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STATE CAPITOL REPORT

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Energy Systems Laboratory Makes Building Code Recommendations

Asks SECO to Raise Minimum Energy Efficiency for Texas Buildings

In a long-awaited recommendation, the official State of Texas experts on building codes – the Energy Systems Laboratory (ESL) – has recommended to the State Energy Conservation Office (SECO) that Texas raise its minimum building standards for new construction so that new buildings will be more energy efficient. **SECO is expected to propose a draft rule in the coming months for comment and eventual adoption.** (SECO is a division of the State Comptroller of Public Accounts).

ESL Determination

In making its determination, ESL recommends that Texas adopt the 2009 International Energy Conservation Code (IECC) and Chapter 11 of the 2009 International Residential Code (IRC), with some caveats. Currently, Texas only requires that municipalities and counties adopt building codes that meet the 2000/2001 IECC

standards. In making its determination, the laboratory found that the 2009 IECC provides a marginal improvement over Chapter 11 of the 2009 IRC for residential construction.

In fact, ESL stated that there would be a greater reduction in peak demand and emissions by adopting the 2009 IECC for residential construction. While not providing a specific date as when to implement the new codes, ESL stated “implementation of improved codes should be effected as soon as possible in order to maximize desired emissions reductions.” Finally, ESL noted that adoption of IECC is a requirement for securing American Recovery and Reinvestment Act (ARRA) federal funding for Texas (ARRA is the federal stimulus package).

Supports Sierra Club Comments

The recommendation by ESL supports

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comments submitted to SECO earlier this year by the Lone Star Chapter of the Sierra Club, over 780 Texas residents, and other organizations like Public Citizen and the Responsible Energy Codes Alliance that Texas should adopt the 2009 IECC for all new construction, or if it adopts the 2009 IRC for residential, amendments should be added to make them as strong as the 2009 IECC in terms of energy efficiency. At issue is the fact that the 2009 IECC has a more restrictive requirement for windows on what is called the SHGC, or Solar Heat Gain Coefficient. (Solar Heat Gain Coefficient or SHGC measures how well a product blocks heat by sunlight.)

The recommendation by ESL – if adopted by SECO – would require most counties and municipalities to update their building codes to comply with the state minimum standards. It should be noted that San Antonio became the first municipality in Texas to adopt the 2009 IECC for all new construction earlier this year, while Austin, Dallas and Houston have all adopted individual building codes that should meet the standards required by 2009 IECC for commercial and residential construction.

The Lone Star Chapter of the Sierra Club will continue to advocate that Texas adopt the 2009 IECC as the minimum building standard for residential and commercial construction, and that the standard be implemented as soon as possible. Doing so will save money, reduce emissions, and

reduce water use. According to ESL, the new standards should save between 8.7 and 14.6 percent in electricity use as compared to the 2000/2001 IECC depending on the region of the state and other factors, and between 7.8 and 16.7 percent in natural gas heating for a single story, 2,500 square foot home.

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Deadlines for Stimulus Money Looming for Cities, Others

Transportation, Renewable Energy, Energy Efficiency Funds at Stake

In breakneck speed, the State Energy Conservation Office (SECO) has given cities and counties only a few more weeks to apply for a variety of grants related to clean energy and clean transportation, courtesy of the stimulus funding approved by Congress earlier this year. While requesting a very quick turnaround, SECO officials note that because the ARRA – American Recovery and Renewal Act – requires that projects be implemented on a short time-line, they must get projects approved and ready for roll out soon.

DOE Approval Earlier This Year

Earlier this year, **the U. S. Department of Energy approved SECO’s proposed use of \$218 million in “State Energy Plan” dollars, creating five new programs (see Table, page 7).** In addition, **the DOE also approved SECO’s plan to distribute some \$45 million in Energy Efficiency and Conservation Block Grants (EECBGs) for cities and counties in Texas with smaller populations.** Larger cities and counties had already been awarded some \$163 million in direct grants for energy efficiency projects.

The money available through DOE and SECO is in addition to the \$327 million in funds for “weatherization” that has already

been approved for Texas. Those funds are being distributed through the Texas Department of Housing and Community Affairs, with the money already approved for individual cities, counties and non-profit network providers of weatherization services for Texans that meet income criteria.

SECO Funding Sources

Among the funding sources at SECO with upcoming deadlines are **\$30 million in grants for distributed renewable energy** for public entities. Cities, counties, hospitals, and even prisons could be eligible to apply for grants to put solar on their roofs, or geothermal systems under the ground to save energy and promote renewable power. There is a project cap of \$2 million and the project sponsor must pay at least 20 percent of the total cost of the project. **The deadline for applying is October 30.**

Similarly, the deadline for some \$11 million in transportation project grants related to alternative fuels projects passed on October 19, though public entities will be able to submit proposals through the Traffic Signal Project to replace normal lighting with LED lighting until October 30. Eligible entities are governmental entities and may include units of state and local

Torrent of Water Conferences Continue

If water conferences can produce necessary amounts of water to meet human and broader environmental needs, then Texas is in good shape for the foreseeable future. As initially reported in the last issue of the *State Capitol Report*, the state is currently awash in opportunities for each Texan to learn more about the water issues of the state and/or the region in which he or she lives.

Several water conferences – including ones in Brenham, Houston (at Rice University), and Corpus Christi – were held in just the first two weeks of October. Several more are forthcoming in November, followed by a virtual dry spell in December before the water conferences begin to flow again after the first of the year. First up in 2010 will be the Sierra Club “Water for People and the Environment” conference in Houston on January 16. Following is a brief overview of water conferences in November.

