



LAE I LAE POINT TO POINT

Lae I Lae, a newsletter from the **Hawaii Land Surveyors Association**, an affiliate and a member with the National Society of Professional Surveyors

EMAIL: hlsa-hawaii@outlook.com WEBSITE: www.hlsahawaii.org

COMPRISED OF APPROXIMATELY
70% OF THE LICENSED LAND
SURVEYORS IN HAWAII OUR
OBJECTIVE IS TO BRING TOGETHER
THE LAND SURVEYING
COMMUNITY THROUGH EDUCATION
AND TO PROVIDE NETWORKING
OPPORTUNITIES AND BUSINESS
RESOURCES.

Kalaupapa Harbor, Island of Mōlokaʻi
Photo By: Cliff Yim, PLS (HI)



PRESIDENT'S MESSAGE

BY: VICTOR RASGADO, LPLS

Aloha HLSA members!

I hope the start to your Spring is flowering with plenty of opportunities for work and play—here on the Big Island the April rains have brought the May flowers. As we spring forward into the summer months, I'd like to recognize the 2022 HLSA Board of Directors, installed at the annual HLSA members meeting this past March, they are:

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- Vice President – Cliff Yim
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- Big Island Liaison – Victor Rasgado

*Find more information and contact information for the HLSA Board of Directors here:
<https://www.hlsahawaii.org/about-us/board-of-directors/>

2022 Virtual HLSA / ASPLS Surveyors Conference

The Board's first task for the year was to immediately spring into action and help bring forth a quality Virtual Surveyors Conference with the Alaska Society of Professional Land Surveyors (ASPLS). A special Thanks to all of you who were able to attend, and I sincerely hope you enjoyed the experience! Also, I'd like to take the time and send a huge “Thank You” to Crissy Wilson for keeping the HLSA and ASPLS on task and choreographing the entire event for all of us. One of the benefits of a virtual conference is the class sessions are recorded and available for viewing after the conference—the recordings are now available for viewing in the conference app.

No worries if you are unable to attend the conference, the HLSA will receive copies of the recordings and we will discuss how to best make them available to all our members. I totally get if virtual meetings and or conferences are not your thing, so you'll be happy to know we are planning for our first in person meeting!!



PRESIDENT'S MESSAGE

BY: VICTOR RASGADO, LPLS

2022 HLSA Annual Dinner - In Person

Our 2022 Annual Dinner meeting is set to be in person, and we are looking for recommendations for both venue and speaker—please send your ideas to anyone of our HLSA board members. At our last annual dinner, we were fortunate to have one of the crew members from the Hōkūle'a talk story with us and share his experiences navigating the open oceans.

Young Surveyors Network

For those upcoming surveyors looking for networking opportunities please consider reaching out to our Young Surveyors Network liaisons Alikea Garo and Brett Etheredge. The Alaska surveyors also have a Young Surveyors Network and there was discussion to bring both parties together at our joint conference--Could be Fun!

HLSA Workshops and Educational Opportunities

Over the last two years the HLSA board has worked to bring more learning opportunities to our surveying community. We've started a video library of past virtual workshops which can be accessed through our Vimeo account, Check Out:

- GPS in Hawaii <https://vimeo.com/580956613/6a001e4bf4>
- Research at the State of Hawaii Land Survey Division <https://vimeo.com/645869733/53052912ad>
- Land Court Deregistration - New File Plan Requirements
<https://vimeo.com/645874934/63f6ed0c1f>
- 2021 ALTA Standards Update Workshop <https://vimeo.com/670054007/55ac3b6928>

If you have ideas for a workshop or would like to share your knowledge and teach a workshop please let us know!

In addition, the HLSA board has been working with schools both in state and abroad and have put together a list of schools offering both on-line and in person certificate and degree programs. You can find a list of Surveying and Geomatics programs here: <https://www.hlsahawaii.org/career-paths/>

On behalf of the HLSA Board of Directors, Thank You for your continued support and we wish you plenty of good fortune as we spring into the summer months.

