

APPLICATIONS DUE BY JULY 1, 2010

REFERENCE NUMBER: _____

BATCH NUMBER: _____

**ATV CLUB TRAIL MAINTENANCE GRANT-IN-AID APPLICATION/AGREEMENT
ATV TRAIL PROGRAM**

STATE OF MAINE
Department of Conservation
Bureau of Parks and Lands
ATV Program

ATV CLUB NAME _____

ADDRESS _____

COUNTY _____

The amount of money the organization may be eligible for will be based on your trail mileage as follows: \$3,000.00 up to 10 miles; \$3,500.00 for 11 to 20 miles; \$4,000.00 for 21 to 30 miles; \$4,500.00 for 31 to 40; \$5,000.00 for 41 to 50 miles; \$5,500.00 for 51 to 70 miles, \$6,500.00 for over 70 miles. All grant funds must be used to construct and maintain the ATV trails identified in this application, and construction must be done according to the Bureau's ATV Trail Guidelines. Reimbursements will be based upon actual out of pocket expenses.

APPLICATION AND REIMBURSEMENT PROCESS AND REQUIREMENTS

1. **Eligibility Requirements.**

To be eligible for the grant program, the ATV organization ("applicant" or "grantee") must meet the following criteria:

- A Be a non-profit corporation in good standing. For purposes of this rule, a qualified applicant must be a group formed to encourage safe ATV operations, develop organized trails for the public, and promote appropriate ATV use. The applicant must have a President, Vice President, and Trail master, all of whom must be at least 18 years old.
- B Register with the Bureau's ATV Program by June 1st. Registration is done by providing a completed ATV Club Information form (provided by the Bureau) which must include the organizations taxpayer ID number.

2. **Grant Program**

APPLICATION PROCESS

1. All correspondence and application forms must be submitted to the following address:
Maine Department of Conservation,
Bureau of Parks and Lands
Off Road Vehicle Division
ATV Grant Program
22 SHS
Augusta, Maine 04333
2. Grant applications may be submitted beginning May 1 but must be postmarked no later than July 1.
3. The applicant must complete and submit the following documents:
 - (a) ATV Trail Grant-in-Aid Application/Agreement (Supplied by the Bureau).
 - (b) An accurate, commercially produced map that shows the trail(s) at a scale of at least one-half inch to one mile. The map must show the location of the trails, water bodies, streams, roads, the topography of the land, parking areas, clubhouses, and support facilities.
4. After reviewing the application, the Bureau will issue a written notification to the applicant approving or denying the application, subject to the availability of funds. Specific terms and conditions of the grant are stated in Section 3, although the Bureau may require additional terms and conditions to effectively carry out its program.

REIMBURSEMENT PROCESS

1. An approved applicant must submit a "Request for Reimbursement" form (Supplied by the Bureau) and required documentation including worksheets and receipts in order to be reimbursed. Requests must be postmarked no later than January 31 of the year following the approved grant application. Clubs should keep copies of worksheets and receipts in their files for at least 3 years in case of audit.
2. Only expenses incurred during the calendar year from January 1st through December 31st are eligible for reimbursement. By example, for a grant approved in July 2010, with expenses incurred from January through December 2010, the request must be postmarked by January 31, 2011. In no case will the state reimbursement exceed the maximum approved Grant Amount.

TERMS AND CONDITIONS OF APPLICATION/AGREEMENT

By applying for this grant, the applicant (the ATV Club) agrees to the following terms and conditions together with any other terms that are stated in the grant application or approval:

- A. All grant money received under the program must be used only for construction and maintenance of the ATV trails specified in the grant application. For purposes of this grant, trail construction and maintenance includes removing rocks, stumps, and debris, trail brushing, constructing or repairing bridges, and developing erosion control features such as ditches and water bars. It also includes the cost of gas, oil, and reasonable rates for heavy equipment use, backing material for signs and bridges, and reasonable labor expenses if actually paid to a person who is hired to work on the trails. All expenses to be reimbursed are subject to the approval of the Bureau.
- B. The applicant's trails must be established only on land where it has received permission from the landowners (and tenants, where applicable) to use for ATV trail purposes. By signing the application, the applicant's president must certify that landowner permission has been obtained for all trails included in the application.
- C. The applicant and its members must ensure, and will continue to ensure, that the trails and related facilities are safe, in good condition, and conform with all applicable laws and regulations, including obtaining all necessary local, DEP and/or LURC permits, and maintaining adequate trail signs, as provided by Bureau guidelines.
- D. The trail(s) must aggregate at least 5 miles in length and must be open to the general public for ATV use. Landowners and tenants giving permission to use the land must have been notified the trails are open to the general public for ATV use. The trails must not be part of a system that another grantee has applied for or received a grant under this program.
- E. A map of the trail location must be submitted with the application and will be incorporated into the agreement.
- F. Approved applicants must submit a request for reimbursement form (supplied by the Bureau) to the ATV Program in order to have expenses considered for full reimbursement. The completed request must be received by the Bureau, or postmarked, no later than January 31st. Request forms postmarked after January 31st, forfeit 10% of the total approved amount for each day the request is late, and may be subject to further reductions if the Bureau determines it no longer has the funds on hand to meet the request.
- G. An explanation of expenditures including worksheets must accompany the reimbursement request. All supporting materials (bills & invoices) must be submitted to the ATV Program on request and be available for up to three years for audit by the Bureau. If the grantee does not comply with this requirement, the grantee forfeits the reimbursement.
- H. The Bureau has sole discretion to determine if expenditures are permitted and reasonable and the club has complied with the terms of the agreement and all applicable laws, rules and regulations. After making this determination, the Bureau will pay the approved expenditures up to the amount stated in the application, provided funds are available in the appropriate Bureau account as determined by the Bureau.
- I. Title 5 M.R.S.A.; §784(2) provisions on nondiscrimination in employment apply to the agreement.
- J. The applicant agrees not to assign, transfer, lease or encumber its rights or obligations under the agreement or to the trails, without the Bureau's prior written consent. Except for proceeds received by the Bureau under any liability insurance policy, the applicant shall indemnify, defend, and save the State and its employees harmless from and against any claims, losses, liabilities, costs, expenses, damages or other obligations of any nature in any way arising out of the use, occupation, maintenance, repair or development of any trails or related facilities or equipment used in connection with the grant. The Bureau shall have no responsibility or liability for the maintenance or use of the trails. The Bureau may, in its discretion, provide an insurance policy that, subject to its terms, provides liability coverage to itself, the landowner, and/or the approved applicant covering the use of the property by the applicant and members of the public pursuant to the terms of the grant and this rule.
- K. The State may at any time inspect any facilities or equipment in connection with the agreement.
- L. The applicant must be a non-profit corporation in good standing with the Secretary of State, Bureau of Corporations, Elections and Commissions.

TRAIL CLASSIFICATION: (Check applicable ones)

CLASS I _____ CLASS II _____ CLASS III _____

Class I ---Two feet for two-wheel vehicle including dirt bikes, off-road bikes, fat cats, etc.

Class II -- Five feet for three and four wheel vehicles 50 inches or less in width, dry registered weight of less than 750 pounds traveling on low pressure tires of 6 pounds or less designed to be straddled by the operator.

Class III - Eight feet for vehicles greater than 50 inches in width, greater than 750 pounds registered dry weight, traveling on Multi-wheels or tracks not limited to but including 4 X 4 trucks, dune buggies, coots and amphibious vehicles.

MILES (ONE WAY) _____

REQUESTED GRANT AMOUNT \$ _____

We, the undersigned, have reviewed the contents of this application and agree to comply with its terms. We further understand that failure to comply with its terms will void any agreement entered into between the ATV Club and the Bureau of Parks and Lands, consequently resulting in loss of payments under this grant to the Club. We agree to refund to the Bureau any amount paid by the Bureau to the ATV Club which the Bureau subsequently determines to be improper. Upon approval by the Bureau, this application shall be deemed an Agreement between the undersigned and the Department of Conservation, Bureau of Parks and Lands.

It is further understood that the Bureau reserves the right to accept or reject any or all applications, and has no obligation for expenses incurred except in accordance with the terms of this grant, if awarded. The Bureau also reserves the right to inspect at any time the trails referred to in this application and any books or records kept by the recipient Club.

TRAILMASTER (SIGNATURE) ()
Telephone

PRESIDENT (SIGNATURE) ()
Telephone

WITNESS (SIGNATURE)

DATE _____

FOR STATE OF MAINE USE ONLY

Certification by Department of Conservation, Bureau of Parks and Lands.

We the undersigned, hereby certify that this application meets the guidelines as established by the Bureau of Parks and Lands, and otherwise meets the provisions of the Maine Statutes

We, therefore, recommend a grant not to exceed \$ _____

DATED ____ / ____ / ____

SUPERVISOR/ATV PROGRAM

Pre-approved as to form by the Office of the Attorney General.