

1 MINUTES

2
3 BOARD OF PROFESSIONAL SURVEYORS AND
4 MAPPERS

5
6 GENERAL BUSINESS MEETING MINUTES

7
8 VIRTUAL MEETING

9
10 FRIDAY, AUGUST 2 AND 3, 2021

11
12 PART I

13
14 The meeting was called to order by Nick Campanile, at 3:35 p.m.

15
16 **COMMITTEE MEMBERS PRESENT**

17
18 Nick Campanile, Board Chair
19 David Schryver, Board Vice Chair
20 Frank Conkling, Board Member
21 Steven Hyde, Board Member - Absent
22 Michael Zoltek, Board Member
23 Ia Hall, Board Member
24 Christopher McLaughlin, Board Member
25 George Grubbs, Board Member
26 Keith Fountain, Board Member
27 Patricia Compton, Executive Director
28 Regenia Lee, Government Analyst
29 Amanda McKibben, Board Counsel
30 Funmi Ojetaya, Prosecuting Attorney
31 Cory Fedrick, PSAM Investigator
32 Alvin Gloer
33 Brian Bellino
34 Howard Ehmke
35 Don Elder
36 Hongbo Su, Ph.D.
37 Joe McIntyre
38 Sudhagar Nagarayan
39 Rebecca Quinn
40 William McCray
41 Yan Yong

42
43 **SETTLEMENT AGREEMENTS**

44
45 **EFRAIN LOPEZ**

CASE NO. 1802-09678

NOTICED: JULY 20, 2021

46
47 MOTION: Mr. Zoltek made a motion to 1) adopt the proposed Settlement Stipulation, 2)
48 Respondent shall pay an administrative fine in the amount of \$3450.00 and the
49 administrative costs in the amount of \$527.87, 3) He shall be placed on probation
50 until compliance with all legal obligations outlined in the Settlement Stipulation.
51 SECOND: Mr. Grubbs seconded.
52 ACTION: The motion passed unanimously and 1 Recusal (Hyde)

M.E. LAND SURVEYING, INC.

CASE NO. 1802-09656

NOTICED: JULY 20, 2021

MOTION: Mr. Campanile made a motion to 1) adopt the proposed Settlement Stipulation, 2) Respondent shall pay an administrative fine in the amount of \$6250.00 and the administrative costs in the amount of \$595.79, 3) He shall be suspended until compliance with all legal obligations outlined in the agreement, 4) Suspension shall take effect on the date of entry of the Final Agreement by the Board and shall be lifted automatically upon compliance with legal obligations outlined in the Settlement Agreement.

SECOND: Mr. Zoltek seconded.

ACTION: The motion passed unanimously. 2 Recusals (Hyde and Fountain)

MARK A. JOHNSON

CASE NO. 1905-16641

NOTICED: JULY 20, 2021

(PCP Members: Hyde, Talbot, and Petzold)

AMENDED MOTION: Mr. Zoltek made an amended motion to adopt the proposed Settlement Stipulation with the amendment to have the probation lifted upon completion of all requirements in the Order on file.

SECOND: Mr. Conkling seconded.

ACTION: The motion passed unanimously. 1 Recusal (Hyde and Fountain)

THOMAS FERGUSON

CASE NO. 2003-08148

NOTICED: JULY 20, 2021

(PCP Members: Hyde, Fountain, Petzold)

MOTION: Mr. Zoltek made a motion to 1) accept the prosecutor's recommendation regarding the disposition of the final action, and 2) Respondent shall pay an administrative fine in the amount of \$3500.00 and the administrative costs in the amount of \$682.00 amended to \$616.26.

SECOND: Mr. McLaughlin seconded.

ACTION: The motion passed unanimously. 2 Recusals (Hyde and Fountain)

FLORIDA ATLANTIC UNIVERSITY DISCUSSION

Representatives from the Florida Atlantic University came before the Board with the following matter: To potentially alter the Geomatic Engineering program to Engineering Technology program. They feel that migrating the geomatics program would be more inclusive to other students in other programs. The proposal to the Board is to convert the current bachelor's degree in Geomatics Engineering to an ABET accredited program with a bachelor's degree in Engineering Technology. Their concerns would be how this would affect the responsible charge requirement. Mr. Campanile said that it depends on what accreditation is given to the program as to what the responsible charge requirement would be. Mr. Zoltek said that based on Rule 5J-17 that the responsible charge requirement of a 4- year Engineering Technology degree would be considered the same as a civil engineering degree which is 6 years of experience and 5 of those years in responsible charge vs 48 months of responsible charge experience. After the reading of Chapter 472,.013, F.S. regarding education by Ms. Hall, Mr. Zoltek stated that even though Rule 5J-17 states that the title of the program must be similarly titled, he thought that based on the Engineering Technology proposal by FAU, that he thinks it would qualify for 48 months vs. 72 months.

GENERAL BUSINESS MEETING ADJOURNED AT 5:02 P.M. RECONVENED ON AUGUST 3, 2021

110 FRIDAY, AUGUST 3, 2021
111 GENERAL BUSINESS - PART II
112 8:30 A.M.
113
114

115 **COMMITTEE MEMBERS PRESENT**
116

117 Nick Campanile, Board Chair
118 David Schryver, Board Vice Chair
119 Frank Conkling, Board Member
120 Steven Hyde, Board Member
121 Michael Zoltek, Board Member
122 Ia Hall, Board Member
123 Christopher McLaughlin, Board Member
124 George Grubbs, Board Member
125 Keith Fountain, Board Member
126 Patricia Compton, Executive Director
127 Regenia Lee, Government Analyst
128 Amanda McKibben, Board Counsel
129 Funmi Ojetaya, Prosecuting Attorney
130 Cory Fedrick, PSAM Investigator
131 Alvin Gloer
132 Brian Bellino
133 Jonathan Branson
134 Howard Ehmke
135 Don Elder
136 Hongbo Su, Ph.D.
137 Joe McIntyre
138 Sudhagar Nagarayan
139 Rebecca Quinn
140 William McCray
141 Yan Yong
142

143 **CONTINUED FLORIDA ATLANTIC UNIVERSITY DISCUSSION**
144

145 Mr. Campanile recapped the discussion from August 2, 2021. He stated that the preferred path that FAU
146 would like to take is to keep the 48 months of experience with the proposed new program. He said that
147 Chapter 472.013(2)(a) does not require ABET accreditation and 5J-17.021(2) requires 48 months of
148 experience. He stated that based on his findings, that the new program would qualify for the 48 months
149 of experience requirement to qualify for licensure. He opined that the naming of the program would also
150 qualify under the FAU proposal. Mr. Conkling opined that the removal of the name of the Geomatics
151 program would be problematic. Mr. McLaughlin and Mr. Zoltek agreed with Mr. Conkling regarding the
152 renaming of the program. Mr. Hyde stated that we may want to have the FAU proposal reviewed by
153 NCEES and Mr. Zoltek agreed. Mr. McLaughlin stated that we could take the advice and consideration
154 from NCEES, but it may involve a rule change. He also stated that there are many other institutions that
155 have engineering programs that may not fall under the same criteria as the engineering program at FAU.
156 Mr. Campanile said that based on the input of the Board, he would like for Mr. Hyde, Mr. Zoltek, and Ms.
157 Compton to put together a response for FAU.
158

159 **REVIEW AND APPROVAL OF MAY 24, 2021 GENERAL BUSINESS MINUTES**
160

161 After discussion, the following motion was made:
162

163 MOTION: Mr. Conkling made a motion to approve the May 24, 2021 General Business minutes.
164 SECOND: Mr. Hyde seconded.
165 ACTION: The motion passed unanimously.

166
167 **APPLICATION FOR DETERMINATION OF NULL AND VOID ELIGIBILITY – EMILIO LLUFRIO**
168

169 After discussion, the following motion was made:
170

171 MOTION: Mr. Hyde made a motion to reactivate the license of Mr. Llufrio.

172 SECOND: Mr. Zoltek seconded.

173 ACTION: The motion passed unanimously.
174

175 **DISCUSSION ON ELEVATION CERTIFICATES**
176

177 Mr. Campanile said that an e-mail was sent to the Board from the Florida Floodplain Management office
178 with the question of what licensed professionals in Florida are authorized by law to certify surveying
179 elevation information.
180

181 After discussion among the Board and Rebecca Quinn with the Florida Floodplain Management office,
182 the following motion was made:
183

184 MOTION: Mr. Zoltek made a motion that only licensed Florida Surveyors and Mappers may certify
185 elevation data.

186 SECOND: Mr. Fountain seconded.

187 ACTION: The motion passed unanimously.
188

189 After discussion, the following amended motion was made:
190

191 MOTION: Mr. Zoltek made an amended motion that the Board work with Ms. McKibben to ensure
192 proper language is utilized and prepare a letter of opinion regarding licensed Florida
193 Surveyors and Mappers having the sole ability to certify elevation data.

