



# TAD News

## October 2009

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## Note: Important calendar dates approaching

Dairy producers need to be aware of two very important and critical events coming soon – a statewide election and a key date for those who operated under the General CAFO permit.

First, all land owners in Texas should go to the polls on Nov. 3 and make their voices heard on eminent domain. The Texas Association of Dairymen urges you to vote in favor of Proposition 11 – the last of the 11 proposed state constitutional amendments on the ballot.

Proposition 11 would provide that the taking of private property for public use (eminent domain) is authorized only if it is for the ownership, use and enjoyment of the property by the State of Texas, its political subdivisions, the public or by entities granted the power of eminent domain, or for the removal of urban blight. The amendment would prohibit the taking of private property for transfer to a private entity for the purpose of economic development or to increase tax revenues. The amendment also would limit the Legislature's authority to grant the power of eminent domain in the future unless it is approved by a two-thirds vote of all members elected to each house.

Second, Nov. 17 is another important date for those dairy operations that are authorized to operate a CAFO/AFO in Texas under the General CAFO permit.

By this date, you need to have submitted either your permit renewal or, if you intend to terminate your authorization, your notice of termination to the Texas Commission on Environmental Quality (TCEQ).

As of Oct. 2, records show that a significant number of dairy facilities have not filed their intention with the TCEQ. If you are using a consultant to file your renewals or notice of termination, please ensure they meet the deadline. ▪

### **Manager's Update**

John Cowan



*TAD Board members with (far left) U.S. Congressman John Carter of Round Rock (second from left), and (right) with State Rep. Patrick Rose of Dripping Springs (third from right).*

## TAD Board attends conference, meets with congressional and legislative leaders

The Texas Association of Dairymen Board of Directors in September moved its regular board meeting to Round Rock, where they also attended the Texas Animal Manure Management Issues Conference – the first such conference held in a decade, and shared their concerns about the dairy industry with elected officials on the national and state levels, and their staffs. ▪

## Dairies can save money by reducing electric usage through new program

As Texas dairymen look for new and innovative ways to increase the bottom line while acting in an environmentally responsible and beneficial manner.

Many dairy operations have opted to participate in local programs that actually pay them to better manage their facilities' electricity consumption. The Electric Reliability Council of Texas (ERCOT) has instituted an emergency blackout prevention program that pays Texas businesses to reduce their use of electricity during power grid emergencies, helping to reduce the need to build new power plants.

Your dairy operation could earn money for agreeing to stand by, ready to utilize your existing backup generator or to reduce electricity when called upon by ERCOT.

By participating in this program, you will benefit from having advance warning of electric grid instability, enabling you to take appropriate precautions and initiate business continuity plans. Even having just 10 minutes notice that a blackout is imminent could save milk pumps from damage or a batch process from going sour.

Plus, doing your part to prevent blackouts helps the environment and your surrounding community.

EnerNOC wants to help your dairy participate in this program. To learn how to participate, contact Kurt Fisette at (617) 535-7321 or [kfisette@enernoc.com](mailto:kfisette@enernoc.com), or visit [www.enernoc.com/get-started](http://www.enernoc.com/get-started). EnerNOC Inc. is a developer and provider of clean and intelligent energy solutions to commercial, institutional, and industrial customers, as well as electric power grid operators and utilities. ▪

## Some dairies subject to new EPA reporting

Animal agriculture facilities, including dairy milk production, will be required to collect and report greenhouse gas (GHG) data to the U.S. Environmental Protection Agency starting Jan. 1. Facilities that emit 25,000 metric tons or more of CO2 equivalent per year will be required to report GHG emissions data to EPA annually

For more information, visit [www.epa.gov/climatechange/emissions/ghgrulemaking.html](http://www.epa.gov/climatechange/emissions/ghgrulemaking.html). ▪



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## DHS seeks to rescind “no match” rule

The U.S. Department of Homeland Security (DHS) is rescinding its controversial “no-match” regulation targeting employers with undocumented workers, according to a final rule slated for publication in the Oct. 7 Federal Register.

Under the no-match rule, the Social Security Administration would have been required to include with no-match letters, sent to employers when employees' Social Security numbers do not match government records, information telling the employers that they would be required to resolve discrepancies or face liability.

According to a statement by DHS: “After further review, DHS has determined to focus its enforcement efforts relating to the employment of aliens not authorized to work in the United States on increased compliance through improved verification, including participation in E-Verify, ICE Mutual Agreement Between Government and Employers (IMAGE), and other programs.” ▪

## DOPA meeting upcoming in East Texas

It's not too late to register for the Oct. 27 Dairy Outreach Program Area (DOPA) Fall Meeting, to be held Oct. 27 at the Southwest Dairy Center in Sulphur Springs. Producers who attend the meeting, sponsored by Texas AgriLife Extension Service, can earn five CEUs.

Presentation topics will include animal feeding operation inspections, proper mortality disposal, new CAFO permit federal regulations, lagoon sludge management, cooling pond management and new soil sampling requirements.

For more information, visit [texasdairymatters.org](http://texasdairymatters.org) or contact Hopkins County Extension Office at (903) 885-3443. ▪

## State veterinarian to retire; search underway

The Texas Animal Health Commission (TAHC) is conducting a nationwide search to replace Dr. Bob Hillman, Texas' state veterinarian and TAHC executive director, who will retire Dec. 31.

TAD thanks Dr. Hillman for his seven years of service and wishes him the best in his retirement. ▪