

**IRRIGATOR ADVISORY COUNCIL (IAC)**  
**MEETING MINUTES**  
**March 21, 2007**  
**Texas Commission on Environmental Quality (TCEQ)**  
**12100 Park 35 Circle, Bldg. A Room 328, Austin, Texas**  
**9:30 am**

The regularly scheduled meeting of the Council began at 9:35 a.m.

Attendees:

Council Members: Don Weiss (Chairman), Jerry Lewis, Carole Baker, David Bell, Emilio Escobar, Doug Goodwin, DeVille Hubbard, Michael Murr, and Suzy Santo.

TCEQ Staff: Manuel Flores, Richard Allen, Candy Garrett, Linda Saladino, Wanda Kurio, Tony Franco.

Visitors: Jeffrey Knight, Gene Reagan, Todd Magatagan, Phil Sheppard, Kurt Hall, John DeCell, Rick Russell, Carl Causey, Brad Smith, David McCullough, Sheri Rivera, Sandy Hill

1. **The Chairman of the Council will call the meeting to order, and recognize persons in attendance and explain the policy for audience participation during Council meetings.**

The meeting was called to order by Chairman Don Weiss. Chairman Weiss recognized guests attending the meeting. Chairman Weiss provided guidance on audience participation. In the future, after dialogue between staff and council, the audience will be for comments and provided the opportunity to speak. A second opportunity for comments will be provided at the end of each meeting during the agenda item for "new business".

2. **Welcome new members to the Council.**

Mr. Bell, Mr. Escobar and Mr. Hubbard were welcomed to the Council.

3. **Introductions of Council and Staff to new members.**

Chairman Weiss explained his two goals for the next two years: to rewrite TCEQ's landscape irrigation rules to allow local enforcement and to upgrade the landscape irrigator test. Water conservation and training/education were mentioned by Vice Chairman Lewis as important goals for the Council to address.

4. **The council will consider approval of the minutes from the November 15, 2006 Meeting.**

A motion was made and seconded to accept the minutes of the November 2006 meeting. During the discussion of the minutes, it was asked that a copy of the minutes be e-mailed to Council members. Chairman Weiss stated that he would e-mail a copy of the minutes to all Council members. After discussion a change was made to Item 3 of the November minutes. Mr. Flores was asked when to expect a copy of the minutes. Mr. Flores stated that the minutes would be posted in a few weeks. The Chairman was also asked to provide an e-mail agenda 2 to 3 weeks prior to meetings. The minutes of the November 2006 were approved with that change.

**5. The Council will hear Committee Reports.**

Ms. Baker provided an update from the Legislation and Conservation Committees. Ms. Baker reported that H.B. 4 includes some proposed legislation that will impact landscape irrigation and includes the Water Wise education program. H.B. 1566 includes provisions for cities to enforce landscape irrigation. H.B. 2299 includes provisions for “smart controllers” to be used in landscape irrigation system. A companion bill to H.B. 2299 has been filed. S.B. 3 includes conservation measures and includes the provisions of H.B. 4 and 2299. Ms. Baker has been appointed a Board Member of the Alliance for Water Efficiency an organization that will work on the WaterSense label with the Environmental Protection Agency. Landscape irrigation is the first item tapped for discussion.

**6. The Council will establish Committees for upcoming year.**

New committees were established.

Legislative – Ms. Baker, Vice Chairman Lewis

Education – Vice Chairman Lewis, Mr. Goodwin, Mr. Bell, Chairman Weiss

Conservation – Ms. Santo, Mr. Escobar, Mr. Hubbard, Mr. Murr

Rules – Chairman Weiss, Vice Chairman Lewis, Ms. Santo, Mr. Goodwin

Agency Relations – Mr. Hubbard, Mr. Bell, Chairman Weiss

Each committee will select a Chairperson.

**7. TCEQ Staff Reports – Discussion of Licensing, Training and Enforcement Activities.**

Ms. Wanda Kurio provided an update on licensing activities. There are currently 6,097 active irrigator licenses. The on-line renewal service is working very well. Ms. Kurio reported that the Agency is considering a process where a postcard will be sent at renewal time instead of the package that is now sent out.

Ms. Linda Saladino provided an update on training activities and requested input on an appropriate size page for the landscape irrigation design plot. Vice Chairman Lewis stated that the Education Committee would provide input on the issue. One item identified as needed on all drawings is a bar scale in case plans

are enlarged or reduced so that the change in scale will be apparent on the new size.