194 SECOND: Mr. Fountain seconded.

195 ACTION: The motion passed unanimously.
196

197 **NCEES ANNUAL MEETING, AUGUST 19-20, 2021**
198

199 Mr. Schryver said that the NCEES Annual Meeting is scheduled for August 19-20, 2021. He said that
200 would not be attending. Ms. Compton said that Ia Hall and Keith Fountain would be in attendance. She
201 stated that the meeting would also be available virtually.
202

203 **NCEES RESOLUTION OF COOPERATION**
204

205 Mr. Schryver said that each of the members were provided a copy of this form and each Board member
206 should have reviewed. Ms. Compton stated that the signing of this form was denied by several state
207 boards, therefore, she did not sign the form until it was brought before the Board and discussed. She
208 stated that this subject may come up at the annual meeting.
209

210 After discussion, the following amended motion was made:
211

212 MOTION: Mr. Zoltek made a motion that this Board will not sign the NCEES Resolution of
213 Cooperation.

214 SECOND: Mr. Campanile seconded.

215 ACTION: The motion passed unanimously.
216
217
218
219
220
221

222 **DISCUSSION OF DESIGNATION OF MINOR VIOLATIONS**

223
224 Mr. Schryver said that the Board had determined 3 minor violations as requested by legal.

225
226 After discussion, the following amended motion was made:

227
228 MOTION: Mr. Fountain approved the list of minor violations approved by the Rules Committee.

229 SECOND: Mr. Conkling seconded.

230 ACTION: The motion passed unanimously.

231
232 **CHAIRPERSON'S REPORT – NICK CAMPANILE**

233
234 Mr. Campanile reported that there was discussion on proposed legislation changes during the NCEES
235 Southern Zone Meeting. He said that he received a follow-up from Josh Twitty who is a NCEES strategist
236 and wanted to discuss his goal of trying to track surveying and mapping legislation changes across the
237 U.S. Mr. Campanile stated that he attended the UF Advisory Davie Campus meeting. He said that he
238 also attended the NCEES Unites State of the Council meeting. He stated there was discussion with
239 Richard Allen regarding potential legislative changes to Chapter 177, F.S.

240
241 **EXECUTIVE DIRECTOR'S REPORT – LIZ COMPTON**

242
243 Ms. Compton reported that the 2021-2023 Renewal went smoothly this year. She also stated that Mr.
244 Campanile had already mentioned the legislation that would have impacted the education and experience
245 requirement. She said that she and Ms. Lee made a presentation to SIT applicants. Ms. Compton said
246 that she would be creating a new renewal notice regarding going from delinquent to Null and Void status
247 for future renewals.

248
249 **PROSECUTOR'S REPORT – FUNMI OJETAYO**

250
251 Mr. Ojetayo said that he is meeting consistently on the backlogged cases and is moving at a rapid pace.
252 He said that there have been improved processes and efficiencies internally, as well.

253
254 **BOARD COUNSEL'S REPORT – AMANDA MCKIBBEN**

255
256 Ms. McKibben said that there is a provision in the statute that allows the Board to assign cases to legal
257 that are over a year old. She said that if there are certain cases that are over 1 year old that you want to
258 assign to legal to notify her.

259
260 **COMMITTEE REPORTS**

261
262 **PROBABLE CAUSE PANEL – KEITH FOUNTAIN**

263
264 Mr. Fountain reported the following:

265
266 June 1, 2021 – Probable cause found against 1 individual and found probable cause in 4 cases on an
267 individual and a firm.

268 July 13, 2021 – Probable cause found against 1 individual and a firm and approved closure of 3
269 complaints for individuals and their respective firms.

270 August 2, 2021 – A letter of guidance was issued against an individual and a companion firm, and
271 Probable cause against 3 other individuals and their firms.

272
273 Mr. Schryver reported Mr. Hyde's notes:

274
275 February 11, 2021 – 5 total cases with 3 probable cause and 2 letters of guidance.

276 April 20, 2021 – 4 total cases with 2 probable cause and 2 letters of guidance

277

278 **PROBATION REVIEW COMMITTEE – MICHAEL ZOLTEK**

279
280 Mr. Zoltek reported that there was 1 probationer that was reviewed, Willis Howell. The surveys did not
281 meet the standards of practice and the case has been referred to the Board office. He also stated that
282 there will be a review of Mr. John Beach at the October 2021 Board meeting.
283

284 After discussion, the following motion was made:

285
286 MOTION: Ms. Hall made a motion to approve the Probation Review Committee report.
287 SECOND: Mr. Conkling seconded.
288 ACTION: The motion passed unanimously.
289

290 **APPLICATION REVIEW COMMITTEE – CHRIS MCLAUGHLIN**

291
292 Mr. McLaughlin reported that there were 38 applicants on consent agenda. He said that 17 Initial
293 Applicants, 4 Endorsement applicants and 14 Surveyor in Training applicants. He said that 3 applications
294 were discussed and approved. All 38 applications were approved.
295

296 After discussion, the following motion was made:

297
298 MOTION: Mr. Grubbs made a motion to approve the Application Review Committee report.
299 SECOND: Mr. Zoltek seconded.
300 ACTION: The motion passed unanimously.
301

302 **CONTINUING EDUCATION COMMITTEE REPORT – FRANK CONKLING**

303
304 Mr. Conkling reported that the CE Committee approved the February 2021 minutes. He said that there
305 was discussion on CE course review audits. He said that at the next meeting the Committee would be
306 discussing a strategy on how to move forward.
307

308 After discussion, the following motion was made:

309
310 MOTION: Mr. Campanile made a motion to approve the Continuing Education Committee
311 report.
312 SECOND: Mr. seconded.
313 ACTION: The motion passed unanimously.
314

315 **EXAM COMMITTEE – LIZ COMPTON**

316
317 Ms. Compton reported that the Committee discussed the exam procedure by Prometric and it's going very
318 well. Ms. Compton stated that there were 16 Florida Jurisdictional Examination examinees. She reported
319 that the NCEES FS 29 Exams of which 21 are scheduled, and 8 completed and the NCEES PS 12
320 Exams and 8 are scheduled and 4 completed for July August, and September 2021. The 5 modules are
321 moving forward and should be distributed to surveyors and mappers shortly, but the modules will not be
322 active until 2024-25. NCEES testing is getting back to normal.
323

324 After discussion, the following motion was made:

325
326 MOTION: Mr. Conkling made a motion to approve the Exam Committee report.
327 SECOND: Mr. McLaughlin seconded.
328 ACTION: The motion passed unanimously.
329
330
331
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333

334 **RULES COMMITTEE – KEITH FOUNTAIN**

335
336 Mr. Fountain reported that the February 2021 and the April 21, 2021 special meeting minutes were
337 approved. He stated that Mr. Zoltek will consult with Ms. McKibben and Ms. Compton regarding the rule
338 development. He said that Ms. Compton would develop a list of rules and present at the October 2021
339 Board meeting.

340
341 After discussion, the following motion was made:

342
343 MOTION: Mr. Conkling made a motion to approve the Rules Committee report.
344 SECOND: Mr. Zoltek seconded.
345 ACTION: The motion passed unanimously.

346
347 **NCEES LIAISON REPORT – DAVID SCHRYVER**

348
349 Mr. Schryver reported that in June 2021 NCEES Education awards were given as follows:

350
351 1 - \$25,000 University of Maine
352 3 - \$15,000 Ferris University, New Mexico State University, and Nichols State University
353 3 - \$10,000 Florida Atlantic University, North Carolina Agriculture and Technical State University, and
354 Oregon Institute of Technology.

355
356 He reported that June 25, 2021 Engineering, Surveying and MBA Forum was held virtually, and the
357 annual meeting will be held in New Orleans, Louisiana, August 19-20, 2021.

358
359 **LIAISON – IA HALL**

360
361 Ms. Hall reported on the following:

362
363 May 13-July 30

364
365 **NSPS Committee Update**

366 NSPS EXECUTIVE COMMITTEE

367 President, Mark Sargent (NH) Director, Thomas Brooks (AL)
368 President-Elect, Tim Burch (IL) Director, Matt Morris (MT)
369 Vice President, Amanda Allred (WA) Director, James Coan (WA)
370 Treasurer, Bob Miller (PA) Director, Patti Brooks (NY)
371 Secretary, Craig Amey (MI) Executive Director, Curt Sumner (MD)
372 Immediate Past President, Lisa Van Horn (WI)

373
374 **NSPS Stolen Equipment Registry**

375 NSPS continues to maintain a registry of stolen equipment.

376 To register the loss, please provide the following information by email:

- 377 1. Description of Instruments including Serial Number
378 2. Location where equipment was stolen, include nearest Town and State
379 3. Date stolen
380 4. Contact person to provide information, including phone and/or email

February

2021 NSPS Student Competition

The 2021 NSPS Student Competition was held in conjunction with the Spring meetings of the National Society of Professional Surveyors. This year's competition did not include field exercises to accommodate official health and safety advice. The competition began on February 16, 2021, with a presentation by NSPS of the purpose of the Annual Student Competition and the purpose of this year's challenge.

Ligado and GPS Interference Highlighted by DOD Opposition to FCC Action

A recent Congressional Research Service (CRS) report found that there are numerous sections of the recently enacted 2021 National Defense Authorization Act (NDAA) related to GPS interference by the Federal Communications Commission's (FCC) Ligado Order. In April 2020, unanimously approved an application by Ligado Networks LLC (Ligado) to "deploy a low-power [9.8-decibel watts (dBW)] terrestrial nationwide network in the 1526-1536 MHz, 1627.5-1637.5 MHz, and 1646.5-1656.5 MHz bands [of the electromagnetic spectrum] that will primarily support Internet of Things (IoT) services." These frequency bands are traditionally used for satellite operations. The Department of Defense (DOD) opposed this decision—along with the Department of Homeland Security, Department of Transportation (DOT), Department of Interior, Department of Justice, the Federal Aviation Administration (FAA), and others. That opposition related to concerns that Ligado's proposed network could interfere with signals from satellites to Global Positioning System (GPS) receivers. Congress may consider federal agency concerns, including DOD concerns related to mission-critical systems and the FCC's response, as it conducts oversight of the FCC's ruling. Congress may also consider broader issues related to fifth-generation (5G) mobile technologies, such as the allocation of spectrum among competing users and the impact of spectrum decisions on national security. NSPS has been tracking this issue for nearly a decade, has written the FCC, and is working with numerous new coalitions opposing the Ligado Order.

