

# **Minnesota Trails Assistance Program**

**All-Terrain Vehicle  
Off-Highway Motorcycle  
Off-Road Vehicle**

Instruction Manual

**Minnesota Department of Natural Resources**

Revised October 12, 2006



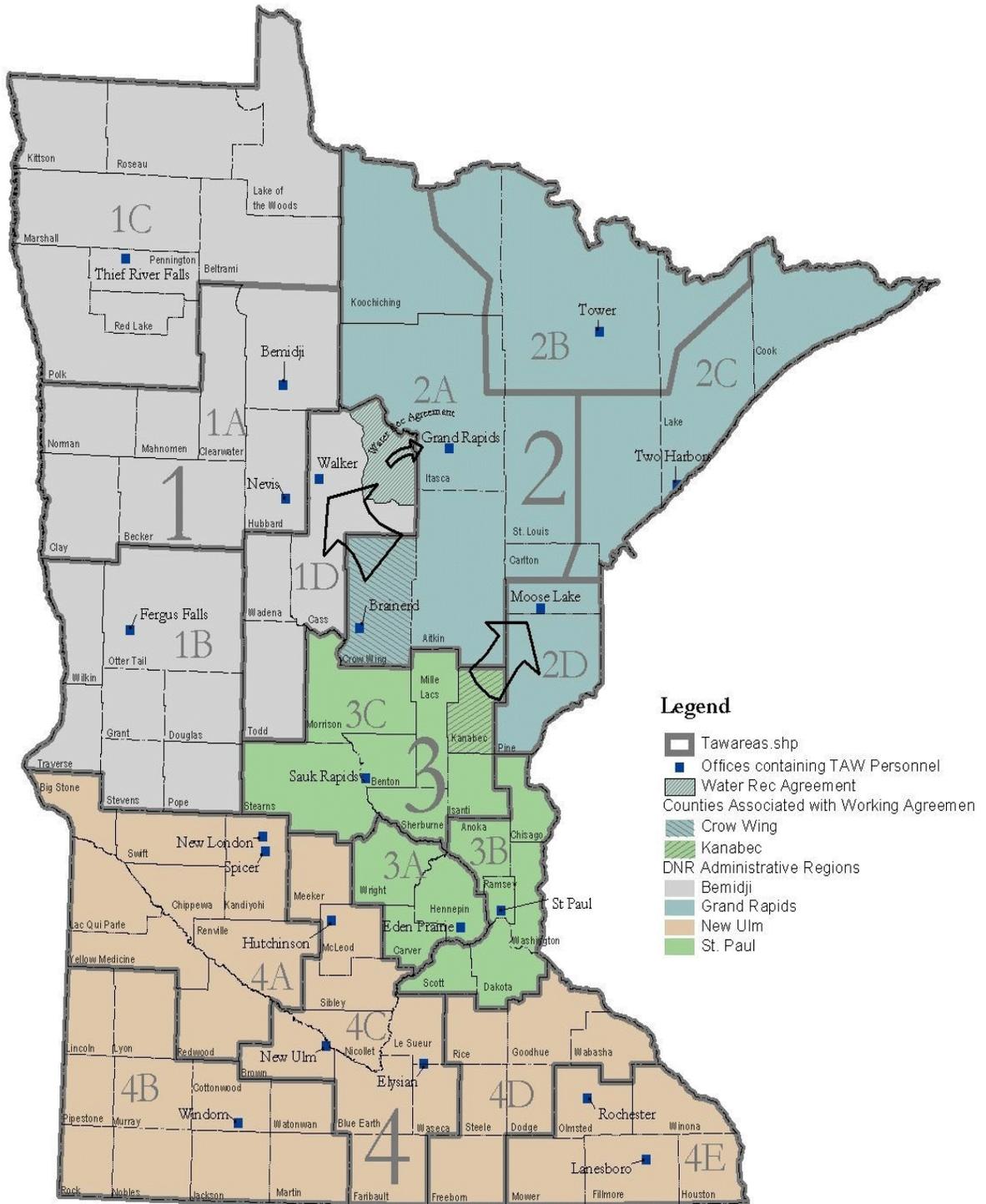
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# Trails and Waterways Division

## Current boundaries and working agreements, 01/2003.



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## DNR REGIONAL TRAILS & WATERWAYS OFFICES

