

Irrigator Advisory Council (IAC) Minutes

11/03/2022

Note: These draft 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, November 3rd, 2022

Time: 9:00am

Location: Microsoft Teams

Call to Order

Mark Warden

Introduction

Mr. Mark Warden called Meeting to order at 9:00a.m.

The present members of the council included: Mr. Mark Warden, Mr. Charles Swanson, Ms. Donna Starling, Mr. Mark Peterson, Mr. Jimmy Bergdorf, Mr. Robert (Bobby) Evans, Mr. David Moulton, and Mr. James Garvin. Not in attendance was Dr. Valerie Miller.

TCEQ individuals in attendance were Dr. Mingyuan Wei, Mr. Thomas Minucci, Ms. Jayme Martone, Ms. Katherine McGlaughlin, Ms. Teresa Ethridge, Mr. Paul Munguia, Ms. Tamara Calhoun, Ms. Marilyn Gates, and Ms. Jaya Zyman

A motion to approve the August 4th, 2022, Irrigator Advisory Council meeting minutes was approved.

TCEQ Program Updates

Landscape Irrigation Program

Jayme Martone

Ms. Jayme Martone gave the investigation update. Since the IAC meeting in August, the TCEQ has received 18 new incidents and has approved 3 investigations. 19 incidents have been closed. The most common complaints received pertained to allegations of individuals advertising without a license number.

Cross-connection Control

Katherine McGlaughlin

Ms. Katherine McGlaughlin, TCEQ Cross-Connection Control Program, provided an update on the activities of this program. Ms. McGlaughlin stated that the cross-connection control program has continued to get technical assistance questions and to reach out to the program if there are any questions about alternate forms of protections. They have done one cross-connection control program survey since the last IAC meeting in the San Antonio region and done two technical assistance visits in the Beaumont and San Angelo regions. They have new staff on the Texas optimization program and response team, she will be more involved in the cross-connection control program as she becomes more familiarized with the role.

Occupational Licensing

Jaya Zyman & Paul Munguia

Ms. Teresa Ethridge, Occupational Licensing Team, provided statistics on pass fail rates and licenses issued which are shown below. Ms. Ethridge gave the floor to Mr. Paul Munguia, training portion of Occupational Licensing, who informed the council that they {Occupational licensing} need to create a job task analysis survey and that the last one was done in 1998. They are looking to find a contractor, a subject matter expert, to help them create the survey.

The survey will comprise all the tasks that an irrigator does, they will look at the approved manuals that irrigators use as a source to develop the survey. The subject matter expert will create tasks under those categories, once the draft survey is completed Mr. Munguia will come back to the IAC to give the council a chance to give their input for review.

Mr. Bergdorf asked if they {Occupational Licensing} knew who the subject matter expert would be, Mr. Munguia stated that they have not and the contact process has just begun. Ms. Zyman, Deputy Director of Occupational Licensing & Registration, spoke to confirm what Mr. Munguia said. Ms. Jaya Zyman also told the Council that if they had any recommendation to let either Paul or Teresa know, she also stated that it would not be a long-term contract (2-3 months) and that they are just looking at updating the survey questions and not the exam questions.

Mr. Warden had a question about what impact will the new tests and format will have on the instructors and their training for testing? Mr. Munguia answered that in the past when rules have changed or new rules were created, they {the instructors} don't necessarily need to change the manual but add an addendum or an extra handout that cover the new rules and updates. However, if major changes are found they might need to do a recall which essentially means that the instructor acknowledges the rule change and their delivery, but this may not be needed.

Ms. Staring shared with Occupational Licensing that there are a lot of individuals out there that do local government classification studies in relation to specific job task analysis and finding subject matter experts. She asked if they {the contractor} will be doing the test design as well or if the TCEQ will be doing that inhouse? Mr. Munguia stated that they are only focusing on the survey and that TCEQ does tests inhouse so they can all be standardized.

Mr. Swanson asked if Ms. Martone can read off the licensing number for the meeting. Ms. Martone shared her screen with the licensing numbers. Irrigation Inspectors have 74 currently licensed with no new tests administered. Irrigation Technicians have 1,343 currently licensed there have been 95 tests administered and 34 passed. Landscape Irrigators have 6,645 currently licensed with 293 tests administered and 187 of those tests passed.

	New Applications Received	Renewal Applications Received	Total Applications Received	Tests Administered	Tests Passed	Percent Passed	New Licenses Issued	Renewal Licenses Issued	Total Current Licenses
Landscape Irrigation Inspector	4	2	6	0	0	0.00%	0	4	74
Landscape Irrigation Technician	65	65	130	95	34	35.8%	33	70	1,343
Landscape Irrigator	236	577	813	293	187	63.8%	105	550	6,645
Grand Totals:	305	644	949	388	221	n/a	138	624	8,062

As of November 1, 2021, Occupational Licensing can no longer separate out Spanish versus English exams.

