

Ohio Farmers Union Special Orders of Business for 2022

As Adopted by the Delegates to the 88th Annual Convention
Video Conference
February 4, 2022



Special Order of Business
2022-01
Landowners' Rights in Ohio

Based on legislation passed in The Ohio Legislature last year, the Union County Commissioners are now considering a total ban on solar energy development throughout the unincorporated (rural) areas of the county. If passed, farmers wishing to lease or sell their ground for large scale solar farming will be permanently prohibited from doing so.

The Ohio Farmers Union objects to this brazen usurpation (theft) of constitutionally protected landowners' rights. Farmers— and NOT local politicians — should determine when they can lease their land for clean, safe, and climate-friendly renewable energy projects.

The Fifth Amendment to the United States Constitution, along with Article I Section 19 of the Ohio Constitution, states that "... private property shall not be taken for public use without just compensation...". While the Union County Commissioners' solar ban scheme is not a straightforward condemnation action, the punitive effects on the landowner's ability to develop his or her land for its highest and best use as a solar farm, is real and permanent— and without compensation.

There is no straight-faced argument that a solar ban as proposed by Union County is legally justifiable under the County's power to regulate land use under their "health, safety and welfare" powers. The County cynically singles out solar development while turning a blind eye to far more odious land uses such as oil and gas drilling, fracking, coal mining, CAFOs, and fertilizer manufacturing. Heavy handed measures like the proposed ban are simply the latest attempt by state and local politicians to tip the scales in favor of fossil fuels and against renewable energy sources in our electric generation portfolio.

Arguments that solar development should be stopped "to preserve farmland" are simply short-sighted and wrong. A properly managed 25–30-year solar lease, which maintains perennial grasses and pollinator crops under the panels, will leave the soils far better suited for farming in the next generation, when compared with the typical corn and soybean mono cropping prevalent in the most counties today. Ag research is demonstrating that long term solar farming gives depleted soils a needed rest, enhancing their productivity into the future.

At its core, this proposed solar ban represents a governmental seizure of private property rights, without compensation to the farmer. Make no mistake, for farmers approaching retirement, the opportunity to enter into a solar farm lease could mean the difference between a comfortable retirement, and a forced sale of their land to outside developers. And for family farmers of any age, the cash flow from a solar lease of even a small portion of their farm could be a life preserver for their operation in hard times.

The OFU strongly opposes the proposed ban, urges the Union County Board of Commissioners to vote “No” on the proposal, and cautions other jurisdictions to avoid such misguided legislation.

Special Order of Business
2022-02
Climate Change

According to the National Oceanographic and Atmospheric Administration (NOAA) carbon dioxide (CO₂) levels in the Earth's atmosphere peaked at 418 parts per million level in June 2021—the highest level in the past 3.6 million years of Earth history. The concentration of CO₂ in the atmosphere now increases every year and the rate of increase is accelerating. These sharp increases in CO₂ have triggered an era of global warming and climate change which will have profound effects on agriculture in the immediate present and which may hamper the ability of future generations to survive on this planet. The Ohio Farmers Union recognizes that climate change is based on sound science and has been caused by human activity since the dawn of the industrial revolution.

Last year's Glasgow Congress of Parties on Climate change recognized that even limiting global warming to 1.5°Celsius (2.7 degrees Fahrenheit) requires rapid, deep, and sustained reductions in global greenhouse gas emissions, including reducing global carbon dioxide emissions by 45 per cent by 2030 relative to the 2010 level and to net zero around mid-century. As such, world and US agriculture must become part of the solution and we believe Ohio farmers and rural communities can also play an outsized role in leading the transition from a carbon -intense agricultural economy to a cleaner, more sustainable one. We offer our strong support to the NFU's creation of its new Climate Change Policy Advisory Committee, a sixteen-member family farmer panel—to include Ohio's own Bill Miller-- which will advise the NFU on climate related legislation. Climate change mitigation will provide new economic opportunity for farmers.

