

## Who should own the groundwater? It could be up for debate in 2011

When the Texas Legislature (which next convenes in January) meets every two years, resulting consequences – intended or unintended – often impact you and your family’s future.

The next session will not be any different. One issue I believe will be debated, which I am passionate about, is “private property rights.” Why would I want to talk about this? The founding fathers saw the right to own property as a fundamental right. As this fundamental right passed from one generation to the next, owning land was the foundation where families built their future with a promise to succeed.

If you owned land, you were wealthy by most standards. The Texas Constitution and more than 100 years of case law support the concept that owners of land also owned the resources, such as water, underneath it. This is known as the “rule of capture.”

**Manager’s Update**  
John Cowan

However, the question of ownership of groundwater will be debated this next legislative session. TAD will join other statewide organizations to support the concept of groundwater ownership. The issue is complex. But TAD believes that, to ensure future Texans have adequate water resources, local control over regional water districts and water usage is appropriate.

TAD, along with Texas AgriLife Extension, has provided concise dairy farm water use and conservation data to key legislators, their staff and critical ground water districts. I believe dairy farmers understand the value of water and that the resource must be protected.

As this issue is debated next session, let your farm be an example of good stewardship. Taking care of the land and its resources is fundamental if the land is going to take care of you and your family for generations to come. ■

### Capitol Report

## TAD boosts its Capitol presence

With a growing number of challenges to agriculture at the Texas Capitol and at regulatory agencies, TAD has added J Pete Laney to its contract lobby team that includes Shayne Woodard. The two will join TAD staff John Cowan and Darren Turley to promote and protect TAD’s interests in Austin.

“TAD is fortunate to have two lobbyists who grew up on farms,” Cowan said. “J Pete and Shayne understand TAD’s issues and are among the best at conveying that information at the Capitol.”

A fifth generation Texan, Laney grew up on a farm in Hale County, where his family is still involved in production agriculture. His family has roots in Erath County.

Laney, who grew up around politics as the son of former Texas House Speaker Pete Laney, assisted TAD during the 2009 session. A graduate of Texas Tech University and Baylor University School of Law, he has legal and governmental relations offices in Austin and Lubbock.

“When asked to come aboard with TAD for the 2011 session, I didn’t hesitate,” Laney said. “As people move away from rural Texas, it’s important to make sure those in Austin understand the importance of our industry when making laws.”



## TAD recognizes dairy extension agent

Curtis Preston (center), a 23-year Texas AgriLife Extension Service agent in Bailey County, recently was recognized as the state’s top dairy agent at the annual Texas County Agriculture Agents Association (TCAAA) conference.

As part of his award, Preston received a \$500 honorarium from TAD, presented by TAD Assistant Manager Darren Turley (right) and TCAAA President Warren Thigpen (left). ■

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## TAD asks Gov. Perry to weigh in on federal particulate level debate

TAD and other agriculture organizations wrote a letter to Texas Gov. Rick Perry asking him to communicate with the U.S. Environmental Protection Agency that its proposed revision to the particulate matter standards would be devastating to Texas agriculture operations and, in turn, to the economic development and growth in Texas.

The move was part of a national campaign to enlist assistance from state governors as an EPA advisory committee prepared to meet in late July to consider a second draft policy assessment on particulate matter, which would make the standards more stringent (the panel met but did not take final action). TAD and the other groups are urging retention of the current standard since EPA staff acknowledges there may be justification for the status quo.

U.S. Sen. Chuck Grassley of Iowa, who led a group of senators calling on the EPA not to raise the standards, said that if the dust standards are revised, farmers and livestock producers would likely be unable to attain the standard levels and the rural economy would be devastated.

TAD will continue to monitor the issue as it moves forward at the EPA. ▪

### TAD Board Action

The Texas Association of Dairymen Board of Directors took the following action at its August meeting:

- Approved \$500 to help send the Van Zandt County 4-H Dairy Judging Team to the World Expo.
- Approved \$20,000 to assist the Texas AgriLife and Extension Dairy Specialist with travel expenses.
- Adopted a new TAD logo (see front page).
- Scheduled a strategic planning retreat.
- Heard reports on several legislative and regulatory issues now under study in preparation for the 2011 legislative session.
- Discussed plans to recognize former TAD Board members.

The next Board meeting will be Nov. 17-18 in Dalhart. ▪

### Texas AgriLife Extension Service Save the Date – 2010

**Aug. 31** – 2010 North Central Texas Herdsmen Short Course Series (Animal Welfare, Parlor Management and Milk Quality Module), Stephenville. More information:

<http://texasdairymatters.org>.

**Sept. 1** – 2010 North Central Texas Herdsmen Short Course Series (Animal Welfare, Parlor Management and Milk Quality Module), Windthorst. More information:

<http://texasdairymatters.org>.

**Sept. 13-15** – International Dairy Show, Dallas. More information: [www.idfa.org](http://www.idfa.org).

**Sept. 13-16** – International Symposium on Air Quality and Manure Management for Agriculture, Dallas. More information: [www.asabe.org](http://www.asabe.org).

## NMPF gets funding to help dairymen understand new EPA SPCC rules

The National Milk Producers Federation (NMPF) will receive matching funds of \$25,000 to inform and educate producers about revised Environmental Protection Agency regulations for oil storage and pending regulations for milk storage containers.

Funding will be used to help dairy producers understand the Spill Prevention, Control, and Countermeasure (SPCC) regulation, including development of a self-certification template.

The EPA requires farms, under the SPCC, to have a plan in place to minimize any problems from oil spills.

Later in the year, NMPF anticipates conducting a series of webinars to train dairy producers in the use of the self-certification template. Additionally, Natural Resources Conservation Service (NRCS) will work with NMPF to evaluate how NRCS can most effectively provide technical assistance to dairy producers to comply with the SPCC regulations.

For learn more, view the NMPF information at <http://bit.ly/96rXwy>. ▪