

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER g: GRANTS

PART 3020
SNOWMOBILE TRAIL ESTABLISHMENT FUND GRANT PROGRAM

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AUTHORITY: Implementing and authorized by Sections 9-1 and 9-2 of the Snowmobile Registration and Safety Act [625 ILCS 40/9-1 and 9-2].

SOURCE: Adopted and codified at 7 Ill. Reg. 198, effective December 22, 1982; amended at 7 Ill. Reg. 14964, effective November 1, 1983; amended at 11 Ill. Reg. 12869, effective July 28, 1987; amended at 16 Ill. Reg. 1833, effective January 17, 1992; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 21 Ill. Reg. 9085, effective June 26, 1997; amended at 28 Ill. Reg. 10635, effective July 13, 2004; amended at 35 Ill. Reg. 1411, effective January 5, 2011; amended at 35 Ill. Reg. 17637, effective October 19, 2011.

Section 3020.10 Program Objective

The intent of the grant program is to provide financial aid to eligible, private snowmobile clubs/organizations in Illinois for the purpose of assisting them in the construction, maintenance, and rehabilitation of snowmobile trails and facilities on public lands, designated roadways or private land opened, as defined herein, to such use. Funds for the grant program are derived from revenue generated in the State Treasurer's "Snowmobile Trail Establishment Fund."

(Source: Amended at 7 Ill. Reg. 14964, effective November 1, 1983).

Section 3020.20 Program Eligibility Requirements

Agencies eligible for financial assistance through the Snowmobile Trail Establishment Fund, hereafter referred to as STEF grant program, include any private snowmobile club or organization in Illinois having not-for-profit incorporation status with the State. Clubs/organizations seeking financial assistance through the grant program must also possess minimum liability insurance coverage of \$1,000,000 per occurrence on the snowmobile facilities

to be operated under the scope of the proposed project application. STEF funds may only be awarded and used for snowmobile projects located within the state boundaries of Illinois.

(Source: Amended at 21 Ill. Reg. 9085, effective June 26 1997)

Section 3020.30 Funding Assistance Formula

The STEF grant program shall operate on a 100% reimbursement basis of total eligible project costs.

(Source: Amended at 21 Ill. Reg. 9085, effective June 26, 1997)

Section 3020.40 General Procedures for Grant Applications and Awards

- a) Requests for funding assistance through the STEF grant program may be made through written application to the Illinois Department of Natural Resources, hereafter referred to as the Department. Necessary application forms and instructions are available through the Department.
- b) To be eligible for funding consideration, project applications must be submitted to the Department's Division of Grant Administration. The application deadline will be publicly announced by the Department. Notice of grant awards are generally announced within 180 days after the application submission deadline date. Awarding of grants is made solely under the authority and directive of the Director of the Department.
- c) Grant Applications shall consist of the following basic components:
 - 1) Completed Application Forms;
 - 2) Copy of Club's Articles of Incorporation papers;
 - 3) Project Narrative Statement describing the project concept, location, need for and objectives of the project, anticipated benefits and approach for accomplishing the project;
 - 4) Location Map showing general location of proposed snowmobile facility and how the facility ties in with other public snowmobiling areas, if any, in the county and other snowmobiling areas maintained by the project sponsor;
 - 5) Plat Map showing detailed location and dimension of property being proposed as a snowmobile trail/area under the scope of the project;
 - 6) Detailed Site Development Plan illustrating proposed project

development;

- 7) Environmental Assessment Statement briefly describing the physical characteristics of the area being proposed for development and the impact snowmobiling will have on the area;
- 8) Sign-off letters from property owner(s) of land where snowmobile facility is proposed indicating approval/cooperation with project; or copy of signed property lease;
- 9) A Public Hearing soliciting public comment on the proposed project is required. Minutes of the hearing, as well as all written comments received, must be submitted to the Department as part of the application. Notice for the hearing must be advertised in a local newspaper of general circulation at least 7 days prior to the date of the hearing; and
- 10) Proof of Liability Insurance.

