

# **IRRIGATOR ADVISORY COUNCIL (IAC)**

**November 18, 2009**

## **Minutes**

**12100 Park 35 Circle, Building A, Room 202**

**Austin, Texas**

### **1. Call to order**

Chairman Goodwin called the meeting to order at 9:35 a.m.

Attendees:

Council Members:

Doug Goodwin, DeVille Hubbard, David Bell, Emilio Escobar, Karen Guz, Nora Mullarkey, Michael Murr, Suzanne Santo, and Rusty Tucker

TCEQ Staff:

Tracy Miller, Sandra Mota, Jeff Walls, Richard Allen, Allan Vargas, Terry Thompson, Linda Saladino, Candy Garrett, Scott Swanson, Vanessa Schiller, Lori Wilson, Tammy Mitchell

Visitors:

Todd Magatagan, Gene Reagan, Jeffrey Knight, Frank Chaloupka, Doug Christensen, Jerry Lewis, Kurt Hall, Debbie Gernes, Guy Fipps, Jay Hartley, Mark Froehlich, Wayne Gibbs, Jana Avlleno, Steve Ambrose

### **2. Consider approval of minutes from the June 10, 2009 meeting**

Mr. Murr moved that the minutes be accepted. Mr. Escobar seconded the motion. The motion was approved.

### **3. Special Recognitions**

Honorary Licenses:

Ms. Martha Ell and Ms. Betty Russell were recognized as receiving the Honorary License designation. Chairman Goodman encouraged Council members to discuss the Honorary License at meetings and events.

Travis County WCID #17

Ms. Gernes accepted a plaque recognizing Travis County WCID #17 for their water conservation efforts.

#### **4. Receive, Discuss and Act on Staff Reports**

Chairman Goodwin stated that he would like to discuss ways that the Irrigation Technician program could be improved. Chairman Goodwin had attended portions of two training sessions and one testing session. Chairman Goodwin stated that applicants that were prepared for the examination (had studied the materials and worked with others to learn about correct techniques) were not having issues with the test. Mr. Tucker stated that he had attended one class and complimented the Tyler Regional Office staff for providing a Saturday test in Overton for 33 applicants. Mr. Hubbard stated that he had attended portions of a class at the Texas Nursery and Landscape Association show and had three employees take a subsequent examination. The test scores were widely varied. Ms. Guz stated that the San Antonio Water System (SAWS) sponsored a class that included Spanish translation and that reports were that the Spanish translation was good and that class attendees felt prepared for the examination. SAWS had notified irrigators of the class and offered scholarships to small companies. There is still a need for classes and examinations in the San Antonio area. Ms. Santo stated that there were some challenges in getting people tested in El Paso. Some people that attended a class in August had not been tested because there are generally only five seats available. Ms. Santo stated that it is important to provide supplemental training to applicants and not depend on the 16-hour class to prepare applicants for the examination. Ms. Santo stated that in El Paso the pass rate had been minimal and that she had heard concerns about the Spanish translation. Mr. Tucker stated that it might be good for classes that are taught in English with Spanish translation to take breaks and have the group utilizing the translation to work among themselves on issues and get clarification from the instructor as needed. Ms. Saladino noted that it is important that training providers correctly advertise and inform potential students of the class content – i.e., that a Spanish translator would be available but study materials are in English. Chairman Goodwin noted that key words that are issues with the translation could be identified and addressed. Chairman Goodwin suggested that the Education Subcommittee work with training providers to assist with the translation. Mr. Tucker stated that the pass rate was not acceptable. Ms. Guz asked if there was a possibility of giving the exam orally. One of the issues identified is that many of the students that are taking the examination are functionally illiterate, as evidenced by some having difficulty writing their name.

Mr. Thompson provided an update on rule making in response to House Bills 963 and 2808 (check) that would allow an applicant with a criminal background to ask for an eligibility determination prior to applying for a license.

