

Irrigator Advisory Council Minutes

****Thursday, May 4th, 2023, 9:00 a.m.****
Building A, Second Floor, Room A202
Texas Commission on Environmental Quality

Call to Order

Charles Swanson

Introductions

Mr. Charles Swanson called the meeting to order at 9:00am.

The present members of the council included: Mr. Mark Peterson, Mr. DJ Seeger, Ms. Donna Starling, Mr. David Moulton, Mr. Norm Werback, Mr. Charles Swanson, Mr. James Garvin. The members of the council present via Teams included: Mr. Jimmy Burgdorf. Not in attendance was Ms. Monique Cogburn.

TCEQ individuals in attendance were Mr. Thomas Minucci, Ms. Jayme Martone, Ms. Melissa Keller, Mr. Joseph Hopkins, Ms. Katherine McGlaughlin, and Mr. Paul Munguia.

Thank Outgoing Members

Ms. Melissa Keller recognized the three outgoing council members: Mr. Mark Warden, Mr. Robert Evans, and Dr. Valerie Miller. She thanked them for their time on the council and said they would receive their name tag and a certificate by mail.

Vote for new Chair/Vice Chair

After nominations and some discussion, Mr. Charles Swanson was elected as the Chair of the IAC and Mr. James Garvin was elected as his new Vice Chair.

Approval of Previous Minutes

A motion was made by Mr. DJ Seeger to approve the minutes for the November 2022 IAC meeting as they were written, the motion was seconded by Mr. Charles Swanson. The vote to adopt was unanimously approved.

TCEQ Program Updates

Landscape Irrigation Program

Thomas Minucci

Mr. Thomas Minucci gave the investigation update. Since the beginning of the fiscal year in September 2022, the TCEQ has received 46 new complaints, 14 currently open, and have approved 18 investigations. The most common complaints received pertained to allegations of individuals working without a license, advertising services without a license number on the advertisement, no backflow test being performed or reported, and no maintenance reports given to property owners. Ms. Melissa Keller added that this was the most complaints received from homeowners TCEQ has received before and that homeowner education is at an all time low. She added that TCEQ only received a fraction of issues out there and there is an expectation that the number of complaints will increase as installs increase over the summer months.

A discussion took place about the most common violations and industry issues surrounding unlicensed individuals doing irrigation installations. A discussion took place on the TCEQ Landscape Irrigation Program complaint process and some of the possible outcomes for rule violations.

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A discussion took place about issues related to city permitting and inspections of irrigation system and the lack of comprehensive inspections and TCEQ's role in local programs inspection requirements. The topic was tabled to come back to later in the meeting.

Cross-Connection Control

Katherine McGlaughlin

Ms. Katherine McGlaughlin, TCEQ Cross-Connection Control Program, provided an update on the activities of her program. The program continues to do form approvals for CSI and BPAT forms, and to remember to only use TCEQ's official form or one that has been approved to use by TCEQ for a local water supplier. The program is searching for survey candidates and to please reach out if there is a water system that could use help.

Ms. McGlaughlin spoke about upcoming presentations, trainings, and event, including the Public Drinking Water (PDW) Conference happening on August 8-9, 2023, at the Renaissance Hotel in Austin. The next Cross Connection meeting is scheduled for *June 8th, 2023*, and will be held virtually.

Ms. McGlaughlin also gave a reminder that all BPAT and CSI forms must be filled out by the tester, either paper or electronic, and that they've been receiving complaints of assistant's filling out the form with the tester over their shoulder or office staff entering information electronically. She reminded everyone that the tester must be the one to fill out this form and that water suppliers have the authority to reject these results if identified.

There was a discussion of upcoming cross connection courses for TCEQ staff, and Ms. Keller mentioned that the Landscape Irrigation program would be in attendance for that.

Occupational Licensing

Paul Munguia

Mr. Paul Munguia, Occupational Licensing Team, provided statistics on pass fail rates and licensed issues for the first and second quarters of FY23. Mr. Munguia updated the council about the move to computer-based testing for landscape irrigation licensing. At this time, only 50 people have taken the exam and there hasn't been any change to the pass rate and they've not received any complaints about the new format; the only change has been to the test time length, which used to be 8 hours and is not 6 hours.

Occupational Licensing is also preparing to revise the Landscape Irrigator exam and in preparation for that they are sending out a job task analysis to all licensed irrigators with an email of file. Filling out the survey should take less than 2 hours and all those that complete the survey will be awarded 4 CEUs. Subject Matter Experts will be consulted to write and evaluate the test.

A discussion took place about the number of current Irrigation Inspectors (77), and the rules regarding who can conduct irrigation inspections for cities. The topic was tabled to come back to later in the meeting.

The rules for licensing renewal and expiration were discussed, Mr. Munguia clarified that a license could be renewed without a new test required up to 30 days after expiration, but that no work requiring a license could be done during the time the license was expired.