Mahalo Nui Loa,
Victor M. Rasgado
HLSA President



EMPLOYMENT OPPORTUNITIES



HAWAII ENGINEERING GROUP, INC.

Hawaii Engineering Group, Inc. is a full-service civil, structural and electrical consulting engineering and land surveying firm that specializes in commercial, industrial and residential projects. With over 25 years of experience in the industry, we recognize that we are only as successful as the people we employ.

SURVEY PARTY CHIEF (HONOLULU):

HAWAII ENGINEERING GROUP, INC. IS LOOKING FOR A SURVEY PARTY CHIEF FOR A LONG-TERM FULL-TIME POSITION.

- PERSON MUST BE DEPENDABLE, HAVE A DRIVER'S LICENSE, BE A U.S. CITIZEN, HAVE NO FELONY CONVICTIONS AND BE ABLE TO TRAVEL.
- EXPERIENCE MUST INCLUDE 5 YEARS FIELD WORK EXPERIENCE IN ALTA, TOPOGRAPHIC, BOUNDARY AND CONSTRUCTION SURVEYS. AUTOCAD AND TDS DATA COLLECTOR EXPERIENCE A PLUS. MUST HAVE EXPERIENCE AS A PARTY CHIEF.
- SEND RESUME TO: HEGADMIN@HAWAIIENGINEERING.NET
- SALARY: NEGOTIABLE WITH EXPERIENCE
- BENEFITS: MEDICAL, 401K, PROFIT SHARING, PAID VACATION & SICK LEAVE

Aerial Surveying, Inc.

Currently looking to fill the following position:

SURVEY FIELD TECHNICIAN

- Drone Pilots License required or willing to obtain one.
- Experience in GPS and field data collection required
- Willing to Travel
- Salary determined by experience

Send resume to tom@surveyhawaii.com



EMPLOYMENT OPPORTUNITIES



ParEn, Inc. □ dba **park engineering**

ParEn, Inc. dba Park Engineering is an employee-owned, small business enterprise providing civil engineering and surveying services to clients throughout the State of Hawaii. As one of the leading engineering and surveying firms in Hawaii, Park Engineering has played an important role in the development and growth of our island community for the past 70 years.

Land Surveying Field Technician: Rodman (Full-Time)

The Survey Rodman will be responsible for assisting the Party Chief in the performance of field work on all types of surveying projects.

General Responsibilities:

- Transporting and setting up equipment and instruments necessary for the survey.
- Preparing the job site for a survey, such as, clearing out the areas of vegetation or debris.
- Holding the prism staff and using of all tools necessary to complete the survey.
- Keep the company vehicle, tools and equipment clean and orderly.
- Inform the Party Chief or management of any safety concerns.
- Comply with all safety requirements.
- Able to take instructions from the Party Chief and work with others.

Requirements:

- High School Diploma or GED preferred.
- Maintain a valid driver's license.
- Work in various work environments.
- Able to lift up to 50-lbs.
- Knowledge with basic mathematics and reading numerals.

Advancement opportunities are available.

Email Resume: wteruya@pareninc.com



EMPLOYMENT OPPORTUNITIES



WES THOMAS ASSOCIATES

-Land Surveyors-

75-5749 Kalawa Street, Suite 201, Kailua-Kona, Hawaii 96740

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surveys@wtahawaii.com - www.wtahawaii.com

Wes Thomas Associates has been surveying in Hawai'i since 1975. This has allowed us the luxury of dedicating our staff, equipment, and facilities to this single specialized profession.

Our office is conveniently located in Kailua-Kona on the Big Island of Hawai'i and is managed by our President and Chief Surveyor, Chrystal Thomas Yamasaki, LPLS. Our staff has an aggregate experience of over 100 years of providing professional land surveying services in Hawai'i. Surveying is the primary focus of the firm, and we have completed thousands of individual survey projects since our inception.