(Source: Amended at 21 Ill. Reg. 9085, effective June 26, 1997)

Section 3020.50 Eligible Project Expenditures

- a) Grant assistance may be obtained for, but not limited to, the purchase of the following items or materials necessary to construct such items:
 - 1) trail signs;
 - 2) trail fencing;
 - 3) trail groomers;
 - 4) bridges or fence traversing ramps (must be portable);
 - 5) parking facilities;
 - 6) warming shelters/restrooms (facility must be located on public park land);
 - 7) equipment rental necessary for facility construction; and
 - 8) other (considered on a case-by-case basis).
- b) Grant assistance may be obtained for mandatory liability insurance as required under Section 3020.40(c) of this Part.
- c) Grant assistance may be obtained for annual trail maintenance costs as authorized

by the Department to cover fuel and necessary oils/fluids, vehicle insurance, equipment repairs, and routine maintenance parts directly associated with the operation and transporting of STEF-assisted grooming equipment while maintaining designated trails open to the general public for snowmobile use.

- d) It is the Department's policy that the STEF grant program be used to assist local snowmobile clubs purchase necessary materials for development and maintenance of snowmobile facilities. Labor necessary for project completion and maintenance shall be the sole responsibility of the project sponsor utilizing donated/volunteer labor. No funding assistance will be provided for club member labor costs associated with an approved project.
- e) No grant assistance will be awarded to projects which, either in whole or in part, will not be open to the general public for snowmobile use. If the project sponsor so chooses, use of the project facilities can be restricted to only those snowmobilers who can show proof of adequate personal liability insurance coverage or are willing to sign liability waivers concerning use of the facility.

(Source: Amended at 35 Ill. Reg. 1411, effective January 5, 2011)

Section 3020.60 Project Evaluation Criteria/Priorities

The following criteria (not listed in any priority order) has been established by the Department for evaluating and ranking project applications for funding assistance:

- a) Projects proposing long distance, integrated, intra-county and inter-county trails rather than short, isolated trails;
- b) Projects proposing trails linking public lands having existing snowmobile trails/facilities;
- c) Projects proposing initial development of snowmobiling facilities in a county. Special consideration will also be given to those projects representing initial requests for funding assistance in a county;
- d) Projects having minimal adverse environmental and social impact; and
- e) Projects located in areas (counties) of high demand as determined by the proportionate number of registered snowmobiles in the area.

Section 3020.70 Program Compliance Requirements

- a) All approved projects must be in accordance with the agreed upon project specifications and a final billing request for reimbursement submitted to the Department.

- b) All equipment/materials purchased through the STEF grant program utilized on private property shall be subject to repossession by the Department and shall be reclaimed upon the dissolution of the project sponsor or as a result of project sponsor non-compliance with program regulations as stated herein.
- c) With the exception of designated snowmobile routes on township roads, all snowmobile facilities developed with assistance from the STEF shall be posted with a liability disclaimer sign at ingress/egress points to the facility that warns snowmobilers they use the facility at their own risk.
- d) With the exception of designated snowmobile routes on township roads, it shall be the sole responsibility of the project sponsor to adequately patrol the STEF-assisted facility to insure proper usage of the facility and user compliance with all State and local snowmobiling regulations. Failure of the project sponsor to take corrective measures, which bring the facility into compliance with this Part, to help remedy complaints lodged by local citizens concerning misuse of STEF-assisted facilities shall be grounds for rescission of Department participation in the project.
- e) For projects proposing permanent land/facility improvements, such as warming shelters, picnic shelters, bridges, and parking lots, it shall be necessary for the project sponsor(s) to possess/obtain signed "letters of agreement" or "leases" from all property owners directly associated with the development of STEF-assisted facilities which shall, at a minimum, stipulate the following terms:
 - 1) General
 - A) The effective dates of the agreement/lease which shall, at a minimum, be for a 4 month period from December 1 to April 1 for 2 consecutive years.
 - B) A precise description of the property to be covered under the terms of the agreement/lease for snowmobiling use.
 - C) If applicable, the agreed upon rental/lease fee to be paid the landowner in consideration for use of the designated property. PLEASE NOTE that any private landowner who accepts a valuable consideration in return for opening his/her land for public snowmobiling purposes jeopardizes the possibility for limited liability protection afforded under the Snowmobile Registration and Safety Act [625 ILCS 40/5-1(I) and (J)] to private landowners who open their lands to snowmobiling for no valuable consideration.

