

ILICA



NEWS

Land Improvement Contractors Of America · Illinois Chapter

November - December 2013

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Upcoming Events:

Area 8 Membership Meetings
December 11 & 12, 2013

ILICA Convention & Member Meeting - **January 9, 10, 11, 2014**

DO YOU ENJOY “DUCK DYNASTY”?



WAIT UNTIL YOU GET A LOAD OF “ILICA DYNASTY”!

Convention Registration (page 9) ~ **Convention Schedule** (page 10)

Also Featured Inside:

Forklift Training Assistance (page 6)

Extension Connection: Increased Drainage Regulations (page 13-14)

Return To: Illinois LICA
P.O. Box 474
Brimfield, IL 61517

AREA 8 DECEMBER MEMBERSHIP MEETINGS



Know what's below.
Call before you dig.



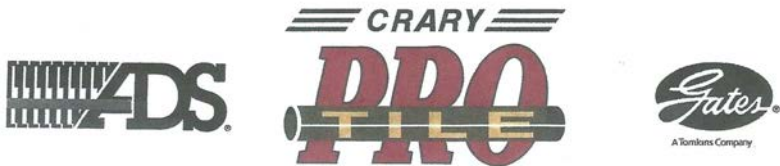
Hogg Heaven BBQ

**Wednesday, December 11th - Hosted by
Andrews Oil - Hogg Heaven BBQ - Mt. Carmel**
**Thursday, December 12th - Hosted by Erb
Equipment Company - Mt. Vernon**



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**Guest Speaker: Roger Watwood, JULIE, Inc.
Southern Illinois Damage Prevention Manager**

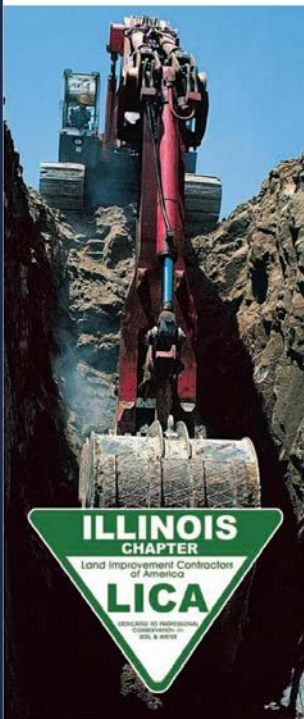
Roger will discuss regulations and recent changes in policy such as status of advanced length of time and how far away from a line can a contractor be and still have a problem be the contractors fault; commerce commissions assessment of fines; who is required to sign up for the One-Call system, i.e. gas companies & wind farms.

Introduction to Illinois LICA

United Fire Group / ILICA Insurance Program & Petrocon Commodities Discount Program

The insurance program is specifically designed for the land improvement industry and provides a dividend potential, depending on each years group loss ratio. The Petrocon program can generate a minimum savings of 10% for members on their oil, tires, electric, cellular expense and possibly much more, depending on the geography the member resides in.

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United Fire Group's state LICA insurance program is designed for dirt-moving contractors and includes:

- coverages tailored to your business needs,
- safety group dividends,
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The ILICA News



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The LICA Creed



Land, the foundation of the Nation
 The basis of all wealth
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 The thrifty and prudent
 The poor man's joy and comfort
 The producer of food, fiber and fuel
 The basis of factories
 The foundation of banks

All that man builds is from the land. We often take it for granted or even abuse it; And yet many, unthinkingly and unknowingly pass the land by. What man does with the land will be the deciding factor of his survival.



Meeting Notice

Board Meeting Notice

Regular Board Meeting
January 10, 2014 1:15 pm

Members Meeting & Election of Officers
January 10, 2014 - 1:30 pm

Decatur Conference Center & Hotel
4191 US Hwy 36 West, Decatur, IL

Map & Directions on page 19

PRESIDENT'S MESSAGE



Greetings from Kempton!!

It has been quite a different fall. The farmers got the crops out later so it has bunched the work. I hope by now, everyone is getting their fall work list whittled down. This cold, wet, windy weather is hard on this old body.

I had a wonderful Thanksgiving with my family and was glad for a day off to reflect. Our daughter and family from Florida have been back in the area for a few days and son and family from Southern Illinois here too.. I hope everyone else had the same family times. There is so much in our lives to be thankful for it's hard to know where to begin.

It won't be long before the ILICA convention will be taking place. It will be held at the Decatur Conference Center and Hotel, January 9th -11th and the registration form and schedule are included in this newsletter. I hope everyone will take some time to attend for the educational programs and renew ILICA friendships. Please get out and support your organization. Members make it possible; members will keep it going.

Prior to convention, we have a couple membership meetings on the calendar. December 11th Andrews Oil will be hosting in Mt. Carmel at Hogg Heaven restaurant and on December 12th we will be at Erb Equipment in Mt. Vernon. A representative from JULIE will be the educational speaker. Show your support by attending one of these meetings and bring potential members.

We are sorry to hear of the fire in Bill Dean's shed. For those who attended the summer picnic, you could see what a nice facility they lost. We certainly enjoyed your hospitality and hope you're in the rebuilding process.

Marsha and I wish you all a "Merry Christmas and a very Happy New Year"!!

Work safe - David Haag, President

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**DON'T FORGET TO
PAY YOUR ILICA
MEMBERSHIP DUES
BY YEAR-END!**

Please note that ILICA membership dues should be paid by the end of December to maintain all member benefits.

If you have misplaced your dues invoice and need another copy, please contact Lauri at the ILICA office at (309) 446-3700 or via email at Lauri@illica.net.





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Active Contractors

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Kilbourne, IL 62655
Ph: 309-538-4411

Gerald Brown - Lexcam, Inc.