<b>DNR Region I-</b>	Tim Browning Northwest Regional Manager 6603 Bemidji Avenue N. Bemidji, Minnesota 56601	(218) 755-3969
--Area 1A:	Dick Kimball Area Trails and Waterways Supervisor 6603 Bemidji Avenue N. Bemidji, Minnesota 56601	(218) 755-3972
--Area 1B:	Bruce Winterfeldt Area Trails and Waterways Supervisor 1509 1 <sup>st</sup> Ave. Nth Fergus Falls, Minnesota 56537	(218) 739-7576 Ext. 226
-Area 1C:	Mary Broten Area Trails and Waterways Supervisor 246 125 <sup>th</sup> Ave. NE Thief River Falls, Minnesota 56701	(218) 681-0889
-Area 1D:	Lowell Jaeger Area Trails and Waterways Supervisor 1601 Minnesota Drive Brainerd, Minnesota 56401	(218) 833-8715
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<b>DNR Region II-</b>	Les Ollila Northeast Regional Manager 1201 East Highway 2 Grand Rapids, Minnesota 55744	(218) 999-7925
--Area 2A:	Bob Moore Area Trails and Waterways Supervisor 1201 East Highway 2 Grand Rapids, Minnesota 55744	(218) 999-7923
--Area 2B:	Scott Kelling Area Trails and Waterways Supervisor 650 Hwy 169 Tower, Minnesota 55790	(218) 753-2580 Ext. 252
--Area 2C:	Tom Peterson Area Trails and Waterways Supervisor 1568 Highway 2 Two Harbors, Minnesota 55616	(218) 834-6622
-Area 2D:	Joe Russell Area Trails and Waterways Supervisor Route 2 - 701 S. Kenwood Moose Lake, Minnesota 55767	(218) 485-5410

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<b>DNR Region III-</b>	Dan Collins Central Regional Manager 1200 Warner Road Saint Paul, Minnesota 55105	(651) 772-7936
--Area 3A:	Martha Reger Area Trails and Waterways Supervisor 9925 Valley View Road Valley View Business Center Eden Prairie, Minnesota 55344	(952) 826-6769
--Area 3B:	Dan Brevia Area Trails and Waterways Supervisor 1200 Warner Road Saint Paul, Minnesota 55106	(651) 772-7937
--Area 3C:	Scott Schroeder Area Trails and Waterways Supervisor 940 Industrial Drive South, #103 Sauk Rapids, Minnesota 56379	(320) 255-4279 Ext. 227
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<b>DNR Region IV-</b>	Craig Mitchell South Regional Manager 261 - Highway 15 South New Ulm, Minnesota 56073	(507) 359-6066 or (507) 280-5060 (Rochester)
--Area 4A:	Gregg Soupir Area Trails and Waterways Supervisor P.O. Box 457 10590 County Road 8 NE Spicer, Minnesota 56288	(320) 796-6281 Ext. 229
--Area 4B:	Mike Salmon Area Trails and Waterways Supervisor 175 County Road 26 Windom, Minnesota 56101-1868	(507) 831-2900 Ext. 225
--Area 4C:	Bob Kaul Area Trails and Waterways Supervisor 261 - Highway 15 South New Ulm, Minnesota 56073 - 8915	(507) 359-6067
--Area 4D:	Joel Wagar Area Trails and Waterways Supervisor 2300 Silver Creek Road NE Rochester, Minnesota 55906	(507) 280-5062
--Area 4E:	Craig Blommer Area Trails and Waterways Supervisor 2300 Silver Creek Road NE Rochester, Minnesota 55906	(507) 280-5061

## SECTION 1:

### PROGRAM BACKGROUND

In 1984, and again in 1993, the Department of Natural Resources (DNR) was delegated the responsibility by the Minnesota legislature to administer a cost-sharing program for the development and maintenance of public trails and areas for All-Terrain Vehicles (ATV), Off-Highway Motorcycles (OHM), and Off-Road Vehicles (ORV). The goal of this program was the creation and maintenance of local trails, at the initiative of local trail organizations and local units of government. The State's intent was to offer financial assistance so that locally controlled trails could exist where none had before. This program was named the "*Minnesota Trails Assistance Program*," and has become popularly known as grants-in-aid or GIA, which also includes grants for snowmobiling and cross-country skiing.

In the initial stages of the GIA program for ATV, OHM, and ORV, (now referred to as Off Highway Vehicle or OHV) the DNR will rely heavily on the existing policies and procedures of the GIA ATV program, which has been in existence since the mid-1980s. It is anticipated there will be changes to the program as time passes, just like there has been on the GIA snowmobile program. Major changes or additional policies, procedures, and guidelines may be needed in the future and may include the following:

1. Modified reimbursement system for normal maintenance.
2. Additional guidelines and policies on use areas that may be leased in parts of the State where there is limited public ownership.
3. Additional allowable costs.
4. Additional suggestions for development, maintenance, and environmental review and protection.

Generally, OHV administration, acquisition, and development costs are divided between the GIA program (paying 65%) and the local club or sponsor (paying 35%). Maintenance costs are divided between the GIA program (paying 90%) and the local club or sponsor (paying 10%). Accurate and current record keeping is the responsibility of the local trail organization and local unit of government and is vital and necessary in the event of a full audit.

The DNR has been delegated the responsibility of administering the funds appropriated by the Legislature for the OHV GIA programs. The Department of Natural Resources' central office in Saint Paul establishes program policy and guidelines, budgets for program funding, and provides for auditing of grants. The DNR Regional Trails and Waterways (T&W) Supervisors and Area T&W Supervisors are responsible for reviewing and processing program forms, providing technical assistance when requested, environmental monitoring of use areas and trails activities, and conducting informational meetings with local organizations and sponsors.