POSITION AVAILABLE: SURVEY PROJECT MANAGER (KONA, BIG ISLAND)

Position Summary:

- Full-time position available for experienced survey project manager.
- You will be working closely with land surveyors, other project managers and CAD personnel.
- Expectations include: acquisition of field data, analysis of research and field data, preparation of project computations for use by CAD personnel and ultimately delivery of a final product for the client.
- Pay will depend on level of experience, certifications and licenses, if any.
- Our firm offers Medical, Dental and Paid Vacation and Sick Leave (at anniversary date)
- Inquire for more information/Send Resume to: surveys@wtahawaii.com or call **(808) 329-2353**



DAVIS-BACON

TIMOTHY W. BURCH, EXECUTIVE DIRECTOR, NSPS

The Department of Labor has issued proposed rule changes that will include surveying under the Davis-Bacon Act, so we asked John Palatiello, NSPS Legislative Consultant, back on the podcast to discuss the issue. He shared the history of the Davis-Bacon Act and why including surveying under rules typically established for labor is a negative for the profession. John talks about how NSPS, our state affiliates, and our membership can help oppose these proposed changes so our profession will not be subject to these proposed rules.

Biden Administrations Seeks to Reinstate Applying Davis-Bacon Act to Survey Crews
The Department of Labor is on March 11, 2022 proposed a massive rewrite of regulations expanding the Davis Bacon Act, promoting a new standard to apply to members of survey crews as “laborers or mechanics”. See, in particular, page 129-130.,
Notice of Proposed Rule: Updating the Davis-Bacon and Related Acts Regulations | U.S. Department of Labor (dol.gov)

Davis-Bacon. (2022) <https://www.nsps.us.com/page/DavisBacon>

Below is the suggested wording to send to our members to use in creating their own statement for disclosure to the DOL:

NSPS and (insert your state organization here) members are urged to file comments with the U.S. Department of Labor in opposition to classifying members of survey crews as “laborers and mechanics” under a 90-year old law known as the Davis-Bacon Act.

(insert your state organization here) is engaged on this issue with the National Society of Professional Surveyors.

For additional information and background, <https://www.nsps.us.com/page/DavisBacon>
This includes a recent Town Hall hosted by NSPS, a PowerPoint, and a podcast.

For instructions on filing comments, and tips on what to put in your comments, https://cdn.ymaws.com/www.nsps.us.com/resource/resmgr/davis-bacon/Member_Comment_Talking_Point.pdf

Comments are due by close of business this coming Tuesday, May 17. The voice of the surveying profession must be heard. Comments may be brief, but please, submit a comment.

[Notice of Proposed Rule](#): Updating the Davis-Bacon and Related Acts Regulations (March 11, 2022)

Comment must be filed by May 17, 2022

Submit comments via www.regulations.gov

Cite: "Regulatory Information Number (RIN) 1235-AA40"

Points to make in comments:

- Members of land surveying crews working on federally-funded construction projects are not "laborers and mechanics" as that term is applied in the Davis-Bacon Act, making those workers subject to the Act, the Department of Labor reversed more than 50 years of policy and practice.
- [Secretary Arthur Goldberg](#), under President John F. Kennedy, in 1962 ruled that members of survey crews were EXEMPT from Davis-Bacon. He noted that such workers are covered ONLY to the extent to which they "perform manual work, such as clearing brush and sharpening stakes," which he said, "are not commonplace".
- The proposed rule fails to acknowledge the Goldberg standard. Rather, it suggests a new standard to apply to members of survey crews as laborers or mechanics under the Act, which is unprecedented, and is outside of the boundaries of the Act and the regulations.
- See page 15729 at [2022-05346.pdf \(govinfo.gov\)](#): "The Department has historically recognized that members of survey crews who perform primarily physical and/or manual work on a DBA or Related Acts covered project on the site of the work immediately prior to or during construction in direct support of construction crews may be laborers or mechanics subject to the Davis-Bacon labor standards."
- This is not true. The Department has historically recognized that members of survey crews are not laborers or mechanics subject to the Davis-Bacon labor standards.
- The proposed rule blatantly misrepresents the history and the standard by which members of survey crews would be covered by the Act. It fails to recognize the reality of surveying practice, in which members of survey crews are engaged in activities that are predominately intellectual, analytical, and judgmental in nature, NOT physical or manual. Staking by survey crews on a job site is 1% the physical and manual task of putting a stake in the ground and 99% collecting and analyzing data and making judgements for determining where to set a stake.
- The classification of members of survey crews as "laborers and mechanics" is contrary to virtually every other government and private sector classification, including those of the Labor Department itself and the Office of Personnel Management for surveying technicians employed by the federal government.
- There has been no legislation, court ruling, Comptroller General decision or other governmental action that changed Secretary Goldberg's interpretation. In fact, there have been rulings upholding the exemption of surveyors from the Davis-Bacon Act.