House GPS Caucus Has New Co-Chair

Rep. Mikie Sherrill (D-NJ) joined Rep. Don Bacon (R-NE) as bipartisan co-chairs of the House GPS Caucus to promote the benefits of GPS technology. The Caucus endeavors to educate Members of Congress and their staff on the societal benefits of GPS technology, including support of economic growth, national security, and modernized infrastructure while advocating for the continuous availability, accuracy, reliability, and resiliency of the GPS constellation. The Senate GPS Caucus is co-chaired by Senators Tammy Duckworth (D-IL) and Joni Ernst (R-IA).

Congressional Leaders Request President Biden Utilize Harbor Maintenance Trust Fund

House Committee on Transportation and Infrastructure Chair Peter DeFazio (D-OR) and Ranking Member Sam Graves (R-MO) have urged President Biden to fully utilize the Harbor Maintenance Trust Fund (HMTF) in his upcoming budget request, a move that would make billions of dollars in already-collected fees available to the U.S. Army Corps of Engineers to maintain U.S. ports and harbors, which create jobs and help drive the economy, including in the provision of hydrographic surveys. In their letter, DeFazio and Graves noted that while the HMTF remains underutilized—with approximately \$10 billion sitting idle in the trust fund and an additional \$1.6 billion in collections being deposited annually—the bipartisan Water Resources Development Act (WRDA) of 2020, signed into law late last year—has given the President new tools to finally unlock these much-needed funds and make them available to communities across the country.

White House Presents NSPS Consultants with Digital Coast Act

As a recognition of the leadership role NSPS government affairs consultant John Palatiello and NSPS registered lobbyist John "JB" Byrd played in enacting the Digital Coast Act, the two were presented a "redline" copy of the new law by the White House. The NSPS government affairs consulting firm of Miller

Wenhold Capitol Strategies led the Digital Coast Partnership Advocacy Coalition. NSPS is a member, which provided critical support that resulted in the bill becoming Public Law 116-223 on December 18.

GPSIA Requests The White House Help Settling GPS Conflicts

The GPS Innovation Alliance (GPSIA), of which NSPS is a member, has sent a letter to the White House National Economic Council asking it solve the issues with Ligado interfering with GPS spectrum. The coalition was tangled in the dispute between executive branch agencies during the Trump Administration and the Federal Communications Commission (FCC) over whether the commission's Ligado approval decision in 2020 would affect GPS. GPSIA recommends that the economic council update a memorandum of understanding between the FCC and Commerce Department to help ease decision-making; install a detailee from federal agencies managing GPS in the FCC's engineering office each FCC commissioner add a technical adviser to its staff.

FEMA Disaster Resilience Grants Process Needs Streamlining

The Government Accountability Office (GAO) has issued a report finding that from fiscal years 2010 through 2018, the Federal Emergency Management Agency (FEMA) obligated over \$11 billion through four grant programs that fund state and local hazard mitigation efforts. FEMA awarded about 88 percent of this amount through the two grant programs that fund hazard mitigation post-disaster. State and local officials from selected jurisdictions reported challenges with FEMA's hazard mitigation grant programs. By developing and implementing a plan to identify ways to streamline applications and reviews for all four programs, FEMA could reduce barriers to investments in hazard mitigation. Creating a centralized inventory of resources could improve applicant capacity to develop mitigation projects and apply for grants successfully.

NOAA HSRP to Meet in Early March

The NOAA Hydrographic Services Review Panel (HSRP) Federal Advisory Committee met virtually by webinar on March 3 and 4 to focus on NOAA's navigation services, data, and products. The HSRP is a Federal Advisory Committee that provides NOAA with independent advice on improving the quality, efficiency, and usefulness of NOAA's navigation-related products, data, and services. The HSRP advises the NOAA Administrator about its navigation (i.e. nautical charts and ENCs), physical oceanographic (i.e. tides & water levels), geospatial, positioning, and shoreline programs, products, and services. There are two public meetings each year in different port regions at which we seek public comments from stakeholders and partners.

NSPS Signs Coalition Letter to Congress on Infrastructure

NSPS has joined over 300 organizations as part of the "Build by the Fourth" Coalition by cosigning a coalition letter to Congress calling for infrastructure investment. As part of the "Build by the Fourth" campaign led by the U.S. Chamber of Commerce and the Bipartisan Policy Center, a coalition of more than 300 groups sent a letter to lawmakers today urging Congress to finally follow through on perennial calls to upgrade the nation's crumbling roads and bridges and expand broadband access, and to do it in an environmentally sustainable in a "bipartisan" way by the Fourth of July.

FCC Task Force on Rural Connectivity met March 12

The next virtual meeting of the Task Force for Reviewing the Connectivity and Technology Needs of Precision Agriculture in the United States (Precision Ag Connectivity Task Force or Task Force) was held March 12. At this meeting, the Task Force considered and voted on a report from its Accelerating Broadband Deployment on Unserved Agricultural Lands Working Group. The Task Force discussed any updates and matters from its other working groups. NSPS Member Brent Birth of Pennsylvania is a member of the mapping working group. At FCC's Open Meeting, Acting FCC Chairwoman Jessica Rosenwerfel created a task force comprised of FCC staff to correct the maps. Jean Kiddoo was named chair of the task force, coordinating the FCC's broadband mapping and data collection efforts across the

various expert agency teams, including the Office of Economics and Analytics, Wireline Competition Bureau, and other offices and bureaus.

March

NSPS-Supported Water-Related Bills Introduced in Congress

Rep. Mikie Sherrill (D-NJ), the co-chair of the House GPS Caucus, has introduced two bipartisan bills that address flood research, data collection, and communications. The Flood Level Observation, Operations, and Decision Support (FLOODS) Act (H.R. 1438) directs the National Weather Service to predict better, forecast, and communicate about flooding events, which will help communities better respond to floods. The Providing Research and Estimates of Changes in Precipitation (PRECIP) Act (H.R. 1437) provides critical updates to extreme precipitation data, which will improve understanding of how changing precipitation patterns affect flood risk. NSPS is a supporter of both bills in the Congressional office news release and the House Science Committee announcement.

2021 Global Surveyors Day - March 23

On March 23, nearly 500 people from 6 continents participated in the 2021 Global Surveyors Day virtual event hosted by the Council of European Geodetic Surveyors (CGLE). NSPS FIG Delegation leader John Hohol participated in the event. NSPS will host the Global Surveyors Day event in 2022. The honoree selected for GSD 2021 was Johann Carl Friedrich Gauss (1778-1855).

Previously, NSPS President-elect Tim Burch was a panelist in the “Connecting Consulting Surveyors Australia 2021 Global Surveyors Day” celebration, which included almost 100 participants worldwide.

Infrastructure Push Begins in Congress

Last week, the Senate Environment and Public Work Committee’s hearing on infrastructure investment set some incredibly lofty goals for future investment in surface transportation. Addressing climate change, improving equity, and fostering economic growth represent an incredibly elusive trifecta for a body with difficulty finding a permanent solution to funding surface transportation and other infrastructure in the United States.

FEMA Technical Mapping Advisory Council (TMAC) Virtual Meeting held March 1 and 2, 2021

Jim Nadeau, NSPS Representative

Day 1 – On March 1, 2021, the TMAC met virtually to discuss each chapter of the 2020 Annual Report before a final vote to submit to FEMA. After much deliberation, the report passed unanimously and was approved before the close of the day. The meeting also included public comments and discussion to dedicate this year’s report to Mark Crowell, the first Designated Federal Officer of TMAC, who passed September 27, 2020.

Day 2 – On March 2, 2021, the TMAC met virtually again to discuss FEMA’s tasking letter for FY 2021, which Mike Grimm initially presented, FEMA’s Assistant Administrator for Risk Management within the Federal Insurance and Mitigation Administration. Topics included: continue engaging with external stakeholders; review recommendations from the TMAC’s 2015 Future Conditions Report; and explore risk management frameworks. The remainder of the meeting was devoted to tasking letter topics, determining the quantity of subcommittees, and the formation of subcommittees. Doug Bellimo, the Engineering Member, was voted in as the 2021 TMAC Chair, replacing Jeff Sparrow, the Mapping Member who served as the council chair for 2 years. This year’s council is currently in transition, as 9 of the 20 members have expired terms, but the vetting process of new applicants will hopefully make the council whole soon.

