

Irrigation Advisory Council (IAC) Draft Minutes

Note: These draft meeting minutes are posted for review and comment by meeting attendees. They will be available for comment at the next meeting of the Irrigator Advisory Council at which time they will be voted on for adoption.

Date: Thursday, May 9, 2019
Time: 9:00 am
Location: Texas Commission on Environmental Quality (TCEQ), 12100 Park 35 Circle, Building A, 2nd Floor, Conference Room 202, Austin, Texas 78753

Call to Order

Mr. Mark Warden, IAC Vice-Chair, called the meeting to order at 9:00 am. The present members of the council introduced themselves: Mr. Phillip Hathaway, Ms. Valerie Miller, Mr. Mark Warden, Mr. Micah Reed, Mr. Charles Swanson, Mr. Robert Evans, and Mr. Brooke Furrh. Mr. David Moulton was absent from this meeting.

TCEQ Staff present also introduced themselves: Ms. Pamela Ezeani, Mr. Peter Abel, Mr. Al Fuentes, Ms. Sarita Nazareth, Ms. Linda Saladino, Mr. James Murphy, Ms. Laia Robichaux, Mr. Shannon Frazier, Mr. Charlie Middleton, Ms. Katherine McGlaughlin, Ms. Melissa Keller, Ms. Kristi Mills-Jurach, and Mr. Jonathan Haynes.

The members of the public participating in the meeting also introduced themselves.

Approve Minutes from the Previous Meeting

A motion was made by Ms. Valerie Miller to adopt the minutes from the previous meeting held on February 7, 2019. A second to the motion was made by Mr. Brooke Furrh. The vote to adopt was unanimous.

TCEQ Occupational Licensing

Ms. Linda Saladino, TCEQ Occupational Section, provided an update on the Landscape Irrigation Exam statistics from December 1, 2018 through February 28, 2019:

	Applications Received	Tests Given	Percent Passed	New Licenses Issued
Irrigation Tech.	339	101	46.5%	43
Irrigation Insp.	7	0	0%	0
Irrigator	543	261	62.5%	89

Ms. Saladino also explained that there are challenges in reporting the pass rates for the irrigator exam due to the test having four parts that could be taken and passed at different times.

There may be a current need for an exam location in the Brownsville/McAllen area in south Texas. Ms. Saladino provided Mr. James Fischer of the Texas A&M Engineering Extension Service (TEEX) information related to this request as TEEX is the contracted proctor of the Landscape Irrigator exam. Mr. Fischer is reaching out to find a suitable site.

Mr. Brooke Furrh, IAC, expressed a concern that Landscape Irrigation rules are not being stressed enough by training providers. Mr. James Murphy, TCEQ Occupational Licensing Section, will contact the providers of the Basic Landscape Irrigation and Irrigation Technician courses and remind them of the requirement to provide the rules (Chapter 30 and 344).

Ms. Sarita Nazareth, TCEQ Occupational Licensing Section, provided a brief update on the plot plan for the irrigation design that Basic Landscape Irrigation course students are required to complete. Based on the comments provided by approved training providers, an updated plot plan has been created with an elevation change and lower pressure. Next, the Design Criteria for the plot plan will be updated to include these changes. In order to maintain their TCEQ approved status, the updated plot plan and design criteria will then be sent to the training providers around June 1st so they can demonstrate that they can design an irrigation system using the new plan and criteria.

Landscape Irrigation Program

Mr. Peter Abel, TCEQ Landscape Irrigation Program, provided an update on the status of complaint investigations and enforcement activities. For the FY 2019 YTD: 9/1/2018 – 5/9/2019, the TCEQ Landscape Irrigation Program:

- Received 32 new complaints
- Completed 18 Investigations
- Completed 13 Notice of Violations (NOVs)

Respondents with NOVs have 30 days to correct the violation. The Investigations yielded a total of 15 violations the majority of which were advertising related.

Investigations of complaints are greatly improved by using the TCEQ compliant form and providing as much detail as possible. The complaint form is available at:

https://www.tceq.texas.gov/drinkingwater/irrigation/li_complaint.html

One of the challenges currently being faced are occasions where a landscape irrigator installs irrigation systems in a new subdivision and provides the required documentation (Final Walkthrough, Maintenance Checklist, Permanent Sticker on the Irrigation Controller, Irrigation Plan as Installed) to the home builder. The home builder would then provide those documents to the individual home owners. In the process of selling the home(s), sometimes the irrigation documents get misplaced and the homeowner is left without the needed documents.

