

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

PART 3010  
ILLINOIS SNOWMOBILE GRANT PROGRAM

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**AUTHORITY:** Implementing and authorized by Sections 8-1 and 9-1 of the Snowmobile Registration and Safety Act [625 ILCS 40/8-1 and 9-1].

**SOURCE:** Adopted and codified at 5 Ill. Reg. 13440, effective November 20, 1981, amended at 7 Ill. Reg. 14953, effective November 1, 1983; amended at 16 Ill. Reg. 1806, effective January 17, 1992; amended at 18 Ill. Reg. 10066, effective June 21, 1994; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 28 Ill. Reg. 10631, effective July 13, 2004.

**Section 3010.10 Project Objectives**

The purpose of the program is to provide financial assistance to eligible local units of government to assist them in the purchase, construction, maintenance and rehabilitation of public snowmobile areas, trails and facilities in Illinois.

(Source: Amended at 7 Ill. Reg. 14953, effective November 1, 1983)

**Section 3010.20 Eligibility Requirements**

Agencies eligible for assistance under the grant program are any units of local government with statutory authority to acquire and develop lands for public park and recreational purposes. This includes, but is not limited to, counties, townships, municipalities, park districts, conservation districts and forest preserve districts.

(Source: Amended at 7 Ill. Reg. 14953, effective November 1, 1983)

**Section 3010.30 Assistance Formula**

Funding assistance up to 100% of eligible construction costs and 90% of eligible land acquisition costs for approved projects can be received through the program.

(Source: Amended at 18 Ill. Reg. 10006, effective June 21, 1994)

**Section 3010.40 General Procedures for Grant Applications and Awards**

- a) Grant applications for funding assistance under the program must be submitted to the Department. The application deadline will be publicly announced by the Department. Necessary application forms and instructions are available through the Department. Awarding of grants will be made under the authority and directive of the Director of the Department of Natural Resources. The number of grants awarded each calendar year is limited to the total amount of funds available for the program in the given fiscal year.
- b) Only project costs incurred by the local project sponsors after Department of Natural Resources grant approval are eligible for funding assistance. Any costs incurred prior to Department approval are ineligible for snowmobile grant assistance.
- c) Project grant applications shall consist of the following basic components:
  - 1) Acquisition Project
    - A) completed application forms;
    - B) parcel tabulation which lists an identification number, acreage size, estimated purchase price, and any existing property improvements for each parcel to be acquired;
    - C) project narrative statement describing the project concept, location, need for and objectives of the project, anticipated benefits and method of financing or accomplishing the project;
    - D) commitment for Title Insurance;
    - E) project location map;
    - F) future site development plan;
    - G) environmental assessment statement;
    - H) minutes and written comments received from required Public Hearing (Section 3010.70 (d));
    - I) project appraiser qualification statement; and
    - J) letters of project support from local snowmobile clubs.
  - 2) Development Project

- A) completed application forms;
  - B) itemized development cost estimates for each project component;
  - C) project narrative statement (same as above);
  - D) copy of deed, lease or easement for property to be developed;
  - E) project location map;
  - F) site development plan;
  - G) environmental assessment statement;
  - H) minutes and written comments received from required Public Hearing (Section 3010.70 (d));
  - I) necessary state/local construction permits, if applicable;
  - J) name of project engineer/architect; and
  - K) letters of project support from local snowmobile clubs.
- d) A project application packet may be obtained from the Division of Grant Administration, Illinois Department of Natural Resources. (See Section 3010.80.)

(Source: Amended at 18 Ill. Reg. 10006, effective June 21, 1994)

**Section 3010.50 Eligible Project Costs**

- a) Grant assistance may be obtained for, but not limited to, the following items:
- 1) land acquisition (fee simple, lease, easement) for snowmobile trails and areas;
  - 2) snowmobile trail development;
  - 3) trail grooming equipment;
  - 4) parking areas, access roads, warming shelters, signs, safety lighting and other snowmobiling support facilities;
  - 5) snowmobiles and communication equipment (for local agency patrol use);
  - 6) first-aid facilities; and
  - 7) concession facilities.

- b) Grant assistance may be obtained for annual trail maintenance/patrol costs, as authorized by the Department, which include any of the following items:
  - 1) fuel and necessary oils/fluids;
  - 2) vehicle insurance
  - 3) equipment repairs; or
  - 4) routine maintenance parts directly associated with the operation and transportation of snowmobile grant-assisted grooming/patrol equipment used while maintaining designated trails open to the public.
- c) No grant awards shall be awarded for the acquisition or development of land which is not available for public snowmobiling use.