PO Box 25
Eldorado, IL 62930
Ph: 618-273-3058

Louis Timp - Louie's Trenching Service Inc.

9720 Hwy 20 W
Galena, IL 61036
Ph: 815-777-0865

Ralph Gensini Jr. - Gensini Excavating Inc.

8100 Deer Dr
Hennepin, IL 61327
Ph: 815-925-7050

Thank You!



ENVISION

INSURANCE GROUP


Envision Insurance Group LLC is proud to announce that Larry ORussa Insurance Services Inc. has merged and become a part of the Envision Insurance Group family. The Larry ORussa office and staff will continue to operate at their current location, 300 E War Memorial Dr., Peoria, Illinois.

Long time Envision employee Tim Neuhauser will be at the Larry ORussa Insurance location on a daily basis to help with this transition. Tim has 21 years insurance experience and is well versed in commercial and personal insurance.



United Fire Group's state LICA insurance program is designed for dirt-moving contractors and includes:

- Coverages tailored to your business needs,
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I know that ILICA membership application is here somewhere!

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POWERED INDUSTRIAL TRUCKS(FORKLIFT) TRAINING ASSISTANCE

<https://www.osha.gov/>

Only trained and competent operators shall be permitted to operate a powered industrial truck. All powered industrial truck operators must be trained and certified by their organizations. [29 CFR 1910.178(l)]



Training Requirements

What does the OSHA standard require?

The standard requires employers to develop and implement a training program based on the general principles of safe truck operation, the types of vehicle(s) being used in the workplace, the hazards of the workplace created by the use of the vehicle(s), and the general safety requirements of the OSHA standard. Trained operators must know how to do the job properly and do it safely as demonstrated by workplace evaluation. Formal (lecture, video, etc.) and practical (demonstration and practical exercises) training must be provided. Employers must also certify that each operator has received the training and evaluate each operator at least once every three years. Prior to operating the truck in the workplace, the employer must evaluate the operator's performance and determine the operator to be competent to operate a powered industrial truck safely.

Refresher training is needed whenever an operator demonstrates a deficiency in the safe operation of the truck. Training shall consist of a combination of formal instruction (e.g., lecture, discussion, interactive computer learning, video tape, written material), practical training (demonstrations performed by the trainer and practical exercises performed by the trainee), and evaluation of the operator's performance in the workplace. [29 CFR 1910.178(l)(2)(ii)].



It is a violation of Federal law for anyone **UNDER 18 years of age** to operate a forklift or for anyone **OVER 18 years of age** who is not properly trained and certified to do so.

Certification

Employers must certify that each operator has been trained and evaluated in accordance with the OSHA standard. [29 CFR 1910.178(l)(6)]

The certification must include:

- Operator name.
- Training date.
- Evaluation date.
- Name of person(s) performing the training or evaluation.

Developing Your Own Training Program

Before developing your operator training program, you should become familiar with the OSHA standard for powered industrial trucks and any operator's manuals for the equipment in your workplace.

- Identify the types of powered industrial trucks in your workplace and those employees who will be required to operate the vehicles.
- Identify your training methods.
- Develop the content for your training program.
- Include refresher training.
- Provide for employee evaluation.

It is important to recognize that training, although essential, will not be enough to eliminate accidents. To be most effective, operator training should be part of a larger comprehensive powered industrial truck safety program that includes the following elements:

- Hazard identification and possible solutions.
- Training (of both truck operators and those personnel working near lift trucks) and evaluation of operator competence.
- Supervision (site survey, ongoing hazard assessment).



Figure 2. Operator being trained on working on a loading dock.

- Operating procedures (company policies, recordkeeping, safety practices).
- Maintenance and repair procedures.
- Facility design.
- Lift truck selection criteria (equipment survey of truck types, attachments and modifications).

Figure 3. The load center is the distance from the face of the forks to the load's center of gravity. Many forklifts are rated using a 24-inch load center, which means that the load's center of gravity must be 24 inches or less from the face of the forks. (In this illustration, the red arrow represents the fulcrum and the black and white circle under the operator's seat represents the vehicle's center of gravity.)



Were you aware of this OSHA requirement? Can what you DON'T know hurt you? Check with your insurance agent or the ILICA office for compliance assistance on this and many other safety regulations.



VILSACK: FARM BILL TESTS D.C.'S EMBATTLED POLITICS

Source: Susan Page, USA TODAY



(Photo: H. Darr Beiser, USA TODAY)

WASHINGTON: Stalled negotiations over a farm bill threaten more than trouble for farmers and consumers, Agriculture Secretary Tom Vilsack says. They're also a broader test of whether Washington can work.

The huge bill, more than a year overdue, is caught in a dispute between the House and Senate over how much to cut the food stamp program, among other issues. Vilsack notes that failure to pass it before the end of the year could double milk prices for Americans, spark retaliatory tariffs from Brazil and leave livestock producers who have been hit by storms and drought without standard federal assistance.

In an interview with USA TODAY's Capital Download, Vilsack characterized the talks as a case study of an embattled government.

"This is a bill that should reignite what little DNA is left of bipartisanship in Washington, D.C.," he says. "This has been a bill that's always been relatively easy for Congress to get

done, and if we don't get it done, I think it sends another negative message to the country about the workings of government."

On the other hand, passing the farm bill could be a tonic for what ails the capital, he argues, likening it to a stumbling football team that decides to get back to basics.

"We (should) get back to blocking and tackling - pass a bill, a major bill," he says. "When that happens, basically, relationships are formed, opportunities for success are created and I think it creates a momentum" that could boost prospects in Washington for a budget agreement and even immigration legislation.

He says "folks have been stuck" in House-Senate negotiations that missed a self-imposed deadline last week to

agree on a framework so a bill could be passed before the end of the year.

