

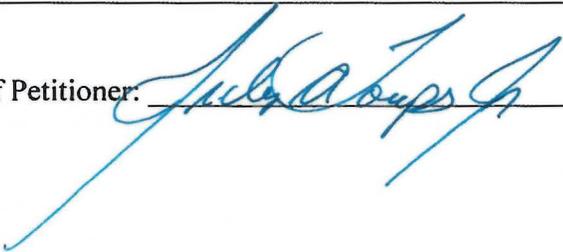


Louisiana Professional Engineering and Land Surveying Board

Order/Ruling Number:	_____
Subject Reference:	_____

Petition for Declaratory Order and Ruling

- Name of Petitioner:** Jules A. Toups, Jr., Louisiana State Land Office
Address: 1201 North Third Street, Suite G-233, Baton Rouge, LA 70802
Telephone No.: (225) 219-0512
Email: Jules.Toups2@Gmail.com
- List all statutes, rules or orders of the Board to which this petition relates:**
 (Chapter 29) Standards of Practice for Boundary Surveys & (2907) Property Boundary Surveys
- Clearly and concisely state all the facts necessary to show the manner in which the petitioner is aggrieved by the statute, rule or order or by its potential application, or in which the petitioner is uncertain of its effects:** I was hired as the Surveyor Manager for the State Land Office on 2025. The State Land Office has a program where they lease state land for campsites. These Campsites vary in size and location and lease payments vary from +/- \$300 to +/- \$1000 depending on the location, accessibility and the availability of utilities. At present none of these lease sites have been surveyed to meet the standards of a boundary survey.
- Clearly and concisely state the declaratory order or ruling requested by the petitioner:**
 Do the lease sites and exhibit plats that the State Land Office creates need to meet the Standards of Practice for Boundary Surveys and (29.07) Property Boundary Survey Standards?
- State whether the petitioner has an application or is involved in a disciplinary or enforcement investigation or proceeding, or in any other matter which is presently pending before or under consideration by the Board. If so, explain in detail:**
 The petitioner is not involved in a disciplinary or enforcement investigation or proceeding under consideration by the board.
- State whether the declaratory order or ruling requested by the petitioner relates to, is similar to or is connected with any pending litigation or with any disciplinary or enforcement investigation or proceeding presently pending before or under consideration by the Board. If so, explain in detail:**
 The declaratory order or ruling requested by the petitioner is not connected with any pending litigation or with any disciplinary or enforcement investigation or proceeding under consideration by the board.

Signature of Petitioner:  Date: 1/13/2026

**LOUISIANA PROFESSIONAL ENGINEERING
AND LAND SURVEYING BOARD
8550 United Plaza Boulevard, Suite 903
Baton Rouge, Louisiana 70809-2296**

RULING ON PETITION FOR DECLARATORY ORDER

RULING NO. 2026-1

1.

On or about January 13, 2026, Jules A. Toups, Jr., P.L.S. ("Petitioner") filed with the Louisiana Professional Engineering and Land Surveying Board (the "Board") a petition for declaratory order and ruling pursuant to LAC Title 46:LXI§727.

2.

Petitioner seeks a declaratory order as to whether plats of lease sites in Louisiana which are prepared by the Louisiana Office of State Lands in connection with leases of state land must comply with the Board's Standards of Practice for Boundary Surveys (LAC Title 46:LXI§2901 through 2913), particularly LAC Title 46:LXI§2907.

3.

La. R.S. 37:682(14) defines the "practice of land surveying" as follows:

(a) "Practice of land surveying" shall include the measuring of areas, land surfaces, streams, bodies of water, and swamps for correct determination and description, for the establishment, reestablishment, ascertainment, or description of land boundaries, corners, divisions, distances, and directions, the plotting and monumenting of lands and subdivisions thereof, and mapping and topographical work.

(b) A person shall be construed to practice or offer to practice land surveying when that person engages in land surveying and by verbal claim, sign,

advertisement, letterhead, card, or in any other way represents himself to be a land surveyor, or represents himself as able to perform or does perform any land surveying service or work, or any other service designated by the practitioner which is recognized as land surveying.

4.

La. R.S. 37:682(15) defines “responsible charge” as follows:

"Responsible charge" shall mean the direct control and personal supervision of engineering or land surveying service or work, as the case may be.

5.