Mr. Vargas stated that there are currently 6258 licensed irrigators. There are 196 licensed irrigation technicians. The pass rate for the English only examination is 56% and the pass rate for the Spanish only examination is 24%. Mr. Vargas stated that between July and December 2009, TCEQ made extra testing capacity available in Dallas (2200 seats), Houston (8000 seats), and San Antonio (1540 seats). Some testing dates were canceled due to low registration. Mr. Vargas also stated that the goal for grading examinations is

within 30 days but must be graded within 45 days. Mr. Vargas stated that there is a backlog that he anticipates being caught-up in December. Mr. Tucker asked for the test result information to be made available on the website.

## **5. Presentations**

SMART Controllers – Dr. Guy Fipps, Texas A&M

Dr. Fipps has studied several types of controllers over the past three years and provided feedback to various manufacturers about the findings. There could be improvements in the programming of the computers and default values used in Texas.

Drought Activities – Tracy Miller, TCEQ/Nora Mullarkey, LCRA

Ms. Miller discussed the drought activities taken by TCEQ over the past summer. Ms. Miller explained the difference in areas that have water masters and those areas that do not have a water master program. Ms. Miller discussed the need for additional public education. Ms. Mullarkey discussed the actions taken by the Lower Colorado River Authority with the area's storage lakes being at 52% capacity. LCRA's goals for the future will include more efficiency in the use of the existing water supplies.

## **6. Hear from individuals wishing to address the Council**

Mr. Mark Froehlich, representing the State Water Board Directors stated that Mr. Jerry Lewis would speak about landscape irrigation at their January 2010 meeting.

## **7. Receive, Discuss and Act on Staff Reports**

### **(a) Outreach**

Mr. Walls reported that staff had participated in several recent events and highlighted events in the next month that staff would attend.

### **(b) Enforcement Activities**

Mr. Allen reported that in FY 2009 (9/1/08 to 8/31/09) TCEQ issued 71 Notices of Violation in addition, 48 Notices of Enforcement. There were 119 investigations and 201 incidents closed. In FY 2010 (9/1/09 to 10/31/09), TCEQ issued 9 Notices of Violation and 21 Notices of Enforcement. There were 30 investigations conducted and four incidents closed. Mr. Allen noted that in FY 2009, there were 31 administrative orders issued in the amount of \$25,589. In FY 2010, there have been seven administrative orders issued in the amount of \$5,240.00.

### **(c) IAC Nominations for Vacancies in February 2011**

Mr. Walls reported that nominations are being accepted for three positions on the IAC. Two irrigator positions and one public member position will be vacated in February 2011. The nomination period will end on February 1, 2010.

(d) Sunset Review

Mr. Walls reported that the TCEQ is undergoing sunset review. Further information can be found on the Sunset Commission's web page.

**8. Receive, Discuss and Act on IAC Committee Reports:**

(a) Rules – Meeting the water window requirements

The item was tabled for the next IAC meeting.

(b) Education – Acceptable CEU topics for water conservation

The item was tabled for the next IAC meeting.

(c) Water Conservation

The item was discussed in other items.

(d) Legislative

Mr. Bell stated that he would like to work with the Texas Turf and Irrigation Association to find common ground and issues to work together during the next legislative session.

**9. Receive Discuss and Act on New Business and additional items of interest**

Ms. Garrett provided a handout with the status of irrigation ordinances in municipalities with a population of 20,000 or more.

**10. Election of Offices**

Chairman Goodwin thanked everyone for his or her work over the past year to make the Council successful.

Mr. Escobar nominated Mr. Hubbard for Chairman. Ms. Mullarkey seconded the motion.

Mr. Hubbard was elected Chairman. Ms. Mullarkey nominated Mr. Bell as Vice Chairman. Mr. Hubbard seconded the motion.

Mr. Hubbard suggested February 18, 2010, June 10, 2010, and November 18, 2010 as the next meeting dates. Mr. Hubbard stated that he would e-mail subcommittee assignments in the next month and would expect a preliminary report in June and a final report by November. Mr. Hubbard stated that 2010 would be a year of opportunity for the IAC. At the February 18 meeting, there will be discussion of a possible brainstorming session to discuss future Irrigator Advisory Council activities and selection of a date for the meeting.

## **11. Adjourn**

Chairman Hubbard adjourned the meeting at 2:30 p.m.