Vilsack, 62, a former two-term governor of Iowa, was interviewed for the video newsmaker series in the USDA's historic Beaux-Arts-style headquarters just off the National Mall.

On politics, he predicts Hillary Rodham Clinton would fare better in the Hawkeye State in 2016 than she did in 2008, when Barack Obama defeated her in the opening presidential caucuses. "Let me just say that, from my perspective, Secretary Clinton didn't lose the Iowa caucus; the president won the Iowa caucus," says Vilsack, who supported Clinton. "His team did an enormous job of attracting new people to the system."

If Clinton decides to run again, "I'm reasonably confident that she'll receive a very good reception in Iowa," he says. He is less certain that New Jersey Gov. Chris Christie would be welcome in the state's Republican caucuses, won in 2012 by Rick Santorum.

If Christie runs, he'll need to take a page from Obama's book, Vilsack says. "He's going to have to look at ways in which he can expand the base of caucusgoers, because it is a very conservative Republican Party right now."



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ILICA Ladies Page: Home Made Christmas Wrapping Ideas

A beautifully wrapped gift really shows someone you care. These clever do-it-yourself ideas are sure to impress everyone on your Christmas gift list without breaking the bank.



Outdoorsy Gift Wrap

Trendy menswear-inspired red flannel ribbon and a few fresh spigs of greenery give this gift a wintry, woodsy feel. To make the rustic topper, cut a small and medium circle out of upholstery webbing and pull on the outer fibers to create a frayed edge. Use an upholstery needle to stitch the two layers together then sew on a single glass bead. Glue an alligator clip to the back so the topper can be easily clipped onto the gift then later reused by the recipient as a hair or scarf clip.



Monogrammed Gift Topper (Michelle Edgemont) Instead of a paper tag, top a wrapped holiday gift with a fun, personalized wire initial, covered in variegated yarn.

Materials Needed:

- variegated yarn
- 8-gauge wire
- Scissors
- craft glue
- wire snips

Make Wire Letter

Use wire snips or heavy-duty scissors to cut an 18" length of wire. Twist the wire into the shape of the recipient's initial, adding swirls to the ends for a fun detail.

Wrap With Yarn

Cut off any excess wire and unbend the swirls slightly to make wrapping the letter with yarn easier. Knot the yarn around one end of the initial and top the knot with a dot of glue to secure it (Image 1). Place a line of glue on the first inch of wire then begin wrapping yarn. Keeping the yarn taught, continue adding a small line of glue then covering it with the wrapped yarn until the entire initial is covered.



(Image 1).

Finishing Touches

At the end of the wire, wrap the yarn back over itself a few times then put a dot of glue on the end of the yarn to secure it. Allow glue to dry then reshape letter, if necessary, before tying it onto a wrapped gift.



Paper Sequins

Using a round paper punch, cut two sizes of circles out of three similar colors (we used orange, red and pink) of card stock. Stack punched circles together and pierce with an awl or nail. Using a needle and thread, string paper circles together, alternating colors and sizes, to create a colorful strand. Finally, wrap around gift, securing ends to the bottom with tape. Design by Morgan Levine



Eraser Snowflakes and Snowman

A great kids' craft, this fun gift wrap can be created with materials you may already have on hand. First, wrap gifts in blue construction paper. Dip the eraser end of a pencil in slightly thinned-down white craft paint or tap it onto a white ink pad and stamp dots onto paper. Create snowflakes by starting with a center dot then working your way out in symmetrical lines and rings. To create the snowman, overlap white dots to build up his body and embellish with an orange paper carrot nose and a black marker coal mouth, eyes and arms. Design by Morgan Levine



Lace Doily and Yarn Pom-Pom

This sweet gift wrap comes together in a snap. Just place gift in a pretty box then top it with a paper doily held in place with double-sided tape or glue dots. To make the pom-pom, wrap several loops of yarn around your fingers, knot the loops in the middle, then trim the knotted yarn into a rounded pom-pom shape.

Create a Layered Effect

Designer Marian Parsons layers organic elements and textured ribbon to create wrapped gifts that are a step above the rest. Her tips: "Create pretty packages using items you can find around your house and in nature. Petite pinecones and sprigs of greenery embellish layers of ribbon while vintage sheet music is the perfect custom wrapping for a small gift."



Cookies To Go

Homemade holiday treats are even more thoughtful when they're packaged creatively. Entertaining expert Kim Stoegbauer cleverly wraps cookies in inexpensive paper CD sleeves; bundled up with baker's twine and a cute tag, they're the perfect way to surprise coworkers and neighbors with a sweet treat.

3-D Christmas Tree

This three-dimensional topper is so charming that no bow is needed. To create the tree, cut a pie shape that is 1/3 of a large circle out of green card stock. Score the center of the pie shape then accordion-fold the paper outward at evenly spaced intervals. Glue the edges of the folded paper tree down onto a wrapped gift and embellish with a paper star, rickrack garland and a brown paper trunk. Design by Morgan Levine





Registration Form

Illinois LICA Convention & Members Meeting

January 9 - 11, 2014

Decatur Conference Center & Hotel - Decatur, IL

The ILICA convention is right around the corner and the 2014 theme is "ILICA Dynasty", fashioned after the famed "Duck Dynasty" series on cable tv. If you enjoy great food, fellowship and are not ashamed to pray before your meals, join ILICA at the 2014 convention and wear your camo or safety orange hunting gear to set the mood for this year's convention. (Beards are optional)



Please contact **Reservations** at the Decatur Conference Center & Hotel, 4191 US Highway 36 West, Decatur, IL 62522 (217)422-8800 or (217)422-9155 or contact Lauri at the ILICA office to make room reservations. Please make your reservations before 12/23/2013 to make sure you get our guaranteed room rate of \$99.