FEMA's NFIP and Managing Federal Real Property Make GAO High-Risk Series (Again)

Every two years, the Government Accountability Office (GAO) issues a report listing federal programs and operations that are of high risk for waste, fraud, abuse, and mismanagement or that need broad reform. The High-Risk List for 2021 reviews progress and outlines further actions needed in areas on the list. In testimony, this week before the House Committee on Oversight and Reform and the Senate Homeland Security and Government Affairs Committee GAO said for the National Flood Insurance Program, "Congress should consider comprehensive reform ... to improve its solvency and enhance the nation's resilience to floods, including funding for flood mitigation and flood mapping." On Managing Federal Real Property, GAO said, "we continue to find serious data errors that undermine the reliability of the (Federal Real Property Profile) FRPP." NSPS continues to champion mapping reforms in the NFIP as well as the Federal Land Asset Inventory Reform (FLAIR) Act to provide a current, accurate inventory of land and buildings owned by the Federal government.

House Bill Unveiled to Tackle Climate Change

Rep. Frank Pallone (D-NJ), chair of the House Energy and Commerce Committee, last week introduced the Climate Leadership and Environmental Action for our Nation's (CLEAN) Future Act, H.R.1512. The bill presents both sector-specific and economy-wide solutions offering a sweeping set of policy proposals that will dramatically cut greenhouse gas pollution in areas within the Committee's jurisdiction such as power, building, transportation, and industrial. Included in the bill are numerous provisions related to geospatial data, services, technology, and applications.

DHS Publishes Free Resources to Protect Critical Infrastructure from GPS Spoofing

The Department of Homeland Security (DHS) Science and Technology Directorate (S&T) announced last week it has published the Positioning, Navigation, and Timing (PNT) Integrity Library and Epsilon Algorithm Suite to protect against Global Navigation Satellite System (GNSS) spoofing or deceiving a Global Positioning System (GPS) device through false signals. These resources advance the design of PNT systems and increase the resilience of critical infrastructure to PNT disruptions. PNT services, such as GPS, are a national critical function that enables many critical infrastructure applications. The PNT Integrity Library and Epsilon Algorithm Suite address this issue by providing users a method to verify the integrity of the received GPS data. The PNT Integrity Library and Epsilon Algorithm Suite are open-source and available free of charge.

USGS Stream Gauge Network Evaluated

The Congressional Research Service (CRS) published a report providing information to members of Congress on the USGS Stream gauging Network. Stream gauges are fixed structures at streams, rivers, lakes, and reservoirs that measure water level and related streamflow—the amount of water flowing through a water body over time. The U.S. Geological Survey (USGS) in the Department of the Interior operates stream gauges in every state, the District of Columbia, and the territories of Puerto Rico and Guam. The USGS Stream gauging Network encompasses 11,340 stream gauges, which record water levels or streamflow for at least a portion of the year. Approximately 8,460 of these stream gauges measure streamflow year-round as part of the National Streamflow Network. The USGS also deploys temporary rapid deployment gages to measure water levels during storm event and select stream gauges measure water quality.

NSPS Celebrates 40 years

The American Congress on Surveying and Mapping was formed in 1941. Two Divisions were dedicated to the surveying profession: Property Surveys Division and Land Surveys Division. In 1946, the ACSM Technical Standards for Property Surveys document was created and became a background for what eventually became the Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys. As the largest of the four Member Organizations in ACSM, eventually, NSPS became an independent entity,

resulting in joint membership agreements with 48 of the state societies and the society in Washington, DC.

President Biden signs \$1.9 trillion COVID & related relief bill into law

Last week, President Biden signed into law H.R. 1319, the “American Rescue Plan Act of 2021,” which provides additional relief to address the continued impact of the COVID-19 pandemic on the economy, public health, State and local governments, individuals, and businesses. The House Report (H. Rept. 117-7) explains the bill. While the new law does not include provisions directly and specifically impacting the surveying profession, it does have indirect effects on businesses and government agencies with surveying programs and requirements.

Buying the Intracoastal Waterway & Submerged Lands

Old Surveying and mapping errors being claimed by development company. They are quietly buying up parts submerged lands of Hillsboro inlet and the Florida's Intracoastal waterway, then in lawsuits suing landowners and utility companies on encroachments into his land.

House committee Begins infrastructure efforts

The House Energy and Commerce Committee is the first panel to begin marshaling the Biden Administration's next big policy goal – infrastructure - through Congress with a hearing on a \$312 billion, 476 page “Leading Infrastructure for Tomorrow's America Act”, H.R. 1848. The legislation focuses on five broad infrastructure needs under the Committee's jurisdiction: universal broadband and next-generation 9-1-1; safe drinking water, clean energy, health care, and brownfield redevelopment. Key investments include: \$3.5 billion for electric grid infrastructure; \$1 billion in grants for the installation of solar panels; \$41.8 billion for the deployment of electric vehicle infrastructure, clean ports and smart communities including \$500 million for rebates for light-duty electric vehicle charging infrastructure; \$51.6 billion to protect Americans' drinking water by extending and increasing funding for the State Revolving Loan Fund and other safe water programs and providing substantial new funding for the replacement of lead service lines that threaten public health; \$2.7 billion for Brownfields restoration and reinvestment in communities where properties with hazardous substances or contaminants prevent their reuse; and \$80 billion for the deployment of secure and resilient high-speed broadband to expand access nationwide by funding connections to the internet in unserved and underserved rural, suburban, and urban areas, facilitating crucial connectivity that will lead to stronger small businesses, more jobs, and a powerful economy in communities that have been left behind. House Speaker Nancy Pelosi (D-CA) has instructed committees to develop proposals for a comprehensive infrastructure package. This includes the Committee on Transportation and Infrastructure, which has jurisdiction over highways, water projects, airports, ports and harbors, railroads, and pipelines.

RECLAIM Act reintroduced in Congress

Representatives Matt Cartwright (D-PA) and Hal Rogers (R-KY) introduced legislation to reauthorize and accelerate federal funding to reclaim abandoned mine lands across America by helping create good jobs, paving the way for new economic development and cleaning up waterways polluted by toxic mine drainage. The Revitalizing the Economy of Coal Communities by Leveraging Local Activities and Investing More (RECLAIM) Act (H.R. 1733) accelerates the release of about \$1 billion in funds already collected for the Abandoned Mine Land Trust Fund to provide support for economic revitalization, diversification, and development in economically distressed mining communities through the reclamation and restoration of land and water resources adversely affected by coal mining.

Coastal barrier maps need improvement

A recent Government Accountability Office (GAO) report found that under the Coastal Barrier Resources Act (CBRA), federal agencies must consult with the Department of the Interior's Fish and Wildlife Service (FWS) before making expenditures according to statutory exceptions in certain relatively undeveloped coastal areas. These areas, designated as the Coastal Barrier Resources System (CBRS), help defend

the mainland from coastal storms. FWS is responsible for maintaining maps of the CBRS, and the act requires FWS to review and, if necessary, update the maps every 5 years. GAO recommended that FWS develop a strategy for complying with the CBRA requirement to review and, as necessary, update CBRS maps every 5 years.

Biden administration unveils the first proposal for infrastructure

Early media reports and speculation indicate the Biden Administration's infrastructure plan could top \$3 trillion but include more than traditional projects such as roads and bridges. A senior House Democrat in a key position on transportation funding told an NSPS representative major issues such as the size of the program, its scope, how it will be paid for, whether the bill or bills will be bipartisan or supported only by Democrats, and what legislative process will be used to pass it are all still unresolved. Some reports indicate the bill could also include climate change provisions, equity proposals, and significant tax increases. The initial Republican reaction was not favorable, with Senator John Cornyn (R-TX), the former GOP Whip, calling the proposal a "boondoggle."

LIFT America bill priorities highlighted in House committee memo

The Committee on Energy and Commerce in the U.S. House of Representatives on March 11 introduced H.R. 1848, the "Leading Infrastructure for Tomorrow's America Act" or the "LIFT America Act". The legislation proposes to invest more than \$312 billion in clean energy, energy efficiency, drinking water, broadband, and health care infrastructure. Highlights as outlined in the Committee Memo: 1) Increases the authorization of funds, from \$40 billion in FY 2020 to nearly \$80 billion for FY 2022-2026, to support broadband infrastructure deployment in unserved, low-tier, and mid-tier areas to 100 percent of households in the United States based on the broadband maps produced by the FCC; 2) Increases the total authorization of funds for Next Generation 9-1-1, from \$12 billion for FY 2020-2024 to \$15 billion for FY 2022-2026; and 3) Authorizes \$22.5 billion over FY 2022-2026 for drinking water lead service line replacement through the Drinking Water State Revolving Fund (SRF).

Environmental justice for all act introduced

The House Committee on Natural Resources' leadership reintroduced their landmark Environmental Justice for All Act. Sen. Tammy Duckworth (D-IL), Co-Chair of the Senate GPS Caucus, introduced the Senate Companion (S. 872). The bill comes as Capitol Hill and the Biden administration prepare what will likely be a multi-trillion-dollar infrastructure package with significant potential to fund environmental justice priorities. The legislation authorizes \$75 million in annual grants for research and program development to reduce health disparities and improve public health in environmental justice communities. Section 9 provides a role for EPA's mapping and screening tool for nationally consistent data, environmental data, and data on national parks and other federally protected natural, historical, and cultural sites.

April

2021 ALTA/NSPS Standards Frequently Asked Questions (FAQs)

The 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys became effective on February 23.

