible agency.

An sample letter to the responsible party for pre-violation action by the MCC is shown in **Attachment B**. A sample letter for post-violation action is shown in **Attachment C**.

SECTION 7 – MCC STATUS REPORTS TO CHAPTER



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If the MCC determines that a bona fide violation of PLSA §8771(d) has been made, and that a complaint to BPELSG is warranted, the Chair shall report such matters and appropriate details to the Chapter at its next regular meeting.

The MCC shall make status reports to the Chapter, including:

- a) what action(s) are being considered by the MCC during an investigation or complaint;
- b) what actions have been undertaken after sending a Consumer Complaint to the Board for Professional Engineers, Land Surveyors and Geologists (BPELSG);
- c) results of any actions taken by the MCC after conclusion of an investigation and/or complaint.

SECTION 8 – MCC GUIDELINES APPROVALS

Initial MCC Guidelines approved by MCC: 2026.07.13

Initial MCC Guidelines approved by Chapter: [date]

Revision MCC Guidelines approved by MCC: [date]

Revision MCC Guidelines approved by Chapter: [date]



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**CENTRAL COAST CHAPTER
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Please provide as much information as possible. If unknown, please indicate such.

**SUBJECT (Agency Responsible for Monument
Preservation Measures)**

**COMPLAINANT (Person filing out complaint - leave
blank if anonymity desired or necessary)**

Name of Responsible Party at Agency

Your Name

Responsible Party License Number (if known)

Business Name, if any

Mailing Address

Mailing Address

City, State, Zip Code

City, State, Zip Code

Phone Number

Phone Number

SUBJECT PROPERTY/PROJECT INFORMATION: Assessor Parcel number(s) and/or Address(es) and/or description/location of property/project location(s), including city and/or county.

DESCRIBE YOUR COMPLAINT: Be specific. Locations of Monument Preservation violations? Other parties involved, including City or County agencies (names, addresses, phone numbers)? Please provide dates and details. Include copies of **ALL DOCUMENTS**, including plans, specs, maps, letters, contracts, etc. If there is no written contract, explain the details of the agreement including dates. Be as complete as possible. Attach extra pages as needed.

DECLARATION

I declare, under penalty of perjury, that the information contained in this complaint, including any attached pages, is true and correct to the best of my knowledge and belief.

Signature _____ Date _____

All information will remain confidential for use only by the Central Coast Chapter's Monument Conservation Committee.



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c/o CURRENT CHAPTER ADDRESS
ADDRESS
CITY, STATE, ZIP

Date

Monument Preservation Responsible Party

Address

Address

Dear Sir/Madam:

[THIS LETTER GOES WITH PRE-VIOLATION INFORMATION TO THE AGENCY]

MCC has been informed that your agency has a current project subject to 8771(d). We would like to provide the attached information for your consideration in moving forward with the below project.

RE: CALIFORNIA BUSINESS AND PROFESSIONS CODE §8771(d)

That section states:

(d) The governmental agency performing or permitting construction or maintenance work is responsible for ensuring that either the governmental agency or landowner performing the construction or maintenance work provides for monument perpetuation required by this section.

The subject(s) project(s) is/are:

- ☐ Project name/# _____
- ☐ Project Location _____
- ☐ Project Description _____

Please feel free to contact the MCC at the above address or the following email address.
central.coast.clsa@gmail.com.

Respectfully,

[signature]

Chair, Central Coast Chapter Monument Conservation Committee

XC: Committee members, file

Attachments: [attachments]



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c/o CURRENT CHAPTER ADDRESS
ADDRESS
CITY, STATE, ZIP

Date

Monument Preservation Responsible Party

Address

Address

Dear Sir/Madam:

[THIS LETTER GOES TO THE AGENCY AFTER SENDING A COMPLAINT TO THE BPELSG.]

RE: CALIFORNIA BUSINESS AND PROFESSIONS CODE §8771(d)

The attention of the Monument Conservation Committee of the Central Coast Chapter of the California Land Surveyors Association has been directed to a violation(s) of Business and Professions Code §8771(d) the Professional Land Surveyors Act (PLSA). That section states:

(d) The governmental agency performing or permitting construction or maintenance work is responsible for ensuring that either the governmental agency or landowner performing the construction or maintenance work provides for monument perpetuation required by this section.

The subject(s) of the violation is/are:

- ☐ Project APN(s) _____
- ☐ Project Location _____
- ☐ Project Description _____

The alleged violations are

- ☐ Failure to perform PRE-project due diligence research and identification of possible/existing monuments
- ☐ Failure to perform PRE-project monument preservation survey work
- ☐ Failure to perform PRE-project documentation
- ☐ Failure to perform POST-project due diligence research and identification of monuments
- ☐ Failure to perform POST-project monument preservation survey work
- ☐ Failure to perform POST project documentation
- ☐ Other: _____

The attached complaint has been sent to the Board for Professional Engineers, Land Surveyors and Geologists (BPELSG).

This committee is open to working with you in the future to avoid possibilities of future violations of the Monument Preservations of the PLSA in particular 8771(d).

Respectfully,
[signature]

Chair, Central Coast Chapter Monument Conservation Committee

XC: Committee members, BPELSG, file

Attachments: BPELSG Complaint/Description