Return completed Registration form to: **Illinois LICA ° P.O. Box 474 ° Brimfield, IL 61517** Or fax to: **(309) 446-3744**



Pre-Registration for the ILICA Convention – January 9 - 11, 2014


Attendee Name: _____ Spouse's Name: _____
 Address: _____ City: _____ State: _____
 Company Name: _____
 Child(ren) Name(s): _____

Price of registration includes all meals & activities listed in program, unless otherwise noted.

Total Enclosed: \$ _____ (Make check payable to ILICA)

**Educational Sessions · Exhibits · Awards Banquet · Door Prizes · Live Auction
 Ladies Program · Entertainment · Caterpillar Plant Tour**

Pre-Registration fee: Must be received in our office by January 2, 2014

| | Full Participation (3 days) | One Day Participation | |
|---|--------------------------------|------------------------|--|
|  | Individual \$185 | Individual \$ 85 | |
| | Couple \$285 | Couple \$130 | |
| | Child (under 12) \$ 75 | Child (under 12) \$ 45 | |

(Indicate which day (s) you plan to attend)
 Thursday Friday Saturday



Cost of Registration after January 2, 2014

| Full Participation (3 days) | |
|--------------------------------|---|
| Individual \$225 |  |
| Couple \$325 | |
| Child (under 12) \$100 | |
| One Day Participation | |
| Individual \$110 |  |
| Couple \$160 | |
| Child (under 12) \$ 60 | |

(Indicate which day (s) you plan to attend)
 Thursday Friday Saturday

Ladies Program Friday, January 10th ~ 9 am - 3 pm

Tour of Millikin Homestead or Oglesby Mansion: Presentation & Lunch at Wildflower Artisan Bakery & Café; shopping in historic downtown Decatur.



I / we will attend: _____ # in party

Awards Banquet Meal Selection - Saturday, January 11th



Herb Roasted Prime Rib # _____



Grilled Chicken Vermouth # _____



TENTATIVE 2014 ILICA CONVENTION SCHEDULE

Decatur Conference Center & Hotel - Decatur, IL

JANUARY 9TH - 11TH

Wednesday, January 8th

5 - 6:30 pm Exhibitor Set up

Thursday, January 9th

8 am - 4 pm Registration

8 - 10 am Continental Breakfast - registration area

8:30 am Exhibits Open (Open through 7:30 pm)

9:45 - 11 am Education: (JULIE / Ameren Gas Compliance Updates) Roger Watwood & Gina Meehan

12 Noon Lunch (**New members announced**)

12:30 pm Agency Reports

2 pm Exhibitor Group Photo

2 - 4 pm Ladies: Ladies Hospitality Room Open Refreshments & activities

2 - 4 pm Education: (ADMC Update - Steve Baker / DWM - Richard Cooke)

4:15 pm Awards Committee

4:30 pm Nomination Committee

5 pm Hospitality Hour in Exhibit Hall

5:45 pm Convention Chair Welcome

6 pm Convention Kick Off Dinner

7 pm Silent auction closes

7:15 pm LIVE Auction

9 pm - 1 am Associate Hospitality Rooms Open

Friday, January 10th

7:30 am Devotions - Teen Challenge

8:15 - 9 am Breakfast

8 to 11 Registration

8 am - 12:30 pm Exhibits Open

9 am - 3 pm **Ladies Day Activities - Tour of the Millikin Homestead, Tea Presentation & Lunch at Wildflower Artisan Bakery & Café; shopping in Historic Marketplace in downtown Decatur.**



Friday, January 10th (cont.)

9:15 - 10:15 am Education: (Quickbooks) Sikich LLP

11 - 11:45 am Education: (Filing A Large Loss Claim) UFG / Prins Insurance - *featuring Bill Dean's fire claim*

12 Noon Lunch

12:30 pm Partner Reports

1:15 pm Final Board of Directors Meeting

1:15 pm Associates Committee Meeting

1:30 - 3 pm Exhibit tear down

1:30 pm Members meeting & Election of Officers

4 pm Hospitality Hour / **ILICA Dynasty Olympics**

7 pm Dinner

8 pm ILICA Dynasty Olympic results

9 pm - 1 am Associate Hospitality Rooms Open

Saturday, January 11th

7:30 am Devotions - Anticipation (singing group)

8:15 - 9 am Door Prize Breakfast

9:30 - 10:15 am Education: (Affordable Care Act) Peter Hansen, Wessels Sherman

10:15 - 10:30 am Break

10:30 - 11 am Education: (Affordable Care Act ... cont.)

10 am **Ladies:** TBA

12 Noon Lunch

1 pm Caterpillar Plant Tour

5 pm Hospitality Hour

5:30 pm Photos: Officers, Directors & Members

6 pm Awards Banquet

7:30 pm Awards Ceremony

8:30 pm - 1 am Presidents Hospitality Room Open



“HUNTING” FOR SOME FUN IN JANUARY? ILICA WINTER CONVENTION IS JUST THE TICKET!

As you can see from the schedule listed on the facing page, the ILICA convention is stacked up to be another good one. Not only is it “On Like Donkey Kong” with our “ILICA



Dynasty” theme for Thursday’s kick off, there is also some great educational sessions planned on everything from nutrient loss to the Affordable Care Act. That’s right folks, we’ve finally found an expert who isn’t afraid to stand in front of a group and discuss this volatile topic.

There are already some new exhibitors registered for this year’s event and many generous sponsors already signed up. As always, our ILICA associates are really stepping up to support our convention so contractors, if you only have a few hours to spare, please stop by the DCCCH sometime Thursday or Friday before noon and see what new innovations are out there for our industry.