President Biden Outlines Infrastructure Wishlist

President Joe Biden last week introduced a sweeping \$2 trillion infrastructure and jobs package that looks to reshape the American economy and make the most significant domestic U.S. investments in generations. His far-reaching American Jobs Plan includes spending to repair aging roads and bridges, jump-start transit projects and rebuild school buildings and hospitals, as well as expand electric vehicles, replace all lead pipes, and overhaul the nation's water systems. But the plan goes far beyond physical

infrastructure as it looks to build the nation's clean energy workforce, expand manufacturing and boost caregiving as a profession to serve the elderly and disabled and other social programs.

House Panel Hears from USDOT Secretary Buttigieg

Transportation Department Secretary Pete Buttigieg touted the opportunity to go big on infrastructure, which becomes a key focus for the Biden administration. He appeared last week at a House Transportation Committee hearing for a discussion of the administration's priorities for roads, bridges, and other public works. Reports earlier this week said the Biden administration is planning for a package of investments in infrastructure and other domestic priorities that could cost \$3 trillion. But there are many details to be colored in, including if Biden would support splitting such a package into two bills. According to the White House, Biden will give more details about his plans for infrastructure investment in a speech on Wednesday in Pittsburgh.

MAPLand Act Introduced in Congress

The leadership of the Senate Energy and Natural Resources Committee recently introduced the Modernizing Access to our Public Land (MAPLand) Act, S. 904. The bill will standardize the digitization and dissemination of information regarding recreational access and allowable activities on millions of acres of federal public lands throughout the United States using geospatial and GPS data. In addition to lead sponsors, Senators Jim Risch (R-ID) and Angus King (I-ME), the legislation is co-sponsored by the chairman and ranking member of the Senate Energy and Natural Resources Committee, Joe Manchin (D-WV) and John Barrasso (R-WY), respectively, as well as Senators Mike Crapo (R-ID), Martin Heinrich (D-NM), Steve Daines (R-MT), Mark Kelly (D-AZ), and Susan Collins (R-ME).

Spring 2021 government affairs report highlights NSPS accomplishments, activities

What's happening in Congress and the Federal government that impacts the profession of surveying? On what issues has NSPS been involved and impacted? The NSPS government affairs consultants, Miller/Wenhold Capitol Strategies, provided a comprehensive report for the Spring meeting of the NSPS Board of Directors and Government Affairs Committee. The report provides a full view of the depth and breadth of the NSPS national government affairs program representing the interest of surveyors. It provides one of the leading benefits of membership in NSPS and state surveying societies through the 100% Membership program.

President Biden releases 'skinny' budget

Last week, the Biden Administration sent Congress its first budget request for the 2022 fiscal year, outlining a set of priorities, including funding for medical research, education, housing, civil rights, combating gun violence, tackling climate change, and more. The administration is seeking \$1.5 trillion in discretionary funding. Administration officials said they aim to release their full budget in late spring, including non-discretionary spending such as Medicare, Social Security, and tax proposals. The so-called "skinny budget" proposal is a request for \$769 billion in non-defense funding. This marks a 16% increase over the 2021 fiscal year spending.

FEMA's Building Resilient Infrastructure and Communities (BRIC) program evaluated

A recent Congressional Research Service (CRS) report found that FEMA introduced a new program in FY2020, the Building Resilient Infrastructure and Communities (BRIC) grant program. Any state with a major disaster declaration in the seven years before the application start date is eligible to apply. All states, territories, and recognized tribal governments are eligible in FY2020 due to the COVID-19 pandemic disaster declarations. A total of \$500 million was available in FY2020. The priorities for BRIC in FY2020 were to incentivize public infrastructure projects, projects that mitigate risk to one or more community lifelines projects that incorporate nature-based solutions, and adoption and enforcement of the latest published editions of building codes. BRIC priorities also focused on future conditions, with applications evaluated on how the project would anticipate future conditions, such as population and

demographics, climate change, and sea-level rise. A new feature of BRIC is that projects submitted to the national competition must be reviewed on both technical criteria and qualitative criteria such as risk reduction effectiveness and partnerships. FEMA received 980 applications for BRIC funding in FY2020; the highest number received to date. Fifty-three states and territories requested over \$3.6 billion, with 62 tribal applications requesting \$20.2 million.

NGAC met in April

The National Geospatial Advisory Committee (NGAC) met virtually on April 27 and 28. The NGAC provides advice and recommendations related to the management of Federal and national geospatial programs, the development of the National Spatial Data Infrastructure, and the implementation of the Geospatial Data Act of 2018 (GDA) and Office of Management and Budget Circular A-16. The NGAC reviews and comments on geospatial policy and management issues and provides a forum to convey views representative of non-federal stakeholders in the geospatial community. The NGAC meeting is one of the primary ways that the FGDC collaborates with its broad network of partners. Agenda topics included FGDC Update, GDA Reporting, Landsat Advisory Group, 3D Elevation Program, Stakeholder Engagement, GeoPlatform, National Spatial Data Infrastructure Strategic Plan Implementation, and Public-Private Partnerships.

NSPS Virtual Day on the Hill Concludes

April 20 and 21. The voice of the surveying profession was heard loud and clear in Congress last week as NSPS members visited with members of their Congressional delegations as part of the virtual NSPS Day on the Hill. More than 80 NSPS members from 40 states visited more than 150 members of the U.S. Senate and House of Representatives and their staff to discuss the role of the surveying profession in legislation pending before the 117th Congress.

Trillion Trees Legislation Reintroduced in Congress

Rep. Bruce Westerman (R-AR) recently reintroduced H.R. 2639, the Trillion Trees Act, a bipartisan bill that will solidify the United States as a global leader of the One Trillion Trees Initiative to conserve, restore, and grow 1 trillion trees worldwide. Studies show that restoring 1 trillion new trees globally would sequester 205 gigatons of carbon, an amount equivalent to two-thirds of all manmade emissions remaining in the atmosphere today. It also authorizes the Secretary of Agriculture to enter into agreements with other Federal agencies and departments to improve the use and integration of advanced remote sensing and geospatial technologies in the forest inventory and analysis program. Information includes a section-by-section summary and a 1-page synopsis.

Biden Administration Issues Executive Order on Minimum Wage for Federal Contractors

President Biden this week issued an executive order requiring federal contractors to pay a \$15 minimum wage to hundreds of thousands of employees working on federal contracts. This executive order will increase the hourly minimum wage for federal contractors to \$15 starting January 30, 2022. Agencies must also implement the higher wage into existing contracts upon an option to extend such contracts. The U.S. Department of Labor's Wage and Hour Division and the Federal Acquisition and Regulatory Council will engage in rulemaking to implement and enforce this Executive Order.

May

Senate Passes Water Infrastructure Bill

The Senate overwhelmingly approved a water infrastructure bill by a vote of 89-2, in what many in Washington hope will help set the stage for a much larger infrastructure measure. As an authorizing measure S. 914, the Drinking Water and Wastewater Infrastructure Act (DWWIA) of 2021 would increase funding levels for the nation's drinking water and sewer systems to \$35 billion with a particular focus on disadvantaged communities, it did not touch the lightning-rod issue of how to pay for those investments.

S. 914 includes developing an infrastructure asset map, including technology such as GIS and GPS software. The bill now heads to the House, where Democratic lawmakers are working on their measure.

Legislation Aims to Protect Telecom Infrastructure from Climate Change and Natural Disasters

Senators Ed Markey (D-MA) and Ron Wyden (D-OR) last week introduced S. 1506, the Generating Resilient and Energy Efficient Network (GREEN) Communications Act. The legislation will harden communications networks against climate change and natural disasters while simultaneously reducing the carbon footprint of communications infrastructure. It would create a new program at the National Telecommunications and Information Administration (NTIA), which will fund projects to increase the resiliency and energy efficiency of communications networks and infrastructure. In addition, this legislation will instruct the Federal Communications Commission (FCC) to establish a regulatory resiliency framework designed to minimize the number, length, and impact of future communications network outages. NSPS met with Sen. Markey's staff and explained the need for accurate surveying data to support this effort.

NSPS Helps Launch Construction Procurement Caucus (CPC)

Representatives Scott Peters (D-CA) and Peter Stauber (R-MN) held a virtual news conference moderated by NSPS lobbyist John "JB" Byrd to launch a new Construction Procurement Caucus. The caucus will serve as a forum for Congress members to collaborate on ways to improve efficiency in the federal government procurement process for design and construction-related services, including surveying and mapping.

June

ROCKS Act introduced in the Senate

Senators Rob Portman (R-OH) and Mark Kelly (D-AZ) have introduced S. 1672, the Rebuilding Our Communities by Keeping Aggregates Sustainable (ROCKS) Act, a bill that would make federal transportation projects more sustainable, efficient, and beneficial to local economies by advancing the use of locally sourced aggregate resources, like sand, stone, and gravel. In the House, a companion bill, H.R. 611, has been introduced by Representatives Greg Stanton (D-AZ) and Troy Balderson (R-OH).

Pennsylvania Society of Land Surveyors Announces New Management

The Pennsylvania Society of Land Surveyors (PSLS) has announced the firm of Miller/Wenhold Association Management has been selected to provide association management services for the organization effective June 1, 2021. "We are thrilled to hand the reins over to Miller/Wenhold," said Amy Hopkins, PLS, President of the Pennsylvania Society of Land Surveyors. "The firm brings an abundance of experience in association management and expertise in the surveying profession." A division of Miller/Wenhold Capitol Strategies, LLC, the association management firm acquired John M. Palatiello & Associates, Inc. in 2018 and rebranded the two companies earlier this year. The combined firm has more than 35 years of experience in management of and advocacy for associations in the surveying, mapping, geospatial, and engineering fields. PSLS joins a portfolio of association management clients that includes the Maryland Society of Surveyors (MSS), Virginia Association of Surveyors (VAS), U.S. Geospatial Executives Organization (U.S. GEO), Subsurface Utility Engineering Association (SUEA), and Council on Federal Procurement of Architectural and Engineering Services (COFPAES), as well as Federal government relations and lobbying for the National Society of Professional Surveyors (NSPS).

