

Texas Sunset Commission 12-15-2010

DeVille Hubbard licensed irrigator LI 1836, (1984)

I have some general comments regarding the TCEQ and new 344 rules that took effect Jan 1 2010.

Water conservation is a major concern of the irrigation industry here in Texas. Our industry is aware of our responsibility to conserve this resource due to the cost of producing potable water and the growing pressure on overall consumption. In my opinion the TCEQ has taken positive steps in addressing water conservation concerns by adopting the new 344 rules and addressing water conservation standards of training requirements in the Continuing Education Units program.

New rule 344.62 (O), that took effect in 2010, requires a licensed individual to be onsite at all times during the installation of an irrigation system. I believe this rule is a positive step in promoting water conservation. The new licensed technician category has resulted in better trained individuals that will result in a better installed irrigation system resulting in improved water conservation. As a result of the legislation in the 80th session there are now 1,370 new licensed technicians helping to conserve the waters of Texas. There are currently are 6,585 licensed irrigators in the TECQ licensing program.

A concern among licensed irrigators is the lack of enforcement of persons engaged in the installation of irrigation systems who are not holding an irrigation license. This puts the licensed irrigator at a competitive disadvantage because when the licensed irrigator applies for an irrigation installation permit they are compelled to uphold the standards outlined in the 344 rules. The unlicensed contractors are not pulling permits not complying with 344 water conservation rules and are under the radar of local enforcement efforts. As a result of the lack of local enforcement in this area the TCEQ has agreed to the advice of the Irrigators Advisory Council to train regional TCEQ compliance officers in the 344 irrigation rules. Unlicensed individual working in the irrigation industry undermine the water conservation objectives. The TCEQ remains the leading enforcer in this area with 89 notices of violation this past year.