## PROGRAM SUMMARY

### Local Units of Government Responsibilities:

A local unit of government will be identified as "sponsor" and could be a county, city, or township. The sponsor is accountable to the State for expenditures charged to the program. The local trail user organizations generally enter into contracts with the sponsor to physically perform the work necessary in developing and maintaining the local trail system. The following listing highlights the most common steps in the procedure to develop an OHV trail system through the Trail Assistance Program.

1. A local trail user organization identifies a demand for trails in their area.
2. A proposed trail route is identified and the previous necessary program forms for the proposal are prepared. The local user organization must work with local land managers, and private landowners if necessary, in trail route identification.
3. The local trail user organization submits the necessary program forms (refer to page 10) to the sponsor. Sponsorship must be in the form of a resolution from the sponsor, (refer to appendices).
4. The local trail user organization and sponsor should enter into an agreement that outlines the duties and responsibilities of both parties in the event that the grant is approved. The sponsor **MUST** sign the necessary forms and submit the project to the DNR's Trails & Waterways Division for approval.
5. Upon DNR approval of the project, an agreement between the sponsor and the State is sent to the sponsor for review, approval, and signature. The signed agreement forms are returned to T&W for DNR processing and signature (an executed copy will be returned to the sponsor). The sponsor will be notified in writing that the agreement has been consummated. Only after notification can reimbursable work on the trail commence. No reimbursement for development or maintenance will be made until proof of necessary land permits is on file with the sponsor.

## SECTION 2:

### Program Implementation and Review

The DNR OHV System Plan and Forest Reclassification Plan provides general, long-term guidance for the DNR's OHV management efforts within the broader context of the agency's outdoors recreation mission and responsibilities. It focuses on off-highway vehicle trails and consequently does not address non-motorized recreation opportunities in detail. Site-level project development plans are also not provided here, this will require added project planning, review and permitting. These subsequent steps help to refine project concepts while limiting unintended project effects.

Implementation priorities will depend upon geographic demand for different types of trails and the availability of management resources (i.e. funding, staff, volunteers). The development of trails and support facilities will require an ongoing commitment to trail maintenance, operations, user education, interpretation, and field enforcement. Biennial budget requests and annual work plans should reflect this commitment.

#### Project Priorities

Off Highway Vehicle System Plans seek to provide high quality recreational opportunities for OHV riders, while maintaining ecosystem health and managing competing resource use and development demands. Off-Highway Vehicle trail proposals will be assigned priority as follows:

1. **First priority** will be the maintenance of existing designated trails and trail systems.
2. **Second priority** will be improvements or enhancements to existing trails and trail systems which will result in greater utility, durability or user safety, improved resource protection, increased user satisfaction, added trail mileage or trail connections, improved day-to-day management or enforcement.
3. **Third priority** will be to develop new trails, trail systems, riding areas, or support facilities (e.g., parking lots, campsites) for OHV trail users.

#### New Project Proposals

A "Project Proposal" describes a trail project in sufficient detail so that interested and affected parties can develop a better understanding of what the project entails. Project proposals translate concepts contained in this OHV Regional Plan into site-specific developments. Detailed project plans are prepared for all DNR-sponsored trail construction on state-administered land. Project proposals include cost data, equipment needs, site maps, construction specifications, contractor responsibilities, resource inventory data and suggested environmental safeguards. Standard review procedures for unique natural, historical, or archaeological resources will be followed when developing new recreational trails or support facilities.

Formal project proposals will be prepared for all DNR projects involving trail designation, non-emergency trail closures, and any new trail construction or development work involving physical manipulation of the environment. New construction includes the establishment of new trail connections,

major reroutes, or the widening, grading, clearing, brushing or signing of new trail corridors through the forest. This includes all grant-in-aid trail development projects on DNR-administered lands. . The following guidelines will be used in evaluating all new trail project proposals and applications:

1. **Potential for use:** Trail systems and facilities approved for funding should have the potential for experiencing use levels that justify the proposed expense to the program. These trail systems and facilities should be located close enough to population centers or popular tourism areas to provide significant numbers of users and support services for the users. Facilities located in areas where user numbers could be low will receive a lower priority for funding.
2. **Potential for Adequate Maintenance:** Due to the need to maintain OHV trails for safety, enjoyment, and natural resource protection; all facilities should be *reasonably* accessible for maintenance equipment and emergency vehicles at all times.
3. **Potential Impacts on Natural Resources:** Significant use of OHV trails has the potential to cause severe impacts on natural resources including, but not limited to, soil compaction leading to soil erosion, damage to vegetation, stream bank erosion leading to sedimentation and aquatic habitat loss, and impacts on wetlands. Only those sites where these impacts can be mitigated may be approved for funding.
4. **Compatibility with Existing Uses:** Proposals should address anticipated impacts on existing uses, as well as other potential conflicts with activities such as forest management, wildlife management, and private property. In general, OHV trails should attempt to minimize conflicts to the extent possible prior to development. To ensure a fair, statewide distribution of grants, regional factors will be considered in funding new trails and trail systems. These factors include existing use per mile of trails, existing trails mileage, and tourism considerations.