NSPS seeks improvement to DC to underground utilities law

A coalition of design, surveying, construction, and subsurface utility engineering organizations, including NSPS, has asked District of Columbia Mayor Muriel Bowser to review a recently enacted underground facilities protection law, citing shortcomings in the ordinance. The letter seeks implementing regulations to

improve the fact the local Washington, DC act is not addressing utility damage prevention best practices prior to construction, specifically regarding engineering design and subsurface utility engineering.

Report highlights need to improve GSA's real property database

A recent Government Accountability Office (GAO) report found that addressing the accuracy of publicly available street address information in GSA's real-property database is needed to help remove Federal Real Property Management from the GAO's High-Risk list. GSA's continued attention to these issues could lead to significant improvements in federal real property management—a high-risk area that GAO has identified as needing transformation to address economy, efficiency, or effectiveness challenges. GAO specifically outlined the following problem with GSA's address data, "We found that 67 percent of the street addresses in the public database were incomplete or incorrectly formatted. We recommended that GSA ensure that street address information in the public database is complete and correctly formatted. To implement this recommendation, GSA should continue coordinating with agencies to implement strategies for improving location data in the public database and validate their effectiveness."

Fall 2021 surveying education options at University of Maine

Ray Hintz, Surveying Engineering Program Coordinator

No surveyor should not have educational opportunities no matter their location. The University of Maine will continue to accept applications for the fall semester until mid-August.

Our current online options and how to apply can be viewed at <https://online.umaine.edu/surveying/>. They are:

- (1) Undergraduate certificate in surveying engineering technology
- (2) BS in surveying engineering technology (ABET ETAC accredited)
- (3) Graduate certificate in surveying engineering
- (4) Professional Science Master's in Engineering and Business surveying engineering option

The undergrad certificate is an easy application and is a good way to work into the BS degree. We currently have 240 surveying students spread across the four options.

Out-of-state students enrolled in a UMaineOnline degree or certificate program receive a low tuition e-rate which is in-state*1.25.

House Panel Begins Action on Highway Bill

The majority party Democrats on the House Committee on Transportation and Infrastructure released a draft highway bill last week. Committee Chairman Peter DeFazio (D-OR) scheduled a markup session for the bill for this week. There are numerous amendments that NSPS is tracking closely. Pegged at \$547 Billion, the INVEST in America Act not only improves existing roads and bridges and making record investments in passenger rail, public transit, ports, and airports, but increases the Federal role in bicycle and pedestrian trails, climate change, electric vehicle charging stations, greenhouse gas emission reduction, and green technology.

MAPLand Act Heard by House Committee

The House Committee on Natural Resources held a hearing this week on the Modernizing Access to our Public Land (MAPLand) Act, H.R. 3113. The bill standardizes the digitization and dissemination of mapping and other information regarding recreational access and allowable activities on millions of acres of federal public lands throughout the U.S. by using geospatial and GPS data, including for BLM, Forest Service, USACE-managed property and assets. BLM testimony focused on geospatial data management, the FGDC, and the GeoPlatform while Forest Service testimony focused on GIS, easements and Rights of Way. During the hearing, Rep. Bruce Westerman (R-AR), ranking member of the committee, commented that he was happy to serve as a cosponsor of the FLAIR Act in past Congresses. The news release by Reps. Blake Moore (R-UT), Joe Neguse (D-CO), Kim Schrier (D-WA), and Russ Fulcher (R-ID) includes a quote in support of the bill provided by NSPS Executive Director Curtis Sumner.

NGS Makes Geospatial Summit Documents Available

National Geodetic Survey (NGS) hosted an online Geospatial Summit focusing on the National Spatial Reference System (NSRS) Modernization and the updated Survey Foot, among other topics. In brief, NGS plans to replace the North American Datum of 1983 (NAD 83) and the North American Vertical Datum of 1988 (NAVD 88) in the coming years, an NSRS Modernization will impact federal mapping agencies, engineers, surveyors, and many other geospatial applications and user groups.

Federal Regulatory Agenda Released

The Biden administration has published its first regulatory agenda, a list of forthcoming rules which aims to advance in support of some of the President's top goals, including climate change, racial and social equity, and helping small businesses. Some of the specific goals of the agenda include increasing pipeline safety, easing requirements for small businesses to refinance their debt, and reducing greenhouse gas emissions. A proposed rule on requiring federal contractors to pay their employees a \$15 minimum wage is expected in July. This is in response to the executive order Biden issued in April. The regulation priorities mirror the president's budget proposal for fiscal 2022 released on May 28 as well as his executive orders and other actions the administration has taken since assuming office in January.

FGDC Explores Public Private Partnership Models

The Federal Geographic Data Committee's (FGDC) National Geospatial Advisory Committee (NGAC) held an informational briefing on Public-Private Partnerships on Thursday, June 3, in which NSPS Government Affairs Consultant John Palatiello was a participant. The purpose of the briefing was to share the results and recommendations from the NGAC's recent paper, "Advancing the National Spatial Data Infrastructure Through Public-Private Partnerships and Other Innovative Partnerships," adopted in December, 2020. The NGAC also adopted a set of use cases that outline a variety of partnerships – with examples involving the private sector, State, local, and regional government, and international examples. The briefing included an overview of the findings and recommendations in the paper, as well as examples from the partnership use cases.

NSPS Participated in RETAIN GPS & SatCom Act Introduction in the U.S. Senate

The legislation offered in the U.S. Senate would mitigate any spectrum interference with GPS signals by any entity, particularly Ligado (formerly LightSquared), by requiring such an entity to financially compensate any party injured by such interference. The bipartisan legislation will require Ligado to cover the cost for correcting any interference their operations create for the public or private sector. While the April 2020 Federal Communications Commission (FCC) order that provided conditional approval of Ligado's spectrum operation mandates that the firm upgrade or replace government devices that are impacted by the order, it does not specify what those costs are and is silent on covering private sector GPS users. This bill specifically outlines that all the areas of potential costs that must be borne by Ligado, including but not limited to engineering, construction, site acquisition, research, personnel or contracting staff, labor costs, etc., and specifically notes that these apply to those impacted in the private sector, such as surveyors, as well. NSPS is a member of several coalitions working to protect GPS.

FEMA Testifies on Risk Rating 2.0 and NFIP Reauthorization

The Senate Banking Committee last week held its second hearing of the year on the National Flood Insurance Program (NFIP) reauthorization. In his testimony, FEMA Deputy Associate Administrator for Federal Insurance and Mitigation David Maurstad said, "The National Flood Mapping Program is modernizing flood hazard identification from one focused on probabilistic floods – like the 1-percent-annual-chance-event – to a conversation about structure-specific risk based on a more comprehensive risk profile and that accounts for other types of flood hazards. FEMA identifies flood hazards related to

943 rivers, coasts, lakes, and rainfall using the best available scientific data, the latest technology, and proven
944 engineering methods. As directed by the Biggert-Waters Act of 2012, FEMA is looking to expand the flood
945 hazard mapping inventory (identifying the 100-year and 500-year floodplain in all areas necessary),
946 address climate change/future conditions, analyze areas of residual risk and inundation due to
947 overtopping and/or failure of levees and dams, and modernize its IT infrastructure to make
948 comprehensive flood information more readily available.”
949

950 **NGAC to Meet Next Week**

951 The National Geospatial Advisory Committee (NGAC) will meet virtually next week during the afternoons
952 of June 29 and 30. The NGAC provides advice and recommendations related to management of Federal
953 and national geospatial programs, the development of the National Spatial Data Infrastructure (NSDI),
954 and the implementation of the Geospatial Data Act of 2018 (GDA) and Office of Management and Budget
955 Circular A–16. The NGAC reviews and comments on geospatial policy and management issues and
956 provides a forum to convey views representative of non-federal stakeholders in the geospatial community.
957 The NGAC meeting is one of the primary ways that the FGDC collaborates with its broad network of
958 partners. Agenda Topics include: FGDC Update; GDA Implementation; NSDI Strategic Plan Information;
959 Landsat Advisory Group; Public-Private Partnerships; and NGAC 2021 Activities.
960

961 **NTIA Launches New Map of Broadband Coverage**

962 The National Telecommunications and Information Administration (NTIA) last week launched a new
963 publicly available digital map that displays key indicators of broadband needs across the country and
964 shows huge gaps in use of high-speed internet service. This is the first interactive, public map that allows
965 users to explore different datasets about where people do not have quality Internet access. NTIA also
966 offers to state governments and federal partners a geographic information system (GIS) platform called
967 the National Broadband Availability Map (NBAM) that provides more complex tools for analyzing
968 broadband access, such as the ability to upload GIS files to compare proposed projects. The mapping
969 platform allows these states and others to better inform broadband projects and funding decisions.
970

