

Agriculture & Natural Resources Committee

Chairman Schaffer, Vice Chair Kohler, Ranking Member Hicks-Hudson and Members of this Committee thank you for the chance to testify today.

My name is Eric Oberg and I represent the largest trail organization in the Country, Rails to Trails Conservancy and the millions of Americans, and Ohioans who value safe, accessible places to get outside to walk, bike and enjoy our communities.

We are deeply concerned about language in House Bill 96 that would remove recreational trails from the definition of “public use” in Ohio’s eminent domain law.

Ohio residents love trails. Trail activities are the most popular outdoor recreation activity in Ohio (ODNR SCORP 2024) and a majority of Ohio residents (72%) support walking and biking infrastructure improvements (ODOT 2025).

Although trails are among the most desired public improvements, this budget would hamper their development.

A Tool for Eliminating Derelict & Dangerous Property

A unique aspect of trail development is that they may utilize abandoned rail corridors. Title ownership of rail corridors can be particularly complex. Properties may have passed through dozens of corporate consolidations or sales, and it is not unusual to find parcels that have no owner of record. These derelict parcels often become a public nuisance, with challenging issues like dumping and nefarious activities. Eminent domain is a necessary tool to establish a legal status for these types of properties.

Trails Save Lives

In Ohio, 10% of households don’t have access to a car. Unfortunately, Ohio’s roads can be deadly for pedestrians and cyclists. People walking and biking make up about 14% of all traffic deaths, despite making up just 2.6% of trips to work. Multiuse trails, often built within the road right of way, are a proven safety improvement and, as such, communities often work to incorporate these facilities when making road improvements. Road projects routinely require the use of eminent domain. If this provision is adopted, road projects will still utilize eminent domain but safety improvements that take the form of multiuse trails will be prohibited. Precious lives may be lost.

We urge the Senate to remove this new prohibition by deleting lines 17110 through 17113 of the budget bill or supporting the Fischer amendment (#SC 314).

