**01 DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY**

**670 BUREAU OF PARKS AND LANDS**

**Chapter 8: RULES FOR SNOWMOBILE CLUB TRAIL MAINTENANCE GRANT‑IN‑AID PROGRAM**

**SUMMARY**: This rule establishes the Bureau of Parks and Lands (Bureau) procedure for making grants‑in‑aid to snowmobile clubs for maintaining snowmobile trails.

**SECTION 1. SCOPE AND PURPOSE**

 Under Title 12, M.R.S.A. Section 1893(1)(A) and (3)(A&B), the Bureau is authorized to award grants to snowmobile clubs for maintaining snowmobile trails. The purpose of this rule is to establish the process that qualified snowmobile clubs use to apply for grants, and the terms and the conditions of these grants.

**SECTION 2. APPLICATION AND REIMBURSEMENT PROCESS AND REQUIREMENTS**

 1. **Eligibility Requirements**

 To be eligible for the grant program, the snowmobile club ("applicant" or "grantee") must be incorporated and register with the Bureau's Snowmobile Program. Registration is done by providing to the Bureau a completed copy of the organization’s “Request for Taxpayer Identification Number and Certification” (IRS FormW-9) by December 1st to be eligible for grants for the current winter season. The snowmobile club is required to provide an Officer Update Form to the Bureau annually. To be eligible for a snowmobile trail maintenance grant, the club must file a Trail Maintenance Grant-In-Aid application with the Bureau by December 1st; and to be eligible for reimbursement, the club must file for reimbursement by the following May 15th.

 2. **Grant Program and Application Process**

A. **Amount of Grants**

Grants are made in the form of reimbursement for eligible and actual expenses capped at a per mile rate for up to and including 30 miles. The bureau, in its sole discretion, will annually determine the total maximum per mile rate by comparing club expenditures for the preceding year with anticipated revenue for the projected year. The maximum per mile rate will be stated on the application, but is subject to change if the bureau later determines that the actual available funds are less than anticipated. The bureau in its sole discretion will determine eligible expenses and grants will not exceed reimbursement of actual expenses. No residual funds will be transferred to the bureau’s capital equipment fund.

 B. **Application and Reimbursement Process**

(1) The grant programs are administered by the Bureau's Off Road Recreational Vehicle Office. All correspondence and application forms must be submitted to:

Maine Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands

Off Road Recreational Vehicle Office

Snowmobile Grant Program

Station #22

Augusta, Maine 04333

 (2) Grant applications must be received or postmarked no later than December 1st to be eligible for a grant for the current winter season.

 (3) The applicant must complete and submit the following documents:

 (a) Snowmobile Club Trail Maintenance Grant‑In‑Aid Application/Agreement (supplied by the Bureau); and

 (b) A quality, commercially produced base map that shows the trail 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. Specific terms and conditions of the grant are listed in Section 3, although the Bureau may require additional terms and conditions to effectively carry out its program.

 (5) To be considered for full reimbursement, the club must submit a completed Request for Reimbursement form (supplied by the Bureau) no later than May 15th. Only expenses incurred from the preceding May 1 through the date of the request for reimbursement will be considered for payment. The Bureau will review the request, determine the appropriate grant amount, and reimburse the club according to the terms of the agreement.

**SECTION 3. TERMS AND CONDITIONS OF APPLICATION/AGREEMENT**

 By applying for the grant, the applicant agrees to the following conditions:

 A. All grant money received under the program must be used for the sole purpose of maintaining the snowmobile trails specified in the grant application. Trail maintenance is defined as dragging, or smoothing the snow on the trail to remove the moguls or pot holes, trail brushing, building/repairing/replacing bridges, bulldozing , signing, construction and installation of gates. Payment is based on actual out‑of‑pocket expenses incurred in the trail maintenance process, including: reasonable labor expenses, and appropriate safety equipment, if a person is actually hired to work on the trails; reasonable hourly rate for equipment used, including groomers; or purchases of items such as plugs, drive belts, gas and oil; repairs to the snowmobile and drag, provided the damage occurred while grooming snowmobile trails specified in the application (only applicable when itemizing reimbursement request); backing material for signs, and bridge materials.

 B. The club's trails must be established only on land that the club has received oral or written permission from the landowners (and tenants, where applicable) to use. By signing the application, the club president certifies that permission has been obtained for all trails included in the application.

 C. The club and its members 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 permits, and erection of adequate trail signs shall be maintained, including as suggested by Bureau guidelines.

 D. The trails must be open to the general public for snowmobile use. Landowners and tenants who gave permission to use the land have been notified the trails are open to the general public for snowmobile use. The trails are not part of a system that another club, municipality, or any other party 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. Applicants must submit a request for reimbursement form (supplied by the Bureau) to the Snowmobile Program. To have expenses considered for full reimbursement, the completed request must be received by the Bureau, or postmarked, no later than May 15th. Request forms postmarked after May 15th, forfeit 10% of the 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 must accompany the reimbursement request. Expenses incurred but not authorized for reimbursement should be listed separately from authorized expenses. All supporting materials (bills & invoices) must be retained by the grantee for three years, and must be submitted to the Snowmobile Program on request and available for audit by the Bureau. If the grantee does not comply with this requirement, the grantee forfeits and must return the grant received for those expenses.

 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.

 I. Title 5 M.R.S.A. §784(2) provisions on nondiscrimination in employment apply to the agreement.

 J. The club 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. The club 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 trail maintenance or equipment funded under the agreement. The Bureau shall have no responsibility or liability for the maintenance or use of the trails, beyond the limits of the State sponsored Landowner Liability Insurance.

 K. The State may at any time inspect any facilities or equipment used in connection with the agreement.

 L. The club must be legally incorporated with the Secretary of State, Bureau of Corporations, Elections and Commissions and in good standing.

STATUTORY AUTHORITY:

 Title 12, M.R.S.A.§7824, Paragraph 4B

EFFECTIVE DATE:

 October 20, 1984 - filing 84-351

AMENDED:

 September 14, 1986 - filing 86-343

 August 11, 1987 - Section 1(b) and 2(2), filing 87-275

 August 16, 1988 - Sections 7(B), filing 88-275

 September 19, 1993 - Section 1(B), filing 93-327

 September 26, 1995 - Section 1 (B), 3(7, 8), filing 95-361

EFFECTIVE DATE (ELECTRONIC CONVERSION):

 May 4, 1996

REPEALED AND REPLACED:

 November 20,1999; also converted to MS Word. - filing 99-483

AMENDED:

 October 30, 2002 - filing 2002-410

CORRECTIONS:

 February, 2014 – agency names, formatting

AMENDED:

 January 29, 2022 – statute citation, office name, filing 2022-013