

Ohio News Watch

Advertisement

Optimum
AcreMax¹

AM1 – Optimum[®] AcreMax[®] 1 Insect Protection system with an integrated corn rootworm refuge solution includes HXX, LL, RR2. Optimum AcreMax 1 products contain the LibertyLink[®] gene and can be sprayed with Liberty[®] herbicide. The required corn borer refuge can be planted up to half a mile away.

Optimum
AcreMax^{RW}

AMRW – Optimum[®] AcreMax[®] RW Rootworm Protection system with a single-bag integrated corn rootworm refuge solution includes HXRW, LL, RR2.

Optimum
AcreMax^{AM}

AM – Optimum[®] AcreMax[®] Insect Protection system with YGCB, HX1, LL, RR2. Contains a single-bag integrated refuge solution for above-ground insects. In EPA-designated cotton growing counties, a 20% separate corn borer refuge must be planted with Optimum AcreMax products.

Optimum
AcreMax^{AMX}

AMX – Optimum[®] AcreMax[®] Xtra Insect Protection system with YGCB, HXX, LL, RR2. Contains a single-bag integrated refuge solution for above- and below-ground insects. In EPA-designated cotton growing counties, a 20% separate corn borer refuge must be planted with Optimum AcreMax Xtra products.

Optimum
Intrasect[®]

YGCB, HX1, LL, RR2 (Optimum[®] Intrasect[®]) – Contains the YieldGard[®] Corn Borer gene and Herculex[®] 1 gene for resistance to corn borer.

Optimum
Intrasect^{Xtra}

YGCB, HXX, LL, RR2 (Optimum[®] Intrasect[®] Xtra) – Contains the YieldGard[®] Corn Borer gene and the Herculex XTRA genes for resistance to corn borer and corn rootworm.

Optimum
AQUAmax[®]

AQ – Optimum[®] AQUAmax[®] product.



HX1 – Contains the Herculex[®] 1 Insect Protection gene which provides protection against European corn borer, southwestern corn borer, black cutworm, fall armyworm, western bean cutworm, lesser corn stalk borer, southern corn stalk borer, and sugarcane borer; and suppresses corn earworm. **HXRW** – The Herculex[®] RW insect protection trait contains proteins that provide enhanced resistance against western corn rootworm, northern corn rootworm and Mexican corn rootworm. **HXX** – Herculex[®] XTRA contains the Herculex 1 and Herculex RW genes. **YGCB** – The YieldGard[®] Corn Borer gene offers a high level of resistance to European corn borer, southwestern corn borer and southern cornstalk borer; moderate resistance to corn earworm and common stalk borer; and above average resistance to fall armyworm. **LL** – Contains the LibertyLink[®] gene for resistance to Liberty[®] herbicide. **RR2** – Contains the Roundup Ready[®] Corn 2 trait that provides crop safety for over-the-top applications of labeled glyphosate herbicides when applied according to label directions.

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To protect the usefulness and availability of these technologies for the future, growers must implement an Insect Resistance Management (IRM) program as specified in product use guides. For detailed IRM requirements for products with in-plant insect resistance, refer to the appropriate product use guide, available from your Pioneer sales professional or on the web at: www.pioneer.com/IRM.



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Ohio pipeline network is expanding

Key Points

- Much more pipeline work is likely coming to Ohio farmland.
- Patient negotiation can lead to an advantageous arrangement.
- Working with other landowners adds clout when dealing with companies.

By GAIL C. KECK

PIPELINE easements are nothing new to farmers in Ohio's energy boom areas, but even areas without oil or gas production may soon be seeing pipeline construction. In the years to come, even more Ohio farmers will need to educate themselves about negotiating easements on farmland as pipeline projects crisscross the state, according to Dale Arnold, director of energy, utility and local government policy for the Ohio Farm Bureau Federation. He expects the state to see 38,000 miles of construction to install new pipelines or renovate old ones over the next 10 years. "Welcome to energy development," he notes.

A wide variety of pipeline projects are in the works, including local collection systems leading off natural-gas wells, intrastate pipelines transporting materials within the state and interstate pipelines transporting products through or beyond Ohio's borders. Some local utility companies are also in the process of expanding or upgrading their pipelines.

Many of the projects planned within Ohio are not subject to eminent domain, Arnold points out. But even if a project is subject to eminent domain, landowners should avoid accepting the first easement offer they receive, he stresses. "Even with eminent domain, your ability to negotiate an effective settlement is huge."

Land restoration

Having a pipeline buried under farmland can affect the future value and use of the land for generations to come, Arnold adds. "You are entitled to be compensated for



GROUNDWORK: Ken Detterman might be satisfied with the payment he received for a pipeline easement crossing his Seneca County farm, but he is still negotiating with the pipeline company over how the work was done and how the land was restored.

tion form offered by the company might not include protections for landowners such as a time limit or provisions to cover damages. Landowners have the right to add terms to survey permission forms, Emens says. "You want to be there and have a written agreement for the survey."

Even after an easement agreement is signed, landowners need to remain involved with the process, Emens says. "The landowner is going to want to be very involved while the pipeline company is on their land. You're going to want to make sure it's done the way you want it done."

Work as a group

John Darlak, whose farm near Ashland is crossed by a 12-inch pipeline, recommends working with other landowners and attorneys to negotiate settlements. He helped organize the North Central Ohio Landowners Association, or NCOLA, so landowners could compare notes and share ideas about dealing with the pipeline.

"What I tell people is, they've got to get involved," Darlak says. "Getting an agreement signed is only part of it."

Bill Goldman of Goldman and Braunstein LLP is working with Darlak and other NCOLA members on their pipeline issues. Dealing with a proposed pipeline can be emotional and confusing, but it's important to make sure an agreement fits your needs, he says. Many people settle on agreements too quickly, he notes. "Fifty [percent] or 60% of the people will sign just to end the process."

Having a pipeline cross your property can have its advantages, Goldman adds. "While there is detriment involved, it has, for a number of people, represented a strong economic advantage."

Keck writes from Raymond.

that now." Easement contracts should also specify how the land is to be restored after construction. For instance, a contract could specify that the land be returned to the same level as before construction, or it could specify that a low spot be built up. Contracts can also cover things like fencing, drainage and access roads.

"The easement should reflect the unique needs of your property," Arnold explains. Advice from an attorney experienced in dealing with pipeline easements can help landowners negotiate settlements that protect their farms, he adds.

Farm owners need to be cautious about what they say from the first time they are contacted by a land agent concerning a proposed pipeline project, warns J. Richard Emens of Emens and Wolper Law Firm. "It's really a time for the landowner to be ready and be careful," he says. For instance, landowners should avoid mentioning any dollar figures, even in casual conversations with land agents about easements, he warns. The company could bring that figure up later in the process and try to hold the landowner to it.

Landowners are required by law to allow companies to survey their land for proposed pipelines, but the survey permis-