971 **FCC Seeks Nominations for Rechartered Precision Ag Task Force**

972 The FCC issued a public notice announcing its intent to recharter the Task Force for Reviewing
973 Connectivity and Technology Needs of Precision Agriculture in the United States, which provides advice
974 to the commission on accelerating the deployment of broadband internet access service on unserved
975 agriculture land to promote precision agriculture. The FCC also seeks nominations for membership on the
976 task force and its working groups. Nominations for membership to the task force are due July 12, 2021. In
977 2020, Brent Birth, PLS, of Pennsylvania was appointed by Federal Communications Commission (FCC)
978 Chairman Ajit Pai to the FCC Task Force Working Group for "Mapping and Analyzing Connectivity on
979 Agricultural Lands."
980

981 **July**

983 **Coastal and Shoreline Bills Showcased by Congressional Panel**

984 The House Committee on Natural Resources last week held a hearing on several coastal and water
985 related bills. Introduced by Rep. Nydia Velazquez (D-NY), the National Coastal Resilience Data and
986 Services Act aims to address present and future flooding risks, develop innovative and science-based
987 solutions to combat the climate crisis, and create an interagency subcommittee on coastal flooding and
988 sea level rise while utilizing mapping data. H.R. 3228 also directs NOAA to collect and centralize data on
989 flood risks across the nation. This central database, the “National Coastal Data Information System”,
990 would help coastal communities prepare for future natural disasters through data analysis product
991 development and the collection of maps, and data on rising sea levels, while also directing the President
992 to establish the first interagency subcommittee on coastal flooding and sea level rise. Introduced by Reps.
993 Susan Bonamici (D-OR) and Don Young (R-AK), the Bolstering Long-Term Understanding and

Exploration of the Great Lakes, Oceans, Bays, and Estuaries (BLUE GLOBE) Act will accelerate the collection, management, and dissemination of ocean data and monitoring. H.R. 3748 will improve domestic coordination including by the Federal Geographic Data Committee (FGDC) and strengthen federal innovation efforts to expand ocean data and monitoring technologies.

House Appropriators Continue Work on Funding Bills

The House Appropriations Committee this week continued marking up numerous funding bills for federal agencies for the fiscal year beginning on October 1. Drafts were recently circulated for several bills of interest to surveyors, including the Homeland Security bill which funds FEMA NFIP, the Interior bill which funds USGS and BLM, the Agriculture bill which funds rural broadband, and the Financial Services & General Government bill that funds GSA and SBA. The full House and the Senate Appropriations Committee may start their appropriations bills next month.

Pipeline Safety Regulations Strive for Safety

In 2019, the Pipeline and Hazardous Materials Safety Administration (PHMSA) issued a final rule amending its hazardous liquid pipeline safety regulations. Selected pipeline operators and officials from PHMSA and selected state pipeline safety offices said these changes would enhance pipeline safety and present no significant challenges, with the most beneficial changes in an expanded scope of inspections. PHMSA and state pipeline safety officials said they did not anticipate oversight challenges or additional costs because the changes did not alter their inspection process. A recent Government Accountability Office (GAO) report found that stakeholders believe the changes could improve safety without presenting significant challenges. However, several operators said they would need to modify or replace pipelines to accommodate certain inspection tools. The U.S. hazardous liquid pipeline network runs for over 220,000 miles and is critical to the economy. Pipelines are considered a relatively safe way to transport crude oil and other hazardous liquids, but accidents can happen.

Subsidence Seen as Possible Factor in Florida Condo Collapse

NSPS has been assisting the U.S. Geological Survey (USGS), in conjunction with the National Aeronautics and Space Administration (NASA), National Geodetic Survey (NGS) of the National Oceanic and Atmospheric Administration (NOAA), U.S. Army Corps of Engineers (USACE) and others on the development of a National Land Level Change (NLLC) map. This small-scale national map would help identify areas of the U.S. that are prone to subsidence. A national subsidence program was authorized by Congress in the National Landslide Preparedness Act (Public Law 116-323), that was signed into law by President Trump on January 5, 2021, before leaving office earlier this year. NSPS was a strong advocate for the legislation. News reports on the tragic high rise condominium collapse in Surfside, Florida has led scientists and engineers to identify subsidence as a contributing factor to the structural failure. NSPS lobbyist John "JB" Byrd is discussing with members of Congress funds for USGS to begin a NLLC map to track areas of subsidence, which will stimulate more precise and accurate large-scale surveying and mapping on a site specific basis in subsidence-prone locales.

Save the Date! November 3-5, 2021 Survey and GIS Summit - Virtual Event

NSPS adviser comments on Florida condo collapse

In a column appearing in P.O.B., NSPS government affairs consultant John Palatiello provided insight on what the tragic June 24 collapse of the Champlain Towers South condominium in Surfside, Florida means for surveyors and engineers. Subsidence has been cited by local experts as a possible contributing factor to the structural failure. NSPS has been assisting the U.S. Geological Survey on development of a National Land Level Change map to identify areas in the United States that are prone to subsidence. While such building failures are rare in the U.S., in 1984 Congress investigated contemporary cases and issued a report on "Structural Failures in Public Facilities" that included recommendations in support of

the “Brooks Act” qualification-based selection (QBS) process for architecture and engineering services, which include surveying and mapping.

House passes highway bill

The U.S. House of Representatives on July 1 passed a highway reauthorization bill that would direct more than \$700 billion over five years for roads, bridges, and transit, while adding provisions for railways, electric vehicles, and water. The INVEST in America Act (H.R. 3684) passed in a largely party-line vote of 221-201. Republicans blasted the bill, complaining Democrats have broken a long-standing tradition of crafting bipartisan highway bills to favor environmental and climate change provisions. Separately, a group of 10 U.S. Senators negotiated a broader infrastructure that has earned President Biden’s support. Details on process, scope, and financing are still to be worked out. Whether a highway bill or infrastructure package will ultimately become law is still an unknown, with House Speaker Nancy Pelosi (D-CA), Senate Majority Leader Chuck Schumer (D-NY) siding with the most liberal wing of their party, holding out for an omnibus \$4 trillion bill that also funds “human infrastructure” programs, such as climate change, childcare, and health care, among others.

Interior appropriations bill clears House panel

The House Appropriations Committee approved the fiscal year 2022 Interior, Environment, and Related Agencies bill on a 32-24 vote. In total, the bill funding for the Department of the Interior and EPA includes \$43.4 billion in regular appropriations, an increase of \$7.3 billion – 20.2 percent – above 2021. The bill allocates \$900 million for land acquisition and support for state recreation programs; \$131 million for Brownfields cleanups; \$428.6 million Community Project Funding for over 280 drinking water, wastewater, and storm water management projects across the country; \$1.6 billion for the U.S. Geological Survey, an increase of \$327 million above the enacted level and equal to the President’s budget request; and \$1.6 billion for the Bureau of Land Management, \$285 million above the FY 2021 enacted level and \$26 million below the President’s budget request. Included is a \$5 million increase in funding for USGS’s 3D elevation program (3DEP), which NSPS sought.

NGAC meeting summary now available

The National Geospatial Advisory Committee (NGAC) met virtually last week. The FGDC is working with Department of the Interior offices to establish the new NGAC 3DEP subcommittee and appoint subcommittee membership. The NGAC Charter is being updated to formally establish the new subcommittee. The FGDC is also developing Operating Procedures that will describe the roles, responsibilities, and processes of the subcommittee. FGDC has convened a review panel to evaluate NGAC nominations and develop recommendations for appointment. Final decisions on appointments will be made by the Secretary of the Interior. The nominations received from the recent Call for Nominations will be used to fill NGAC vacancies in 2021 and 2022.

GPSIA Column Defends RETAIN Act

GPS Innovation Alliance, GPSIA, released a new blog post, entitled "Setting the Record Straight: The RETAIN Act & U.S. Leadership on 5G." It is available here: <https://www.gpsalliance.org/post/setting-the-record-straight-the-retain-act-u-s-leadership-on-5g>. Please feel free to share and/or use the @GPS4Life handle on Twitter. It responds to a piece published last week by The Free State Foundation, in which they argued that the RETAIN Act would restrain America’s 5G future.

Education Committee Meeting regarding the 2022 Student Competition

On August 3, 2021 at 11:00 am EDT there will be a discussion on the 2022 NSPS Student Competition. We have a preliminary program in place and need to discuss that, location, and timing of this event. The plan is to have a topic, date, and place set for when the Students come back in the fall.

Middle Atlantic Surveyors Plan August 1 Tubing Float Trip

With COVID restrictions abating, it's time to re-engage with fellow surveyors. While in-person education programs and conferences are being planned by many surveying societies, we don't need to wait until then to network and collaborate with other professionals. That's why the Maryland Society of Surveyors (MSS) is inviting fellow surveyors to join them in a Tubing Adventure on Sunday, August 1, 2021 in Harpers Ferry, West Virginia. This fun activity is a great way to enjoy the company of your colleagues, as well as family members and friends on the Shenandoah River for an easy "float trip". MSS has negotiated a special group rate for surveyors and accompanying family and friends. In fact, MSS has included members of the District of Columbia Association of Land Surveyors (DCALS), Virginia Association of Surveyors (VAS), West Virginia Society of Professional Surveyors (WVSPS), and Pennsylvania Society of Land Surveyors (PSLS) as well. Any interested NSPS member is invited. This is a casual, fun event. No meeting, no speeches, no ZOOM, no continuing education credits! It's a great way to get back to a post-COVID "normal".