Discussion on work-group progress

Charles Swanson & Donna Starling

Mr. Charles Swanson, assisted by Ms. Jayme Martone, gave an update on the status of the '*Hiring Licensed Professionals*' handouts. Mr. Swanson was told by the Take Care of Texas group that they would be unable to help edit the handouts, so with the help of Ms. Martone the External Relations Division of the TCEQ was contacted and agreed to help edit and finalize these handouts. The handouts will be published as general information, making them appealing to the target audience. They will be published under GI-632, with each publication

being a, b, and c which gives the TCEQ an opportunity to add additional targeted audiences like cities. Ms. Martone hopes that the TCEQ will have these ready for the next meeting to review and get feedback on.

Ms. Donna Staring had no update on the status of her workgroup.

New Mandate Proposal

Mark Peterson

Mr. Peterson's proposed a new state mandate that would require the use of pressure reducing heads in all new irrigation systems. The reasoning behind the proposed mandate would be to help areas of the state that deal with severe water pressure issues, specifically in the Edwards Plateau region. Besides helping with the issue of water pressure in irrigation systems, Mr. Peterson states that this mandate could help conserve water while at the same time providing better coverage of irrigated areas. After explaining the intent behind the proposal, Mr. Peterson asked the Council if their respective areas of the state also have water pressure issues and asked if any other member would be interested in forming a subcommittee on this topic. Mr. Peterson then opened the floor to discuss the proposal.

Mr. Warden was against the idea of statewide mandate to only use pressure reducing heads, he believed that it would be nearly impossible to enforce and should be left up to each specific municipality or water provider to implement. Mr. Warden mentioned that instead of making this proposal a mandate, it may be better to offer rebates to encourage their use and help lower costs to the irrigator and system owner. Mr. Moulton agreed with this sentiment since the topography of each region is unique. Mr. Swanson also agreed with this and reminded Mr. Peterson that 30 TAC 344.62(c) already has language that aims to address this issue.

Mr. Garvin asked if he {Mr. Peterson} has contact the City of San Antonio about updating or revising the requirements of 344.62? Mr. Peterson said he ask advocated for this but is facing pushback from other departments within SAWS (San Antonio Water System). Mr. Garvin stated what NBU (New Braunfels Utility) has done is adopted a requirement of high pressure must have pressure reducing heads and the lowest point of the zone must have check valves but stated this was done locally. Mr. Peterson said he has advocated for check valves and that this may be a good alternative to the mandate. Mr. Swanson said that this may be something for the plan review team to look at and that he should sit down with them to stress his concerns, Mr. Swanson also pointed out that pressure reducing heads are more expensive so the rebate would help offset these costs.

Mr. Peterson encouraged the council members to review the links in his proposal and thanked them for their time and input.

Nominations

Jayne Martone

Mr. Warden opened conversation about IAC nominations. He had questions about when outgoing members have their last meeting, have new members been selected, and do they vote today about who takes over leadership positions? Dr. Wei stated the public notice has posted and that the submission deadline is November 7, 2022. Dr. Wei mentioned that the Landscape Irrigation Program (LIP) has only received one nomination so far, and that once we received a nomination. The process is once the nomination is submitted, then verify the information, conduct an interview, and if selected submit the recommendation. New members will attend the meeting in February and be sworn in during January.

Mr. Warden asked if the meeting in February is when they vote on leadership positions, and if outgoing members are able to attend the February meeting or is this their last meeting? Dr. Wei said that technically the new members should have been present for this meeting, but the deadline has passed, so new members can understand the flow of meetings and vote on a

new chairman. Outgoing members are also able to attend the meeting in February so that the vote for chair and vice chair can be conducted.

Mr. Warden asked how many nominations have been submitted and have any of those been approved? Dr. Wei said that there has been only one nomination and asked for the councils help in getting more nominees. Ms. Martone reminded the council that we are looking for three licensed irrigators and one public member, Dr. Wei added that the one nomination that has been received is a licensed irrigator. Mr. Warden followed up by asking for a reminder on who is the outgoing members. Ms. Martone listed Mr. Warden, Dr. Miller, Mr. Evans, and Mr. Moulton as the outgoing members.

Mr. Evans asked if a licensed irrigator has to be a contractor or an irrigator from the public sector to which Ms. Martone stated that the only requirement is they hold a current irrigation license. Mr. Evans voiced his belief that a contractor should fill the vacancy, Ms. Martone said that they have heard that from a few different people. She said to send nominations to Dr. Wei, Mingyuan.wei@tceq.texas.gov, or to install@tceq.texas.gov. The link to the public notice will be included at the bottom of the meeting minutes.

