

PHOTOGRAMMETRY FACILITATION MEETING

MINUTES

A meeting of the stakeholders who have an interest in the regulation of photogrammetry met on September 23, 2004, at the Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia, with the following members present:

Doyle B. Allen, APELSCIDLA Board
Tom Conry, Virginia Association of Counties
Joseph Coppedge, Virginia Association of Surveyors
Mary Beth Fletcher, Virginia Municipal League
David Maune, Potomac Region, American Society for Photogrammetry and Remote Sensing
John Palatiello, Management Association for Private Photogrammetric Surveyors
John Simmers, Virginia Department of Transportation
Curt Sumner, American Congress on Surveying and Mapping
Kevin Nelson, Virginia Association for Mapping and Land Information Systems

Staff present for all or part of the meeting were:

Louise Fontaine Ware, Director
Sandra Whitley Ryals, Chief Deputy
Carol Mitchell, Dispute Resolution Manager
Rashaun K. Minor, Administrative Assistant

The meeting commenced at 10:07 a.m. Having all committee members present, with the exception of Bill Shinar and William Sirine, Ms. Mitchell called the meeting to order.

Call to Order

Louise Ware thanked the committee members for their work on legislation and for participating in today's facilitation process to focus on drafting proposed regulations. Committee members inquired about the status of the proposed legislation relating to the licensure of photogrammetry. Ms. Ware informed them that proposed legislation was sent to the Governor's Office with all of their comments. The committee members expressed concerns about drafting regulations without knowing the structure of the law and discussed whether to proceed with the facilitation.

Discussion of Issues

Ms. Ryals explained the regulatory and legislative processes to the committee and reiterated that all comments were forwarded with the proposed legislation to the Office of the Secretary of Commerce and Trade and the Office of the Governor. She explained that the documents are now considered Governor's Confidential Working Papers.

After lengthy discussions, the committee decided to work on proposed regulations for photogrammetry and decided, by consensus, to use as a guide the proposed regulations prepared by the VAS dated September 21, 2004. During lunch, Carol Mitchell requested the committee members to prioritize the regulations for discussion by using a multivoting technique.

Prior to having an opportunity to work on the proposed regulations, Ms. Ryals returned to the meeting and informed the committee members that she had obtained approval from the Secretary's Office to allow them the opportunity to review the revised legislation to try to reach consensus. Ms. Ryals distributed Proposal Identifier Number CT-DPOR-6 Draft Legislation.

The committee members proposed revisions to § 54.1-402 and § 54.404 of the draft legislation and unanimously agreed to the changes as follows:

**REVISIONS PROPOSED BY PHOTOGRAMMETRY COMMITTEE
TO DPORS REVISED DRAFT LEGISLATION NUMBER CT-DPOR-6
SEPTEMBER 23, 2004**

LINE 83 – CONTOURS OR *[delete the word "location" and insert]*
DEPICTION OF PHYSICAL IMPROVEMENTS, PROVIDED...
LINE 84 –...THE DESIGN, MODIFICATION OR CONSTRUCTION OF
IMPROVEMENTS TO REAL PROPERTY *[delete the period and insert]*,
OR FOR FLOOD PLAIN DETERMINATION.

LINE 85 –ANY DETERMINATION *[delete the words "prepared pursuant
to the provisions of this section" and insert]* **OF TOPOGRAPHY,
CONTOURS, OR DEPICTION OF PHYSICAL IMPROVEMENTS
UTILIZING PHOTOGRAMMETRIC METHODS OR SIMILAR
REMOTE SENSING TECHNOLOGY SHALL NOT SHOW...**

LINE 89 – IT SHALL BE CLEARLY NOTED ON ANY
DOCUMENTATION PREPARED PURSUANT TO *[delete "the
provisions of this section" and insert]* **§ 54.1-402.D** THAT SUCH
DETERMINATION IS NOT TO BE USED FOR THE DESIGN,
MODIFICATION OR CONSTRUCTION OF IMPROVEMENTS TO
REAL PROPERTY *[delete the period and insert]*, **OR FOR FLOOD
PLAIN DETERMINATION.**

LINE 102 – *[delete the word "location" and insert]* **DEPICTION** OF
PHYSICAL IMPROVEMENTS.....

LINE 103 – *[Add sentence at end of Line 103] SAID REQUIREMENTS SHALL INCLUDE REASONABLE PROVISIONS FOR LICENSURE WITHOUT EXAMINATION OF PERSONS DEEMED BY THE BOARD TO BE QUALIFIED TO PROVIDE PHOTOGRAMMETRIC AND REMOTE SENSING SURVEYING SERVICES.*

LINE 104 – ANY LICENSE ISSUED PURSUANT TO THE PROVISIONS OF *[delete “this section” and insert] § 54.1-404.B.....*

LINE 106 – AND THE PRACTICE OF LAND SURVEYING FOR THE PURPOSES OF *[insert 54.1-405 after §§ 54.1-402.D] §§ 54.1-402.D, 54.1-405, 54.1-411....*

LINE 107 – *[Add sentence at the end of Line 107] THE ESTABLISHMENT OF ANY SUCH LIMITED LICENSURE SHALL NOT PROHIBIT ANY DULY QUALIFIED LAND SURVEYOR LICENSED PURSUANT TO § 54.1-400 FROM ENGAGING IN ANY SUCH LIMITED AREA OF PRACTICE.*

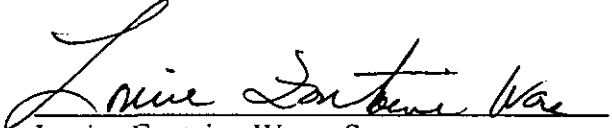
After completing the review of the draft legislation, the committee members prioritized the regulations for discussion by tallying the number of votes given to each regulation during the multivoting process. Based on those votes, the committee decided by consensus that if another meeting is scheduled in the future to discuss proposed regulations, the regulations will be discussed by the committee as follows:

- 18 VAC 10-20-315 Requirements for a licensed photogrammetric surveyor.**
- 18 VAC 10-20-295 Definitions.**
- 18 VAC 10-20-350 Examinations; grading; reexamination.**
- 18 VAC 10-20-360 Licensure by comity.**
- 18 VAC 10-20-305 Requirements for a photogrammetric surveyor-in-training designation.**
- 18 VAC 10-20-395 Photogrammetric Surveys.**
- 18 VAC 10-20-780 Professional required at each place of business.**
- 18 VAC 10-20-760 Use of Seal.**
- 18 VAC 10-20-750 Good standing in other jurisdictions.**
- 18 VAC 10-20-280 Fee schedule.**
- Regulations listed as Remaining the Same with no change**

The minutes from May 18, 2004 were approved by consensus with one correction on Page 2 in the first paragraph and last line under Section 54.1-404.2. The word “discusses” was corrected to “discussed.”

Adjourn

There being no further business, the meeting was adjourned at 2:14 p.m.


Louise Fontaine Ware, Secretary