



# TAD News

June 2008 – **National Dairy Month**

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John Cowan  
Executive Director

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**Next TAD Board Meeting:**  
**1 p.m., July 1**  
Grapevine, Texas

## Waco lake study doesn't hold water

When the City of Waco's lawsuit against upstream dairies settled in January 2006 after almost two years, millions of dollars and many sleepless nights by dairymen, it should have been time to move forward.

But time and time again, the City of Waco

demonstrates that it wants to continue its contentious relationship with the dairy industry rather than working together in a constructive and beneficial manner.

The latest headline-grabbing move by Waco was the release of a \$1.8 million Lake Waco water quality study that again singled out dairies as the culprits for the elevated phosphorous levels in the lake. Never mind that the study's initial findings – released in 2005 – were firmly debunked by our industry and others.

With the recent round of media reports, it appears that Waco leadership is trying to divert attention from their own pollution-contributing sewage spills into local waters, which in April earned them chastisement and a \$54,000 fine from the Texas Commission on Environmental Quality (TCEQ).

And never mind that the report repeats what both sides agreed on long ago – the TMDL adopted by the TCEQ in 2004 (at Waco's insistence) can be achieved only through the new individual permits and new operating rules.

The kicker is that the City of Waco and other groups continue to fight issuance of those permits tooth and nail at the TCEQ, ironically keeping dairies from implementing more stringent environmental safeguards. One Central Texas dairymen has tried to get his individual permit for six and a half years and so far has spent hundreds of thousands in legal bills. Not to mention the emotional strain.

The Texas Association of Dairymen (TAD) has stood by its dairy farmer members from Day 1 of this ordeal and will continue to represent them and work on their behalf. Even though the dairymen targeted are in Central Texas, TAD Board members from across the state realize this is not a local issue, it is one of statewide importance.

**(Continued, "Update," page 2)**

### **Manager's Update**

John Cowan

## TAD issues strong statement following release of City of Waco study

TAD believes it's important that its members read the statement, below, issued by TAD to the media after the City of Waco released its water quality study (see "Manager's Update" above):

"The Texas Association of Dairymen is very interested to study the report issued on Waco's water quality, funded by city taxpayers to the tune of \$1.8 million

"The bottom line is that Lake Waco's water is safe to drink and is not a threat to public health. This has been confirmed by several thorough analyses by state regulators and the City of Waco itself. Taste and odor problems associated with algal blooms have been an issue since the late 1960s, long before the expansion of upstream dairies.

"TAD believes environmental safeguards implemented in the last few years have made a positive impact on water quality. And Central Texas dairies are ready to do more if

the City of Waco would allow the process to proceed at the Texas Commission on Environmental Quality for the issuance of individual dairy permits.

"These new permits would require the dairies to operate under more stringent environmental requirements adopted by the TCEQ in 2004. Yet, four years later, very few permits have been issued.

"Water quality in the watershed is improving, and it will continue to improve if we give the new permits an opportunity to be implemented and work." ▪

### **TCEQ names new executive director**

Mark Vickery, who has worked at the Texas Commission on Environmental Quality or its predecessor agencies since 1987, took over June 17 as the agency's executive director following the retirement of Glenn Shankle. ▪

## **“Update,” continued from page 1**

The environment is becoming more of a concern these days for all Texans. As an industry, we must pledge our willingness to take reasonable steps to do our part to operate in a way that safeguards the environment. After all, we live on the land and drink the water, too.

But TAD will not stand by and allow our members and our industry to take unfair blame. ▪

## **Texas Farm Bureau survey finds local officials support eminent domain**

Local elected officials overwhelmingly support the eminent domain reforms included in House Bill 2006, which was passed by the Texas Legislature in 2007 but vetoed by Gov. Rick Perry, according to a Texas Farm Bureau survey.

More than 1,000 city and county officials from more than 170 counties responded to the survey.

More than 95 percent of the responding local officials favor changes in the law that address the pillars of eminent domain reform: good faith negotiations with landowners, fairer treatment under the law for everyone involved, and a tightening of definitions under which taking of property might occur.

Results of the survey, including the questionnaire and a county-by-county breakdown of the individual responses, can be found at [www.txfb.org/EminentDomain.asp](http://www.txfb.org/EminentDomain.asp). ▪

## **House Ag Committee sets meeting**

The Texas House Committee on Agriculture will meet in Austin on July 9 to consider two interim legislative charges of interest to dairy producers. The Texas Association of Dairymen will be monitoring the hearing.

The committee will hear testimony on charges to (1.) evaluate preparedness of relevant agriculture-related agencies to respond effectively to animal and plant disease threats, and (2.) study and evaluate the feasibility and potential economic impact of biofuel production from alternative feedstocks such as biomass, waste oils, and processed animal fats. ▪



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## **Comments & Enrollments**

### **Comments: Proposals to control feral hogs**

The Texas Animal Health Commission is accepting comments on proposed feral (wild) hog regulations until July 6. After reviewing the comments, the TAHC commissioners will consider the proposals for adoption at their July 29 meeting.

The proposed regulations are on the TAHC Web site [www.tahc.state.tx.us](http://www.tahc.state.tx.us) or can be obtained by calling TAHC at (800) 550-8242, ext 710. Comments can be emailed to: [comments@tahc.state.tx.us](mailto:comments@tahc.state.tx.us), faxed to (512) 719-0719, or mailed to TAHC Comments, Box 12966, Austin, TX 78711-2966. ▪

### **Comments: Proposal to raise USDA fees**

The USDA Animal and Plant Health Inspection Service is taking comments through Aug. 4 on a proposal to amend the regulations on user fees for import- and export-related services that it provides for animals, animal products, birds, germ plasm, organisms, and vectors. The fee increases are proposed for fiscal years 2009-2013.

To review the proposed rule, visit the USDA Web site at [www.regulations.gov](http://www.regulations.gov). In the Search Block, type in: Docket No. APHIS-2006-0144. ▪

### **Enrollment: Crop loss aid program**

Eligible farmers who suffered who suffered quality losses to their crops in recent years can now enroll in the Crop Disaster Program 2005-2007 (CDP) at local FSA service centers.

The CDP provides benefits to farmers who suffered losses to their 2005-2007 crops from natural disasters and related conditions. Producers who incurred qualifying quantity or quality losses in 2005, 2006 or 2007 may receive benefits for only one of these years.

For further details about CDP Quality loss, visit [www.fsa.usda.gov/Internet/FSA\\_File/cdpqlty08.pdf](http://www.fsa.usda.gov/Internet/FSA_File/cdpqlty08.pdf). ▪