

# Common Issues CDFW Finds During Review of Land Surveyor-Prepared Products

**ISSUE:** Legal description - missing or incorrect “to” or “along” calls.

**WHAT THIS MEANS:** These calls establish the intent of the course, indicates where to start measuring or where other lines of seniority exist, so another surveyor could recreate the boundary without gaps or overlaps with adjoining parcels.

**PROBLEM THIS CAUSES IF NOT FIXED:** If the intent is to go to the Conservation Easement (CE) edge or another existing line, then the CE isn't protected if there could be gaps or overlaps in the boundary. This can cause potential boundary disputes or encroachments which will cost money and time to fix. Sometimes it can only be fixed through a legal remedy.

**ISSUE:** Supporting documentation referenced in legal descriptions or shown on plats and BIE maps not provided.

**WHAT THIS MEANS:** Without the supporting documents, the accuracy and correctness of legal descriptions, BIE maps, or field surveys used to establish the boundaries and acreages cannot be verified.

**PROBLEM THIS CAUSES IF NOT FIXED:** Land surveyor review cannot be completed until supporting materials are received and verified, which causes undue delays.

**ISSUE:** Simple errors on submitted land survey products

**WHAT THIS MEANS:** Errors that could have been identified and easily fixed during QA/QC lead to more extensive comments from CDFW on first submittals and delays of approval. For example, bearings and distances in a traverse report not matching those in a legal description and/or plat. Another example is lines on a map which are not clearly identified as to what they signify.

**PROBLEM THIS CAUSES IF NOT FIXED:** Added time in the review process until approved. If QA/QC happens with the submitting permittee/sponsor/consultant before sending to CDFW for review, the result is a quicker turnaround time once the land surveyor begins their review.

**ISSUE:** Lack of proper monument citations and their references provided for Boundaries, Improvements, and Encumbrances (BIE) map and draft Records of Survey.

**WHAT THIS MEANS:** All land survey products are derived from an established boundary (field) survey. Without the ability to prove or see where the accepted monuments of record came from, there is no way to properly follow the previous surveyor's footsteps in verifying their boundary resolution.

**PROBLEM THIS CAUSES IF NOT FIXED:** CDFW land surveyors will ask for these records for verification, which will increase review time and delay approvals.

**ISSUE:** Careful attention to legal description wording, whether ambiguous or missing, changes the intent and location of the CE being described.

**WHAT THIS MEANS:** CDFW land surveyors will continue to ask for resubmittals and clarification and/or corrections.

**PROBLEM THIS CAUSES IF NOT FIXED:** Review time will be lengthened. If accepted without fixing, the CE could be recorded on the wrong portion of the property.

**ISSUE:** Field surveys performed on assumed coordinates rather than the California State Plane Coordinate System.

**WHAT THIS MEANS:** There is no way to locate the boundaries of the parent parcel(s) and CE(s) to input into our GIS database for future use by all CDFW employees needing to know their actual location on the ground.

**PROBLEM THIS CAUSES IF NOT FIXED:** CDFW employees or anyone else needing to know the parcel locations on the ground will not be able to do so. This eliminates the ability to monitor, maintain, access, or defend against encroachment regarding the CE(s).

**ISSUE:** Improper labeling/titling of Exhibits: The Plats and legal descriptions, which are intended to be part of the Conservation Easement deed (CE), do not follow the designations spelled out in the Land Survey Reference Guide.

**WHAT THIS MEANS:** These designations were created to meet the OGC pre-approved exhibit labeling/titling in the CE template(s) while keeping with standard survey practice to differentiate between the legal description and the

plat. If not followed, CDFW staff will request corrections and revisions until the documents match the designations.

**PROBLEM THIS CAUSES IF NOT FIXED:** The language in the CE will not match the exhibits, causing an errant deed to be recorded, which will require a corrective deed to be recorded, increasing the costs and time for all involved.

**ISSUE:** Legal access to CE is not labeled, or noted on BIE Map that it is provided on a separate exhibit.

**WHAT THIS MEANS:** CDFW staff reviewing and/or using the BIE Map for future reference are unsure of where to look for CE access location.

**PROBLEM THIS CAUSES IF NOT FIXED:** Review time delays due to CDFW staff having to ask for revisions or clarification.

**ISSUE:** Conservation Easement Table showing the gross acreage(s) of the CE(s), and each uncredited acreage(s) with a net total (gross minus total uncredited) not shown on the BIE Map or provided separately.

**WHAT THIS MEANS:** Total credited acreage(s) are not readily apparent and have to be ascertained through other means, possibly causing confusion or erroneous credits being given.

**PROBLEM THIS CAUSES IF NOT FIXED:** Review time delays due to CDFW staff having to ask for revisions or clarification.