

Certified Federal Surveyor Transition

Processes for the Oversight of the Performance of a Federal Authority Survey executed by a Certified Federal Surveyor (CFedS)

When a Requestor (Federal agency, Tribe or trust beneficiary) identifies the need to acquire a “Federal Authority Survey¹”, they may approach the survey using one of two distinct methods:

Method No. 1: Request that BLM Cadastral Survey (BLM) executes the entire process. This method is not discussed in this document as accepted processes and procedures are already in place.

Method No. 2: Enter into an agreement with both a Certified Federal Surveyor (CFedS) to provide the “Commercial Activities Services²” and the BLM for the inherently government portions of the project.

1. Preliminary Investigation: “Federal Authority Surveys” are, at times, needed for proper management of certain land actions. The BLM will work with a CFedS and the Requestor to assess the characteristics of the requested survey to determine if a Federal Authority Survey is required. Discussion will include the identification of Federal interest, prevention and detection of trespass (encroachment), the definition of resource boundaries, potential risks and other pertinent issues or concerns.

Once it has been determined a Federal Authority Survey is imminent, the CFedS will assist the Requestor in the preparation of the Request for Cadastral Survey (Form 9600-4).

2. Request for Cadastral Survey Received: When a BLM State office receives the Request for Cadastral Survey (Form 9600-4) from the Requestor, then BLM personnel will begin to research the details of the project in preparation for a meeting or conference with the Requestor and the CFedS. This research and compilation of data will include, but not be limited to:

- The Requestor’s contact information (include primary contact if a Tribe or Agency);
- Evaluation of the information provided by the Requestor;
- The purpose of the survey;

¹ A Federal Authority Survey is survey for the Secretary which represents a record of decision of the United States Government. The Federal Authority Survey process must contain a request for survey, assignment instructions, special instructions, field work including official monumentation, field notes and/or plats, a review of field notes and plats, an approval of the field notes and/or plats and the official filing in the federal record.

² Commercial Activities Services are those activities that do not bind the United States Government, do not determine the location or protect United States property, do not significantly affect the property of private persons, and don’t exert ultimate control over the acquisition, use of disposal of property of the United States or held in trust by the United States. This is also known as non-inherently government activity.

Certified Federal Surveyor Transition

- The legal description(s) of the parcel(s). A copy of the certificate, deed, patent, lease, or other descriptive document or instrument must be included;
 - Copies of any and all supporting survey records available;
 - Documentation of Federal interest;
 - Determination to initiate or affirm the need for a Federal Authority Survey;
 - Development of BLM's estimates of cost and time;
 - Assessment of BLM's resources and work schedules;
 - Statement of affirmation that the applicant is not aware of complicating factors. i.e. water boundaries, trespass, conflicting local surveys, probable litigation, etc;
 - Survey, monumentation, field returns and land description requirements; and
 - The amount of the deposit for BLM's portion of the work.
3. Pre-Survey Conference: It will be mandatory for all parties to meet to evaluate the scope and constraints of the proposed survey. This meeting or conference will discuss, confirm and record:
- The scope of the survey;
 - Responsibilities of each party; written and explained;
 - Assignment to a certain BLM cadastral surveyor (GS-1373 series);
 - Preliminary cost and time estimates for both the BLM and the CFedS;
 - Deliverables;
 - A performance schedule;
 - A Letter of Designation. This letter will be from the Requestor to a CFedS, in good standing, denoting a mutual agreement and that the CFedS represents the interests of the Requestor. This letter must accompany the Request for Cadastral Survey (Form 9600-4);
 - The Requestor is the party financially responsible to the CFedS and the BLM for services rendered. The BLM will not assume any responsibility pertaining to the Requestor/CFedS agreement. Further, the Cadastral Chief has no jurisdiction to settle differences relative to the payment for work performed. These matters are between the parties, Requestor and CFedS, and must be enforced in a professional fashion. Nonetheless, proof of a sufficient contract or payment scheme must be submitted to BLM prior to any CFedS commencing any type of work;
 - A cost estimate provided by the CFedS for the "Commercial Activities Services" portion of the project. Although it is not the responsibility of the BLM to scrutinize private cost estimates, a cursory review will be provided; and
 - A deposit for BLM's estimated portion of the survey project, both labor and material, must be included with the Request for Survey (Form 9600-4). The Requestor will be responsible for all costs incurred by the BLM in performing its responsibilities under this agreement. If the initial deposit is insufficient to cover BLM's expenses, an itemized list of current expenditures and estimate of the remaining cost to BLM will be provided to the Requestor. The Requestor shall make the additional deposit before the BLM will complete or continue its work. Any remaining funds will be refunded after the filing of the survey and after it becomes an official public record.

Certified Federal Surveyor Transition

The BLM, within 30 working days of receipt of the Request for Cadastral Survey (Form 9600-4), will draft a Contributed Service Agreement (CSA) for review by the Requestor.

4. Preparation of Contributed Service Agreement (CSA): The CSA is an agreement between the BLM and the Requestor and outlines the responsibilities of each party. In addition, it addresses insurance and liability and provides a schedule for the performance of duties and disputes. The services that a Requestor can provide in lieu of funds are limited to non-inherently governmental services and these services are tailored to the unique traits of each survey. The content of the CSA is dependent upon the project size, complexity, experience of the CFedS and Cadastral workforce capacity.
5. Issue of Instructions: Assignment Instructions will provide the authorization for the execution of the survey. Special Instructions will provide technical guidance for the field survey work. A copy of the CSA will be attached and made part of the Assignment/Special Instructions. Survey work will not commence prior to the issuance of these documents and in accordance with the performance schedule outlined in the CSA.

The BLM cadastral surveyor will serve as the technical advisor to the CFedS and will maintain the administrative record for the survey. Their roll will include:

- Oversight of all inherently governmental activities;
 - Provide technical direction to the CFedS for complications encountered during the course of the survey;
 - Collect and compile all correspondence with the CFedS;
 - Provide technical direction for the preparation of the final survey returns; and
 - Provide a review of the final returns submitted by the CFedS.
6. Final Records Preparation: At the completion of the field work, a pre-platting meeting or conference will be held between the BLM and the CFedS to discuss final document preparation and survey returns.
 7. Examination of Survey Returns: The commercial services activities will be reviewed by the assigned cadastral surveyor when submitted by the CFedS.
 8. Survey Approval: The Chief Cadastral Surveyor for the State accepts the survey by signing the field notes and plat.
 9. Records Distribution: The final record of survey will be filed in the appropriate BLM Office with the duplicate original forwarded to the Eastern States Office for filing. Copies will be provided to the Requestor.
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