Agriculture stands to gain through our unique ability to sequester carbon in our soils while still improving crop productivity and enhancing soil health. Although climate change is a global problem, OFU believes that it should be addressed by federal legislation incentivizing voluntary "climate smart" agricultural practices, such as cover crops, on-farm carbon capture and storage, re-forestation, soil conservation assistance and regenerative agriculture. OFU also believes there should be a price put on utility and industrial CO₂ emissions that would penalize those emissions and incentivize economic activities that sequester or reduce atmospheric CO₂ emissions.

Special Order of Business
2022-03
Renewable Energy in Rural Ohio

The Ohio Farmers Union recognizes that solar and wind development provides unique benefits to farmers and to Ohio's rural economy. Utility-scale solar and wind projects require the voluntary leasing or sale of real estate, usually farmland, which provides cash income for the farmer and provides much-needed funding for local schools. These projects also provide hundreds of local jobs in construction and maintenance. Further, newer integrated farming methods can ensure that wind and solar projects will leave the underlying soils improved and not depleted after the turbines or solar panels are removed.

The transition from coal-fired electric generation to carbon-free wind and solar generation is a necessary step in our response to global climate change. Yet Ohio legislators continue to place unfair regulatory obstacles on wind and solar projects (E.g., Ohio Senate Bill 52 in 2021) that are not applicable to coal, natural gas, or nuclear facilities

To this end, OFU urges the Ohio General Assembly and the Ohio Public Utilities Commission to provide and maintain sensible, legal pathways for prompt regulatory approval of properly sited solar and wind generation projects in rural Ohio. In addition, Ohio's Rural Electric Cooperatives should show leadership by transitioning their electric generation from coal to renewable energy sources.

Biofuels, including ethanol, biodiesel, and renewable diesel, also provide a wide range of economic and environmental benefits in rural Ohio. We support a four-year extension of the federal tax credits for existing biobased fuels. We also support extending those tax credits to newly approved formulations of Sustainable Aviation Fuels, to provide new uses for farm products and to begin the de-carbonization of the aviation industry.

Special Order of Business
2022-04
Water Quality in Ohio

Lake Erie is the source of drinking water for 11 million people and contributes over one billion dollars annually to Ohio's economy. Restoring and protecting Lake Erie and its watershed has been a significant challenge over the years.

The Ohio Farmers Union has supported voluntary initiatives such as the 4Rs program, cover crops, filter strips, buffer zones and blind outlets in efforts to reduce nutrient runoff into Lake Erie.

The Ohio Farmers Union has also advocated for further regulation of concentrated animal feeding operations and the prescription in impaired watersheds that nutrients only be applied at the agronomic rate.

These ideas, for the most part, have fallen on deaf ears. Lake Erie continues to exhibit problems related to nutrient overload. In fact, scientific data and analysis presented to our Board of Directors in the summer of 2021 leads us to believe that Ohio has been more lucky than good when it comes to managing Lake Erie HABs in recent years.

The Ohio Farmers Union renews its call on the state of Ohio to impose a moratorium on the issuance of new permits for livestock CAFOs in the Maumee watershed. We would rescind our call for a moratorium if there were to be a census of livestock in the Maumee watershed coupled with state policy to regulate the number of animal units to be regulated to the watershed's carrying capacity.

The Ohio Farmers Union reiterates from our Special Orders of Business in 2019, 2020 and 2021 that we believe the spreading of fertilizer – including manure – be limited to the agronomic rate in any watershed designated as impaired by the U.S. or state of Ohio EPA. Additionally, we call attention to our continued support of Gov. Mike DeWine's H2Ohio. We believe funding should be concentrated in Lake Erie's western basin watershed and that voluntary nutrient management plans in the western basin watershed become mandatory with an oversight regimen.

**Special Order of Business
2022-05**

**Monopolistic Corporate Concentration in Ag Input Sales and in Meat
and Poultry Slaughter & Processing**

The Ohio Farmers Union is appalled at the increasing consolidation and corporate concentration in the agricultural economy and the apparent crop input price fluctuations (fixing?) in the fertilizer and anhydrous ammonia market. After the acquisition of the phosphate fertilizer business of Florida-based CF Industries by Minnesota-based Mosaic Company in 2013, four major players now control 75% of the US nitrogen production. To make matters worse, one of the major players—CF Industries—has now filed a petition with the US International Trade Commission to impose a 19% tariff on nitrogen fertilizer imported from Russia and Trinidad & Tabago, a move that has spiked fertilizer prices upwards of 168%. These machinations, which may be an existential threat to small and medium sized wheat and corn growers, are now becoming a typical scenario in this era of unbridled consolidation, where corporate giants are “price makers” and farmers become unwitting “price takers”. We strongly urge the US Department of Justice’s Anti-Trust Division to make an inquiry into this fertilizer price spike, which a Texas A&M study has labeled “highly suspect”.

