

# Irrigator Advisory Council Minutes

**Date:** Thursday, November 8, 2018

**Time:** 9:00 am

**Location:** Texas Commission on Environmental Quality, 12100 Park 35 Circle, Building A, 2nd Floor, Conference Room 202, Austin, Texas 78753

**Call to Order:** Mr. John DeCell, IAC Chair, called the meeting to order at 9:00 am. Roll Call: John DeCell, Robert Evans, Brooke Furrh, Phillip Hathaway, Justin Lewis, Valerie Miller Ph.D, Paul Ward, Mark Warden.

Council Member Micah Reed was unable to attend.

The members of the council, TCEQ staff: Al Fuentes, James Hemple, Randy Janssen, Linda Saladino, Jaya Zyman, P.E., and members of the public introduced themselves.

Mr. John DeCell read biographies on the 3 incoming members of the IAC: Mr. David Moulton, Mr. Charles Swanson, and Ms. Jennifer Walker. They will begin their terms on February 01, 2019.

Mr. James Hemple, TCEQ Landscape Irrigation Program (LIP), presented the 3 out-going members, Mr. Paul Ward, Mr. Justin Lewis, and Mr. John DeCell, of the IAC with plaques expressing the appreciation of the council.

**Approve Previous Meeting Minutes:** A motion was made to approve the minutes as they were written, the motion was seconded. The vote to adopt was unanimous.

## Individuals Wishing to Address the Council

1. One of the meeting attendees provided information on the concern he had with landscape irrigation consultants conducting "evaluations" and "audits" possibly infringing on the duties of licensed irrigators and irrigation inspectors.
2. A second attendee stressed how important it was to protect the public health from irrigation water and how it should be considered a health hazard. He did regard the recommended 3-year testing recommendation in response to the rule petition filed by the IAC as a step in the right direction.

## TCEQ Occupational Licensing:

A demonstration of the new and improved Occupational Licensing Electronic Application (OLEA) was provided by Ms. Linda Saladino and Mr. Erwin Madrid, TCEQ Occupational Licensing, showing the improvements made including an "activities" page to monitor and track multiple applications, password protection, and advanced security and validation of entered data including addresses. Also, functionality was added so applicants could save their work allowing them to come back to finish, view all entered data, and print the application for their files. Both applicants and administrators who enter data for applicants (but cannot sign) will receive notification emails after submitting, paying, and warnings of

deletion of incomplete applications after 30 days. IAC members expressed appreciation for considering their concerns about the previous application and including fixes in the new application.

Several issues regarding TCEQ-approved training providers were discussed:

1. Reminders of rules regarding renewal of licenses, earning CE hours, and responding to deficiencies.
2. Providers should not be “accumulating” exam questions from students and creating study questions resulting in teaching the test versus teaching critical knowledge and skills. IAC members concurred.
3. Criminal history evaluations do not have an appeal process and according to legislation, training providers must inform applicants their criminal history may prevent them from obtaining a license. A discussion and review of the criminal history review process and outcomes occurred. For more detailed information, visit the TCEQ licensing website (<https://www.tceq.texas.gov/licensing>) to view the regulatory guidance document, RG-521.

**General Discussion:**

1. Charter: Mr. James Hemple provided a document describing the general structure of the IAC, the functioning of the council, and some possible goals for the council. This information was based on the requirements in TCEQ regulations.
2. Mr. John DeCell, the out-going Chair of the Council, respectfully thanked the members of the Council and TCEQ Staff for their service and offered his continued support.

**Election of New Officers:**

After nominations and some discussion, Mr. Micah Reed was elected as the Chair of the IAC and Mr. Mark Warden was elected as his new Vice Chair.

**City Implementation of the Chapter 344 Rules with Q&A**

David Moulton, City of Mansfield, provided a presentation on the City of Mansfield’s Landscape Irrigation Program. He covered topics such as licensing city staff, outreach, handling non-compliant existing systems, plan review, permitting, and inspections.

**Chapter 344 Rule Update**

Mr. Al Fuentes, TCEQ Landscape Irrigation Program, provided an update on the status of the rule petition filed by the IAC. He covered the recommendations made to the Commissioners and the concern expressed regarding data to substantiate the recommended testing frequency. It was requested that members of the council work to provide statistical data on failure rates and public health effects to support the recommended testing frequency.

A very brief discussion was had on generating support for the current rule petition by contacting other organizations and governmental entities.

**Adjournment:** 3:00 pm

Brooke Furrh motioned to adjourn, and Philip Hathaway seconded the motion. The next IAC meeting is Feb. 07, 2019.