Mr. Richard Allen reported recent compliance activities. The backlog of complaints accumulated through the past two years have been addressed. Staff issued 60 Notices of Violations, 33 to licensed irrigators and 27 unlicensed irrigators, and sent 40 Notices of Enforcement since September 1, 2006. Mr. Flores outlined the complaint notification process indicating complainants should receive a Notice of Complaint within 30 days. A second action, in the form of a letter, Notice of Violation or Notice of Enforcement is sent following the investigation. Complaints are handled in numeric order, based on when the complaints are received. Home Owner Associations and Utility Districts were identified as resources to use in educating the public about landscape irrigation requirements. Vice Chairman Lewis asked if the names of violators could be made available and published in newsletters. The Council was asked to help provide local enforcement information on licensed individuals to TCEQ for a central repository.

**8. The Council will discuss the revision of the LI exam.**

The Irrigator examination will be revised. The Council encouraged staff to incorporate accurate and comprehensive questions. The Council was asked to provide questions to TCEQ staff by the next Council meeting. The TEEXs contract was discussed; there have been no discussions about changing the contract cost or the number of test dates. Mr. Flores will check to see if TEEXs can offer additional test dates. Ms. Saladino or Mr. Flores are contacts for question submittals.

**9. The Council will receive an update on the status of the Irrigator Emeritus designation.**

TCEQ continues to work with the database staff to make changes to the database to put in an Emeritus or Honorary license. Changes to the database will be needed. Mr. Flores clarified that a licensee could not move from “Emeritus” or “Honorary” status to active status without taking appropriate classes or tests. A new “active” license number will be issued. The Council asked if the “Emeritus” or “Honorary” status could be an option at renewal.

**10. The Council will discuss the process for selecting new Council members.**

Chairman Weiss explained that he would like to make people aware of the process for future Council nominees. A draft process was provided to the Council and comments/suggestions requested. A question was raised about when names of the nominees could be made available. Staff will follow-up on the question. The Council would like to provide advice to the Agency on nominees.

**11. The Council will receive an update on the proposed Chapter 30 rules changes.**

Staff anticipates the draft rule document being published between 4/2 and 4/13, the comment period closing on 5/15, and adoption consideration on 9/19, with an effective date of 10/11. Chairman Weiss indicated that he will forward the web link for the rule proposal to each Council member when it is available.

**12. The Council will discuss Chapter 344 rules.**

Chairman Weiss stated that he would Chair the Rules Subcommittee. Chairman Weiss asked for a copy of the Chapter 344 draft rules that had been previously worked on by the Council.

**13. The Council will discuss chemical injection devices being marketed to the irrigation contractor and end user.**

There is a concern that the backflow device being used in systems with chemical injection devices may not be the correct device. Vice Chairman Lewis asked TCEQ staff to prepare a letter to supply houses/distributors outlining the rule requirements and a layman's definition of the rule requirements and to work with the manufacturers to make sure their literature references the correct Texas backflow device. The Council made a motion, seconded and passed that the IAC supports the effort to provide clean water.

**14. The Council will receive an update from Mr. Lewis on the meeting with the basic training providers.**

Approximately 80% of the basic training providers attended the 3/20/07 meeting. There was positive feedback regarding the meeting. The Education Committee will meet and provide suggestions at a future Council meeting. There was discussion of having a Basic Training provider meeting annually in January or early February.

**15. The Council, guests, and TCEQ staff will discuss additional items of interest.**

The Council will meet again on 7/26/07 and 11/15/07. Meetings will begin at 9:30 a.m.

Water conservation was discussed by several audience members. A concern was expressed that some of the professions that do not have to be licensed to perform landscape irrigation activities are not trained in water conservation issues. Mr. Flores stated that the statutes contain the exemption and that statute changes would be required to require training in water conservation for the professions exempted from landscape irrigation licensing.

There was discussion of asking new Council members to attend future Education Committee meetings to become knowledgeable about issues facing landscape irrigators.

License revocation for landscape irrigators that habitually fail to comply with State and local regulations was discussed.

Discussion of having a “journeyman” type license and qualifications for entry level landscape irrigators was discussed.

A copy of TCEQ procedures and guidelines were distributed to Council members.

Vice Chairman Lewis discussed an e-mail from a licensed irrigator that asked that the Council be made aware of a situation regarding renewal of a license that expired in November. TCEQ’s database does not agree with dates provided in the e-mail. There is no provision for taking training classes after the expiration date of a license. Ms. Kurio or Mr. Thompson will contact the licensed irrigator.

- 16. Council will adjourn.**
- 17. Council Committees will meet.**