Mr. Warden asked if there are other advertisements, besides the ones they get as IAC members, going out to try and find individuals. Ms. Martone said that there is a mailing list that irrigators and cities can join that have gotten notifications about nominations. Mr. Minucci said that the mailing lists have a few hundred members and that they have been sent at least two emails about the nominations. Mr. Peterson said he had the same reservations that the notifications weren't being sent to the correct people and that he sent the San Antonio Irrigation Association the notice.

Mr. Warden asked what happens if not enough nominations are received? Dr. Wei said he would need to check what the procedure is, but stated he hoped the IAC would be able to reach out and get more nominations. Mr. Warden asked if the TCEQ can reach out to various local associations or if that is something the IAC members need to do? Dr. Wei liked the idea of reaching out to the local associations but emphasized that it would be very helpful if the IAC would aid in boosting nominee submissions.

Mr. Peterson asked if it was possible to extend the November 7 deadline, Dr. Wei said he will ask if this is possible but that would delay the whole deadline so it can't be extended to far in the future. Mr. Warden asked if not enough nominations are submitted will current members need to stay on until their positions are filled? Dr. Wei said that this could happen, but he needs to check the procedure to give a firm answer. Mr. Garvin stated he didn't realize the deadline was November 7th, and also asked for an extension but said that he has been reaching out for more nominees. Dr. Wei asked if two weeks was sufficient, to which Mr. Warden said it should be extended until positions are filled. Mr. Swanson informed Mr. Warden that the nominees need to be approved by the Commissioners so there needs to be a deadline that works in their schedule.

Education and Outreach Opportunities

Jayne Martone

Ms. Martone told the council that the LIP team joined one of the training classes that is required to get a landscape irrigation license. She also mentioned that they will be attending the Central Texas Irrigation Association continuing education event the following week. Besides the trainings, she stated that they are getting ready of other outreach events by preparing banners and informational displays. One of these informational displays were shown to get feedback on from the IAC. Mr. Swanson and Mr. Garvin said they look good.

Mr. Warden asked where these would be distributed, Ms. Martone said that they are banners and would be brought with them to any kind of trainings or events. Ms. Starling said they use similar type of banners and that they work well and are great marketing tools, she

asked if they {the LIP team} are going to any job fairs? Ms. Martone said they don't have any currently on their list but are open to suggestions on which ones to attend.

Mr. Warden asked if there was any printed version of these displays that individuals would take away with them? Ms. Martone said they would look into it, but that the '*Hiring Licensed Professionals*' would be something that we bring as a handout since the banners have QR codes that can act as a takeaway.

Mr. Garvin asked if these will be copyrighted or if associations can use them on their websites/magazines. Dr. Wei had no problem with letting associations use them but wanted to make sure they get approval before using them to make sure they are used appropriately. Mr. Garvin said they have great information and could be included in irrigation magazines to create more IAC engagement.

Individuals wishing to address the council

Mr. Swanson wanted to update the council on a topic he brought up in the May meeting about the Texas Water development board and Texas Water advisory council were working on initiatives to get funding for a state evapotranspiration network. In August the water development board did submit their request to the state legislature which has an item that would give funding for the state evapotranspiration network. There is also another request to give legislative authority to the water development board to work in that field. Mr. Swanson asked for individuals to give support to these requests.

Mr. Garvin was contacted by an irrigator who said that his local authority was going to either mandate or talk about mandating a backflow test whenever the mainline is opened to the atmosphere. He asked if there is anywhere on statute where that is elaborated on? Stated that not all irrigation companies have backflow testers on staff and that it would add an extra expense for irrigators and system owners. Mr. Swanson said this is a city-by-city regulation. Mr. DJ Seeger, a licensed irrigator, said that it could make a lot of angry customers since they would get billed for the licensed irrigator as well as the licensed backflow prevention inspector.

Mr. Seeger addressed the council on the concern about the amount of unlicensed irrigation companies advertising in San Antonio. Said makes it difficult to compete with them since they can offer lower bids, said he has been in contact with his district attorney to look at ways to bypass the TCEQ and go straight to a courtroom. Mr. Bergdorf said that in Fort Worth they have started issuing municipal citations for this. Mr. Swanson asked for an update on if TCEQ personal are still hybrid and if complaints are being addressed. Dr. Wei informed him that we are still doing a hybrid schedule and that there should no longer be an issue with mail-in complaints.

Mr. Seeger asked when the next in person meeting will be for the IAC. Ms. Martone and Dr. Wei said that the next meeting, taking place in February, will be hybrid and that members are able to come in person if they choose to.

Mr. Warden asked that the LIP team keep the IAC up to date on the nomination process and new members.

Adjourn

Mr. Mark Warden made a motion to adjourn the meeting. Mr. Charles Swanson seconded the motion. The meeting was adjourned at 10:20 am.