



# IN THE TRENCHES

June 2010

*"Drainage Doesn't Cost - IT PAYS!"*

[www.drainage.org](http://www.drainage.org)

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## From the President's Desk

Fellow Members:

I am sitting at the kitchen table trying to contemplate what to write for this newsletter. We have just had a very nice May 24 long weekend and the farmers are in high gear with the planting. On the weekend I was reading the newspaper about the oil gushing into the Gulf of Mexico and it had some mind boggling numbers. In the article they were talking of filling enough 4-Litre jugs to stretch more than 18,000 kms - that's just shy of 492 million litres! I just could not help but notice that this environmental disaster started April 20 and this article appeared in the second section of the May 22 edition. Is it that it is a distance away or the oil industry has some political clout that the agricultural industry just can't seem to get? The media was also talking about the 10th anniversary of the water contamination in Walkerton. We all know what came about with that disaster. I only hope that the same rules will be applied to the spill in the Gulf of Mexico.

I am proud to be a LICO member. We are all concerned about the environment and take measures to ensure our future generation's clean water. Having Don Lobb as our environmental advocate only proves we are serious about having no misconceptions in what we are all doing.

In closing it looks like another busy fall is ahead. We can only hope the weather will co-operate so we can meet our commitments. Have a safe and enjoyable summer.

Gerald

**They don't make drain pipe this way no more!!!**



*Petty Brick and Tile Kilns, Cherrywood, Pickering Township 1865-1918*



## Lines from Lambton - Dean Hodgson

The changeable spring weather gave Lambton County farmers a real set back when the month of May arrived. After enjoying a mild winter and one of the best months of March anyone can remember, Lambton was treated to unbelievably wonderful weather all through the month of April. Farmers were on the land early and by mid-April all of Lambton County's sugar beets were planted and by the end of the month it was estimated 75% of the corn crop was in the ground. Some of the more optimistic farmers had even planted soybeans. Others, being more realistic, took their time because there was all spring to get the seeding done under such perfect conditions. They are still waiting. But everyone was happy as the sunshine poured down and there was even the odd timely shower to get the crops off to a good start.

Then came the month of May and the rain and then the frost and then more rain! The smiles turned to frowns as the creeks overflowed and the fields ponded in the low spots but the worst was that the damp, cool weather put a stop to all growth. It was a dismal three weeks in which everyone lost their cheerful smiles. However, all was not lost and before the 24th of May the sun finally reappeared, the air warmed up and plants began to grow again.

Soon everyone was on the land with sprayers, fertilizer spreaders and the soybean crop may get planted yet. The sugar beets are doing well as they are all planted on well-drained land and are resistant to cool weather. Although some are still worried, it looks as if most of the corn is recovering from all the cold, wet conditions. The lush, green winter wheat crop looks to be the best in many years and optimism is slowly returning to the County.

Our Lambton County drain contractors have not been so lucky. What started out in March and April, looking like the best spring in history, did not encourage a lot of drainage work. Farmers were quickly on the land and there were few wet areas to contend with. However, any land requiring drainage was not dry enough for tile equipment. Ken Jaques tried an early job in mid-April but found soil conditions were not satisfactory. Ken has been doing some small jobs and drain repairs but conditions were not great even before the rains of May. Allan Jardine found the same problems but has kept busy with small repair jobs. Scott Wilson has been installing some main drains south of the LaSalle Line in St. Clair Township but the rains of May slowed him down. I saw another contractor trying to work in north Lambton but no one was on the job. Most of the contractors are biding their time and hopefully all the rain will encourage some to tile drain through the crops as in the good old days.

I was talking with Peter Vokes and they have had a good spring on their farm. The Vokes Brothers have planted 620 acres of sugar beets that are up and doing well. They also seeded over 300 acres of corn before the May rains drove them from the fields. They were busy working around the shop getting all their equipment ready to carry on with the spring seeding as soon as the weather allows. Peter says Vokes Drainage does not do much drainage work in the spring as the soil is always too soft, especially where drains are required. Vokes plan their drainage work for later in the year when soil conditions are ideal and there will be no soil compaction. Peter noted however, they have found their new Wolfe Plow causes much less compaction than the heavier dozer plow did in the past. The Vokes Brothers Drainage also operates a trucking business, excavation and construction services to go along with their vast acres of farm land. Peter says they have finally stepped out of the livestock business as all the farm chores did not blend in with their other off-farm enterprises.

