

AGENDA AND MINUTES
IRRIGATOR ADVISORY COUNCIL (IAC)
October 8, 2004
12100 Park 35 Circle
Bldg. A, Room 202
Austin, Texas
9:30 a.m.

Attendees:

Council members - Gene Barnes, Willie Gossett, Dave Coleman, Carole Baker, Don Weiss, Jerry Lewis, Alice Megna, Harvey McLarty.

TCEQ staff - Gene Reagan, Sandra Hernandez, Bob Mann, Kelly Taylor, Debra Barber, Lindsay Andrus, Tom Weber.

Visitors - John Shideler, Doug Goodwin, Glenda Single, David Brannan, John Morton, Kurt Hall, Beth Moore.

1. The Chairman of the Council will call the meeting to order.

Chairman Barnes called the meeting to order at approximately 9:30 AM.

2. Council members will discuss proposed new Subchapter A: General Provisions. Members will offer comments and recommendations to TCEQ staff.

Chairman Barnes prefaced the discussion by summarizing the mission of the council, explaining they were provided with a draft of proposed changes to Ch. 344 by TCEQ staff. They were asked to review the draft and prepare comments and recommendations for the TCEQ staff.

Carole Baker commented that she is pleased with the drafted rules and they mirror many of the concerns of the American Water Works Association (AWWA) and the Water Conservation Implementation Taskforce. She indicated cities would be encouraged to enforce these new rules.

The council provided the following comments and recommendations on Section 344.1:

“As-built” should be better defined by including components and adding “redrawn” or “corrected.”

Definition of irrigator should include “who is licensed, should be licensed, or is exempt,” and remove the reference to Ch. 30.

“Raw water” should be defined.

The term “reduces” should be used in place of “prevents” in the definition of “Water Conservation,” and remove “most” and change “least amount” to

IRRIGATOR ADVISORY COUNCIL

October 8, 2004

Page 2

“minimum amount.”

Clarify “potable” and “non-potable” as they relate to well water, and add types of “non-potable” to the definition.

Clarify minimum and maximum guidelines for irrigators working in multiple precipitation zones.

The council provided the following comments and recommendations on Section 344.4:

Add “current and valid” to the license requirement. Address who is exempt. Use “must” instead of “shall.”

Keep the “direct supervision” language or define it. Expand the definition of “Installer” to make it clear what they can and cannot do.

3. Council members will discuss Subchapter B: General Provisions affecting the Irrigator Advisory Council. Members will offer comments and recommendations to TCEQ staff.

The council provided the following comments and recommendations on Section 344.10:

Clarify “regularly scheduled meetings,” and conditions for grounds for removal from the council.

4. Council members will discuss Subchapter C: Requirements for Licensed Irrigators and Licensed Installers. Members will offer comments and recommendations to TCEQ staff.

The council provided the following comment and recommendation on Section 344.49:

Clarify who has the authority to request to see a pocket card.

The council provided the following comment and recommendation on Section 344.58:

Add a clause to define “know,” or change the word.

The council provided the following comments and recommendations on Section 344.61:

Define what a “professional document” is, and replace “work done” with “work required.”

5. Council members will discuss proposed new Subchapter D: Standards for Landscape Irrigation. Members will offer comments and recommendations to TCEQ staff.

The council provided the following comments and recommendations on Section 344.73:

In the first paragraph, add “water on the discharge side of a backflow prevention device is non-potable.” Also, add “by isolation.”

In (1)(B), change “remains” to “exist.”

Correct the grammar in (1)(c).

In (1)(D), change to “not prohibited by a local authority.”

IRRIGATOR ADVISORY COUNCIL

October 8, 2004

Page 3

The council provided the following comments and recommendations on Section 344.75:

In (a), add “devise capable of adding chemicals.

In (b), allow interconnections as long as an RP is used. The council expressed concern that water conservation would suffer when alternate water sources could not be used.

In (c), add current before referencing Chapter 285.

In (c)(1), need clarification on chart.

In (c)(2), remove “pressure vacuum breaker” and “atmospheric vacuum breaker” because of the potential for back pressure.

