

**79-5-304 Public hearings required.**

- (1) Prior to establishing any recreational trail under the jurisdiction and control of the division, the division shall conduct a public hearing in the area or areas of the state where the trail is proposed to be located.
- (2) Information to be considered at the hearings shall include the following:
  - (a) the proposed route of the trail and the recommended modes of travel to be permitted on it;
  - (b) any plans to utilize areas adjacent to the trail for scenic, historic, natural, cultural, or developmental purposes;
  - (c) the characteristics that, in the judgment of the division, make the proposed trail suitable as a recreational trail;
  - (d) the current status of land ownership and the current and potential use of land along the designated route;
  - (e) the estimated cost of acquisition of lands or any interest in lands;
  - (f) the plans and estimated costs for developing and maintaining the trail;
  - (g) any plans for sharing the costs of developing, operating, and maintaining the trail among state, federal, and local governmental entities and private organizations;
  - (h) any anticipated problems of policing the trail; and
  - (i) any anticipated hazards to private lands adjacent to the trail.

Renumbered and Amended by Chapter 344, 2009 General Session