All meals and events are included in the price of regis-

tration The “ILICA Dynasty” Early Bird kick off dinner will be in the exhibit hall, prior to the always popular live auction. Please feel free to break out your camo or orange hunting gear, stop shaving (if you want to participate in the beard contest) and get some pink Under Armor for the wives ... you’ll be set!

We’ve decided to continue the theme into Friday’s entertainment with “ILICA Dynasty” Olympics! So far, we’re considering the ever popular bag game, Hillbilly Golf, a hunting simulator, remote-control backhoe rodeo and more, still in the planning phase. Hospitality hour will begin at 4 pm on Friday evening and by the time we have dinner at 7 pm, our “judges” will be busy determining the Olympic winners!

The ladies have a delightful day scheduled for Friday with historical tours, presentations, lunch and shopping in downtown Decatur. Regardless of the weather, our ladies will have dedicated transportation, courtesy of the Decatur CVB, to make sure there is a warm place to wait for others in the group when traveling from place to place. They’ll be back to the hotel by mid afternoon to rest up for Friday evenings’ Olympics!



The annual members meeting is Friday afternoon and ALL members are welcome and encouraged to attend, even if you just want to listen in. The Associate Hospitality rooms will open following the auction on Thursday and our Olympics on Friday. They will be located on the 1st floor but still isolated from other guest rooms; Please don’t think that’s a license to hurt yourself but stop by before retiring for the evening to catch up with some old friends ... or make some new ones!

Saturday’s education should be very well attended, being that everyone has questions about the impact of the new healthcare legislation as the CAT plant tour following lunch will be, although I’m sure it will be a lot more fun than learning about healthcare legislation! The Awards Banquet and Ceremony will be on Saturday evening and everyone is more than welcome to stay for this time-honored event, if your schedule allows. The President’s Hospitality room will open following the banquet as the convention concludes for another year.



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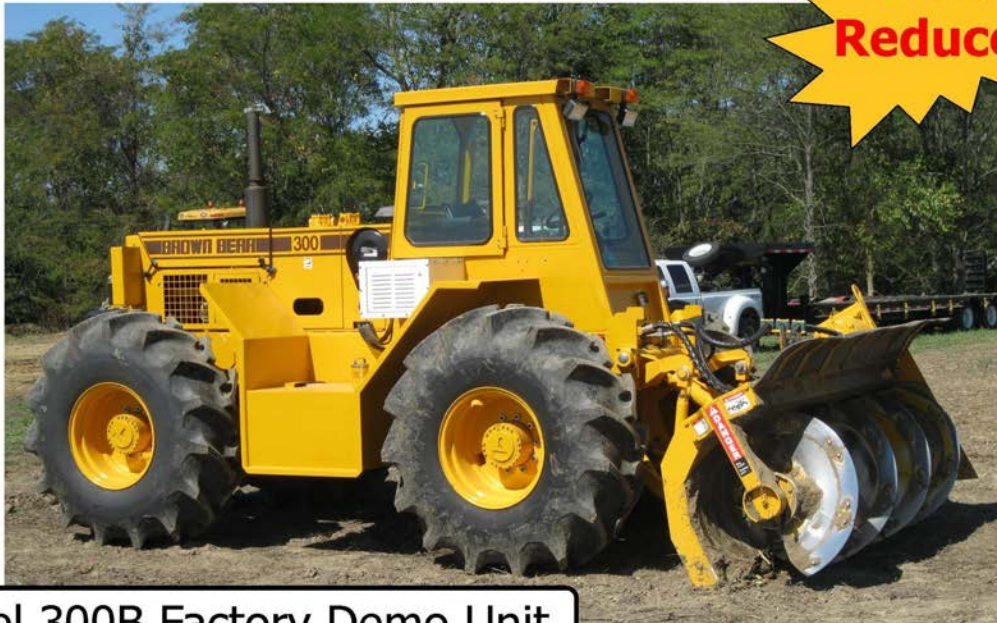


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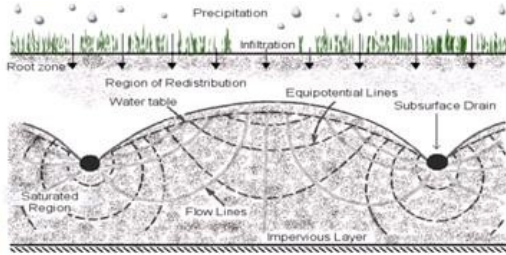
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The Extension Connection

EPA, ENVIRONMENTAL GROUPS CONTINUE TO THREATEN DRAINAGE ACTIVITIES WITH INCREASED REGULATION

Source: Jeffrey T. Baker

Jeffrey T. Baker is a Senior Associate at Sorling Northrup in Springfield, IL, where he concentrates on agri-business, corporate, and real estate law.



Recent decisions by several federal courts across the country show the Environmental Protection Agency is intent on subjecting tile drainage to increased regulations.

Farm groups have challenged the federal agency's actions, which include both large-scale nutrient management programs and the broadening of current operations subject to permitting. To make matters worse for farmers and land developers, where the EPA has not chosen to step-in, environmental groups have usurped the agency's lead role and are now asking courts to force the government into action.

No less than four federal courts spanning from California to Pennsylvania have issued opinions this fall in response to ongoing litigation which threatens to subject farm tiles to increased government control.

Farmers in California were spared when a federal district court in that state recently ruled in *Pacific Coast Federation of Fisherman's Associations v. Glaser*, that the Clean Water Act exemption for irrigated agriculture return flows included those systems which also discharged groundwater. The area that was looked at had a particularly high water table such that farm tile systems discharged not only irrigation water applied to the land, but also

contaminated groundwater. Environmental groups argued that these types of discharges should not be protected by the irrigated agriculture exemption in the Clean Water Act.