(Source: Amended at 28 Ill. Reg. 10631, effective July 13, 2004)

#### **Section 3010.60 Project Evaluation Priorities**

The following priorities are used by the Department in evaluating and recommending project applications for funding assistance consideration:

- a) projects advocating land acquisition in perpetuity or long term leases or easements, as opposed to short term lease or easement arrangements;
- b) projects proposing the development of trail system, especially well-developed long distance trails, connector trails linking several existing trails, or multiple use trails;
- c) projects located in areas having adequate snowcover and exhibiting high demand as determined by the number of registered snowmobiles in the area where the project is located;
- d) projects proposing high quality snowmobile facilities readily accessible to major population centers and highways in the State or proposing initial establishment of snowmobile facilities in a high demand area;
- e) projects having minimal adverse environmental and social effects;
- f) projects proposing initial development of snowmobile facilities at the project site.

(Source: Amended at 7 Ill. Reg. 14953, effective November 1, 1983)

#### **Section 3010.70 Program Compliance Requirements**

- a) Any property acquired or developed through assistance from the Illinois Snowmobile

Grant Program must be open to the general public for snowmobile use during periods of specified snow conditions as agreed upon by the Department and local project sponsor. Property acquired or developed with program assistance may not be converted from snowmobile use without prior Department approval. Approval for property conversion will only be granted upon the local project sponsor substituting replacement property equal in fair market value and comparable in snowmobiling usefulness, quality and location, except for project areas receiving development (construction) grant assistance only, whereby this requirement shall no longer apply after the time period specified below relative to the amount of grant funds received toward the facility.

Grant Amount Received	Time Period After Project Completion and Receipt of Final Grant Payment
\$0 - \$10,000	5 years
every \$10,000 increment over \$10,000	add one year

- b) The local project sponsor must certify in a written affidavit that it possesses the funding capability to initially finance the total amount of project costs.
- c) The local project sponsor must certify in a written affidavit and supply supporting documentation that adequate snow cover (a minimum of 4 inches) is, in fact, a normal climatic condition for the project area for a minimum of 14 days from November 1 through March 31.
- d) For all projects, except those projects which involve only equipment purchase, the local project sponsor must hold a public hearing to discuss the project and provide the Department with a synopsis of the hearing, as well as any written comments received at the hearing. The meeting must be advertised in at least one local newspaper one to two weeks prior to the meeting.
- e) For projects requesting development assistance, the local project sponsor must have either fee simple title to the land being developed or a lease or easement arrangement commensurate with the conversion amortization schedule established for development grant projects (see subsection 3010.70(a)).
- f) For projects receiving acquisition assistance, an appraisal must be completed by the local project sponsor and certified by the Department. The appraisal must be completed to Departmental specifications. Title to any property for which grant reimbursement is sought can not be taken by the local project sponsor before Departmental approval is received.
- g) For projects receiving development assistance, the local project sponsor must present to the Department, for review, all working plans, specifications, contract documents

and cost estimates prior to commencing work. The format for any advertisement or prospectus soliciting and inviting bids, indicating dates of same, must also be presented to the Department for review prior to publication. The Department will notify the local project sponsor if the proposed project requires approval from a registered structural engineer.

- h) The local project sponsor is required to enter into a standard State contract agreement with the Department for an amount agreed upon as necessary to complete the approved project and which specifies the related grant reimbursement amount and approved project elements.
- i) Upon project completion, the local project sponsor must submit a certified project expenditure statement listing all funds expended on the project for which grant reimbursement is sought as well as required billing documentation.
  - 1) ACQUISITION PROJECT: copy of the signed Statement of Just Compensation/Offer to Purchase Form, Warranty Deed (Judgement Order in case of condemnation) for property, copy of cancelled check showing proof of payment to seller, and completed Billing Form which itemizes project costs and contains a certification statement verifying project expenditures.
  - 2) DEVELOPMENT PROJECTS: Copy of As-Built drawings, copy of receipts/invoices for project costs, copy of cancelled checks showing proof of payment, and completed Billing Form which itemizes project costs and contains a certification statement verifying project expenditures.
- j) Financial records on approved projects must be maintained and retained by the local project sponsor for possible State audit for a period of five years after final reimbursement payment is made by the Department.
  - 1) If the local project sponsor receives more than \$25,000 in grant funds, the local project sponsor shall be responsible for having an annual financial and compliance audit. This audit should be conducted as a part of the local project sponsor's annual audit. If the local project sponsor is exempt from State and federal audit requirements, the local project sponsor must procure a special audit covering all funds expended under this program. In essence, one agency wide audit will meet audit requirements for State of Illinois grant participation. The audit must be conducted by an independent public accountant, certified and licensed by the State of Illinois.
  - 2) The local project sponsor shall be responsible for procuring the required audits. Audit procurements shall be conducted in accordance with the local project sponsor's normal procurement rules, provided these rules promote open competitive procurements.
  - 3) The local project sponsor shall provide the Department a copy of all annual

audits for all fiscal years concurrent or contiguous to the approved grant period within 30 days of the completed audit, and shall be responsible for timely action in resolving any audit finding and/or questioned project costs. In the event that questioned costs are ultimately deemed disallowed, as determined by the Department, the local project sponsor shall be responsible for repayment of such costs.

