

# **IRRIGATOR ADVISORY COUNCIL (IAC)**

**June 10, 2010**

**Draft Minutes**

**12100 Park 35 Circle, Building A, Room 202**

**Austin, Texas**

**9:30 a.m. to 3:00 p.m.**

## **1. Call to order**

Chairman Hubbard called the meeting to order at 9:30 a.m.

Attendees:

Council Members: DeVille Hubbard, David Bell, Emilio Escobar, Doug Goodwin, Karen Guz, Nora Mullarkey, Michael Murr, Suzy Santo, and Rusty Tucker

TCEQ Staff: Tracy Miller, Richard Allen, Graham Waak, Brooke Duever, Denielle Garza, Candy Garrett, Allan Vargas, Joseph Hildenbrand, and Meagan Warneke

Visitors: Frank Chalouopka, Doug Christensen, Jerry Lewis, Justin Lewis, Todd Magatagan, Charles Swanson, Jeff Knight, Cleve Singleton, James Singleton, David Turnage, Gene Reagan, Jeff Campbell, John DuBose, and Ed Hodnett

## **2. Consider approval of minutes from the February 18, 2010 meeting**

Mr. Goodwin moved that the minutes be accepted. Mr. Escobar seconded the motion. The motion was approved.

## **3. Special Recognitions**

Mr. Cleve Singleton, LI #64, was recognized with an Honorary License plaque.

## **4. Receive, Discuss and Act on Staff Reports (Office of Permitting and Registration):**

- a) Licensing, Training, Testing and Renewals. See attached presentation. There was discussion of the need to provide information about successful and unsuccessful applicants to the irrigation community. Chairman Hubbard asked Mr. Vargas to respond to the Council within two weeks on the approach that staff would take to provide needed information to the irrigation industry.
- b) Discussion of future examinations via computer for Irrigator licenses. See attached presentation. Council members discussed the need to have paper

examinations available. Council members discussed the need to have a fair, accurate examination that clearly evaluates the skills needed to be a successful irrigator in Texas. It was also discussed that applicants should pass a portion of the examination before continuing to another portion of the examination.

Break

## **5. Soil Moisture Probes**

Mr. John DuBose and Mr. Ed Hodnett provided information on the use of various types of soil moisture probes in residential and commercial applications.

Lunch

## **6. Receive, Discuss and Act on Staff Reports (Office of Compliance and Enforcement)**

- a) Outreach. Ms. Garrett discussed various events that staff had attended since the previous Council meeting and provided a list of upcoming events.
- b) Enforcement Activities. Mr. Allen discussed various enforcement activities and responded to questions about the enforcement process.
- c) Staff Initiatives. Ms. Garrett discussed an initiative that Ms. Duever had started in late May. Ms. Duever is reviewing listings on craigslist and identifying advertisements for irrigation services that do not comply with TCEQ rules and notifying them of the requirement to include a license number. Ms. Duever is also contacting those individuals that do comply with the rule requirements. Early indications are that the number of advertisements that failed to meet the rule requirements has been reduced as a result of this initiative.

Ms. Garrett also reported that TCEQ legal staff have determined that the authority provided in Texas Water Code 37.002 does not specifically allow TCEQ to enforce against a municipality that failed to create or adopt a landscape irrigation ordinance. The nature of creating or adopting an ordinance is legislative and requires a very specific grant of that authority. The general authority granted in the Texas Water Code does not include the Texas Local Government Code 401 (renumbered to 551). A legislative change would be required to provide specific authority to TCEQ to enforce against a municipality that failed to create or adopt a landscape irrigation ordinance. Staff will continue outreach activities to inform municipalities of the need to adopt landscape irrigation ordinances.

## **7. Hear from individuals wishing to address the Council**

No individuals wished to speak to the Council.

## **8. Receive, Discuss and Act on Committee Reports**

- a) Rules – No update.
- b) Education – No update.
- c) Water Conservation – There was a discussion about the appropriate method to use to calculate the amount of water needed recognizing that the amount varies across Texas. The Evapotranspiration (ET) information that Texas AgriLife maintains was discussed. A meeting between Texas AgriLife and the United States Geological Survey was mentioned as a means to enhance the current monitoring network.
- d) Legislative – Mr. Bell stated that the budget issues facing the state would be a key issue in the next legislative session.
- e) Acceptable Topics for Irrigation CEU's – Will be discussed at a future meeting.

## **9. Receive, Discuss and Act on New Business and additional items of interest**

A Strategic Planning meeting on 11/19/2010 was discussed. Mr. Murr will develop a draft agenda. Mr. Murr asked for assistance in identifying the groups that should be represented at the meeting. Mr. Bell stated that he had received a letter from an individual expressing concern that small contractors had been negatively impacted by the irrigation rules. Mr. Bell stated that a meeting should focus on what can be done in 2013. Ms. Santo stated that more efforts should be made to reduce the amount of illegal work being performed in the state.

Mr. Vargas stated that the field that incorrectly reported the number of CEU credits needed for irrigator license renewal had been removed from the TCEQ webpage. Mr. Vargas also stated that there would be a large number of BPAT license renewals in 2011 and encouraged those with licenses expiring in 2011 to get renewal applications in as early as possible.

Mr. Lewis reported that USC had published the 10<sup>th</sup> edition of the Cross Connection Control manual and that there were some changes to the test requirements for backflow prevention devices. Training providers will meet in Austin on 9/1/10 to discuss the changes in testing procedures.

## **10. Adjourn**

Chairman Hubbard adjourned the meeting at 2:45 p.m.