## **Public Notification & Comment**

The DNR will provide for public notification and a 30-day comment period on most OHV new project proposals, including new trail use designations occurring apart from or outside of approved management plans. Projects involving routine trail maintenance (e.g., replacing culverts, trail hardening or armoring, vegetative manipulation, simple trail repair or rehabilitation, emergency trail closures), or those operational activities that do not involve physical manipulation of the environment (e.g., trail inventory, monitoring or enforcement) will not require formal project proposals or public notification.

The Trails & Waterways Regional Manager will assume responsibility for public notification of project proposals. Public notice will occur via electronic and U.S. Mail, press releases, paid advertisements and/or DNR website postings. Public meetings may also be scheduled as necessary. This process is intended to provide sufficient information to permit interested parties to make informed judgments about proposed OHV trail projects and to provide comments on project design, alternatives, and merit.

The Trails & Waterways Regional Manager will collect and analyze comments received. In consultation with appropriate DNR staff, the T&W Regional Manager will determine whether project proposals should be implemented as proposed, modified or dropped.

## Environmental Review

Some trail development projects may undergo preparation of an Environmental Assessment Worksheet (EAW), pursuant to the Minnesota Environmental Review Rules (Minnesota Rules Chapter 4410.) At present there are no mandatory EAW categories specifically addressing OHV trails, but EAWs may be prepared on a discretionary basis (proposer-volunteered or pursuant to a citizen petition) or because the trail proposal meets a non OHV-related threshold. An EAW is prepared to determine whether a project has the potential for significant environmental effects, in which case it would require preparation of an Environmental Impact Statement (EIS). If a project requires environmental review, it may not be implemented until the review is complete.

The DNR is the responsible governmental unit (RGU) for completing environmental review of its own projects. The DNR's Environmental Policy & Review Section in the Office of Management & Budget Services performs the Department's RGU responsibilities. After completing detailed project plans, the T & W Manager should consult with Environmental Policy & Review Section staff to determine whether an EAW is mandatory for the project. The Regional Trails & Waterways Manager or the Regional Management Team may also recommend review on a discretionary basis if they believe the project may have the potential for significant environmental effects. Environmental Review & Policy staff will review the recommendation and request an EAW need determination by the Deputy Commissioner. If the environmental review process identifies potential significant environmental effects, project modifications or additional mitigation will likely be required.

### Program Documentation:

The following five (5) forms are listed to identify the basic paperwork necessary for the OHV Trail Assistance Program.

1. **APPLICATION FORM:** This form is used to explain the need for maintenance funding and/on trails and trail systems already in the Trail Assistance Program.
2. **NEW PROJECT PROPOSAL:** This form is the instrument for proposing a new trail or trail system that has not previously been funded by the Trail Assistance Program.
3. **AGREEMENT FORM:** This form is the legal document between the State of Minnesota and the sponsor. This document sets aside funding and identifies conditions agreed to by both parties. **Funding is unavailable and work cannot begin until the sponsor is notified in writing that the Agreement has been signed and executed.**
4. **REQUEST FOR REIMBURSEMENT FORM:** This form is submitted as a summation of expenses incurred and as the request for payment of allowable charges.
5. **WORKSHEET :** These sheets are submitted as attachments to the Request for Reimbursement and are used to show allowable charges (i.e., costs for labor, equipment, materials, and contracted services). All charges must be shown on the worksheet.

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a The Minnesota Environmental Review Program is authorized by Minn. Stat., Sect. 116D and detailed in administrative rules adopted by the Minnesota Environmental Quality Board in MN Rules, Chapter 4410. The reader is referred to the EQB's website [www.mnplan.state.mn.us/eqb](http://www.mnplan.state.mn.us/eqb) for further information.

## **Project Permitting**

The DNR has the responsibility to ensure that any required permits or approvals are obtained before proceeding with DNR-proposed projects. If a trail cannot be routed to avoid a stream crossing, for example, a public waters work permit may be required. Other permits and approvals that may be necessary for trail development include:

1. Waters or wetland permits required by Section 404 of the federal Clean Water Act, the DNR protected waters program, or the Wetlands Conservation Act.
2. Water quality permits required by Section 401 of the federal Clean Water Act or the MPCA storm water management program.
3. Land use approvals from landowners or land managers, both public and private.
4. Road right-of-way use approvals from the appropriate state, county, or local highway authority.

Each proposed trail project must be evaluated to determine whether permits or approvals are needed. When avoidance is not possible, the permit process helps to minimize impacts and provide for mitigation where indicated. It is important to note that although state projects are **not** subject to local permit requirements, the DNR does make every effort to design its projects to meet or exceed all existing local or municipal standards.

## **Trail Design & Development Standards**

The DNR is committed to implementing the *Voluntary Site-Level Forest Management Guidelines* for on DNR-administered forestlands. These guidelines, developed by the Minnesota Forest Resource Council (MFRC), are intended to help protect soils, water quality, wetland and riparian area values, wildlife and native plant communities, visual quality, historic and cultural resources on Minnesota forestlands. In addition, DNR's Trail Design and Development Guidelines are currently being updated and revised with a special emphasis on 'Best Management Practices' for designing, constructing, maintaining and operating all types of natural and hard-surfaced summer and winter-use recreational trails.

