

Opponent Testimony on House Bill 288

By Sean Logan

Before the Ohio House Civil Justice Committee

September 25, 2019

Chairman Hambley, Vice Chair Patton, Ranking Member Brown, and members of the House Civil Justice Committee, I respectfully submit my personal, opponent testimony on House Bill 288.

I testify today solely as an interested citizen and am representing no one's interest other than my own. Specifically, I am a lifelong resident of Columbiana County – a neighbor to Mahoning County.

I have friends on both sides of this issue and greatly respect their opinions, but I have my own misgivings of the one-size-fits-all solution found in H.B. 288 and have been moved to express my opposition.

In addition to my 10 years in the Ohio House, 7 years as a county commissioner, a former ODNR Director and former Chief of Conservation for a regional conservancy district, I am a decades-old advocate of the Lake-to-River trail. This trail project is one of the most significant public recreational projects in our region of the state in decades. Its significance ranks up there with the creation of Ohio's first metropark - Mill Creek MetroParks in Mahoning County and Ohio's first State *and* Federal Wild/Scenic River designations of Little Beaver Creek in Columbiana County.

I have a strong belief in private property rights with a proven track record as well as public recognition from landowner groups as their advocate. I also have been forthright

that there remains a delicate balance when eminent domain is even contemplated let alone used but should be available for unique situations. This trail is one of those situations.

It is unfortunate that we are at this point; the use of eminent domain is an important - but very rare – tool for public recreation. The benefits of recreational trails as has been recognized very clearly by the Ohio Legislative Trails Caucus. Such benefits will serve generations of Ohioans and our out-of-state visitors.

The thorough review that the General Assembly performed – I believe a few years ago – looking at the various statutory and constitutional authority surrounding eminent domain decided to leave this tool in the toolbox for public recreation while making revisions elsewhere.

One of our nation’s greatest conservation leaders from the early 1900’s – Aldo Leopold – had a thought-provoking statement that I will paraphrase as: Natural resource management is easy... it’s human management that is difficult.

This is a difficult situation that can best be resolved as currently outlined in Ohio’s statutes. Invoking a statewide solution for fact-specific circumstances that are very rare is best left as current law provides.

I respectfully request, that you exercise restraint and not advance H.B. 288.

Thank you for your time and I will be glad to answer any questions of the committee.

Sean Logan
32927 Lucille Dr.
Lisbon, Ohio 44432
sean@seanloganconsulting.com