



Land Improvement Contractors of America • California Chapter

Winter 2009

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.Failure to Report to ARB by deadlines could result in fines. Fines have not yet been set but could be \$100 per day per vehicle.

Read more in the front page article.

2009 USHERS IN ARB REPORTING REQUIREMENTS FOR OFF-ROAD DIESEL VEHICLES

As if April isn't enough of a dreaded month with its worrying tax deadline for us already, the first ARB (California Air Resources Board) In-Use Off-Road Diesel Vehicle reporting requirement for large fleets is April 1, 2009 — large fleets are specifically fleets with over 5,000 horsepower of applicable off-road diesel vehicles. The reporting deadline for fleets between 2,501 and 5,000 horsepower is June 1, 2009. The reporting deadline for fleets with 2,500 or less horsepower the deadline is August 1, 2009.

The California Air Resources Board approved regulations to reduce emissions from existing off-road diesel vehicles used in California on July 26, 2007. In order to assist you, I am republishing the fact sheets for small fleets and medium/large fleets in this issue. There are some changes since it was published in the Fall 2007 issue. Specifically, small fleets are now fleets with up to 2,500 hp (changed from 1,500 hp), Medium fleets are 2501 to 5000 hp (changed from 3,000 to 10,000) and large fleets consist of 5,001 hp or more.

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Allan Clark

**Contractor/Farmer
Pilot/Car Builder/Draft Horse Teamster**

Allan Clark is the last of the Board members about which I have written a profile. It is interesting to look back through the past seven publications and realize the common thread of the dirt stiff. All have had a start with family, either fathers or siblings, uncles or brothers-in-law, and in most cases a combination of family members. All started with a single rig and worked forward with diligence and intelligence to a fleet.. Some farmed. Some were pilots. Three of the present five Board members (Clark, Fike and Morimoto) are Cal LICA charter members — 37 years involved in LICA. Merlin has over 20 years. Bob Hughes was a charter member with 36 years at his death. All have given back to the community. All are incredibly interesting. Allan Clark fits in the same mold of the dirt stiff, with a few more stated hobbies.



Allan Clark standing next to Clark brothers' first rig—a Caterpillar D-8 (13A)

Allan's father and uncles moved dirt and flew crop dusters. He started very young working with his creative father in the shop and talking dirt — moving it anyway. A plane crash took his dad from the family when Allan was nine and then when he graduated from

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President’s Message

I wish all of you a very Happy New Year and expect that 2009 will be a more positive turn-around from the ending down-turns of 2008.

LICA is certainly looking forward to a bigger and better year, with membership rising all over the country as contractors realize the benefits of having a local and national organization of folks like themselves.

During these times that work is more slim and the economy is less than easy, we all need to stick together to assure that our industry is protected in Washington DC and in California, that we utilize the expertise of one another in conversations and work, and that we learn from one another as we get through the present into a better future.

I am planning to attend the National Conference in Nashville, Tennessee along with Walt Morimoto, Allan Clark and Susan Lyons. I encourage any of you that can to join us February 10-14, 2009. It is a great way to meet your counterparts from all over the country and learn as well as socialize with folks from our industry

LICA is growing by leaps and bounds and I am hoping that California can join in growth in 2009. I am presently working with schools to join and talking to a few contractors. If we each bring one member to the organization, we will double the membership. I am hoping we can do even better.

Note the article in the recent *Land & Water Magazine* by John Peterson, National Legislative Liaison for LICA. He is working hard and building relationships in Washington D.C. for our benefit. John’s the man to get this done and we are all looking forward to having him on board with LICA watching our backs with our legislators.

Merlin Welch, President



Message from the Executive Director

It is amazing that I am approaching the end of my second year with Cal LICA. This was a temporary situation just to help the organization for awhile. In the meantime, I have grown interested in the industry and very fond of the work that LICA is doing for its members. I believe strongly in the power of teams and both our own Chapter and the National LICA are building a great network across California and the nation. It is a good team to be on.

This issue marks the last of the profiles on Board members. I intend to keep going with the membership. I enjoy this part of the newsletter the most, learning about the individuals and how they got where they are. All of you have an interesting story to bring to the membership and I will be contacting some of you this year to hear your story and to write about it for the rest of the membership. I look forward to meeting you.

Cal LICA is enjoying a great response to the invoices that went out in early December and I thank you. If you haven’t paid your dues, be sure to get them in before the end of January to get the insurance benefits. If you are over 70, the insurance doesn’t apply but you can pass it to someone else in your organization. Just let me or the National LICA know.

If you are interested in attending a Board meeting, we meet the first Monday of each month. Let me know and we would love to see you there.

I hope some of you can join us in Nashville in February.