- A 2010 Connecticut Superior Court case ruled against its state Davis-Bacon application to surveying, citing the longstanding federal policy as justification. (SEE: [James Fazzino v. State of Connecticut Department of Labor](#), CV094021804S, October 29, 2010).
- The Indiana Department of Transportation issued an [opinion](#) on January 24, 2007, consistent with that of Secretary Goldberg.
- There is no evidence that members of survey crews are paid substandard wages and no demonstrated need for including such workers in a “prevailing wage” law, based on Bureau of Labor Statistics data.
- 99% of surveying firms are small business. Expansion of Davis-Bacon to survey crews will result in a costly, enormously burdensome, and inefficient mandate. Small business surveying firms cannot afford multiple payrolls or payroll administrators to keep track of “market” compensation versus government-mandated “prevailing” rates from project to project.
- The language in the proposed rule regarding survey crews should be stricken and the final rule should state: “In recognition of longstanding policy and standard surveying practice, members of survey crews are not laborers and mechanics as defined herein and are therefore exempt from the Act and regulations, except to the extent to which such workers perform manual work, such as clearing brush and sharpening stakes which are not commonplace”.



podcasts for the surveying profession



Please check out Mentoring Mondays for informational presentations to help build our knowledge in this profession.

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surveyor says THE NSPS PODCAST

Want to hear from the movers and shakers of the surveying profession? Each week, NSPS brings you conversations with the trendsetters and difference-makers that are helping to shape the world of surveying. Your hosts, NSPS Executive Director Curt Sumner and NSPS President-Elect Tim Burch sit down with various personalities to discuss all things surveying, all bundled in a 30-minute conversation.

Download episodes of "Surveyor Says! - The NSPS Podcast" from your favorite streaming providers or find them at our podcast hosting site, Podbean. Watch our social media outlets for upcoming episode news and contests/giveaways on special occasions.

And remember - "It's a great day to be a surveyor."

[HTTPS://SURVEYORSAYS.PODBEAN.COM/](https://surveyorsays.podbean.com/)



ASPLS-HLSA 2022 VIRTUAL SURVEY CONFERENCE

Mahalo Nui Loa!

Stantec would like to thank the Alaska Society of Professional Land Surveyors (ASPLS) and Hawaii Land Surveyors Association (HLSA) conference attendees for the Aloha and opportunity to present at this year's virtual conference.

We are proud members of these two organizations and will continue to show our support by attending, sponsoring, and presenting at these events. If you'd like to follow up with our presenter, **Nick Kariger, sUAS**, about his presentation on **UAS Pilot Tips and Tricks**, please email him at nick.kariger@stantec.com.



Let's Collaborate!

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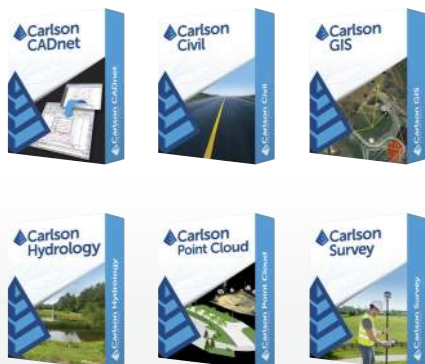


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