- k) The local project sponsor must post a Snowmobile Grant Program acknowledgement sign at the project site where grant assistance is involved. The required sign or specifications for its construction will be furnished by the Department.
- l) The local project sponsor shall insert as an integral part of any contract with the approved project bidder the following provisions:
  - 1) That the contractor must abide by and comply with all applicable local and State laws relating to fair employment practices and prohibiting discrimination in employment contracts involving public funds, the construction or development of public buildings, works or facilities.
  - 2) That the contractor must comply with and be bound by any applicable local and State laws in any manner pertaining or relating to wages and claims of laborers, mechanics and other workers, agents, or servants in any manner employed in connection with contracts involving public funds or the development or construction of public works, buildings or facilities.
  - 3) That the contractor must abide by and comport with all applicable local and State laws relating or pertaining to the development and/or construction of public works, buildings, or facilities, including but not limited to, any and all applicable workmen's compensation acts or laws.
  - 4) That the contractor shall provide and furnish to the satisfaction of the local project sponsor and the Department good and sufficient performance bond(s) with adequate surety or sureties, with applicable penalty or loss clauses concerning or relating to the construction of the proposed facilities and any losses, cost or damages arising out of, or by virtue of, said construction by the contractor of the specified snowmobile facilities and which insures, benefits and protects the local project sponsor and the Department.
  - 5) That the contractor shall personally and individually agree and covenant, and shall furnish and provide sufficient evidence of insurance, to indemnify, protect, defend at its own cost, and hold harmless the local project sponsor and the Department from and against all losses, damages, injuries, costs, expenses or claims thereof to or by persons or property arising out of, through, under or by virtue of the construction and development of the specified snowmobile facilities.

- 6) That the contractor certifies to the best of his knowledge that no officer or employee has been convicted of bribery or attempting to bribe an officer or employee of the State of Illinois, nor has any officer or employee made an admission of guilt of such conduct which is a matter of record. Contractor further certifies that it is not barred from bidding or entering into a contract involving State of Illinois assistance as a result of violations of Section 33E-3 or 33E-4 of the Criminal Code of 1961, regarding bid rigging or bid rotating.
- m) It shall be understood by the local project sponsor that a Department representative will make periodic inspections of the project as construction progresses and be available for consultation or assistance at any reasonable time upon request. It is further agreed and understood by the local project sponsor that a final inspection and acceptance of the completed project must be made by a representative of the Department prior to acceptance and final payment of grant reimbursement to the local project sponsor.
- n) The local project sponsor shall indemnify, protect, defend and hold harmless the Department from any and all liability, costs, damages, expenses, or claims thereof arising under, through or by virtue of the construction, operation and maintenance of Program-assisted snowmobile facilities.
- o) In connection with and prior to the construction, and thereafter the subsequent operation and maintenance of Program assisted snowmobile facilities, it shall be understood that the local project sponsor is responsible for obtaining any and all necessary Permits, Licenses or Forms of Consent, as the case may be, from, but not limited to, the following:
- 1) Illinois Department of Transportation
  - 2) Illinois Environmental Protection Agency
  - 3) Illinois Historic Preservation Agency
  - 4) Illinois Department of Natural Resources
  - 5) Local Building or Zoning Agencies or Boards, where applicable.

In addition to the foregoing, the local project sponsor further agrees to comply with applicable provisions of the Recreational Area Licensing Act.

- p) The local project sponsor must comply with and abide by the following Operation and Maintenance provisions:
- 1) The local project sponsor may enter into a contract or agreement with responsible concessionaires to operate and/or construct snowmobile rental facilities, for dispersing food to the public and/or any other services as may



be desired by the public and the local project sponsor. Prior approval of the contract or agreement, and subsequent revisions thereof, shall be obtained from the Department. Any and all funds in excess of the costs of operation and maintenance of Program-assisted snowmobile facilities shall be used for the improvement of said facilities or similar public facilities in nearby areas.

