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**TVMA Involvement**

Have you asked a coworker to join the Texas Vegetation Management Association for 2010?

TVMA and the board work hard to make TVMA an association that provides services and creates networking among those in vegetation management and related fields. Join the board and other interested members for a strategic planning session on Tuesday, May 11th at the Bastrop County Extension Office, 901 Pecan Street. The board meeting will begin at 9 A. M. It is important the association plans where it wants to be in the next five years, ten years or even twenty years. Members will identify goals that are most important for our association to promote growth, secure financial stability, provide services to our members through things like educational outreach, legislative support, relations with state and federal regulators, and scholarship. Strategic planning is time well spent creating a calendar of events, exploring new ideas, examining past accomplishments, and developing plans for the future.

Another form of involvement is to make plans to attend the annual conference October 18- 20 at the College Station Hilton with speakers addressing timely and pertinent topics, outdoor workshops at the Riverside Campus in College Station, and socials to gather those in vegetation management.

Invite that coworker. Talk to your company about conference sponsorship.

## **Presidential Update**

The time to seriously start thinking about vegetation management is rapidly approaching. Adequate rainfall this winter may make vegetation management decisions more challenging. However, it has been very beneficial to wildflower population throughout the state. Texas should be colorful this spring.

The board of directors has already started preparing for the upcoming season. It recently approved revised application guidelines for student scholarships. The application can be found on the TVMA website. Please review this application and see if your family can take advantage of this assistance. It is one of the many opportunities you have as a member of TVMA. I would also encourage you to take the opportunity to actively participate in the organization on the various committees. Contact one of the board members to find out what leadership opportunities are available this year.

I would like thank Kedrick Bryant for chairing the Training Committee. Training has become an important function of our organization. CEU Workshops have recently been completed in Lubbock and Harris County with excellent attendance at both locations. These workshops give our organization visibility and an outstanding membership recruiting tool. The board is also considering having a workshop in the Tyler area. Please let us know if you have comments or recommendations.

Scott Dunham is in the process of preparing the 2010 conference in Bryan. Let him know if you have ideas concerning presentation topics and speakers. We are also looking for locations for the 2011 conference. Please give us your inputs.

Remember, this is your association and the board of directors welcomes your participation and comments. Become an active member of the organization and make an impact.

President,  
John Mason



## **Lifetime Achievement Award Nominations Sought**

Nominate a Texas Vegetation Management member for the TVMA Lifetime Achievement Award by contacting any TVMA board member or the TVMA office with the nominee's name. Honor a member to be recognized at the TVMA banquet on October 19th with the highest award TVMA bestows. Read the list of past winners who embody dedication to the Texas vegetation management industry at [tvma.net](http://tvma.net).

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## Plan Now to Attend the 2010 TVMA Conference

Make Plans for the 19th Annual TVMA Conference & Certification Training Seminar October 18-20, 2010 at the Hilton Conference Center in College Station, TX.

The Texas Vegetation Management Association, TVMA, is looking forward to the 19th Annual Conference and Training Certification Seminar to be held October 18-20, 2010 at the Hilton Conference Center in College Station.

“This year, TVMA is putting together an outstanding core of featured speakers for attendees,” said Scott Dunham, TVMA vice-president and Annual Conference chairman. Some of the conference highlights planned are a scholarship golf tournament benefiting college students aspiring for careers in vegetation management, an Industry Night reception that opens the gathering expected to draw more than over 200 participants, a field tour and equipment demonstration with opportunities for CEUs at Texas A&M’s Riverside Campus, an innovative new equipment session, a Casino Night and an opportunity to network with members of the Texas Chapter of the International Society of Arboriculture.

“Look for a complete agenda of speakers and events, added Dunham, in the upcoming June CLIP.” “This coupled with the fact that a good number of our TVMA membership is close to Aggieland should push attendance to a record high,” he explained.

Casino Night will have prizes, food and fun for everyone including families who come with members. A silent auction will be held during the trade show where attendees can bid on all sorts of items from crafts to sporting goods, just in time for Christmas and the hunting season. Please contact John Mason (512-415-8470), Scott Dunham(979-255-2980), or Kay Dippel (979-968-5612) with questions.

### 2010 Scholarship

Put April 1, 2010 on your calendar and make sure your scholarship application has been submitted to Stan Jones, the TVMA Scholarship Chair, by that date. Take advantage of the four \$2000 scholarships to be awarded this spring to students who are enrolled or will be an undergraduate enrolled the September directly following the semester in which the scholarship is awarded. These scholarships are awarded to TVMA members or family members who are in good standing, or those who are not members or member’s students who have declared their major field of study to be in the field of or directly related to vegetation management.

Go to [tvma.net](http://tvma.net) to download an application and check whether or not you or someone in your family meets the criteria. Take advantage of these generous scholarships by filling out the simple application. Contact Stan Jones at P.O. Box 1053, Pasadena, TX 77501 with questions or send him the completed application. He can also be reached by phone at 713-924-6929 or via email [stan.jones@rrsi.com](mailto:stan.jones@rrsi.com).

**All students can use \$2000. Fill out the paper work today!**

## Supreme Court Turns Away NPDES Review

Below is news release I received last week from EPA concerning the appeal to the Supreme Court on the hearing for the NPDES review. With the Supreme Court denying the appeal, the options for overturning the 6th Circuit Court ruling are dwindling. One of our last options is that congress will step in and write legislation to clear up who has jurisdiction over pesticides used in, on or near water.