Happy New Year.

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LICA NATIONAL WINTER CONVENTION
February 10-15, 2008
Nashville, Tennessee
Check it out on the LICA website or call me

National LICA

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 Website: www.LICANational.org

Check out the website for all the benefits available to members!!

The LICA Creed

- Land, the foundation of the Nation
- The basis of all wealth
- The heritage of the wise
- 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.

ARB Requirements—continued from page 1

The regulation requires a reduction of particulate matter (PM) to 20 percent of small fleets beginning 2015 and by 2010 for medium and large fleets. Medium and large fleets also require an average emission rate target for NOx or to turn over a certain percent of horsepower (8 percent in early years and 10% in later years). Small fleets are exempt.

Please refer to the Facts sheets in this issue for requirements for in-use off road vehicles. The ARB website has facts and figures and fleet calculators also.

To ostensibly make things easier, staff has announced that the off-road diesel vehicle online reporting tool (DOORS) will allow fleets to complete the initial reporting, including all special cases. I did not find it easy to access DOORS. Go to the ARB website and in their search box, type in doors. I did find the reporting fairly easy to use.

Fleets which have not yet reported are encouraged to begin the reporting process. They say they STRONGLY encourage fleets to report early so they have more time to label their vehicles and can get more support if necessary from ARB staff.

To repeat the reporting deadlines:

The reporting deadline for large fleets, those with over 5,000 horsepower of applicable off-road diesel vehicles, is April 1, 2009.

The reporting deadline for fleets between 2,501 and 5,000 horsepower is June 1, 2009;

The reporting deadline for fleets with 2,500 or less horsepower the deadline is August 1, 2009.

What happens if you don't report? **Fines.** Fines could be as much as \$100/day per vehicle. They have not yet been established and I believe the ARB will work with you if you are having difficulty, but it is recommended that you get 'er done!

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Allan Clark—continued from Page 1

high school, his stepfather lost his life to a sudden heart attack., leaving behind Allan's mother and 5 children. Family in his case beckoned for their big brother to pull them through yet another crisis, so he gave up a full four year scholarship at Fresno State to do the right thing for them. He and his brother Norman, who was a senior in high school, accepted the challenge.

Their stepfather left two tractors, both in debt. The two young men asked for help from an uncle on one tractor to co-sign for financing. They both state now that they might have missed a few meals, but they never missed a payment on that old Caterpillar D-8 (13A). They had a good challenge, but they stepped up and made sure their family tradition, now second generation Clark Brothers, would continue. They hustled for local jobs, leveling but mostly ripping, and made sure that they gave more than their share, just in case someone was feeling sorry for them rather than needing them. Their policy: do the best you can and always leave things better than you found them. Their first year they worked on the Mammoth Pool Dam job.. That tractor and two young men worked night and day, literally twelve hour shifts each.

That old D-8 now sits on a mound on Allan's property, a rusting reminder of their humble beginnings.'

Of course, as most contractors experience, work was slim in the Winter and when the farmers were planting, so they bought some property in the desert of Arizona and developed it into farmland in the Winter months Each year, they added more and developed more until they could call themselves serious farmers. They also picked up some leveling work around the area. They both began to fly in their early twenties, another family tradition, and before long they were able to buy a high performance Bonanza. The trips to Arizona took up less travel time and allowed them more working time with this new plane. Allan and his son are still flying that 40 year old plane today.

As time marched on and ambitions and opportunities continued to grow, these young second generation Clark brothers bought California farmland and began to fly a helicopter in order to get around their holdings and jobs. They could not afford to buy a ready helicopter, so they bought a wrecked one and rebuilt it. They certainly didn't let any thing stand in their way.

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SUPPORT OUR AFFILIATES

The Affiliates below are members of Cal-LICA

Laserman
Pete Eberhart
9358 Midway Road
Durham, CA 95938
530-899-8080

Laser Service
Martin Buschnoff
2180 W. Pleasant Ave
Fresno, CA 93705
559-252-1659

Martronic Engineering, Inc.
Ellen Marsh
80 W. Easy Street, Unit 5
Simi Valley, CA 93065-1665
805-583-0808

Dustan & Darren Johnson
James G. Parker & Assoc.
6430 N. Feland
Fresno, CA 93711
559-281-3817

Reynolds International
James Hausner
1-800-441-8161

TopCon
John Dice
7400 National Drive
Livermore, CA
94550
925-245-8300

If those who would dismantle the tax cuts get their way, the chilling message to the business community will be, "Don't scrap and struggle to succeed, expand your business, and hire more workers, because we won't thank and reward you for helping your country. We'll punish you.

