

Survey Results of Petition to Adopt New Rule on Outdoor Lighting Certification

General Comments	
Texas A&M University System, James Davidson	<p>Facilities Planning and Construction has been aware of this requirement and we have followed it since it's inception.</p> <p>The proposed wording speaks to "All outdoor lights that are installed, replaced, maintained, or operated using state funds since September 1, 1999 and forward must comply with this law. I specifically object to the use of the word all in this sentence, since the law in question grants exceptions for several situations and the word implies all outdoor lighting on the campus not just lighting included in the project in question. I also object to the inclusion of the words replaced, maintained, or operated and since September 1, 1999 since these words go beyond what is required to approve a construction project.</p> <p>The Board Certification form already requires that we certify that "This project will comply with all applicable state and federal laws." A I see it this proposed addition is already covered by this statement.</p> <p>In conclusion I do not support the addition of this rule as currently worded.</p>
Prairie View, Texas A&M University, Mary Lee Hodge	<p>I am told that the lighting on the Prairie View A&M University campus has met the new standard since the construction of our Memorial Student Center in 1999.</p>
TSTC-Harlingen, Mike Buck	<p>I have reviewed the documentation that you sent relative to the THECB petition to adopt a new rule - Regulation of certain outdoor lighting. While I totally agree that as stewards of the state's resources, we should do all that we can to conserve both resources and funds. There has to be a fine line between conservation and safety. Personally I would rather be safe than conserve dollars foolishly.</p>
TSTC-Waco, Steve Lowe	<p>1) If TSTC-Waco is required to follow this as written, we will automatically not be in compliance for those lights we have already installed, replaced, and maintained between September 1, 1999 and today. If required to immediately comply, we will be required to retrofit about 15-20 outdoor lights at a roughly estimated cost of about \$5,000 to \$10,000.</p> <p>2) If the rule could be modified to "Grandfather" in those light already installed since September 1, 1999, we will be required to retrofit (upon "replacement" or "maintenance") the same amount (about 15-20) of our exterior lights to meet the standards (i.e. any outdoor lighting installed after 1 Sept 1999). This would be at the same cost (rough cost estimate of about \$10,000), but would be spread out over the period we do the "replacement" or "maintenance".</p> <p>3) An additional issue if Grandfathered, is one of aesthetics. If we only replace the lighting as it goes into "replacement" or "maintenance", we will for a significant timespan have dis-similar lighting types across campus; unless we make mass replacements at one time of similar lighting types when just one needs "replacement" or "maintenance".</p>

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	<p>4) System wide, depending on the other campus' lighting types and volumes; and whether done immediately or if Grandfathered; this could result in some serious expenditures either all at once, or over time.</p>
	<p><u>THECB follow up:</u> They were advised that this is current law, with some exceptions as specified in the statute.</p>
<p>Midwestern State University, Juan Sandoval</p>	<p>I am sure most of us are in the same boat as we continue to evaluate possible state appropriations issues that continue to change and public institutions not knowing how to react. We are all acutely aware of the energy conservation issues with lighting and frankly, not quite as aware of the lighting pollution. Our concern has been on the safety of our students and we have quite a lot of "dark spots" all over the campus. Safety is the primary issue. We acknowledge, however, that there is room for improvement and will yield to our facilities engineers and other experts that know where the proper balance is.</p>
<p>Texas A&M University-Texarkana, Ward Martaindale</p>	<p>If I understand this proposed rule change correctly, it is adding a verification requirement to THECB that we (the individual institution) will comply with the existing Texas Health and Safety Code dealing with light pollution. I see no benefit to this proposal since we already are required to comply with existing state and federal codes. Wording in our bid specifications require general and sub contractors to comply with all "State and federal codes, ordinances and regulations" related to electrical and lighting installations. I do not support the petition to adopt this new rule because it will only add to the Board of Regents certification process, and will not change what we do right now to comply with the existing state code.</p>
<p>Lamar University, Gerald McCaig</p>	<p>Lamar University makes certain that any new exterior lighting project complies with the Texas Health and Safety Code. We would like to have the language in the requirement reflect that this compliance is required for all new lighting. The cost to replace all existing lighting to comply with the law is considerable. We incorporate replacement lighting to comply with law as associated projects are identified. We would hate to have a major renovation project denied because we do not have a 100% campus wide compliance with this Health and Safety Code.</p>
	<p><u>THECB follow up:</u> They were advised that this is current law, with some exceptions as specified in the statute. No change is expected to only apply to new lighting.</p>
<p>Texas Tech University System, Mike Ellicott</p>	<p>I passed this on to both institutions and they had no objections. If it's the law, it's hard to argue with the requirement. I don't think adding one more check block on the certification form helps all that much. I'd recommend that we eliminate the individual listing of all laws, regulations, and codes and just have the Certification Form say that the project complies with all applicable laws, regulations, and codes. There is a line that essentially says that already. This would ensure that all future laws, regulations and codes (for example the proposed bill requiring LEED Silver Certification for all State Buildings) are automatically included in the Certification and may solve the problem of every special interest group wanting their own line on the form, creating a two page Certification form. I always vote for the simple over the complex.</p>

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Texas A&M University-Kingsville, Michael Foor	My opinion is we should all do whatever necessary to eliminate light pollution, even go so far as to mandate it in new buildings and rehabilitation on exterior surfaces or parking lots. We do have an observatory on campus and they are continually plagued by lights, not only from old campus fixtures, but from new construction not on campus property. Lighting may be focused where it will do the most good; allowing light to scatter is just not good design.
The University of Texas at Tyler, Gregg Lassen	While none of us in our capacities want to go out on a limb, I am personally willing to give support to this idea. Like many other campuses, we hope to invest funds to provide additional lighting on our campus for safety considerations. That being said, at Tyler we are very proud of our natural setting and do not want the industrial or urban feel that current commercial lighting often creates. Part of that problem is related to the problem of light pollution, where the light doesn't go where we want it to and you get more than you want. This is becoming a significant issue in many communities, and I do think it is appropriate that university campuses could be asked to demonstrate a better approach if one is available. Of course, if it is going to cost a bunch more, then we struggle with that.....
Texas A&M International, Jose Garcia	My only concern with this new rule is the issue of "maintaining" lights may be a problem for older campuses. I think that they should be grandfathered until they replace the old lights.
	<u>THECB follow up:</u> They were advised that this is current law, with some exceptions as specified in the statute.
The University of Texas System, Florance Mayne	As this issue is construction, not real estate, I will refrain from an official comment. But, a few informal comments, probably ones you've already considered: I note that the certification already states that the project will comply with all applicable state and federal laws, so the purpose of adding the requested statement would be solely educational—to remind folks of the requirement. You could end up with a very lengthy certification if you specifically list every state law—and you could be at risk if it isn't updated frequently as laws change.
Sul Ross University, Mickey Havens	Living in the shadows of McDonald Observatory, we at Sul Ross are very cognizant of the need for "dark skies". I believe all of our projects are done consistent the proposed changes.
The University of Texas-Pan American, Marvin Boland	My concern would be the cost of "replacing" 512 lights on our campus over any "short period of time".
	<u>THECB follow up:</u> They were advised that this is current law, with some exceptions as specified in the statute.
Total of 14 comments from institutional representatives.	