



## TEXAS ASSOCIATION OF DAIRYMEN

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### **DIFFERENCES NEED DIALOGUE, NOT LITIGATION**

By John Cowan

When it comes to concerns about the quality of Waco's drinking water, dairy producers living upstream have tried to be good neighbors.

They've embraced new technologies in order to do their job providing food for Texas with less of an impact on the environment. They've been open to a dialogue about the City of Waco's concerns about water quality. And they've been willing to operate under new rules that govern their industry.

In fact, some of those new rules are the result of productive discussions that led to consensus between the former Waco mayor and representatives from the Texas Commission on Environmental Quality and the dairy industry.

Now, however, 13 of those upstream dairies have been sued by the City of Waco. Any chance that the two sides could work together to come up with solutions that could both ensure water quality for Waco while allowing the dairymen to pursue their livelihood has come to a screeching halt.

Differences that could have been solved with discussion now are left to costly, time-consuming litigation. Neither side is going to "win" in this ugly, adversarial situation, no matter what the court rules.

The Texas Association of Dairymen (TAD) firmly believes the lawsuit is the wrong approach to protecting water quality in Lake Waco watershed. We see the lawsuit as an attack not just against specific Central Texas dairy farmers but against the entire industry – an industry that makes a significant contribution to the economy of our state.

Dairy cows have been made into political scapegoats. City officials have pointed the finger of blame solely at dairies for water quality problems in this region – unfairly, we believe.

Scientific studies have found that a number of sources, including the City of Waco itself, may be contributing to the growth of aquatic vegetation in Lake Waco. In addition, Lake Waco has experienced taste and odor problems for at least 40 years, well before the expansion of dairies in the upstream watershed.

These taste and odor problems may be unpleasant, but the water in Lake Waco has been found safe in thorough tests by both the City and state regulatory agencies.

At the same time, the City of Waco knows it has an inadequate water treatment plant. In September, the city council approved a contract for the first phase of a four-year, \$60 million city water improvement project – a project that has been under discussion for several years.

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If the City's lawsuit is unfair to the dairies, it is even more unfair to the citizens of Waco. The City of Waco is spending an untold amount of money – taxpayer money – to pursue this lawsuit. Is this the best use of your money by a city that has adopted a 2004-05 operating budget that grew by 9 percent?

Whether the taxpayers footing the bill for this lawsuit actually support it is debatable. A poll of Greater Waco residents taken in October 2002 found that only 6 percent of those surveyed believed that the dairy industry was responsible for water quality concerns, compared with 24 percent who cited local officials as responsible.

Actually, we all must take responsibility for ensuring water quality. Texas dairymen may produce milk, but they also drink water.

TAD and its members are committed to water quality in Texas and strive to be good environmental stewards. Water quality has improved substantially in the Bosque watershed the last decade, thanks in part to the dairy industry's willingness to change its ways of doing business in order to protect the environment.

Instead of battling in court, we should be exploring more new technologies and methods to help us learn what's really behind the problems in Lake Waco. By learning more, we can move toward achieving our common goal of a clean environment – without crippling an entire industry.

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