The court however disagreed, stating that Congress intended to exempt drainage from irrigated farmland, rather than focusing on what the actual component parts of the discharges were. To highlight the importance of the case, a decision in favor of the environmental groups could have meant the loss of exemptions for any tile drainage system in the country that discharged contaminated groundwater and required expensive permitting for those systems.

In West Virginia, a federal court stopped the EPA from expanding permitting associated with Concentrated Animal Feeding Operations (CAFO) to nearby farmland. The EPA argued that farmland next door to a permitted CAFO must also be subject to federal permitting as it collected debris and pollution from the CAFO, which was then washed away or discharged by precipitation and the farmland's tile drains. In the end, the EPA was in effect trying to restrict the applicability of the agricultural stormwater discharge exemption in the Clean Water Act. The federal judge disagreed with the agency's interpretation, however, deciding in *Alt v. US E.P.A.* that the chicken farmer's activities were obviously "agricultural" in nature and because stormwater is understood to mean precipitation, any discharge of stormwater from agricultural activities is exempted.

The threat to farmers is not segregated to litigation focused on the applicability of Clean Water Act exemptions though. For instance, the EPA recently instituted a large-

EPA, ENVIRONMENTAL GROUPS CONTINUE TO THREATEN DRAINAGE ACTIVITIES WITH INCREASED REGULATION

CONT.



scale nutrient management program for the Chesapeake Bay watershed – and area that covers 6 states and 64,000 square miles. Commonly known as “pollution diets,” the agency claims that states have failed to properly meet nutrient discharge targets and that the federally mandated plan is necessary to remediate the high nitrogen and phosphorus discharges that are polluting the Bay.

A federal court in Pennsylvania recently decided in *American Farm Bureau Federation, et. al. v. US E.P.A.* that the EPA was within its authority to establish the “pollution diet,” or Total Maximum Daily Load (TMDL), which established maximum nutrient and sediment runoff amounts for the entire watershed area. The EPA’s TMDL was several thousand pages long, included daily Waste Load Allocations for 478 individual permitted locations, and significantly reduced the states’ ability to self-regulate pollutant discharges. If the EPA is ultimately successful in an expected appeal, farmers in the states covered by the TMDL will be subject to increased regulation of all nutrient discharges on their lands.



A “pollution diet” is exactly what is needed for the Mississippi River Basin according to environmental groups. The EPA has been reluctant to implement a TMDL for the Mississippi River, however many see the ruling in the Chesapeake Bay case as a precursor to increased federal regulation in the Midwest.

In 2008, environmental groups petitioned the EPA to create federal rules governing nitrogen and phosphorus runoff in the Mississippi River, largely thought to be responsible for the “dead zone” located in the Gulf of Mexico. Environmentalists argue that the unregulated flow of the nutrients into the Gulf has caused the growth of a

5,800 square mile area of the Gulf which is depleted of so much oxygen that it cannot support aquatic life.

However, the EPA has resisted these moves so far, initially arguing that given the size and scope of such a project, a TMDL would consume almost all of the agency’s resources. Unlike the Chesapeake Bay, the Mississippi River Basin is the second largest watershed in the world and includes 31 states and about 1.2 million square miles.

The environmental groups sued to force the EPA into federal rulemaking. A federal judge in Louisiana ruled in October of this year in *Gulf Restoration Network v. Jackson* that the EPA now has six months to decide if it will institute a large-scale management program similar to that which is seen in the Chesapeake Bay. The agency has said it would prefer to continue to let states attempt to resolve the pollution issues, however, if the federal government does get involved it will certainly mean increased regulation of discharges from Midwest farmland.

Whether through nutrient management programs, like that seen in the Chesapeake Bay, or through litigation of the applicability of Clean Water Act exemptions, it is clear that both the EPA and environmental groups want to impose further regulations on America’s farmers.

If environmentalists or the federal government are successful in any of these cases, it could mean drastic changes for farmers and their supporting industries. Meeting load allocation targets could potentially mean that all tile systems are subject to federal permitting – an expensive and time-consuming process – or restrictions on the application of certain fertilizers. If those worries were not enough, or the government’s goals unclear, the EPA also recently announced a draft rule that would bring almost every body of water in the United States under the protection of the Clean Water Act, including virtually every stream, ditch, or pond.

Richard Cooke has been out of country working on a very important water management project and was unable to complete his planned “Economics Of Drainage” article for this issue. We thank Jeff Baker of Sorling Northrup for his research and expertise in providing the feature shown on these two pages. The “Economics Of Drainage” article will appear in a later printing of the *ILICA News*.



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2014 ILLINOIS SEMINARS PLANNED

Conservation Cropping Seminars Offer Ideas To Learn, To Share, To Take Back to the Farm

Managing your inputs for healthy soils... (CHAMPAIGN, IL) -- If you've got twenty bucks, a little time this winter, and a growing desire to learn new ways to improve productivity on your farm, this may be just what you need. Local agricultural producers and resource experts will share information and insights on soil health improvements, cover crop success, and wise nutrient management. Consider attending any of the unique seminars planned at three Illinois locations—January 28th in Mendota, February 27th in Mt. Vernon, and March 13th in Normal. To register, visit www.ccsxcd.com and click on the Seminars logo to access the website.

The fee to attend is \$20, payable by check or credit card. The new Conservation Cropping Seminars are an outgrowth of popular Tillage Seminars attended by producers, Ag industry representatives, certified crop advisors, and others. Seminars run from around 8 am and end at 3 pm, with time to meet and visit speakers, sponsors, and attendees.

"Our department is pleased to work with conservation partners to bring this series of seminars to three locations across the state," Agriculture Director Bob Flider said. "I encourage producers to join other farmers and agribusiness professionals in

Source: Paige Buck, NRCS (217) 353-6606

attending one of these meetings to learn more about adopting conservation systems on their own farms."