I also received a 55 page draft copy in very small print for the Pesticide General Permit for Point Source Discharges to Waters of the United States from The Application of Pesticides. Read what EPA says about NPDES permits in the article "Water Act Permit..." on page 6.

Feb 23, 2010 9:19 AM

The U.S. Supreme Court has refused to review a ruling by the 6th Circuit Court of Appeals that may require farmers to obtain National Pollutant Discharge Elimination System permits when applying pesticides to or near water sources.

Until the 6th Circuit ruling, EPA had considered pesticide applications over or near water to be exempt from the point-source pollutant regulations of the Clean Water Act. The ruling in the case of the National Cotton Council v. EPA appears to remove that exemption.

A number of farm groups, crop protection companies and other organizations filed a writ of certiorari asking the Supreme Court to overturn the ruling. Other organizations filed friends of the court briefs pointing out why the ruling would have an adverse affects on farmers and other pesticide applicators.

"The panel's ruling creates another legal burden for our farmers, custom applicators and agricultural dealers, and leads to additional regulations which may well further prevent food growers from maximizing their output," said Jay Vroom, president and CEO of CropLife America. "We are disappointed that the 6th Circuit's decision could cause the U.S. government to continue to practice a precautionary policy which is detrimental not only for farmers, but could prevent the country from producing more food, fuel and fiber for a growing world population."

The final decision by the 6th Circuit is stayed until April 2011 to give EPA time to develop a permitting system for pesticide applications over or near water. Vroom said CLA will continue to pursue additional avenues to contain the 6th Circuit's ruling.

"While we recognize that only a very small percentage of cert petitions are accepted for review," said Douglas Nelson, executive vice president and general counsel of CLA, "we are also aware of decisions of other federal courts in NPDES cases which affirm the regulatory framework of EPA and Congress to treat pesticides as non-point source applications. Regardless, CLA will continue to work with EPA to minimize the burden placed on farmers and reduce the disruption this will cause across the crop protection industry."

Donnie Dippel

## PLATINUM SPONSOR



## GOLD SPONSOR



## SILVER SPONSORS



Intelli-Spray

Go to [tvma.net](http://tvma.net) for a full list of last year's sponsors and supporters.

## **May Board Meeting**

TVMA board meeting will be held on Tuesday, May 11, 2010 beginning at 9 A. M. at the Bastrop County Extension Office located at 901 Pecan Street one block north of the courthouse in Bastrop. This meeting is a strategic planning session for Texas Vegetation Management to set goals for the Association's future activities and offerings. As always, all members are invited to attend and help make decisions in this working session.

If you plan to join the board and share your ideas, please give us a call at 979-968-5612 so we can make arrangements to accommodate those in attendance. If you have any questions, please call.

### **Water Act Permit Being Developed by EPA**

Obtaining and complying with a general Clean Water Act permit the Environmental Protection Agency is trying to develop by the end of the year could help protect parties that apply pesticides around U.S. waters from civil lawsuits and enforcement actions, a senior EPA official said March 1.

If someone applies pesticides in a manner that other citizens and/or state regulatory officers think violates the Clean Water Act, he could be subject to a civil lawsuit or an enforcement action, Steve Owens, assistant EPA administrator for prevention, pesticides, and toxic substances, told participants at the Chemical Producers & Distributors Association's 2010 Spring Meeting in Arlington, Va. Owens said EPA expects to release the National Pollutant Discharge Elimination System general permit in draft form this spring and hopes to make it final before the end of 2010. Owens briefed the association's membership about the status of the general permit, which EPA is developing in light of a January 2009 ruling by the U.S. Court of Appeals for the Sixth Circuit that said anyone who applies a pesticide in, over, or near U.S. waters must have a Clean Water Act permit because pesticide residues are chemical wastes under Section 502 of the act. The U.S. Supreme Court Feb. 22 declined to review that decision.

A general permit essentially describes certain uses of pesticides that would trigger the need for a permit, but it would not require permit seekers to "jump a bunch of hoops" to get a specific permit tailored to their explicit uses, Owens said.

Uses EPA is evaluating to determine if they need a permit include mosquito control, aquatic weed control, managing vegetation along ditch banks and irrigation canals, suppressing insects or aquatic invasive plant species, and controlling pests in forests with waters, according to information the agency provided its Pesticides Program Dialogue Committee in October 2009.

Forty-six states and the Virgin Islands are authorized to issued NPDES permits, according to EPA. States Play Central Role

It is critical that the permit EPA is developing be manageable for states, because they play a central role in administering the Clean Water Act, Owens said.

Benefits of the permit would include that it would minimize pesticide discharges into U.S. waters, it would require the use of integrated pest management practices, and it would require publicly available reports about the quantities of pesticides used and the locations they were applied, according to information EPA shared with its Pesticides Program Dialogue Committee.

# TVMA 2009-2010 Leadership

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CALENDAR OF EVENTS

May 11, 2010  
TVMA Board Meeting  
Bastrop, TX

August 3, 2010  
TVMA Board Meeting  
College Station, TX

October 18-20, 2010  
TVMA Annual Conference  
College Station, TX