LAC Title 46:LXI§105(A) states, in pertinent part, as follows:

Practice of Land Surveying—defined in R.S. 37:682. The board recognizes that there exists a close relationship between land surveying and some areas of engineering, with some activities common to both professions; however, survey work related to property boundaries must be performed under the responsible charge of a professional land surveyor. Presented below are guidelines which shall be used as an aid in determining the types of surveying services which may be rendered by professional land surveyors or professional engineers.

a. Surveying and mapping functions which require the establishment of relationships to property ownership boundaries are unique to land surveying and must be performed by or under the responsible charge of a professional land surveyor. These functions include:

- i. boundary surveys;
- ii. subdivision surveys and plats;
- iii. public land surveys;
- iv. surveys of servitudes (easements) and rights of way;
- v. surveys of leases.

6.

LAC Title 46:LXI§2901 through 2913 set forth the Board’s Standards of Practice for Boundary Surveys.

7.

LAC Title 46:LXI§2901(B) states that “[e]very professional land surveyor performing a boundary survey in Louisiana is required to follow these standards”.

8.

LAC Title 46:LXI§2901(C) states as follows:

A boundary survey in Louisiana shall only be performed by a professional land surveyor, licensed pursuant to the laws of Louisiana, or persons under his/her responsible charge. The professional land surveyor shall at all times comply with the provisions of the licensure law and the rules of the board.

9.

LAC Title 46:LXI§2907(A), (B) and (C) state as follows:

A. Definition

Property Boundary Survey—a survey which, after careful study, investigation, and evaluation of major factors influencing the location of boundaries, results in the deliberate location or relocation on the ground of, and the recovery or installation of monuments that define the location and extent of, one or more boundaries. Surveying and mapping activities which meet the definition of a property boundary survey are listed in Subparagraph a of §105.A, Practice of Land Surveying. Any plat or map prepared from surveying and mapping activities listed in Subparagraph b of §105.A, Practice of Land Surveying, which does not meet the definition of a property boundary survey, shall have a note stating that it that does not represent a property boundary survey.

B. Purpose. The primary purpose of the property boundary survey is to locate or relocate the physical position and extent of the boundaries of real property, and the discovery of visible evidence of prescriptive rights relating thereto. A property boundary survey may also include the location or relocation of the physical position and extent of political boundaries which define the perimeters of public or private ownership. In addition, the property boundary survey is a means of marking boundaries for sufficient definition and identification to uniquely locate each lot, parcel, or tract in relation to other well recognized and established points of reference, adjoining properties and rights-of-way.

C. Product. A property boundary survey shall result in the recovery, establishment or reestablishment of monumented corners and points of curvature and tangency. Reference monuments shall be established or reestablished when required by these standards of practice (see Subsection E, "monuments"). In the

event that no plat or map is required, the professional land surveyor shall maintain adequate records to substantiate his/her professional opinion in reestablishing boundary lines and corners on a survey. If requested by the client, a property boundary survey may also include the following:

1. a signed, sealed and dated metes and bounds written description depicting the surveyed boundary (see Subsection H, "Descriptions");
2. a certified plat or map depicting the survey as made on the ground; and
3. a signed, sealed and dated written report of the professional land surveyor's findings and determinations.

ORDER

After due consideration of the petition for declaratory order and ruling filed by Petitioner and after discussion by the Board during its meeting on March 3, 2026:

IT IS THE RULING of the Board that:

10.

When the Louisiana Office of State Lands prepares plats of lease sites in Louisiana in connection with leases of state land, such plats (a) must establish a relationship to property ownership boundaries, (b) constitute the practice of land surveying, (c) are considered to be property boundary surveys, (d) must be prepared by or under the responsible charge of a professional land surveyor and (e) must comply with the Board's Standards of Practice for Boundary Surveys, including LAC Title 46:LXI§2907.

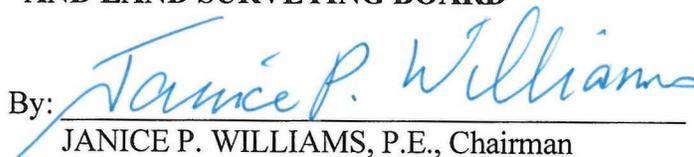
11.

Since the Louisiana Office of State Lands leases land belonging to the citizens of Louisiana to citizens of Louisiana, it is recommended that such office go above and beyond the normal effort to avoid harming the public as the owners/lessors of the land as well as the lessees of the land. The Louisiana Office of State Lands is acting as both the "caretaker" of the public's

land, as well as the agent for the leases being issued. Any lease transaction, if not handled properly, could harm both sides of the transaction financially and otherwise.

THUS DONE at Lafayette, Louisiana, on the 3rd day of March, 2026.

**LOUISIANA PROFESSIONAL ENGINEERING
AND LAND SURVEYING BOARD**

By: 

JANICE P. WILLIAMS, P.E., Chairman