January 28, 2014 - Mendota, IL: Civic Center - 1901 Tom Merwin Dr. - Contact: **Marty McManus (309) 738-7227**

February 27, 2014 - Mt. Vernon, IL: Holiday Inn Conv Ctr. - 222 Potomac Blvd. - Contact: **Gary Albers (618) 476-7230**

March 13, 2014 - Normal, IL: Heartland Comm. College - 1500 W Raab Rd. - Contact: **Joe Bybee (815) 787-5480**

To register and see detailed Seminar agendas, discussion topics, and speakers, visit the Champaign County Soil and Water Conservation District website www.ccsxcd.com and click on the seminar logo. Seminar coordinators encourage local businesses and organizations to exhibit, serve as sponsors, and reach local and new clients. See website for details. The American Farmland Trust, Illinois Department of Agriculture, the Illinois Stewardship Alliance, local Soil and Water Conservation Districts, USDA's Natural Resources Conservation Service, and many state and local partners organize all Conservation Cropping Seminars.

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 - GR - Gravel/ Rock Production
 - LL - Land Leveling
 - LS - Landscaping
 - ODW - Open Ditch Leveling
 - OSW—On Site Waste Treatment
 - PD - Ponds / Dams
 - RBD - Road Boring/Drainage
 - R - Reclamation
 - SA - Dealer/Service Co./Government Agency/
Consultant/Insurance Agency
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 - SWU - Sewer/Water/Underground Utilities
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(Active members are individuals engaged in the business of entering into contracts for performing work that will result in soil, land, natural resource conservation or rehabilitation, water conservation, control and prevention of soil erosion, depletion and misuse of natural resources and soil and water pollution and contamination.)

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Signature: _____



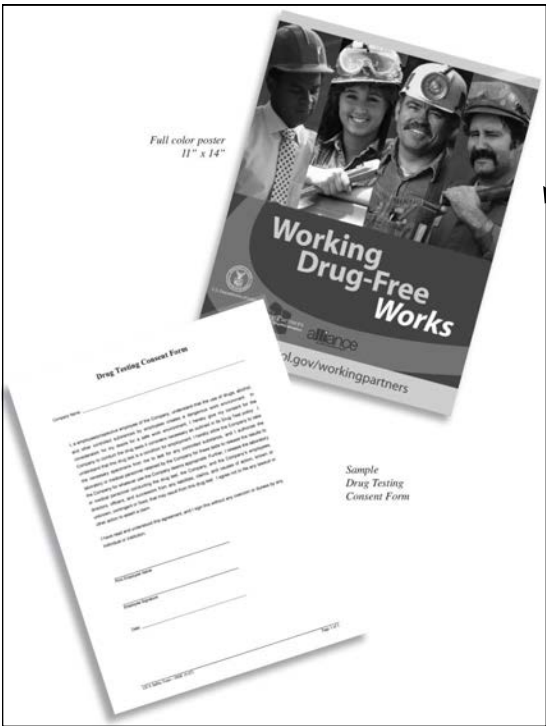
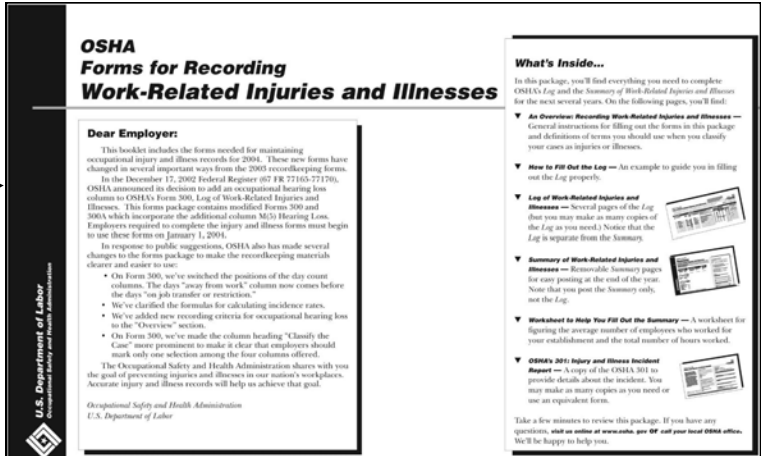
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The LICA Contractor Safety Management Plan

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The purpose of this comprehensive safety manual is to provide LICA members with recommended safe operating procedures and to outline techniques that are essential for the protection of the industry's greatest asset "its people and equipment." It is designed to be your individual company safety program or supplement to your existing program. It contains toolbox talks, equipment and jobsite inspection forms and much more. For your convenience a complete CD of the manual is included. This manual is worth thousands of dollars and is FREE to every contractor member.

Several informative OSHA forms included in the manual to help you understand and report any incidents or issues.



A complete set of policy and procedures that you can customize and make your own.

30 Tool Box Talks and sign in sheets to help you with your weekly safety meetings.



Each new LICA contractor member receives this safety manual FREE as a benefit of membership. This manual can help you stay OSHA compliant, possibly saving you thousands of dollars! Updates were mailed to current members Spring 2013, but if you did not receive yours, please let Lauri at the ILICA office know.

If you aren't using this important benefit, now might be a good time to start!

