

Appendix A:

Letter from Texas Water Development Board
Executive Administrator

10/15/08

C.E.,

As the presiding officer of the Water Conservation Advisory Council, I formally request that you consider comments from the Texas Water Development Board on your draft report to the Legislature. Based on our discussion earlier today, I would believe that the changes I am asking the Council to consider would be consistent with their goals regarding obtaining appropriations from the Legislature to implement a statewide water conservation media campaign such as recommended by the TWDB in an exceptional item request for the upcoming biennium. Our comments follow:

In the Council's report to the Legislature, the "Water IQ" trademark should not be identified as the statewide water conservation public awareness program contemplated by Section 16.401, Texas Water Code. Section 16.401(b) provides that the TWDB executive administrator is required to develop that statewide program "only if the legislature appropriates sufficient money.." To date, there has been no such appropriation and so, a statewide program has not been developed. To be fair, and legal, any contract work for developing a program would need to go through state procedures and Board approval.

The draft of the Council's report to the 81st Legislature should be revised to make it clear that the "Water IQ" trademark is not "the statewide water conservation public awareness program". Specifically:

- at page 15, line 8, change "the" to "a" (.."funding a statewide water...");
- at page 15, line 11, change "the statewide Water IQ Public Awareness and education campaign" to "a statewide water conservation public awareness and education program";
- at page 15, between lines 11 - 12, add: "The Council notes that the Texas Water Development Board has developed a "Water IQ trademark. The Council acknowledges that this trademark is not the statewide water conservation awareness program contemplated by the Legislature in Section 16.401, Water Code, and that the Board is requesting special funding from the 81st Legislature for this program."
- at page 17, line 44, change "the statewide public awareness campaign" to "a statewide water conservation public awareness program";
- at page 51, lines 25 - 26, delete: "for promoting Water IQ as a statewide awareness program";
- at page 51, line 43 through page 52, line 3, delete the last three sentences beginning with "The development and ...";
- at page 52, line 4, change "the statewide" to "a statewide";
- at page 52, lines 7 - 8, change "the ongoing statewide" to "a statewide";
- at page 52, lines 16 - 17, delete "promoting, further" and change "the Water IQ Campaign" to "a statewide public awareness program".

I would also ask that members of the Council review the tone of the discussions and recommendations in the draft report related to reporting on current water conservation activities as well as recommendations for future activities and actions by the Legislature to ensure that there is no indication that "Water IQ" is being developed as "the statewide public awareness campaign" or that members of the Council or its various subcommittees would view their own activities related to use of Water IQ as a Water IQ trademark are an effort to develop "the statewide water conservation campaign."

I also recommend that the Council authorize Board staff to make any additional edits consistent with these concerns, and subject to the Council's approval, during the final edit and formatting of the draft, particularly as it appears in any of the appendices of the report.

Thank you for your consideration of this very important matter. I think the clarity in the report will help gain support for the Council's recommendations from my Board.

-Sincerely,

Kevin Ward