**7-STEP GIA Trail Proposal Review Process (12/1/05 version)**

STEP	DNR Review Timeline		
	at least	additional	
<b>Preliminary project discussions – early coordination w/Trails &amp; Waterways</b>			
<ul style="list-style-type: none"> <li>❖ Club develops initial concept</li> <li>❖ Area T&amp;W Supervisor provides GIA Manual, reviews environmental checklist w/club and checks Natural Heritage ArcView layer</li> <li>❖ Club discusses concept w/ key project partners, selected landowners, other interest groups, prepares draft project proposal</li> </ul>	Depends on club		
<b>1. T&amp;W review of draft project proposal: 1.5 months</b>			
<ul style="list-style-type: none"> <li>❖ Area T&amp;W Supervisor reviews draft proposal, discussed w/club</li> <li>❖ Club modifies proposal and secures a local government sponsor</li> <li>❖ If proposal is a <i>minor</i>* snowmobile or ski trail project with no identified potential impacts, go to Step 5</li> </ul>	1.5 mo		
<b>2. Area Team Screen of Project Proposal: Fast Track possible? 1 month</b>			
<ul style="list-style-type: none"> <li>❖ Area Team/Regional Eco staff screen proposal for red flag issues (in-office) <ul style="list-style-type: none"> <li>◆ Determine if more in-depth review needed</li> <li>◆ Identify additional information DNR staff will need for review</li> <li>◆ Review of trail alignment by Natural Heritage Program</li> <li>◆ Discuss with club, potentially revise proposal to avoid or mitigate issues</li> </ul> </li> <li>❖ If no further review needed, go to Public Notification (Step 4a) or EAW (Step 4b)</li> <li>❖ If further review needed, go to Step 3</li> </ul>	1 mo		
<b>3. Project Proposal Review: 5 – 10 months (start date depends on RMT assigned schedule)</b>			
<ul style="list-style-type: none"> <li>❖ Regional T&amp;W Manager prioritizes project proposals. RMT agrees on list/schedule for field review</li> <li>❖ Club and T&amp;W gathers additional information needed for field review as identified in Area Team screen (step 2)</li> <li>❖ Area Team meets and reviews proposal, complete Rapid Environmental Assessment Checklist, prepare comments <ul style="list-style-type: none"> <li>◆ Internal issues resolved by RMT/OHVPC (as needed)</li> </ul> </li> <li>❖ Area Team meets w/club to discuss comments and suggested changes</li> <li>❖ Club/T&amp;W solicits additional input from public/interest groups to address issues or increase awareness of proposal (as needed)</li> <li>❖ Club prepares revised proposal</li> <li>❖ RMT reviews proposal &amp; Team comments, meet to accept or deny</li> <li>❖ If proposal accepted <ul style="list-style-type: none"> <li>• Go to Public Notification (Step 4a), or</li> <li>• Go to EAW (Step 4b)</li> </ul> </li> </ul>	1 mo		
	1 mo		
	1.5 mo		
			1 - 2 mo
	0.5 mo		
			1 mo
			1 mo+
	1 mo		
<b>4a. Public Notification: 2 month</b>			
<ul style="list-style-type: none"> <li>❖ 30 day public comment period on final proposal accepted by Department</li> <li>❖ Summarize comments, review by Area Team, RMT</li> <li>❖ If no further changes needed, go to Grant Application (Step 5)</li> </ul>	2 mo		
<b>4b. Prepare EAW: 4 to 6 months</b>			
<ul style="list-style-type: none"> <li>❖ Prepare draft EAW</li> <li>❖ Public comment period</li> <li>❖ Determine if EIS is needed <ul style="list-style-type: none"> <li>◆ If so, go to EIS (Step 4c)</li> <li>◆ If not, go to Grant Application (Step 5)</li> </ul> </li> </ul>	4 mo	6 mo	
<b>4c. Prepare EIS: 1 to 1.5 years</b>			
	1 yr		
<b>5. Grant Application, Funding Allocation</b>			
	2 mo		
<b>6. Project Permitting and Construction</b>			
	1 yr		
<b>7. Monitoring and Enforcement</b>			
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\* Less than 1 continuous mile of re-route/5 miles of trail; less than one continuous mile of trail; trails on agricultural land or frozen water; or designating existing trails for use by cross-country skiers or snowmobiles

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## SECTION 3:

### REVISIONS TO APPROVED MANAGEMENT PLANS

This OHV Plan documents the outcome of a collaborative public planning process. Major changes should not be made to this plan, or to other approved management plans (e.g., State Park or State Trail Plans), without engaging stakeholders. Proposed changes meeting **any** of the following criteria **must** be approved through the formal plan amendment process outlined below:

1. The proposed change alters the basic mission, vision, goals or management objectives as previously defined for the management unit, or;
2. The proposal would result in a major increase or decrease in recreational use opportunities, or;
3. The proposal involves changing the current classification of State Forest lands with respect to OHV use.