Ohio Farmers Union is also alarmed about increasing consolidation in the meatpacking industry. The concentration of this critical part of our food supply into a few relatively large facilities owned by a handful of corporations does not benefit the farmers and ranchers who produce the animals, nor the consumers who want safe, quality meats. Presently, four large packing companies control 85% of the beef market. In poultry 54% of sales are controlled by four firms as well. In pork, the top four firms control 70% of the market. The OFU recognizes and applauds recent actions by the Biden Administration and the USDA to address these inequities. On January 3 of this year, President Biden joined USDA Secretary Vilsack and Attorney General Garland at The White House for a roundtable with farmers to announce the Administration’s “Action Plan for a Fairer, More Competitive, and More Resilient Meat and Poultry Supply Chain”. Among the initiatives announced at the White House were:

1. Expand Independent Processing Capacity by dedicating \$1 Billion in American Rescue Funds, to include \$375 Million for independent processing plant projects, including \$150 Million to ‘jump start’ 15 near-term projects.
2. Support Workers in the independent processor industry by providing \$100 Million in reduced overtime inspection costs for small processors and provide \$100 Million in workforce training for workers in new or expanded processing facilities.

3. Strengthen the rules that protect farmers and consumers by issuing new rules under the Packers and Stockyards act, issue a new voluntary “Product of USA” labeling program, and increasing transparency in cattle markets and livestock purchase contracts.
4. Promote vigorous and fair enforcement of existing competition laws by creating and launching an on-line Portal for citizens reporting concerns about potential violations of competition or anti-trust law violations

While much can be done at the Agency level, OFU also strongly supports the passage of federal legislation addressing market consolidation and over-reaching in livestock markets. Senators Tester (D-Mont) and Grassley (R-Iowa) have collaborated on a bipartisan bill which would require each US processing facility that slaughters 125,000 head of cattle yearly to purchase at least 50% of their weekly volume on the open (or “spot”) market. The bill would also require the USDA to maintain a publicly available library of marketing contracts.

Other bipartisan legislation introduced by Senator Tester includes the American Beef Labeling Act, which, if enacted, would satisfy a longtime policy objective of OFU: mandatory country of origin labeling. Finally, Senator Tester has proposed a Meatpacking Special Investigator Act, which would create in USDA’s Packers and Stockyards Division, a new office dedicated to addressing anticompetitive practices in the meat and poultry industries.

OFU also supports reform of the national and state commodity checkoff programs that should include 1) federal and state audits of the national and state programs as required by law; 2) the immediate change in programs so that they are truly voluntary on the part of producers at the point of original sale; and, 3) that the actions of checkoff organizations conform with the original intent of Congress and support the interests of domestic agricultural producers and, 4) that checkoff funds not be used , directly or indirectly, for political purposes.

At the state of Ohio level, there is a need in Ohio for more state- licensed small to medium-sized slaughter and meatpacking facilities, geographically located throughout the state. We urge The Ohio Department of Agriculture, Meat Inspection Division, in conjunction with the Ohio Department of Development, Jobs Ohio, and USDA’s Ohio Rural Development Agency to conduct a listening session or open house for potential meat or poultry processors to discuss licensing opportunities and potential financing sources for start-ups.

Special Order of Business
2022-06
Gerrymandering Remains in Issue in Ohio

It is apparent to the Ohio Farmers Union that Ohio's new system for re-apportioning state and federal legislative districts is a failure. The first set of maps to come out of the Ohio Redistricting Commission did not withstand Ohio State Supreme Court scrutiny and the court ordered new maps to be drawn. As of February 4, 2022, the second version of new state legislative district maps are in the courts. What the 'new' current system lacks is true accountability. If either political party displays no shame and chooses to gerrymander and settle for four-year duration maps rather than the usual ten-year maps Ohio's voters are left with politicians continuing to pick their voters or successive court battles and multiple rounds of map drawing.