- 2) The charging of fees for general public use of snowmobile facilities financed with funds from this grant program is strongly discouraged. However, if it is deemed necessary by the local project sponsor that fees must be levied for use of these facilities, the local project sponsor shall:
  - A) Receive prior approval on an annual basis from the Department for scheduled fees to be charged;
  - B) Clearly document that existing agency operation and maintenance budget is not sufficient to cover the added cost of properly operating and maintaining the project facility;
  - C) Deposit all fees in a separate account to be used for maintenance of and improvement to the Program-assisted facility only. This account must appear on the local project sponsor's appropriation ordinance each year; and
  - D) On an annual basis, submit to the Department satisfactory statements of receipts and itemized expenditures from this fund.
- 3) All snowmobile facilities financed with funds from this grant program shall be continuously operated and maintained by the local project sponsor at no cost to the Department and shall be operated and utilized in such a manner as to maximize the intended benefits to and for the general public.
- 4) The local project sponsor shall satisfactorily maintain Program-assisted snowmobile facilities so as to promote the safe and enjoyable usage of the facility by the public.
- 5) The Department shall have access to Program-assisted facilities at all times for inspection purposes to ensure local project sponsor's continued compliance with program regulations.
- 6) All snowmobile facilities financed with funds from this grant program shall be open to the public for use and enjoyment without regard to race, color, sex, national origin, age or disability. No lessee or licensee of an area under a lease or license providing for a public or quasi-public use and no concessionaire of a lessee or licensee providing a service to the public, including facilities and accommodations, shall discriminate against any person or persons because of race, color, sex, national origin, age or disability

in the conduct of its operation under the lease, license or concession agreement.

- 7) All sub-leases or licenses entered into by the local project sponsor with third persons relating to accommodations or concessions to be provided for or at the snowmobile facility for the benefit of the general public shall be submitted to the Department for its approval prior to said sub-lease or license being entered into or granted by the local project sponsor.
- 8) It shall be permissible for the local project sponsor to close Fund-assisted snowmobile facilities during the following times:
  - A) During and immediately following severe weather conditions when the safety of the recreating public may be jeopardized or debris deposited on the facility prohibit its proper use; removal of such debris shall be completed immediately or as soon as practical thereafter so public use of the facility may be effectively resumed.
  - B) During periods of alternate freezing and thawing when anticipated public use could cause damage to the facility resource base or jeopardize the safety of the recreating public.
  - C) At night to prevent vandalism if deemed necessary by the local project sponsor.

During periods necessitating closure, the general public shall be appropriately informed by proper signs and through the news media. Other than as enumerated above, the local project sponsor agrees that the facilities shall be open for and to public use throughout the year.

- q) Conflict of Interests:
  - 1) No official or employee of the local project sponsor who is authorized in his official capacity to negotiate, make, accept, or approve or to take part in such decisions regarding a contract or subcontract in connection with an approved Snowmobile grant project shall have any financial or other personal interest in any such contract or sub-contract.
  - 2) No person performing services for the local project sponsor in connection with an approved Snowmobile grant project shall have a financial or other personal interest other than his employment or retention by that local political subdivision, in any contract or subcontract in connection with an approved Snowmobile grant project. No officer or employee of such person retained by the local project sponsor shall have any financial or other personal interest in any real property acquired under an approved Snowmobile grant project unless such interest is openly disclosed upon the public records of the local

project sponsor, and such officer, employee or person has not participated in the acquisition for or on behalf of the local project sponsor.

- r) Program Violations and Project Termination
- 1) The State may unilaterally rescind project agreements at any time prior to the commencement of the project in the event that State funds are not appropriated for the grant program. After project commencement, agreements may be rescinded, modified, or amended only by mutual agreement with the local project sponsor. A project shall be deemed commenced when the local project sponsor makes any expenditure or incurs any obligation with respect to the project.
  - 2) Failure by the local project sponsor to comply with any of the above cited Program terms shall be cause for the suspension of all grant assistance obligations thereunder, unless, in the judgement of the Department, such failure was due to no fault of the local project sponsor.
  - 3) Conversion of property acquired or developed with assistance from the Illinois Snowmobile Grant Program from public recreation and snowmobile use shall result in the local local project sponsor being held liable for replacing the converted property with comparable facilities as deemed acceptable by the Department. This requirement shall not apply to development grant project sites in which the amortization schedule specified for such projects in subsection 3010.70(a) has expired.

(Source: Amended at 18 Ill. Reg. 10006, effective June 21, 1994)

### **Section 3010.80 Program Information Contact**

Write:

Illinois Department of Natural Resources  
Division of Grant Administration  
One Natural Resource Way  
Springfield IL 62702-1271

Telephone: 217/782-7481

(Source: Amended at 28 Ill. Reg. 10631, effective July 13, 2004)