Cross-Connection Control Program

Mr. Shannon Frazier, TCEQ Cross-Connection Control Program, provided an update on the activities of that program. Mr. Frazier discussed updates to the Backflow Prevention Assembly Test & Maintenance Report form (T&M Form) to accommodate the testing of Type II assemblies.

He and the program members are expecting to conduct approximately 20 on-site Cross-Connection Control Program Surveys this fiscal year. These are on-site visits to water systems to check on their

programs and provide assistance. The water systems to visit are recommended by TCEQ regional offices.

The Directed Assistance Module (DAM) 12 titled How to Develop and Manage an Effective Cross-Connection Control Program, has been used several times with good success. This is a free, on-site, 8-hour, technical assistance program for water purveyors.

Mr. Frazier also stated that they have provided technical presentations at the Texas Water Utility Association Chapter meetings (various locations), Texas Rural Water Association, TCEQ Public Drinking Water Conference, and several local chapters of the American Backflow Prevention Association.

How to Become a TCEQ Approved Training Provider

Mr. James Murphy, TCEQ Occupational Licensing Section, provided a presentation on what is needed for a person or organization to become a TCEQ-approved training provider. He covered the requirements for core training required to obtain a license and training to provide continuing education credits. The requirements vary for classroom training courses, presentations given at conferences, presentations given at association meetings, and distance learning courses. A minimum of 45 days is needed to review the submitted materials for meeting and conference training, provided that the materials are complete, before approval. Much of the information is available in Regulatory Guidance document, RG-373, available on the TCEQ website at: <https://www.tceq.texas.gov/licensing/Providers/Providers>.

Discussion Regarding IAC Workgroups

Mr. Micah Reed, IAC Chair, revisited the idea of forming workgroups to address different areas of need in the IAC, the TCEQ Landscape Irrigation Program, and the irrigation industry in general. The formation of the work groups and their members was covered in the adopted minutes of the February 7, 2019 meeting of the IAC.

After some discussion, the council determined that the member's time and energy was better used to form work groups to address different challenges as they arise. For example, the members did not want to be limited to Education or Water Conservation when the need was to address improved training. At this point, the need to have permanent work groups, scheduling meetings, and making assignments is not realized. However, when there is a need, a workgroup could be formed to address the need and provide guidance.

During the discussion of this topic, the need for more involvement by TCEQ staff at conferences, training events, and meetings was expressed. This will facilitate the dissemination of accurate information and help correct some misinformation that may be circulated.

Due to time constraints and demands from her other duties, Ms. Jennifer Walker has resigned her membership in the council. This provides an opportunity for another person who is not a licensed irrigator to be part of the council. The in-depth process for replacing Ms. Walker will be facilitated by TCEQ staff.

Chapter 344 Rule Petition Update

Mr. Al Fuentes, TCEQ Landscape Irrigation Program, provided an update on the rule petitions filed by the IAC. While much progress has been made in updating Chapter 344, there are no changes since the IAC was last updated. The latest information is available on the TCEQ website at:

<https://www.tceq.texas.gov/drinkingwater/irrigation/landscape-irrigation-regulation-stakeholder-process>

Mr. Fuentes went on to provide some examples of rules that are being clarified and updated:

- 344.34 The Irrigator-in-Charge Rule
- 344.61 The Irrigation Plan
- 344.71 Contracts
- 344.50 Approval of Backflow Prevention Assemblies

As these rules are reviewed, staff and management at TCEQ as well as Subject Matter Experts are consulted before changes are made. After review and approval by TCEQ upper management, the rules will be proposed to the TCEQ Commissioners (approximately on 10/23/2019) and if given the approval, the public comment period will be opened (approximately from 11/8/2019 to 12/8/2019), and after consideration of all comments, the final version of the rules will be adopted (approximately on 5/2/2020).

How a Backflow Preventer Works

Mr. Shannon Frazier provided a hands-on presentation of cut-away backflow prevention assemblies. He described the flow of water and the mechanics of the Reduced Pressure Zone Backflow Prevention Assembly (RP or RPZ), the Pressure Vacuum Breaker (PVB), and the Atmospheric Vacuum Breaker (AVB). Mr. Frazier also briefly covered testing backflow preventers and answered general questions on backflow prevention and cross-connection control.

Individuals Wishing to Address the Council

There were no meeting participants who wished to address the council.

The council requested information on the reasoning used to deny some of the requests submitted in the two rule petitions, specifically the removal of the use of AVBs and the inclusion of the use of Spill Resistant Vacuum Breakers (SVBs).

Adjournment

Mr. Micah Reed moved to adjourn the meeting at approximately 2:20 and Mr. Brooke Furrh seconded the motion.