#### **Plan Amendment Process** *[Pursuant to MS 86A.09, Subd. 2, & MN Rules 6100.1950, Subd. 2-4]*

1. Proposed plan amendments should be developed in conjunction with stakeholders and then be reviewed, first at the Area Level, then by the Regional Management Team. Significant changes should be presented at public information meetings or 'open houses' to solicit comment. When conditions warrant exception to standard Departmental policies or practices, the reasons for this proposed deviation should be clearly explained.
2. The Regional Management Team's recommended amendments to the plan will be submitted for DNR Central Office review.
3. Policy or procedural differences will be resolved by the DNR Commissioner's Office.
4. An Environmental Assessment Worksheet must be prepared for projects resulting in permanent physical encroachment on areas deemed 'Natural Areas' by MN Rules 4410.4300, Sub. 30, including State Trail Corridors, where this encroachment is inconsistent with the management plan for that recreational facility or unit.
5. Finally, written plan amendment(s), bearing the Commissioner's signature, are officially appended to the approved management plan.

#### **Minor Plan Revisions:**

Minor revisions that do not meet the criteria for plan amendments can be made at the discretion of the Area Team with approval from the Regional Management Team. Minor revisions do not require a public review or comment period. Directly affected stakeholders, however, should be notified of the change.

## SECTION 4:

### NEW TRAIL PROJECT PROCEDURES

The following procedures **must** be adhered to if you are proposing a **new** OHV, Grant In Aid trail or trail system. A new trail or trail system is defined as:

1. A proposal to add a section of trail onto an existing GIA system. This does not include relocating a short section of an existing trail.
2. An existing trail which is not currently in the GIA system.
3. A proposal to develop and maintain a totally new trail or trail system.

#### **NEW TRAIL PROJECTS WILL COMPLY WITH THE FOLLOWING PROCEDURES:**

Local trail organizations must submit project proposal forms to the sponsor, including the following:

- A. **Cover letter describing project and benefits to the public.**
- B. **Two (2) copies of the new trail project proposal form with original signatures.**
- C. Map of the proposed trail or trail system. *(If you need assistance, contact the Area T&W Supervisor.)*
  - I. Two (2) original copies of the trail alignment map. Map format will be U. S .G. S. topographic sheets, 1:24,000 scale
  - II. The map must identify the locations of wetland crossings, bridges, rest areas, and parking areas.
  - III. The map must identify connections or relationships to other trails or trail systems, if any.

### EXISTING TRAIL MAINTENANCE APPLICATION PROCEDURES

The following procedures **must** be adhered to if you are applying for **maintenance** funding for an existing RMV GIA trail system. An existing GIA trail or trail system is defined as a trail or trail system, which has previously received funding from the Minnesota Trails Assistance Program.

The following projects are considered maintenance trail projects:

1. Relocating one (1) mile or less of trail currently in the GIA Program, as long as it still connects to and is part of the existing trail.
2. Maintaining a trail or trail system currently in the GIA Program.
3. Restoration and rehabilitation of trail or area.

**MAINTENANCE PROJECTS SHALL COMPLY WITH THE FOLLOWING PROCEDURES:**

1. Trail user organizations must submit application forms to the sponsor, including the following:

A. One (1) copy of the application form with original signatures.

B. Listing of trail permits from public land managers and private landowners.

**NOTE: UNDER NO CONDITION CAN DEVELOPMENT OR MAINTENANCE ACTIVITIES TAKE PLACE ON ANY PARCEL OF LAND, PUBLIC OR PRIVATE, UNLESS A SIGNED TRAIL PERMIT HAS BEEN SECURED IN THE NAME OF THE SPONSOR.**

D. Map of the trail or trail system as it presently exists.

I. One (1) copy of a trail alignment map. Map format will be U.S. Geological Survey (U.S.G.S.) topographic sheets; scale 1:24,000.

II. The map must identify locations of wetlands, stream crossings, bridges, rest areas, and parking areas.

III. The map must identify connections or relationships to other trails or trail systems, if any.

IV. If trails or trails segments are being relocated, the map must show new and old alignment.

V. The map must identify any areas of major maintenance work (i.e., trail widening, corner realignments, etc.)

## SECTION 5:

### ALLOWABLE CHARGES

#### INTRODUCTION:

All the charges listed below must be directly related to the acquisition, development, maintenance, and grading of your trail or trail system. No other charges will be accepted without prior approval from your Area T&W Supervisor.