There was an article in the Ontario Farmer that drain maintenance problems are stressing farmers all over the province. Some drain maintenance work is now being delayed for years, rather than just months, because of inaction by the Conservation Authorities, the MNR and the DFO. Somehow these bureaucrats

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### **Lines from Lambton** - *(Cont'd. from page 3)*

must be charged with the cost of the delays caused by their inability to accept responsibility for their decisions. (Perhaps they are just the buffer between the farmer and the environmentalists as are the LHIN between the hospital patients and the government). Whatever happened to being responsible for your actions?

I recently noticed a quote by Marion Matt in the introduction to her book, 'The Dipper Stick', on the history of drainage in Kent County. She says "Few persons born in the generation after 1930 have an appreciation of the struggles experienced before drainage improved land conditions and from the fifties onward drainage was and continues to be taken for granted". Too bad some of these bureaucrats could not experience some of the problems that will occur if our provincial drainage system is not maintained. I suppose they plan to import their food from China!

### **OFA Task Force Aims for Consistency in Drainage Rules** - *(Excerpts Ontario Farmer, April 20, 2010)*

The Ontario Federation of Agriculture (OFA) drainage task team continues to work on recommendations to address farmers concerns with conflicting multiple layers of authority relating to drainage.

Drainage has been a major contributor to agriculture productivity on the province since the early 1900s and within the provincial Drainage Act rules are established to which farm operators must adhere.

There is a potential for conflict when the farmers find they must abide by the Drainage Act, the rules established by the conservation authorities as well as federal Department of Fisheries and Oceans.

"There is a direct conflict between the provisions of the Drainage Act, the statutory obligation to maintain drains once constructed, and the restrictive provisions in the Conservation Authorities Act," says OFA president Bette Jean Crews.

OFA struck the drainage task team to deal specifically with the challenges farmers were experiencing.

OFA director Bruce Webster is concerned that conservation authorities are focusing too much on farmers, yet appear to ignore the impact that municipalities have on the water systems with the dumping of raw sewage.

Ralph Brodie said that under the species at risk legislation bridges or culverts can't be replaced on farm properties between March and July. "We have to get these guys to understand, a bridge should be replaced if it needs to be replaced," he said.

"Nothing worth doing is completed in our lifetime; therefore we must be saved by hope. Nothing true or beautiful makes complete sense in any immediate context of history; therefore we must be saved by faith. Nothing we do, however virtuous, can be accomplished alone; therefore, we are saved by love."  
Reinhold Niebuhr

## **OMAFRA Drainage Coordinator's Report**

***Tile Loan Program:*** By letter dated March 31, 2010, the 2010/11 Tile Loan Program was announced to municipalities. The loan interest rate remains at 6% and the loan limit continues to be \$50,000 per farmer per year. Please direct your farmer clients to their local municipalities to apply for the loan. Remember, they must apply for the loan before performing the work.

For May 1/2010, we processed four tile drainage debentures totalling \$96,000.

### ***Protecting Your Interests:***

At a recent LICO Board meeting, a discussion took place about a contractor who agreed to wait for payment until the tile loan cheque came in. Once the farmer received that cheque, he used it to pay off other bills and the contractor was left unpaid.

As a result of this discussion, these questions were raised "How does the contractor ensure that the farmer client turns over the tile loan cheque to the contractor?" and "To protect the contractor, why can't the municipality make out the tile loan cheque in the name of the contractor?"

Tile loans are an "encumbrance" or debt on a specific property and are treated similar to a tax. Therefore, there is no way that a municipality can make the cheque out to anyone other than the owner of the property who applied for the loan.

