

IRRIGATOR ADVISORY COUNCIL (IAC) MEETING MINUTES

July 26, 2006

Texas Commission on Environmental Quality (TCEQ)

12100 Park 35 Circle, Bldg. A Room 328, Austin, Texas

9:30 am

Attendees:

Council Members: William Gossett (Chairman), Jerry Lewis, Don Weiss, Michael Murr, Doug Goodwin, David C. Coleman, Carmon McCain

TCEQ Staff: Bob Mann, Manuel Flores, Bob Mann, Richard Allen, Candy Garrett, Linda Saladino

Visitors: Dave McCullough, Bob Dowdy, Gene Reagan, Carl Causey, and Todd Magatagan

1. The Chairman of the Council will call the meeting to order, and recognize persons in attendance.

The meeting was called to order by Chairman Gossett at approximately 9:30 and introductions of attendees proceeded.

2. The Council will approve the minutes from the March 22, 2006 meeting.

Mr. McCain made a motion to approve the minutes and the motion was seconded by Mr. Lewis. The council unanimously voted to approve the minutes as they were.

3. TCEQ staff will discuss staff changes, licensing, enforcement and training activities.

Mr. Flores introduced Ms. Candy Garrett as the newest member of the Landscape Irrigation Program team. Mr. Flores also re-introduced Mr. Richard Allen. A discussion followed concerning the type of information that is provided by the complainants and if that evidence is sufficient to complete a package for enforcement. The committee discussed educational outreach to the general public to select a licensed landscape contractor.

The committee discussed landscape irrigation training conducted at exotic venues, the requirement for instructors at basic training classes to submit a plan design prior to approval for training. Ms. Linda Saladino stated that changes to the landscape irrigation exam were being considered. The Council discussed the process for changes.

Ms. Wanda Kurio provided current licensing information for FY 2006:

219 Licensed Installers
5,693 Licensed Irrigators
719 New Licensed Irrigator applications
2,200 Licensed Irrigator renewal applications
Ms. Kurio stated that about ten renewal applications per week were being processed on-line.

Ten Minute Break

Mr. Richard Allen provided an overview of Enforcement Activities from 9/1/05 through 7/21/06.

New incidents – 139
Closed out, lack of evidence – 29
Closed out – 73 (Licensed – 32%, Unlicensed – 68%)
NOVs – 63 (Licensed 89%, Unlicensed 11%)
NOEs – 17 (Licensed 47%, Unlicensed 53%)

The Council asked and TCEQ agreed to provide a breakdown of the types of actions taken (installation, water conservation, etc.).

4. Chairman Gossett will discuss with the Council the meeting of four council members with TCEQ Deputy Director John Steib and Division Director Tony Franco.

Mr. Gossett, Mr. Lewis, Ms. Baker and Mr. Weiss met with Mr. Steib and discussed landscape irrigation issues. Mr. Gossett suggested that the Council continue to meet with Mr. Steib and Mr. Franco annually.

5. The Council will discuss possible consideration of a recommendation to the TCEQ for a tiered licensing structure for landscape irrigation.

The Council discussed the need for a two or three tiered licensing structure that would promote consumer awareness. Mr. Gossett reported that Ms. Baker provided a report that EPA is considering a voluntary three tiered designation for landscape irrigators – designer, installer, irrigators. TCEQ noted that any changes would require a method to integrate the tiered approach with the existing system and a plan to adjust training classes to fit a tiered approach.

6. The Council will discuss possible legislative action to re-introduce a “HB 2914 type” Bill.

Mr. Gossett reported that there are plans to re-introduce a “HB 2914” type bill.

7. The Chairman of the Council will receive subcommittee reports as appropriate.

Agency Relations Committee: Mrs. Gossett noted that the meeting with Mr. Steib and Mr. Franco had been previously reported.

Legislative Committee: The "HB 2914" type bill would set standards for design, water conservation, irrigator duties and enforcement of irrigation rules in municipalities of 5,000 or more. Water conservation is a critical issue.

Rules Committee: Mr. Weiss had no report

Education Committee: TCEQ staff reported that they are considering revising the exam. It may take another year to complete the revisions. TCEQ is considering a meeting of the basic and continuing education providers. TCEQ will prepare a draft agenda and circulate the proposal to the Council for comments. It was suggested that the Council be used as a resource for information for the exam.

8. The Council will recommend the agency consider the addition of "Licensed Irrigator Emeritus" to the levels of irrigation licenses.

Mr. Flores reported that TCEQ had reviewed methods to implement the designation. A TCEQ concern is the lack of records from past years to be verify service. TCEQ was advised to set up criteria that included a letter(s) of recommendation from someone with personal knowledge of the irrigator's service. The applicant would submit proof to TCEQ that the candidate met the criteria of either being in the business for 20 or more years, or had deceased or become disabled while holding a current irrigator license. The IAC could assist TCEQ in verifying information.

9. Council will discuss with agency staff possible efforts by staff to achieve voluntary actions by Yellow page purveyors in requiring irrigator license numbers with Yellow page advertisement.

Mr. Flores reported that in response to a Council request in November 2005, the agency sent out approximately 70 letters on July 19, 2006, to various print media companies. Mr. Gossett complemented the staff for the work accomplished and noted that the item would be removed from future agendas. In addition, Mr. Flores reported that Mr. Franco had met with the Texas Department of Licensing and Regulation to discuss the possibility of conducting a "sting" operation.

10. Other items.

New Members: Mr. Gossett, Mr. Coleman, and Mr. McCain have terms that expire in 02/07. Mr. Flores stated that 12 nominees representing various areas of the state would be needed. Chairman Gossett urged the Council members and the Texas Turf and

Irrigation Association to submit names. Mr. Flores stated that TCEQ would work closely with the Chairman during the process

New Officers: An election for Chair and Vice-Chair will be held at the November meeting.

Landscape Irrigation Enforcement: Mr. Flores reported on the various types of violations that he was encountering during his investigations. It was noted that Ms. Baker had written an article on landscape irrigation license requirements for a state home builder's newsletter. This is another opportunity for education.

The Education committee will be meeting after a short lunch break. Mr. McCain, Mr. Goodwin and Mr. Weiss will participate in the meeting.

Mr. Weiss made a motion to adjourn and the motion was seconded by Mr. Coleman. The meeting adjourned at approximately 1:10 p.m.