

Support HB 2827

State Rep. DeWayne Burns

A permit change will reduce the burden on family dairy farms and bring regulatory certainty while maintaining key water quality protections in the North Bosque Watershed.

The North Bosque River in Central Texas is one of the most regulated watersheds in the nation. **HB 2827 will NOT change that.** In 2001, the Texas Commission on Environmental Quality (TCEQ), as part of a TMDL Implementation Plan, imposed regulations in the Bosque Watershed on municipalities (from Stephenville to Waco) and on dairies in Erath, Comanche and Hamilton counties. **HB 2827 keeps key regulatory requirements in place.**

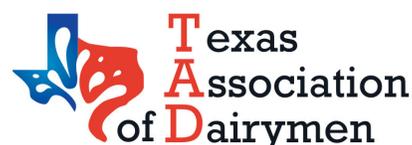
Facts About HB 2827

Fact: HB 2827 **does not** repeal the 2001 legislation. HB 2827 **does** keep in place key components of the current regulatory requirements and required on-farm management practices, including but not limited to soil sampling, buffer requirements, and continuous monitoring of the watershed.

Fact: HB 2827 **does** allow public input on permit applications. The public will continue to receive notice of a permit application and will still be allowed to comment on the application and voice any concerns to TCEQ. Further, interested persons will be able to request a public meeting where questions about the permit can be addressed.

Fact: Dairy farm employees **will** be trained in waste management. Also, most dairies in this watershed have experienced engineering firms advising them on regulations and best practices.

Fact: HB 2827 **will** keep in place key provisions in current law, and it also preserves the commission's authority to "include in a general permit under this chapter provisions necessary to protect a water resource in this state."



Background:

For decades, until the early 2000s, Erath, Bosque and Comanche counties in Central Texas were the center of the Texas dairy industry. Erath County led the state in milk production for many years, and 200 family dairies operated in that county in 1995. Today, only 43 family dairies remain.

Since 2001, small municipalities spent taxpayer dollars to enhance their municipal wastewater treatment facilities to meet the strenuous regulatory standards. Dairy farmers in the Bosque Watershed have spent millions of dollars to meet the standards and have been required to obtain an individual permit rather than the general permit allowed of dairy producers in the rest of the state. HB 2827 seeks to balance concerns in the watershed by providing for a general permit while keeping in place regulatory requirements specific to the watershed.

Individual permits harm dairies:

- They are **more expensive** and take TCEQ staff time **more time** to review and process, resulting in significant delays to obtain or renew permits.
- They **take almost two years** vs. six months for a general permit.
- They subject family farmers to a contested case hearing **delaying the process by a year** or more and **adds an additional \$100,000 or more in cost**, even if their application meets all requirements to receive a permit. This is the case even when the family farm only seeks to amend an existing permit by buying a piece of farmland or pasture. Dairy farms have lost multiple growing seasons because their amended applications were forced into a contested case, even though they met regulatory standards and ultimately prevailed.

**General permits are the statewide standard
for permitting agricultural operations.**

**FOR MORE
INFORMATION:**



Darren Turley
Executive Director
dturley@milk4texas.org
(817) 304-4139

Lauren Fairbanks
lauren@moontowerpa.com
(512) 850-8699
J Pete Laney
jpete@jpetelaneylaw.com
(512) 799-6341