

# **IRRIGATOR ADVISORY COUNCIL (IAC)**

## ***MEETING MINUTES***

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November 15, 2012  
12100 Park 35 Circle, Building B, Room 201A  
9:30 a.m. to 2:30 p.m.

1. [Mr. Bell] Call to order.

Chairman Bell called the meeting to order at 9:30 a.m.

**Attendees:**

*Council Members:* David Bell, Karen Guz, Emilio Escobar, Mark Froehlich, Deville Hubbard, David Kania, Nora Mullarkey, Rusty Tucker, Toni Fox

*TCEQ Staff:* Susan Jablonski, Candy Garrett, Ivan Messer, Linda Saladino, Tangela Niemann, Ross Gilfillan

*Visitors:* James Burgdorf, Frank Chaloupka, Jerry Lewis, Todd Magatagan, Charles Swanson, Paul Ward

2. [Mr. Bell] Consider approval of minutes from the June 21, 2012 meeting.  
Mr. Bell moved and Ms. Guz seconded a motion that the minutes be approved. The motion passed.

3. [Mr. Tucker] Enforcement and Legislative Committees Reports and Updates

Mr. Tucker discussed a report that Ms. Melissa Keller was working on which would show the continuing education unit (CEU) credits that irrigators receiving technical violations are taking. Mr. Tucker was interested in seeing the completed report.

4. [Mr. Hubbard] Education, Training and Licensing Committee Reports and Updates

Mr. Tucker raised questions concerning the quality of correspondence or online CEUs. Ms. Saladino asked the Council about their thoughts on more distance training and the possibility of webinars for irrigation CEUs in the future. IAC expressed a desire for the application of more rigorous standards for approval of webinars.

Ms. Guz shared that the IAC cannot fight the use of technology in distance learning, but for irrigators found to be technically deficient, they should be required to take a certain amount of face to face/classroom coursework in order to fulfill the 24 CEU hours needed every three years. Also, Ms. Guz expressed the need to evaluate the rigor of correspondence and online coursework.

Mr. Bell asked Ms. Garrett what would need to occur for a rule change to require at least one face to face classroom training every three years.

Ms. Saladino was asked if training providers were audited after they were approved by TCEQ. Ms. Saladino replied trainers were audited on a limited basis as workload allows based on a number of factors like complaints. Normally, the TCEQ technical program performed audits as needed for new courses or providers. Course content is reviewed as needed in response to rule changes or technology updates through training recalls. The Council volunteered to help either evaluate the courses or set standards for evaluation.

Ms. Saladino also updated the Council on the implementation of CEU training within the Basic Irrigator Licensing course. Providers have applied for approval of specific 4-8 hour modules within the approved course.

Mr. Gilfillan shared the initial findings of Ms. Keller's report.

Ms. Guz expressed the desire to increase the frequency of requiring irrigator design coursework as corrective action for technical violations.

a. Outreach

There was no discussion on this item

b. Enforcement Activities

Ms. Mullarkey expressed concern that there is no penalty for a city/communities not enforcing or implementing an irrigation program. She indicated that this issue is something the Council needs to take a closer look at in the future and explore the possibility of addressing it in the 83<sup>rd</sup> Legislative Session. This issue could be a part of drought plans across Texas.

Mr. Magatagan stated that raising standards in the regulated irrigator community only makes it harder on licensed irrigators that are playing by the rules. It doesn't affect the people that are unlicensed and performing irrigation illegally, because no one watches them and catches them.

Mr. Bell expressed concern on the state's drought management issues and inquired how the IAC could be included in the discussion.

Ms. Guz and Ms. Mullarkey followed up on the topic of how irrigation license regulation could be rolled into conservation plans on the next round.

Ms. Guz stated she has been spending time in the San Antonio area talking to Real Estate staff and home builders about enforcement of irrigation rules. The Texas Association of Builders said the top issue going into the Session is water.