There was an interest in knowing which sections had pass rates on the first try and how a new test might affect pass rates in general. Mr. Munguia commented that they expect to see rates initially decrease but do not expect much change.

Discussion on work-group progress

Charles Swanson

Homeowner Flyer

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Mr. Charles Swanson spoke about the history of the “Hiring Licensed” fliers and next steps in having them become TCEQ publications. He asked for comments or edits from the council. A discussion took place about the content and design of the fliers. Mr. David Moulton recommended adding the website to verify license numbers, Ms. Keller notes that would be easier to add to our website, and there was discussion of possible edits to the landscape irrigation program website, with many in agreement that a button or link on the program website would be most helpful.

There was a discussion about the issue of unlicensed individuals and the difference between violations for advertising without a license number and work without license.

A motion was made by Mr. James Garvin to approve the fliers with minor modifications, the motion was seconded by Mr. DJ Seeger. The vote to adopt was unanimously approved.

New Business

Thomas Minucci

Introduction of new Technical Programs Team Leader

Mr. Joseph Hopkins, the new Technical Program Team Leader, which oversees the Landscape Irrigation Program, introduced himself to the Council. Mr. Hopkins is a geoscientist, with many years of experience with TCEQ, first in Lubbock and most recently as a Public Water System Investigator in the Waco region. The Landscape Irrigation Program will slowly be transitioning over to Mr. Hopkins, but Ms. Melissa Keller will still be around in an advisory role.

Mr. Charles Swanson asked if the program was considered fully staffed, and Ms. Keller confirmed that it is.

Outreach to Cities

Ms. Keller and Mr. Minucci spoke on the topic of outreach to cities and their local irrigation programs. They spoke about making plans to conduct outreach efforts for cities before beginning any enforcement action against cities with populations over 20,000 which do not have irrigation ordinances, or cities that do have programs, but which are not enforcing irrigation rules.

Mr. Swanson iterated the importance of ensuring cities are implementing irrigation rules and added the importance of conducting inspections. A discussion took place about the importance of irrigation inspections and possible future rule changes to increase effectiveness of enforcement and support water conservation. Mr. Swanson talked about TCEQ having a website or database, with local irrigation ordinances, to make local rules, especially those more stringent than TCEQ rules easier to find.

Introduce Andy Gardner, Deputy Director of Program Support and Environmental Assistance Division

Mr. Andy Gardner, the Deputy Director of the Program Support and Environmental Assistance Division, introduced himself to the council, and thanked members for their advice and dedication.

Assign Subcommittees & Schedule Monthly Meetings

Web Content

Ms. Donna Starling spoke about increasing homeowner education and finding a way to let homeowners more easily find licensed irrigators. A discussion took place about several different organizations which could assist with something like that. Mr. Seeger brought up the TCEQ irrigation website and the difficulties homeowners and other individuals have navigating that website for meaningful information. Mr. Mark Peterson agreed that website content is something he views as a priority, and both agreed to be part of a subcommittee on the topic of web content. Mr. James Garvin

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added that since the TCEQ website is already a priority for the agency, as it is a part of ongoing efforts by the agency to update, it is a good time for the council to focus on the irrigation website.

Web Content Subcommittee Members: DJ Seeger, Mark Peterson, James Garvin

Inspector Survey

Mr. James Garvin brought up the topic of local programs not having Irrigation Inspectors conducting inspections and using Plumbing Inspectors instead. Ms. Starling brought up the need to conduct a survey to better understand who is currently conducting irrigation inspections, so that changes could be enacted in the future. Mr. Norm Werback confirmed that their goal might be to create a minimum standard for irrigation inspections. Mr. Charles Swanson agreed and reiterated the importance of gathering data on the topic. A discussion took place about some possibilities of what that might look like.

Mr. Swanson brought up the topic of creating a survey and looking at results from a survey that was completed previously. Mr. Swanson, Ms. Starling, and Mr. Werback all agreed to be a part of this subcommittee.

Inspector Survey Subcommittee Members: Charles Swanson, Donna Starling, Norm Werback

Mr. Swanson asked if there were any other ideas for subcommittee topics. A discussion took place on a few other topics, including educational videos, creating more defined training for irrigators/diversity of training opportunities, incorporating training about landscaping into irrigation courses, enforcement. Council was in agreement to start with the first two topics to start with and possibly add more at a later time.

Individuals wishing to address the Council

Ms. Jennifer Nations, a member of the public who joined the meeting via teams, told the council about her experience working in College Station, regarding ongoing issues with new build construction and builders using unlicensed individuals and failing to get permits.

A discussion took place about the ongoing issues surrounding new home builders using unlicensed individuals and difficulty getting builders to cooperate.

Mr. Charles Swanson made a motion to adjourn the meeting. Mr. DJ Seeger seconded the motion. The meeting was adjourned at 2:54pm.