CALENDAR OF EVENTS

Illinois

**Area 8 Membership Meeting
Mt. Carmel - Hogg Heaven BBQ**

J.U.L.I.E. One Call Safety Presentation by:
Roger Watwood, Southern Illinois Damage Prevention Manager
Wednesday, December 11, 2013

**Area 8 Membership Meeting
Erb Equipment Co., Mt. Vernon, IL**

J.U.L.I.E. One Call Safety Presentation by:
Roger Watwood, Southern Illinois Damage Prevention Manager
Thursday, December 12, 2013

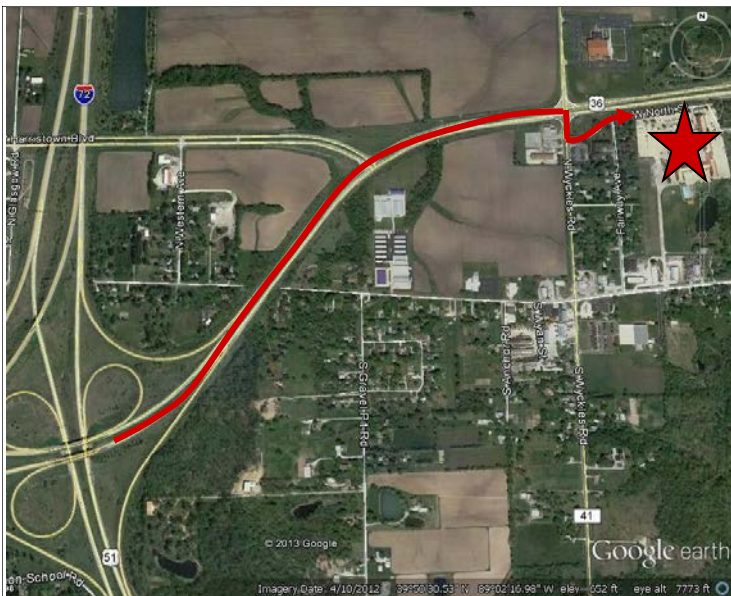
**Annual ILICA Convention & Member Meeting
Decatur Conference Center and Hotel
4191 US Highway 36 West, Decatur, IL
January 9 - 11, 2014**

National

**LICA Winter Meeting
Riviera Hotel - Las Vegas, NV
March 2 - 3, 2014
Con Expo - Las Vegas, NV
March 4 - 8, 2013**

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January 9th Member Meeting Directions:

Although there are obviously several ways to go through Decatur to reach the hotel, the easiest access is from I-72. From the Northeast, follow I-72 to EXIT 133 toward Pana-US-36E. Merge onto US-36E toward Decatur and turn right onto CR-41. The Wyckles Convenience Center is on the corner and the hotel is just

off the service road on your left. If you're on I-72 from Springfield, you will take EXIT 133A and follow the same directions above.

2014 National LICA Winter Convention

Riviera Hotel & Casino • Las Vegas, Nevada
March 1-3, 2014

Registration includes: Petrocon Breakfast, Sunday Lunch, Associates' Night, Monday Breakfast, John Deere Lunch, CNA Reception & Caterpillar Awards Banquet

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Optional Tour

Monday, March 3

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LICA Winter Convention
3080 Ogden Ave. Suite 300, Lisle, IL 60532

Registration Policy: Only individuals registered and wearing badges may attend Winter Convention events. All must register to attend conventions, programs or functions. No registration will be processed without payment. Registration fee deadlines will be strictly enforced.
Refund Policy: For cancellations received prior to February 21, 2014 a \$30.00 charge will be deducted from the original amount paid. No registration payment will be refunded after February 21, 2014 unless there has been an emergency.

2014 National LICA Winter Convention

Riviera Hotel & Casino • Las Vegas, Nevada

Tentative Agenda

Saturday, March 1

5:00 pm Executive Committee

Sunday, March 2

7:00 am - 7:30 am Devotions
 7:30 am - 8:00 am Committee Chairs
 8:00 am **Petrocon Opening Breakfast**
Committee Meetings
 9:15 am - 10:15 am Education/Tech
 Devotions
 Legislative
 Water Table Mgmt.
 10:30 am - 11:30 am By- Laws
 Conservation, Exc.
 Ladies
 Certification
 11:45 am - 12:45 pm Convention
 Long-Term/
 Past Pres.
 On-Site Waste
 Safety/Insurance
 1:00 pm Lunch
 2:15 pm - 3:15 pm Associates
 Awards
 Membership
 Policy
 Region Meetings
 3:15 pm - 4:15 pm Budget
 4:15 pm - 5:00 pm Executive Directors
 5:00 pm - 7:00 pm **Associates' Night**

Monday, March 3

7:00 am - 7:30 am Devotions
 7:30 am Breakfast
 9:00 am - 10:15 am Delegates Meeting
 10:30 am - 11:45 am Board Meeting
 12:00 pm **John Deere Lunch**
 1:30 pm - 2:30 pm CONEXPO Volunteers'
 Rally
 3:00 pm - 5:00 pm Fast Lap Indoor Racing
 6:00 pm **CNA Reception**
 7:00 pm **Caterpillar Awards Banquet**

Dan McNichol- Lunch Speaker Sunday, March 2



Dan McNichol is a fifth-generation road builder and one of the foremost experts on infrastructure in America today. This includes the publication of four books on related topics, including The Roads that Built America, an extensive look at the story behind the building of the U.S. Interstate System, and Paving the Way: Asphalt in America, the "definitive book on roads in America." McNichol used his own experiences as the spokesperson for The Big Dig project in Boston to write two books on the topic: The Big Dig, and The Big Dig at Night. Dan has also served as a presidential appointee to the U.S. Department of Transportation, won numerous awards for journalistic coverage of the construction industry, and is a regular contributor to cable and network news programming.

Fast Lap Indoor Racing Monday, March 3

LICA is taking over Fast Lap Indoor Racing! The facility will be closed to the public and members will have this incredible indoor racing track all to themselves. This is the ultimate racing challenge. The Karts are equipped with Honda 200cc engines which can reach speeds up to 50 mph. Come prepared to race because in the past competition has been brutal.

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