In (c)(3), add “or zones.” Council expressed concern that some OSSF systems are too large, making it very difficult to apply sufficient water.

In (d), strike “accessible to human contact.” Allow purple and/or yellow to indicate non-potable water.

The council provided the following comments and recommendations on Section 344.77:

In (b)(2), council expressed concern about possible periodic changes in pressure.

In (c), clarify where wind derating data comes from.

In (d)(1-4), zones are already defined in definitions - not needed.

In (f)(4), council expressed concern with the requirement “must be buried.” Wiring is not always buried.

In (g), limit the “five feet per second” requirement to PVC pipe only. Other types of piping will have different velocity limitations.

In (h), require the devices to be “functional.”

In all references to spray or rotary heads, add the word “sprinkler.”

The council provided the following comments and recommendations on Section 344.78:

In (b), change “collected” to “charged.”

In (d), require the irrigator to keep the design on file.

In (d)(1), remove “the designer.”

In (d)(2), define “major physical features,” or use “structures and hardscapes” instead.

Strike (d)(4).

- 6. Council members will discuss proposed new Subchapter E: Specific Requirements for Licensed Irrigators Relating to the Design, Installation, and Servicing of Landscape Irrigation Systems. Members will offer comments and recommendations to TCEQ staff.**

The council provided the following comments and recommendations on Section 344.84:

In (a)(1)(A), be consistent with 344.78(d)(2) regarding use of “key components” and “physical features.”

IRRIGATOR ADVISORY COUNCIL

October 8, 2004

Page 4

In (a)(1)(c), change “planned” to “designed.”

In (a)(2), clarify what is “timely,” or remove this requirement completely.

In (a)(3), indicate what type of medium for the design, such as on a CD or paper.

In (a)(4), develop a form to be used, or create a universal document. Require the name of the irrigator who was on site during install be on the document. Include the “duties and responsibilities” be included in the document.

In (b)(2), define “timely,” or require a time limit.

In (c), the council inquired whether there is a difference in this irrigator and the one required at “critical junctures” of a job.

The council provided the following comment and recommendation on Section 344.85:

In (a), change “ensure” to “require.”

7. Council members will discuss proposed new Subchapter F: Standards of Conduct for Licensed Irrigators and Installers. Members will offer comments and recommendations to TCEQ staff.

The council provided the following comments and recommendations on Section 344.90:

In (b), need to address all, and not just licensed irrigators and installers. Remove “be” as a grammatical correction. Determine whether “must” should be used, or “shall.”

The council provided the following comments and recommendations on Section 344.92:

Determine whether “must” should be used, or “shall.”

In (b), the council questioned how a determination would be made regarding experience and knowledge.

The council provided the following comments and recommendations on Section 344.93:

In (a), consider requiring an irrigator to notify TCEQ when he or she leaves employment in a company.

In (b), add “all forms” in front of “advertisements.”

In (d), clarify “any sign.”

The council provided the following comments and recommendations on Section 344.94:

Determine whether “must” should be used, or “shall.”

In (d), include a reference to “duties and responsibilities” from §344.84. Add something regarding “pass-through” contracts.

The council provided the following comments and recommendations on Section 344.96:

Determine whether “must” should be used, or “shall.” Remove “new” from the

IRRIGATOR ADVISORY COUNCIL

October 8, 2004

Page 5

language.

8. Council will discuss general rule making issues with TCEQ staff.

TCEQ staff provided an overview of the rule making process, including a projected time line.

9. Council will conduct other critical business.

Council elected a new chairman and vice-chairman. Mr. Lewis nominate Mr. Gossett to be appointed chairman. The council unanimously voted for Mr. Gossett. Mr. Gossett nominated Mr. Weiss as vice-chairman and the council voted unanimously for Mr Weiss. Three council members whose terms will expire February 1, 2005 were recognized for their service with engraved plaques. The three members are Alice Megna with over nine years of service, Harvey McLarty with over nine years of service, and Gene Barnes with seven years of service.

10. Council will adjourn.

Mr. McLarty made a motion to adjourn and Mr. Weiss seconded the motion. The council adjourned at approximately 3:00 PM.