D) The agreement/lease is non-revocable by the landowner unless terms of the agreement/lease are violated by the club or excessive vandalism by snowmobile users is evident. Should either the project sponsor or landowner wish to terminate the agreement/lease for any reason prior to the expiration date, the Department must be notified and made a party to the negotiations for termination.

2) Permitters (landowners) Acknowledgements

A) Permitter agrees that the described property in the agreement/lease will be open to the general public for snowmobiling purposes regardless of race, sex, color, creed or national origin.

B) During the terms of the agreement/lease, the permitter shall not utilize, make alterations to, further sublet or in other ways legally encumber the designated premises or parts thereof so as to interfere with the intended snowmobiling use of the property.

C) Permitter shall not post "no trespassing" or other restrictive use signs on the described property at any time during the terms of the agreement/lease.

D) Permitter shall be allowed to restrict snowmobile use on the described property during the terms of the agreement/lease only when:

i) snowcover is less than 4 inches,

ii) there is evidence of continued facility misuse or damage to the designated property by snowmobilers,

iii) it is judged that conditions of the facility jeopardize user safety.

E) Permitter agrees that all materials/equipment used to make improvements to or mark the designated property for snowmobiling use shall remain the property of the permittee and State of Illinois and shall be reclaimed/removed at the termination of the agreement/lease.

F) Permitter agrees to hold harmless permittee, its officers and members, and the State of Illinois and its agents from any and all claims, demands, judgments, and executions which may arise as a direct or indirect result of this agreement/lease or actions taken in

reliance thereupon.

- G) Permitter in no way implies or assures through the execution of this agreement/lease that the designated property is safe for snowmobile use; or confers upon any trail user the legal status of invitee to whom a duty of care is owed; or assumes liability responsibility for injury to person/property caused through snowmobile use of the designated property.
- 3) Permittees (snowmobile club) Acknowledgements
- A) To restrict snowmobiling on the Permitter's property to those areas specifically designated for that purpose in the agreement/lease.
 - B) To make only those improvements or trim and cut only those trees and shrubs on the designated property as approved by the property owner. It is further understood that all damage to fencing or other personal property of the property owner as a result of facility development or usage shall be repaired by the permittee to pre-damage condition upon termination of the agreement/lease or request of the property owner.
 - C) To post necessary trail signs to insure safe and proper snowmobile usage of the designated property and remove them, as requested, upon termination of the agreement/lease or snowmobiling season.
 - D) To patrol and use all reasonable measures to promote safe and proper snowmobile usage of the designated property and to prevent the deposit of litter upon said property by users and to remove such litter that may be deposited.
- f) All Leases/Letters of Agreement must be submitted to the Department, and must be consistent with subsection (e) of this Section prior to consideration for STEF grant assistance. Upon the expiration or termination of a lease agreement which causes relocation of project facilities, the Department shall be notified as to the location of the new facility site.
- g) During all times of operation of a STEF-assisted snowmobile facility, the project sponsor must possess, in current force, its Charter papers proving Not-for-Profit corporation status with the State of Illinois, and must possess insurance protection providing a minimum of \$1,000,000 liability coverage.
- h) The project sponsor must possess the resource capabilities to:
- 1) Initially finance 100% of the total cost prior to grant reimbursement; and

- 2) Properly maintain and operate the fund-assisted snowmobile facility after project completion.
- i) Documents required at the time of final billing for grant reimbursement on a project include the following:
 - 1) a signed "Billing Request" Form that itemizes specific project costs and contains a certification statement verifying project expenditures;
 - 2) copies of receipts/invoices for all approved project costs incurred in completing the project for which reimbursement is claimed;
 - 3) copies of cancelled checks showing proof of payment; and
 - 4) "as-built" drawings for the completed project.