Ms. Guz referred to a state inspection form which could be changed and used as a supplement, if needed. Form will be provided at the next meeting in February.

Mr. Magatagan asked if there was a large water bill going into this Legislative Session. Ms. Garrett stated that news reports indicate that water issues will be a key discussion topic at the 83<sup>rd</sup> Legislative Session.

c. Update on where violations are getting their CEU credits

Mr. Tucker questioned how you can have 24 hours of course work completed in one day.

Mr. Magatagan stated one of the primary problems in Texas is that individuals are letting their license expire and then continue operating in counties or small towns.

Licensed Professional Engineers are audited on CEUs; therefore it was asked if licensed irrigators could be audited as well?

Ms. Guz suggested enforcement requiring design classes more often.

Mr. Hubbard questioned whether the need for the Spanish version of the Irrigation Technician exam still existed. The test was translated to help facilitate compliance for an existing portion of the irrigation community when the license was created. Further discussion showed a need still is present for those more comfortable with a test with both English and Spanish. The pass rates are still lower on this version than the all English test and some exam administrators may still be handing out the Spanish/English version to more than just those requesting it.

Ms. Saladino offered a review of some of the actions TCEQ has taken with training providers to help Spanish speakers learn the concepts required for successful testing and licensure.

Break – Mr. Bell adjourned the meeting for a 10 minute break

5. [Mr. Bell] Hear from individuals wishing to address the Council

Mr. Lewis discussed the Houston Gulf Coast Irrigation Association Expo in conjunction with Texas Irrigation Network workshop in December. Mr. Lewis also thanked the departing IAC members.

Mr. Ward commented on training municipalities through seminars with Houston Building Professional Institute. TCEQ will give presentation on February 5, 2013.

6. [Ms. Guz] Rules and Administrative Committee Reports and Updates (15 minutes)

Ms. Guz discussed an eight hour water conservation course

- Process/protocol to amend 30 TAC §344 rules
- Mr. Bell suggested drafting letter to send to high level TCEQ in 2013 for rule changes.

There was discussion about liability for water districts when they adjust a homeowners' irrigation control box.

Ms. Guz expressed concern that minimum qualifications for city inspectors to perform irrigation work may be too stringent according to 30 TAC §344. The city may not be able to afford to pay master plumbers or licensed irrigators. There needs to be a more cost efficient way to get new homes with irrigation systems inspected. There is a concern that city code inspectors are already overwhelmed with work and may not be skilled to look at the design/installation of irrigation systems.

Mr. Ward discussed his experience in South Lake, Texas with implementing a thorough design review at the permit level. It is a combined permit that encourages the permit process and budgets for trained irrigation staff. Educating building officials is important.

Mr. Kania discussed how the City of El Paso inspects irrigation systems and asked who has the jurisdiction over inspection? There was discussion over interpretation of TCEQ rules.

Ms. Guz discussed the possibility of giving a water variance to builders on new subdivisions in exchange for home builders having to pay for an irrigation audit or inspection. There was discussion about the technician level license being capable of doing the inspections if they work for licensed irrigator or a water district.

Mr. Burgdorf addressed his experience of managing/inspecting/audits in Fort Worth, Texas. The auditors are the eyes and ears of the water district and currently cannot adjust controllers or consult.

7. [Mr. Bell] Receive, Discuss and Act on Other Items of Interest to IAC

- Ms. Guz discussed the future of the EPA's Water Sense Certification program.

- Recognition of new members to the IAC: Mr. Paul Ward, Ms. Marsha Carson and Mr. Jay Hartley
- Election of officers: Karen Guz – Chair  
Mark Froehlich – Vice Chair
- Future IAC Meetings:  
Upcoming meeting on Thursday, February 21, 2013 at 9:30 a.m. at:  
Lower Colorado River Authority (LCRA)  
3601 Lake Austin Blvd  
Austin, Texas 78703  
LCRA Redbud Center

**8. Adjournment**

The meeting adjourned at 12:40 p.m.