### **However, here are two possible ways for a contractor to protect themselves:**

Don't agree to wait for payment until the tile loan money is received by the landowner; or

Tell the landowner that you will only agree to wait for payment until the tile loan money is received under one condition. The condition is that the landowner must agree to submit a letter signed by the property owner(s) requesting the municipality to make out the tile loan cheque jointly in the name of the property owner(s) and the contractor. Before you suggest this to the landowner, you should first check with the municipality to see if they would agree to take this action if this type of letter was submitted by the landowner. If the cheque is made out jointly, it can only be cashed after all named parties have signed. Therefore, you can ensure that the cheque will be in your hands before its cashed.

***Agricultural Tile Drainage Installation Act:*** As of May 10, 2010, in the province of Ontario there are 82 licensed tile drainage businesses using 155 tile drainage machines. Of the 155 machines, 104 are ploughs, 43 are wheels and 8 are chains. A total of 323 individuals have a valid machine operator's licence.

Some contractors have submitted their license renewal form and fee but have not submitted their 2009 tile records, which means their license has not been renewed. We hope to surprise these contractors with a visit in the near future. We will also be posting a list of licensed tile drainage contractors on our website. ([www.gov.on.ca/OMAFRA/english/landuse/drainage.htm](http://www.gov.on.ca/OMAFRA/english/landuse/drainage.htm))

We also want to remind you that machine licenses are issued to the machine. Therefore, a machine license cannot be transferred from one machine to another. If you bought a licensed machine from another contractor, you need to complete a machine license transfer form and pay a \$5 fee to transfer the machine license to you as the new owner. If you've bought a new machine, you need to apply for a new machine license (\$50).

Working as a tile drainage contractor without a business license contravenes the *Agricultural Tile Drainage Installation Act*. If you find someone operating illegally in your area, please let us know. We will investigate, and if we can catch them in the act, we will take action against them.

## CALENDAR OF EVENTS

January 19 & 20, 2011  
LICO Conference  
Best Western Lamplighter Inn  
591 Wellington Rd.,  
London, Ontario N6C 4R3



## Passings

### TAIT, Karen Christina

Suddenly at her home at R.R. # 2, Grand Valley on Monday, May 31, 2010 in her 51<sup>st</sup> year. Beloved wife of Jim Tait of Grand Valley. Dear mother of Christa (Kevin) Tait of Grand Valley and Jesse Tait of

Low, Que. Loving nanny of Blayne and Trent. Cherished daughter of Ken Wren of Grand Valley and Marilyn Hatfield of Alliston. Fondly remembered by her father and mother-in-law, John and Plonie Tait of Grand Valley. Survived by six brothers, three sisters, one brother-in-law and four sisters-in-law and Joey. Predeceased by brother Chris Wren. The family will receive friends at the Crawford Funeral Home 243 George St., Arthur on Thursday June 3, 2010 from 2-4 and 7-9 p.m. The funeral service will be held from the Crawford Chapel on Friday June 4, 2010 at 11 a.m. Cremation to follow. Remembrances to the Canadian Cancer Society would be greatly appreciated by the family.

## Water Risks Have To Be Managed - (Excerpts from Ontario Farmer, May 4, 2010)

*Few farmers have showed up to meetings on source water protection legislation*

Few farmers are showing up for information meetings about source water protection initiatives along the North shore of Lake Erie, including the Grand River stretching to the Luther Marsh.

A turnout of 18, half of them staff and officials, was typical.

The information meetings now feature maps which colour-code water flow zones. The red-hot zones are 100 metres around wellheads or water intakes from rivers. Then there are zones where surface water could percolate into the municipal well within two years. And the third mapped area is where it takes up to 25 years to percolate to the well.

Municipal politicians have the power - and the responsibility - to take actions to reduce significant risks. For example, it's clearly going to be a high risk to have an inadequate septic system within the 100-metre hot zone around a municipal well.

Manure, pesticides and fuel storages are likely to be the big risks for farmers and they're going to have to demonstrate that they are managing those risks responsibly if they're farming within a 25-year zone.

Right now the province has money to help property owners address risks, such as capping abandoned wells, upgrading septic systems and planting trees and buffer strips along streams.

That money might soon be restricted to property owners within the two-year zones.