Biden Executive Order Targets Occupational Licensing

President Joe Biden recently issued a new executive order aimed at cracking down on anti-competitive practices in technology, labor, and numerous other sectors. The sweeping order, which includes 72 actions and recommendations that involve more than a dozen federal agencies, is intended to reshape the thinking around corporate consolidation and antitrust laws, according to a White House fact sheet. Among the activities the White House claims to be anti-competitive is occupational licensing. "Overly burdensome occupational licensing requirements that impede worker mobility and suppress wages also restrict competition. Today, almost 30% of jobs in the United States require a license, up from less than 5% in the 1950s. Fewer than 5% of occupations that require licensing in at least one state are treated consistently across all 50 states. That locks some people out of jobs, and it makes it harder for people to move between states—particularly burdening military spouses, 34% of whom work in a field requiring a license and are subject to military-directed moves every few years. The President's rationale, "And, while many occupational licenses are critical to increasing wages for workers and especially workers of color, some overly restrictive occupational licensing requirements can impede workers' ability to find jobs and to move between States." In the Order, the President "Encourages the FTC to ban unnecessary occupational licensing restrictions that impede economic mobility."

USGS 3DEP BAA Training Webinar Set for August 11

The FY22 Broad Agency Announcement (BAA) for 3D Elevation Program (3DEP) has been scheduled by the USGS for release in August 2021. The BAA provides detailed information on how to partner with the USGS and other Federal agencies to acquire high-quality 3D Elevation data. The 3D Elevation program relies on investments from a wide range of 3DEP stakeholders with interest in developing partnerships to share data acquisition costs in support of individual mission and business requirements. The 3DEP BAA provides a vehicle for partnering with the USGS and other federal agencies to acquire high-quality 3D Elevation data to advance the program's goal of providing the first-ever national baseline of consistent high-resolution topographic elevation data – both bare earth and 3D point clouds.

New NTIA Broadband Map Criticized in the Senate

Sen. Roger Wicker (R-MS) has asked the National Telecommunications & Information Administration (NTIA) to review its broadband data collection, suggesting it is using "woefully inaccurate" data that threatens the effectiveness of billions of dollars in broadband subsidies. Accurate data collection has been a big issue, particularly at the FCC, as the need for universal broadband grew during the COVID-19 pandemic and the spotlight on the digital divide, both rural and urban, grew stronger. Last month, NTIA released what it was billing as the first interactive map showing "key indicators of broadband needs across the country. The Administration said the "Indicators of Broadband Need" interactive mapping tool illustrated the digital divide to the public. President Biden has proposed more than \$100 million in broadband subsidies to try and close that divide.

President Biden Signs into Law Reverse Auctions Reform Bill

NSPS scored a legislative victory when President Biden earlier this week signed into law Public Law 117-28, the Construction Consensus Procurement Act of 2021 (H.R. 26). The bill prevents the federal government's use of reverse auctions for complex design and construction services. Reverse auctions allow the sellers to bid down the price of a project. Use of reverse auctions typically results in the contractor with the lowest bid winning the contract. In the case of complex design and construction projects, a reverse auction fails to factor in several substantial variables about the project. Reverse auctions in other areas of the federal government, such as with purchasing products, have proven to be effective. As a result, this legislation ensures reverse auctions are still available to be used for those types of acquisitions. As a member of the Council on Federal Procurement of Architectural and Engineering Services (COFPAES) and the Construction Industry Procurement Coalition (CIPC), NSPS has been an active participant in support of the new law to prohibit reverse auctions from being used for Federal agencies procuring A-E services, including for surveying and mapping services.

Land Subsidence Amendment Filed to Boost USGS NLLC Map

A bipartisan group of members of the House of Representatives last week filed an amendment to H.R. 4502, a "megabus" fiscal year 2022 spending bill comprised of seven appropriations bills, including the funding for the Department of the Interior. This amendment would provide \$5 million for the U.S. Geological Survey (USGS), with support from other agencies, including NASA, the National Geodetic Survey, and U.S. Army Corps of Engineers to begin development of a National Land Level Change (NLLC) Map to identify areas of the nation prone to subsidence. The House is completing work on the megabus appropriations bill is on the House Floor this week, and the bipartisan amendment is expected to be included in the overall bill. The amendment was sponsored by Reps. Maria Salazar (R-FL), Suzan DelBene (D-WA), Brian Mast (R-FL), Gus Bilirakis (R-FL), Carlos Gimenez (R-FL), Debbie Wasserman Schultz (D-FL), Mike Waltz (R-FL), and Ashley Hinson (R-IA). A national subsidence program was authorized by Congress when the National Landslide Preparedness Act, Public Law 116-323, was signed earlier this year by then-President Donald Trump. Experts have indicated that early assessments of the collapse of the high-rise condominium in Florida last month may have, in part, been attributed to subsidence. The NLLC will create a small-scale national map that will stimulate the need and demand for more accurate, local, large-scale, and project-specific surveys by members of the profession.

Senate FLAIR Act Introduced, NSPS and NDSPLS Quoted

Sens. Kevin Cramer (R-ND) and Martin Heinrich (D-NM) last week introduced the Federal Land Asset Inventory Reform (FLAIR) Act (S. 2433), a bipartisan bill to create a single database for lands owned by the federal government. Both Senators introduced the FLAIR Act in May 2019, and at their urging, the Senate Energy and Natural Resources (ENR) Committee held a hearing on it in September 2020. Local and national groups involved with and affected by federal mapping efforts issued statements in support of the FLAIR Act's reintroduction. "The National Society of Professional Surveyors (NSPS) commends the leadership provided by Senators Kevin Cramer (R-ND) and Martin Heinrich (D-NM) for their bipartisan introduction of the Federal Land Asset Inventory Reform (FLAIR) Act of 2021," said NSPS Executive Director Curtis Sumner. "NSPS stands ready to help with the objectives of this important reform legislation, and strongly encourages Congress and the President to enact the FLAIR Act into law." "The surveying profession would greatly benefit from a current, accurate inventory of Federal lands. Particularly in the Western states, public land survey system surveys would be more efficient," said North Dakota Society of Professional Land Surveyors (NDSPLS) Past-President Jason Main. "NDSPLS is very thankful for Senator Cramer's vision in addressing this important government reform effort as authorized in the Federal Land Asset Inventory Reform (FLAIR) Act."

FIRM IT Act Introduced, NSPS and FSMS Quoted

Sen. Marco Rubio (R-FL) and Rep. Bill Posey (R-FL) introduced the Flood Insurance Rate Map Interagency Technology (FIRM IT) Act (S. 2418/H.R. 4605). This bicameral legislation would direct FEMA

to consult with the U.S. Department of Defense (DOD), the USGS, and NOAA to obtain the most up-to-date information relevant to National Flood Insurance Program (NFIP) rate maps. This will provide Americans who utilize NFIP, with the most accurate data for flood hazard identification. Rubio and Posey first introduced this legislation in April 2019. "NSPS commends Senator Rubio for introducing the FIRM IT Act which focuses on data sharing, and specifically improving efforts on topographic and cadastral data where it is available," Curtis W. Sumner, Executive Director of the National Society of Professional Surveyors (NSPS), said. "Florida Surveying and Mapping Society applauds Senator Rubio for this beneficial legislation. The inclusion of geographic attributes in the FIRM IT Act will provide a better platform for our state's citizens and the Federal agencies in addressing flood risk management and recovery," Dianne M. Collins, PLS, Past President of the Florida Surveying and Mapping Society (FSMS), said.

NSPS Advocacy Alert. Promoting the House RETAIN GPS & SatCom Act

Learn about the NSPS leadership in opposing GPS interference by Ligado, the recent bipartisan introduction of the House version of the RETAIN Act (H.R. 4634), and how to contact your U.S. Representatives to request co-sponsorship of H.R. 4634. Each state society and affiliate should plan to attend to help mobilize their respective memberships to support this Federal policy bill during the August Recess. The webinar will feature NSPS Executive Director Curt Sumner and NSPS Federal Lobbyist John "JB" Byrd. The webinar will be held on August 3, 2021 at 2:00 PM EDT. Sign up on NSPS website.

FSMS LIAISON – CHRIS MCLAUGHLIN

Mr. McLaughlin reported that he attended the FSMS Board of Directors Annual meeting. He said he also attended the FSMS Board of Director's mini meeting and wildlife corridors were discussed. He said that he also attended the surveying and mapping council meeting on April 14, 2021. He stated that on April 14, 2021 there was discussion regarding needed vendors and sponsors. He said there was legislative discussion regarding surveying and mapping. He said that the FDEP had filled an advertised position. The incumbent is retiring. He said that FDOT is advertising available positions. He said that the South Florida Water Management District is also advertising available positions.

NEW/OLD BUSINESS

Ms. Compton reported that she had reached out to states regarding the requirement for i.d. badges. She said that are many states that have reported back to her and that they do not require them. Some of the states reported that they require reasonable efforts to notify homeowners. Mr. Campanile said that he received a request regarding Everglades University. Mr. McLaughlin said that on a case-by-case basis we have approved applications with degrees from Everglades University.

PUBLIC COMMENT

Mr. Elder stated that based on his experience, identification badge requirement was not statutory and was a business decision. He said that he would be hesitant to make this a requirement for surveyors and mappers.

ADJOURNMENT AT 1:15 p.m.