



State of Arizona
BOARD OF TECHNICAL REGISTRATION
1110 W. Washington Street, Suite 240, Phoenix, Arizona 85007
(602) 364-4930 FAX: (602) 364-4931 <https://btr.az.gov/>

Edward Marley, Chairman/Architect • LeRoy Brady, Landscape Architect • Doug Bartlett, Geologist
Robert Stanley, Engineer (Civil & Structural) • Dr. Alejandro Angel, Engineer (Civil)
Michael Fondren, Land Surveyor • Peter Leeds, Home Inspector

NOTICE AND AGENDA FOR
LEGISLATION AND RULES COMMITTEE REGULAR SESSION
1110 W. Washington Street, Suite 240, Phoenix, Arizona 85007
Monday, September 20, 2021 –1:00 P.M.

Title II of the Americans with Disabilities Act (ADA) prohibits the Board of Technical Registration from discriminating on the basis of disability in its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter by contacting Kurt Winter at (602) 364-4930. Requests should be made as early as possible, and at least three business days prior to the meeting, to allow time to arrange the accommodation.

The Committee may discuss, consider, or take action on any item on the Agenda. At the discretion of the Committee, Agenda items may be considered out of the order listed. The Committee may vote to go into executive session intermittently during the meeting on any of the following Agenda items to receive legal advice from counsel pursuant to A.R.S. § 38.431.03(A)(3).

Concerns Relating to Meetings held at the Board and COVID-19

At this time, the Board will proceed with all scheduled public meetings and the public is still welcome to attend in person. However, COVID-19 may prevent those otherwise wishing to attend from doing so. The Board is therefore allowing individuals to attend remotely to ensure the public's right to attend and listen to the Board's deliberations and proceedings per A.R.S. § 38-431.01(A) and A.R.S. § 38-431(4).

In order to maintain a cohesive meeting, the Board asks that those wishing to attend remotely make Board staff aware in advance. The Board utilizes Google Meetups for its remote meetings, which requires the meeting host (the Board) to 'invite' members to participate, hence the need for Board staff to know who wishes to attend in advance.

If you wish to attend a meeting remotely, please contact Kurt Winter via email at: kurt.winter@azbtr.gov

Remote Meeting Info

Google Meet joining info
Video call link: <https://meet.google.com/dhg-jcby-vhk>
Or dial: (US) +1 224-676-3344 PIN: 742 314 859#

Board staff posts meeting agendas on its website, the AZBTR's lobby (suite 240) and the meeting board located in the main entrance of the ADEQ building (1110 W. Washington St. Phoenix AZ 85007) in accordance with 38-431.02. The Board suggests reviewing any meeting agenda before requesting a Google Meetup invitation.

Please note that all meetings are recorded and the recordings posted on the Board's website within three working days after the meeting in accordance with A.R.S. § 38-431.01(E).

1. CALL TO ORDER

2. ROLL CALL & INTRODUCTIONS

3. CALL TO THE PUBLIC

Members of the public may address the Committee during this Call to the Public for no more than **3 minutes**. Pursuant to A.R.S. § 38-431.01(H), the Committee members are not allowed to discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action. However, members may ask staff to review a matter or may ask that a matter be placed on a future agenda.

4. ADOPTION OF MINUTES

Review, Consideration and Possible Action of the following:

- A. Approve, modify and/or reject November 10, 2020 L&R Committee minutes.

5. REVIEW, DISCUSSION AND POSSIBLE ACTION ON THE FOLLOWING:

- A. ADEQ's Questions submitted to the Board and Public Comment regarding the questions, and, discussion and possibly draft a substantive policy statement, rule change or statutory change for recommendation to the Board.
 - 1. Under A.R.S. § 32-101(11), is designing onsite wastewater treatment facilities "engineering practice" given that the purpose of regulating onsite facilities is intended to protect groundwater and surface water for the public health, safety, and welfare?
 - 2. Under the exemption in A.R.S. § 32-144(A)(6), does an onsite wastewater treatment facility qualify as a "wastewater treatment plant"?
 - 3. Ask the following question (i) if under A.R.S. § 32-144(A)(6), ASBTR interprets onsite wastewater treatment facilities to qualify as "wastewater treatment plant[s]":
 - i. In determining whether the A.R.S. § 32-144(A)(6) exemption applies, should the cost of an extension, addition, modification, or revision to a WWTP stand alone as the "total cost of such construction" OR should the original cost of the WWTP be included in addition to the subsequent action?
 - 1. For example, can a \$10K modification to a \$100K WWTP be designed by a nonregistrant?
 - 4. Is the scope of the language "a detached single family dwelling" in A.R.S. § 32-144(A)(3)(a) broad enough to include design of an onsite wastewater treatment facility OR is it confined to the designing of, altering of or adding to the dwelling?
- B. Public Comments submitted to the Board suggesting an update of the Board's Substantive Policy #1 and, possibly draft an update of Substantive Policy #1 for recommendation to the Board.
- C. Question from the public: We [Ranger Engineering Consulting] are looking for your [AZBTR] current policy on the creation of GPS machine control models, and whether or

not your state [Arizona] has similar policies to North Carolina that establish this work as engineering or surveying work, thereby subject to your state's laws on engineering and surveying services.

- D. Discuss public concern that the services cottagemaps.com offers may be the practice of land surveying

6. FUTURE AGENDA ITEMS

7. FUTURE MEETINGS

8. ADJOURNMENT