

Draft-July 23, 2008

**Report Concerning Designation of Certified Water Conservation
Training Facilities, Entities, and Programs**

by the

Water Conservation Advisory Council

Respectfully Submitted on

December 1, 2008

Legislative Tasks

Under Section 3 of House Bill 4 and Section 2.03 of Senate Bill 3, the 80th Texas Legislature directed the Water Conservation Advisory Council (Council) with the following charge:

- DESIGNATION OF CERTIFIED WATER CONSERVATION TRAINING FACILITIES STUDY. (a) The council shall conduct a study to evaluate the desirability of requiring the board to:
 - (1) designate as certified water conservation training facilities entities and programs that provide assistance to retail public utilities in developing water conservation plans under Section 13.146; and
 - (2) give preference to certified water conservation training facilities in making loans or grants for water conservation training and education activities.(b) Not later than December 1, 2008, the council shall submit a written report containing the findings of the study and the recommendations of the council to the governor, lieutenant governor, and speaker of the house of representatives.
(c) This section expires June 1, 2009.

Key Concepts and Requirements of the Legislation:

- The Council believes that the primary intent of the legislation was directed to providing assistance to and the training of Retail Public Utilities so that they

may meet the requirements for the development of water conservation plans required under Section 13.146.

- As stated in the legislation, another intent is to allow the Texas Water Development Board (TWDB) to designate specific facilities, entities, and programs as being certified for water conservation training.
- Another intent is for the TWDB to be able to give preference to those certified facilities, entities, and programs if and when the TWDB can provide financial assistance for water conservation training and education activities.
- The Water Conservation Advisory Council must provide the Governor, Lieutenant Governor, and Legislature with the findings and recommendations of the Council.

Summary of Progress

Under Section 3 of House Bill 4 and Section 2.03 of Senate Bill 3, the 80th Texas Legislature directed the Council to study and evaluate the possibility of the Texas Water Development Board giving preference to funding of certified water conservation training facilities entities and programs. A task group of members of the Council and other interested participants was formed. Input to the study process included five open record telephone conference calls, discussion before the full Council, review of draft material, and an on-site visit of the Kay Bailey Hutchinson Desalinization Plant in El Paso, Texas by the Council' Presiding Officer. Based on this input, the Council agreed on the following:

- The emphasis should be on certification and provision of financial and technical assistance to programs of instruction and development of materials that provide the necessary information to assist utilities in developing effective conservation plans as required under Section 13.146 and not on a specific building or facility;
- If authorized by the Texas Legislature, the Texas Water Development Board should give preference in funding of programs that have had their programs certified by the TWDB; and
- It is also recognized that this would require additional legislative authorization and funding for the Texas Water Development Board so that they can implement and administer a certification process.

The findings and recommendations of the report are based on a 15 month effort including five special conference calls open to the public, review of drafts, and full Council meeting deliberation of the findings.

Members of the Task Group included:

Council Members

Bill Hoffman
Carol Baker
Karen Gus
Comer Tuck
Scott Swanson
Gary Walker
C. E. Williams

Alternates and Interested Parties

Steve Densmore
John Sutton
Carole Davis
Mike Mahoney
Dan Strub
Nora Mullarkey
Lara Zent
Kelly Stripling

Findings and Recommendations

Key Findings:

- The legislation is not directed to the provision of water conservation education and training activities for the general public.
- The legislation is not directed to the training that would be required for the certification of water conservation professionals.
- The legislation is not directed to the development of an operator certification program for water conservation specialists.
- The legislation does address the certification of means (facilities, entities, and programs) to train utilities on how to establish effective conservation programs as required in Texas Water Code Section 13.146.
- Training for retail public utilities for the development of water conservation plans required by Section 13.146 is needed.
- Entities that have provided water conservation training in the past range from state agencies including the Texas Water Development Board (TWDB) and Texas Commission on Environmental Quality (TCEQ) to organizations such as

the Texas Rural Water Association (TRWA), Texas Water Utilities Association (TWUA), and the Texas Section of the American Water Works Association (TX-AWWA). It is also conceivable that private entities could perform such training for profit.

- Texas is a large and diverse State. Many not-for-profit organizations already offer some related training as part of their regular conference and program activities across Texas. These programs are held at hotels, local utility training facilities, convention centers at a variety of locations across Texas. This format has proven to be both cost effective and it offers this training to the widest number of utilities as opposed to training at a set building or facility that may be located far from many utilities who wish to send personnel for training. Providing financial assistance to these training PROGRAMS as opposed to funding an individual building or facility should be the emphasis of any financial assistance.
- A facility, such as a meter testing workshop or training facility, may offer unique opportunities to be used as part of a PROGRAM to train utility personnel, but the emphasis should be on the content of the PROGRAM.
- Entities such as TRWA, TX-AWWA, TWUA and others, possibly including for-profit training programs, should be required to submit their programs to the TWDB for approval and certification to ensure that any programs financed by the TWDB are conducted in compliance with appropriate standards as determined by the TWDB. This practice is currently done by the TCEQ for operator training credits for continuing education requirements and has been effective. Again, this program is aimed at training utilities, and not certifying conservation professionals, but the certification process could be similar.
- The TWDB should give preference to certified facilities, entities, and programs when providing financial assistance for training programs.
- The assistance from the TWDB can be in the form of monetary assistance, but could also include provision of training material, provision of TWDB staff to provide training to the trainers, and/or other forms of in-kind assistance.
- The TWDB currently provides limited training in this area, but it does not have authorization to certify programs, to provide funding of certified training programs, or funding for the additional staff needed to administer such a program.
- Additional funding will be required for the TWDB to meet this expanded role.

Key Recommendations:

The key recommendation of the Water Conservation Advisory Council is for the Texas Legislature to authorize the Texas Water Development Board to provide

financial assistance to programs to aid retail public utilities in developing water conservation plans under Section 13.146. If this recommendation is adopted, then the following should be considered:

- The emphasis should be on certification and provision of financial and technical assistance to programs of instruction and development of materials that provide the necessary information to assist utilities in developing effective conservation plans as required under Section 13.146 and not on a specific building or facility.
- The certified training should focus on tools, techniques, and methods that go into the development and implementation of effective utility based water conservation plans and programs. This can range from content aimed at specifics of the requirements under Section 13.146 and to program elements such as development of educational programs, outdoor and indoor water conservation program elements, or development of non-residential water conservation programs.
- The Texas Water Development Board shall give preference to certified programs when providing any available financial assistance before providing such assistance to programs which have not been certified.
- Additional program authorization and funding will be required, to enable the TWDB to put this certification into practice. This includes both funding for financial assistance and for additional technical assistance activities by the TWDB.