November 13 – Houston

As reported in the previous *State Capitol Report* issue, the Bayou Preservation Association is holding a symposium on “Stormwater: the Underfunded Asset: The Economics of Stormwater Solutions” from 7:30 AM to 4 PM at the United Way of Greater Houston at 50 Waugh Drive. Cost of registration is \$50, which includes lunch; the deadline for registration is November 1. Go to <http://www.bayoupreservation.org/> for registration or more

information.

November 16-17 – Fort Worth

Water politicians will be streaming to Fort Worth in mid-November for “H2O4Texas: The Water Event” to be held at the Omni Fort Worth Hotel. The driving force behind this event has been State Senator Kip Averitt of Waco, the chairman of the Texas Senate Committee on Natural Resources, with assistance from Rep. Allan Ritter of Nederland, the chairman of the Texas House Committee on Natural Resources. The conference is part of a larger effort to raise the public visibility of water issues and help build a constituency in support of expanding funding for programs to meet the state’s future water needs.

As evidence of the high-powered nature of this event, scheduled speakers include two top state officials: Lt. Governor David Dewhurst and Texas House Speaker Joe Straus as well as water officials from other states and the federal level. A highlight of the conference will be a presentation by Dr. Robert Glennon, author of the new book “Unquenchable: America’s Water Crisis & What To Do About It” (his previous book “Water Follies: Groundwater Pumping and the Fate of America’s Fresh Waters” was widely acclaimed). Dr. Glennon is the Morris K. Udall Professor of Law and Public Policy in the Rogers College of Law at the University of Arizona.

Registration for the event is \$125 per person prior to the conference (\$150 at the door on the day of the conference). Go to <http://www.texaswater.org/waterfortexas/> to register for the event or review the conference agenda. The conference opens at noon on Monday, November 16 and ends at noon the next day.

November 16-18 – San Marcos

Unfortunately the water conference in Fort Worth conflicts in part with another important water conference being held in San Marcos that same week. “Land Water People” – sponsored by the River Systems Institute at Texas State University – will be held at the San Marcos Conference Center, just off Interstate 35. This conference is part of the Institute’s annual conference series and the Institute’s Initiative for Watershed Excellence.

This conference will be a more intensive event than the Fort Worth conference, with a program of plenaries, panel discussions, and concurrent workshops, including many focusing on environmental aspects of water resources and watershed management. Highlighted speakers will include Brian Richter, Director of the Sustainable Waters Program at The Nature Conservancy, and Carter Smith, Executive Director of Texas Parks & Wildlife Department.

A wealth of other speakers and panelists – from academia, environmental groups,

local governments, state and federal agencies, groundwater districts, research institutes, and land trusts – will round out a very comprehensive three day conference. An interesting plenary will focus on the Oklahoma and Texas state water plans.

Registration includes event attendance, conference-related materials, and food for each day of the conference. General registration for the conference for all three days is \$255 through October 24 (the fee rises to \$285 on October 25, continuing through November 9, with on-site registration at \$300).

Fees for attendees from nonprofit, academic, and government entities are cheaper, and the total registration fee for students is \$100. People may also register for separate days of the conference.

Full conference details and registration are available on-line at www.rivers.txstate.edu, or call Annette Paulin at 512-754-9179 for more information.

January 16, 2010 – Houston

The next issue of the *State Capitol Report* will have details about the upcoming Sierra Club “Water for People and the Environment” conference in Houston on Saturday, January 16 (see announcement in the previous issue of the *Report*).

Stimulus, *continued from page 3*

government, public schools, public colleges and universities, public hospitals and government-owned utilities.

Finally, **smaller cities and counties have an initial deadline of November 6 to tell SECO whether they plan on accessing the EECBG monies, a deadline of November 22 to pass a resolution to accept the money, and a deadline of December 22 to actually turn in their application.**

Great Opportunity

“Large and small cities, hospitals, counties and universities have a tremendous opportunity to pay for renewable energy, clean transportation and energy efficiency projects which should lead to energy and water savings for local government,” noted Cyrus Reed, conservation director of the Lone Star Chapter of the Sierra Club. “But they have to actually apply to get the money,

and now is the time to do it.”

Reed noted that information on other programs at SECO – including a loan program for energy efficiency and on-site renewable energy – should come out soon with their application process.

Information about all of SECO’s stimulus programs, including the actual applications, is available on the agency website at

<http://www.seco.cpa.state.tx.us/arra/>

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State Energy Office Stimulus Funding

Name of Program	Eligibility/Description	Funding Amount	Deadline
Building Efficiency and Retrofit Program	Public Entities for low-percent revolving loan program for energy efficiency and renewable power	\$158,200,000	Program approved, deadlines yet to be established
Transportation Efficiency Program	Public entities for Traffic Signal Projects or Alternative Fuels Project	\$17,000,000	for Traffic Signal – October 30; for Alternative Fuels Project passed October 19
Distributed Renewable Energy Technology Program	Public entities for up to \$2 million in grants for renewable energy projects on public buildings	\$30,000,000	October 30
Energy Sector Training Centers	Texas Workforce Commission will issue competition for training centers for energy-related green jobs	\$6,000,000	No deadline established
Public Education and Outreach	Will be run by SECO to highlight energy efficiency and renewable energy	\$5,000,000	Program still being developed
Energy Efficiency and Conservation Block Grant program	Cities under 35,000 and Counties under 200,000	\$45,638,100	Initial deadline: November 6; Final deadline: December 22
Energy Efficient Appliance Rebate Program	Consumers, but program will likely be run through retailers or utilities	\$23,341,000	Program yet to be approved by DOE
Total Funding		\$287,761,100	



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