**ADMINISTRATION CHARGES:** (no more than 15% of total grant) [65% reimbursable].

1. **Mileage and Labor** -- These charges may be reimbursed for preparing the paperwork and forms for the program, bookkeeping, paying invoices, attending necessary sponsor or DNR meetings, and obtaining bids for equipment rentals and travel to the trail or area.
2. **Postage** -- The cost of mailing necessary DNR forms, billings, bid requests, or maps. It is suggested that a list of mailings and materials mailed be kept on file.
3. **Telephone Charges** -- Long distance calls directly related to trail administration, including vendors, the sponsoring agency, landowners, and the DNR will be accepted. It is suggested that a list of calls be kept on file.
4. **Office Supplies** -- The purchase of materials needed to fulfill the program's administration such as writing, word processing, and copying materials are acceptable. Office rental is **not** an allowable charge.
5. **Meetings** -- The DNR allows charges for essential personnel to attend meetings directly related to the program. The general rule will be not more than four (4) people for a trail committee meeting and not more than two (2) people for a governmental meeting. Club meetings are **not** allowable as chargeable meetings. Rental of meeting rooms is **not** an allowable charge.
6. **Computer Time** -- The cost of using computers shall be reimbursed as part of the administrative portion of the grant. The origin of cost, such as number of hours, equipment rental, or materials, (i.e., floppy disks), should be described on the worksheet. The Allowable Charge for figuring reimbursement shall be \$7.80 per hour (65% reimbursable).
7. **Maps** -- The cost of maps that are to be submitted to the DNR as part of the application process are reimbursable.

**ACQUISITION CHARGES:** (65% reimbursable)

1. **Mileage and Labor** -- These charges are acceptable for alignment work, checking ownership records, and landowner contacts.
2. **Maps** -- The cost of securing the maps necessary for aligning trail routes is reimbursable. Topographic maps with a 1:24,000 scale are acceptable. Aerial photography maps, due to their high cost, should receive approval from your Area T&W Supervisor.
3. **Permits and Easements** -- The program has done extremely well to date with landowner cooperation and low permit or easement costs. Costs incurred are reimbursable.

4. **Lease** -- These rates cannot exceed 9% of appraised market value annually. Depending upon amount of sponsors' requirements, this may require certified appraisal work. Check with your Area T&W Supervisor before entering into these agreements.
5. **Fee Acquisition** --

**DEVELOPMENT CHARGES:** (65% reimbursable)

1. **Mileage and Labor** -- These charges are reimbursable for construction of the trail or trail system. A worksheet must be filled out for reimbursement, which identifies hours and dates work was performed.
2. **Equipment Rentals** -
  - A. Heavy equipment work is reimbursable as needed for construction. The operator or vendor of the heavy equipment must be identified and an invoice submitted to as an attachment to the Request for Reimbursement.
  - B. Bids -- When equipment cannot be rented at the allowable costs, bids **must** be let to secure the necessary equipment. Three (3) hourly bids must be secured from vendors in your area. If three (3) bids cannot be secured, list the vendors contacted, date contacted, and vendor's response. When the bids have been secured, the **Area T&W Supervisor MUST be contacted and approve the bids.** After approval, the equipment can be hired. The bids are then submitted with the Request for Reimbursement.
  - C. Hand power equipment rental is reimbursable. The operator or owner of the equipment must be identified on the worksheet for payment.  
**NOTE:** *Before any equipment rental or work is done, the rental costs must be within the allowable limits. If these limits cannot be met, bid procedures must be strictly adhered to or the billing will not be processed.*
3. **Material** -- Charges may be submitted for materials used directly on the trail system. Materials may include, but are not limited to: lumber, paint, signs, gates, posts, fencing, culverts, aggregate products, plant seed, bolts or other hardware. Invoices for purchases over \$100.00 **must** be submitted as attachments with the Request for Reimbursement. If you have questions contact your Area T&W Supervisor.
4. **Maps** - Maps, which are prepared and printed for trail users and identify the trails or trail system and accompanying amenities are reimbursable. The Trail Assistance Program will reimburse 65% of the actual printing costs if the maps are made available to the public free of charge.  
**NOTE:** *The map **MUST** state that the trails or trail system is a GIA Trail funded by the DNR through the Minnesota Trail Assistance Program and that the DNR **DOES NOT** endorse any of the advertisers on the map.*

**MAINTENANCE CHARGES:** (90% reimbursable)

1. **Mileage and Labor** -- These charges are reimbursable for maintenance of the trails or trail system. A worksheet must be filled out for reimbursement, which identifies the person, hours, and dates work was performed.
2. **Equipment Rentals** -