Ronald Reagan 1983
Address to the Commonwealth Club

Allan Clark—continued from page 3

Allan and his brother Norman were partners for 50 years and did so without any disagreements. Allan ran the construction business, Clark Bros. Inc., and Norman ran Clarks Bros. Farming. Over the past several years they have split up that partnership so Norman could retire and now Allan's two sons have stepped in to run the business. This January 1st, Allan's three kids, Sarah, Lawrence and Andrew are the new owners of Clark Bros. Inc. (the construction company), under a contract of buyout over 10 years. This is the third generation of Clark's to take on the business of construction and farming. Allan continues to work for them. Lawrence has expanded the company into larger projects, including water and sewer plants.

LICA has been a part of their contracting since 1972. Allan got a letter from Bob Schuck from Nebraska, who was setting up a chapter in Arizona. Allan was a listed

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ARB—continued from Page 3

Previously DOORS was available for initial reporting but did not allow reporting of all special cases. DOORS now allows fleets to report the following special cases:

- Vehicles which were repowered with cleaner engines,
- Engines with non-standard emissions certifications,
- Vehicles involved in an incentive funding program (like Carl Moyer or SOON),
- .Non-diesel vehicles, or systems, to receive credit for replacing off-road diesel vehicles, and . Tier 0 vehicles which were retired between March 1, 2006, and March 1, 2009, for early credit towards the regulation

Since this wasn't quite ominous enough, the ARB has announced that two-engine cranes were approved to be added into the off-road regulation at the December 12, 2008 Board hearing. Once the approved requirements become effective (expected late in 2009), both engines in two-engine cranes will be included in the off-road regulation reporting and emissions requirements, regardless of whether the crane is used on-road or off-road, or whether the crane's secondary engine is already registered as a portable engine. Fleets may report two-engine crane engines along with their initial reporting in 2009 if they wish. More information regarding the two-engine crane provisions is available on p. 35 of the on-road truck and bus regulation staff report at

<http://www.arb.ca.gov/regact/2008/truckbus08/tbisor.pdf>

The reporting tool, instruction manuals, and guides to reporting are available at https://secure.arb.ca.gov/ssldoors/doors_reporting/reporting.php.

For assistance with reporting, you may call (877)59-DOORS, or email doors@arb.ca.gov I talked to two staff members on this issue and they were very helpful so call them if needed at 916323-2397.



Allan with his team of Shires and a restored Studebaker Water Wagon from his road building equipment collection

contractor for the Soil Conservation District in Arizona where Bob got the names. Allan thought that this was something California contractors could use: camaraderie, cooperation, political watchdog and benefits. All of this seemed like a way to give something back to an industry that had been awfully good to him. He was impressed with the potential and Bob helped him

set up a meeting in California. Eighteen contractors attended that meeting and Cal LICA was born. The rest, they say is history.

One of Allan's present hobbies developed from a LICA field day. Allan wanted to demonstrate a Fresno Scraper (he collects them) alongside the new tractors and scrapers to exhibit a little history in leveling. He had never driven a draft team, but he knew of one at an auction yard where they pulled the feed wagon daily. The auction yard loaned him the horses if he would pay an additional man's wages for the day to replace the team. He picked them up with a borrowed trailer, grabbed the harness and showed up to demonstrate the rather awkward and dangerous prowess of the Fresno Scraper. Fortunately, a farmer (John Oliver) who was a teamster came to watch and recognized that Allan needed some guidance in putting on that harness, so he helped him get started. Allan drove that team all day demonstrating. Of course, they were dead broke and Allan has since learned the value of that. He now breeds and shows and demonstrates with Shire Draft Horses. Since he is a historical collector by nature and passion, the drafts offered him more opportunity to add carriages and horse drawn land leveling equipment to his barns. They include a horse drawn grader, a horse drawn Studebaker water wagon (a gift from Walt Morimoto) and a horse drawn hearse which was used in John Oliver's funeral.

Allan collects, restores and customizes cars. He has a rather impressive cross section of American cars in various stages of restoration or awaiting the torch. He was given a 1930 Model A Town Car for his junior high school graduation. He drove it through high school and put a racing engine in it to compete in the drags. He was undefeated. His sisters also drove it through high school. After the years of use and abuse made their mark on that beautiful little car, Allan restored it back to its original glory and takes it on runs and to shows today. (Have you noticed a theme that he never gets rid of anything? He has his original tractor, his original car, his original plane and Clark Bros. Inc. headquarters is the original home of his family in Dos Palo, California.) Allan's present projects are a 1961 Chrysler Imperial major custom and a 1935 Ford Hotrod.

If your actions inspire others to dream more, learn more, do more and become more, you are a leader.

John Quincy Adams