(NOTE: It shall be understood by the project sponsor that 45-60 days are required by the Department to disburse grant reimbursement funds to local project sponsors after receipt of an acceptable "Billing Request" submittal in compliance with the above listed items.)

- j) All financial records on approved projects must be maintained and retained, in accordance with the Grant Funds Recovery Act [30 ILCS 705] and the State Records Act [5 ILCS 160], by the project sponsor for possible State audit after final reimbursement payment is made by the Department.
- k) The project sponsor must permanently post at the project site a STEF grant program acknowledgement sign. The required acknowledgement sign will be furnished by the Department.
- l) All work specifications must be submitted by the project sponsor to the Department upon request for review prior to commencing work. Project sponsor will be notified by the Department if the proposed project requires the approval of a registered structural engineer.
- m) Department representatives shall have access to STEF-assisted project sites at any time during construction to assess project progress and during facility operation to ensure compliance with program regulations. As time allows, Department representatives shall be available, upon request, for consultation/technical assistance concerning project development. It shall be further understood that a final inspection and acceptance of the completed project work must be made by a Department representative prior to approval of final reimbursement payment to the local project sponsor.

- n) The sponsoring agency shall indemnify, protect and hold harmless the Department from any and all liability, costs, damages, and claims arising as a direct or indirect result of the construction, operation or maintenance of STEF-assisted snowmobile facilities.
- o) In connection with, and prior to, the construction, and thereafter the subsequent operation and maintenance of STEF-assisted snowmobile facilities, sponsoring agency agrees that it shall be responsible for and obtain all necessary permits, licenses or forms of consent, as the case may be, from, but not limited to, the following agencies:
 - 1) Illinois Department of Transportation: Division of Highways,
 - 2) Illinois Department of Natural Resources: Division of Water Resources,
 - 3) Illinois Environmental Protection Agency,
 - 4) U.S. Army Corp of Engineers,
 - 5) Local building, zoning or roadway boards/commissions.
- p) The project sponsor must comply with and abide by the following Operation and Maintenance provisions:
 - 1) The charging of user fees for general public use of STEF-assisted snowmobile facilities is prohibited.
 - 2) All STEF-assisted snowmobile facilities shall be operated, maintained and utilized for general public use in such a manner as to maximize the facility's intended benefits.
 - 3) The sponsoring agency shall satisfactorily maintain STEF-assisted snowmobile facilities so as to promote the safe and enjoyable use of the facility by the snowmobiling public.
 - 4) All snowmobiling trails/facilities developed, improved and/or maintained as a result of STEF grant assistance must be open and available to general public use and enjoyment without regard to sex, race, color, creed or national origin.
 - 5) Department personnel shall have access to STEF-assisted facilities at all times for inspection purposes to ensure continued compliance with program regulations.
- q) All funds administered by the Department under the STEF grant program and

expended by the project sponsor shall be in accordance with all applicable State statutes.

- r) The Department may unilaterally rescind project agreements at any time prior to commencement of the project, if the Department experiences a funding problem or the applicant demonstrates non-compliance with this Part. After project commencement, agreements may be rescinded, modified, or amended only by mutual agreement with the project sponsor. A project shall be deemed commenced when the project sponsor has made an expenditure or has incurred an obligation with respect to the project.
- s) Failure by the local project sponsor to comply with any of the herein cited program regulations and terms shall be cause for the suspension of all STEF grant assistance obligations and/or repossession of project equipment/material obtained thereunder, unless, in the judgment of the Department, such noncompliance was due to no fault of the project sponsor.

(Source: Amended at 35 Ill. Reg. 17637, effective October 19, 2011)

Section 3020.80 Program Information

Write: Illinois Department of Natural Resources
Division of Grant Administration
One Natural Resources Way
Springfield IL 62702-1271
Telephone: 217/782-7481

(Amended at 28 Ill. Reg. 10635, effective July 13, 2004)