This past several months of re-apportionment has shown that neither Ohio legislative leaders nor the Redistricting Commission – which is made up of those same leaders, the Governor, State Auditor and Secretary of State – demonstrated the fairness and transparency voters sought with the new system.

Therefore, the Ohio Farmers Union urges further reform of the system. We propose that like-minded public interest groups across the state, along with voters, return to the referendum path and pursue a "Voters not Politicians" system similar to the state of Michigan.

In 2018, Michigan voters amended their state constitution to "establish a commission of citizens with exclusive authority to adopt district boundaries for the Michigan Senate, Michigan House of Representatives and U.S. Congress, every 10 years." Any registered voter may apply to become one of 13 members of the commission randomly selected from the pool. Of the 13 commissioners, four affiliate with the Democratic Party, four affiliate with the Republican Party, and five do not affiliate with either major political party.

Ohio Farmers Union supports such a citizen/voter-based system and ending the days of gerrymandering in Ohio.

Special Order of Business
2022-07
The Re-Shoring of American Manufacturing is Essential to U.S.
Prosperity

Over the past several decades, Many of America's largest and wealthiest corporations have purposely moved their manufacturing operations to other nations, a phenomenon known as offshoring. They have done so to minimize their labor costs, environmental compliance costs and U.S. tax liabilities.

From the point of view of the corporations, the strategy was a great success, spurring profitability and wealth of these corporations to even loftier heights. So called "free trade" agreements have made this decision rather painless by assuring easy, dependable access to the U.S. markets.

While the results of offshoring have been very good for corporations, they have been very bad for American communities, causing the loss of millions of good paying jobs. In addition to the economic damage, the U.S. has become reliant on foreign manufacturing for a broad array of high-tech products, including many needed for the military. The American people have come to understand this problem and want to bring American manufacturing back home (Re-shoring).

Congress can begin the process of re-shoring American manufacturing by enacting legislation that will level the playing field between manufacturing overseas versus domestic manufacturing. Several bills now before Congress, Including the U.S. Innovation and Competition Act (S. 1260), and the House-passed America Competes Act (H.R. 4521) can move us in this direction and the Ohio Farmers Union is supportive of these efforts.

Special Order of Business
2022-08
Broadband Access Still Needs to be Expanded in Ohio

According to a recent analysis of rural broadband needs in Ohio – and the current collection of state and federal funds currently targeted at expanding rural broadband access – there is still much to do, private telecommunications companies to monitor and better government oversight of the myriad programs.

The analysis was conducted by The Columbus Dispatch and found that between state and federal government funds currently available there is about \$1.5 billion available for funding things like running fiber optic cables and subsidizing internet access for low-income Ohioans.

By March 2022, Gov. Mike DeWine will begin announcing the first winners of \$250 million in state grants to improve rural internet infrastructure and subsidize costs for some consumers. The Ohio Farmers Union thanks the DeWine Administration for this program and saving it from being removed from the state budget. We also urge the Administration to keep the gas pedal pressed, but to also closely monitor that these public funds are not spent only on the existing telecommunications companies going after the low hanging fruit in expansion of their existing networks.

One of the items holding up some federal expenditures on expanding rural access to broadband is the tardiness of the Federal Communications Commission in creating up to date maps that accurately reflect how existing telcos are serving each state. According to the Dispatch, in the past, the FCC has relied on these mega corporations to self-report on the reach of their networks, without verification. The Ohio Farmers urges the FCC to complete this work – and audit the information provided by telecommunications companies. Billions of dollars will be spent based on these maps and underserved communities and farms cannot be left out due to inaccurate information provided by the telcos.

Finally, the Ohio Farmers Union urges state and federal officials to give some thought to how programs emanating from state government, the USDA, the American Recovery Act, the Appalachian Regional Commission, National Telecommunications and Information Administration – and others will be evaluated holistically so that efforts are not duplicated at the expense of leaving any rural Ohioans left underserved.