- A. Heavy equipment work is reimbursable as needed for construction. The operator or vendor of the heavy equipment must be identified and an invoice submitted as an attachment to the Request for Reimbursement.
  - B. Bids -- When equipment cannot be rented at the allowable costs, bids **MUST** be let to secure the necessary equipment. Three (3) hourly bids must be secured from vendors in your area. If three (3) bids cannot be secured, list the vendors contacted, date contacted, and vendor's response. When the bids have been secured, the **Area T&W Supervisor MUST be contacted and approve the bids.** After approval, the equipment can be hired. The bids are then submitted with the Request for Reimbursement.
  - C. Hand power equipment rental is reimbursable. The operator or owner of the equipment must be identified on the worksheet for payment.  
**NOTE:** *Before any equipment rental or work is done, the rental costs must be within the allowable limits. If these limits cannot be met, bid procedures must be strictly adhered to or the billing will not be processed.*
3. **Material** -- Charges may be submitted for materials used directly on the trail system. Materials may include, but are not limited to: lumber, paint, signs, gates, posts, fencing, culverts, aggregate products, plant seed, bolts, or other hardware. Invoices for purchases over \$100.00 **must** be submitted as attachments with the Request for reimbursement. If you have questions, contact your Area T&W Supervisor.
  4. **Insurance** -- Maximum allowable charge for trail liability and grooming equipment liability is \$1,500 per club per year and is 90% reimbursable. Comprehensive and collision coverage on grooming equipment is **not** an allowable charge.
  5. **Grooming** (90% reimbursable).
    - A. Winter Grooming – Includes packing runs and passes by groomers with drags that result in a smooth, ride-able surface. Trail(s) that are open to concurrent snowmobile and ATV use through the winter grooming season can get reimbursed for up to one additional grooming pass per week, if needed, during that season for which the trail is open to ATV use and is also being groomed for snowmobile use. This only applies to those trails that are mapped, signed and / or advertised as being open to both uses during the winter season. Request for reimbursement on extra grooming passes must be made through the ATV grant-in-aid program and is in addition to existing snowmobile grant-in-aid efforts. If you have questions please contact the Area Trails and Waterways office.
    - B. Summer Grooming/Maintenance – This includes tread-way reconditioning which is done with heavy equipment and/or grooming equipment using a drag that reconditions the riding surface. Maintenance work also includes heavy equipment time for tasks such as grading, discing, and dozing. Also included are conditioning and seeding of eroded areas, filling of wet areas, repairing washouts, clearing of windfalls, brushing, mowing, bridge repair, signing, and other trail maintenance activities.

**NOTE:** *To receive 90% reimbursement for maintenance on an OHV trail, the trail MUST be open to the public through the majority of the non-snow riding season. If the riding season is short and/or disjointed, the reimbursement rate will be at 65%. For example, if the trail is only open for a month in the spring, and another month in late fall allowing a snowmobile club time to close the snowmobile trail down in the spring and open it up in the fall, reimbursement would only be at 65%. However, if the trail was open from Memorial Day through Labor Day, during the peak of the summer season it would be eligible for reimbursement at 90%.*

## Grant-in-aid Allowable Costs

Rates Updated on 08/10/06

<b>I. Acquisition, Development, Maintenance Costs 65% Total Cost</b>	<b>II. Grooming State Costs 90% Total Cost</b>		
Labor	\$14.00/hour	Includes gas, oil, operator, repair, parts and service, insurance and drag.	
Computer	\$11.00/hour		
Mileage			
Snowmobile/ATV/Motorcycle	\$0.45/mile	Snowmobile	\$20.00/hour
Car	\$0.45/mile	Double Track Snowmobile	\$22.00/hour
Pickup	\$0.55/mile	Trackster	\$28.00/hour
4x4	\$0.60/mile	Alpina Sherpa	\$32.00/hour
1-2 ton	\$0.80/mile	QuadTrac	\$35.00/hour
2 ½ ton & up	\$1.00/mile	Bombi	\$43.00/hour
Semi-Tractor/Trailer	\$1.40/mile	ASV Gas	\$41.00/hour
(For heavy equipment/groomers)		ASV Diesel	\$43.00/hour
		ASV HP	\$49.00/hour
Power Tools		ASV HPT	\$52.00/hour
Chainsaws	\$6.80/hour	ASV (125HP)	\$54.00/hour
Brushsaw	\$7.20/hour	ASV DX 4530	\$65.00/hour
Post Hole Digger	\$6.10/hour	IMP	\$38.00/hour
Other Equipment		SV-200	\$46.00/hour
(Includes Gas, Oil & Operator)		Tucker 1000	\$54.00/hour
ATV 6x6, Mule, Ranger, etc.	\$20.00/hour	Quadtrac II	\$52.00/hour
Bobcat	\$46.00/hour	Quadtrac III	\$54.00/hour
Small Tractor (less than 25hp)	\$24.00/hour	Thioicol (2100, SPRITE)	\$54.00/hour
Tractor (25hp to 70hp)	\$49.00/hour	SV-252, 310	\$59.00/hour
Tractor (70+hp)	\$62.00/hour	LMC	\$65.00/hour
Attachments (additional per hour)		Tractor (70+hp)	\$62.00/hour
Disc	\$6.80/hour	Tucker 2000	\$65.00/hour
Flail Mower (brush cutter)	\$11.00/hour	Snowplane	\$65.00/hour
Other Power Take-Off Equip.	\$24.00/hour	BR160	\$65.00/hour
		Piston Bully	\$65.00/hour
Backhoe	\$60.00/hour	Pickup & Plow 4x4	\$34.00/hour
Skidder	\$60.00/hour	Gilbert Tractor	\$65.00/hour
JD-350	\$60.00/hour	Ford Genesis (under 70hp)	\$49.00/hour
JD-450, JD-8, D-3, Cat	\$76.00/hour	Cat Challenger (all models)	\$65.00/hour
JD-670 Grader	\$82.00/hour	Sur-Track	\$65.00/hour
JD-644 Front-end Loader	\$82.00/hour		
D-4, JD-550	\$82.00/hour		
D-6, JD-850	\$108.00/hour		
D-7, D-8	\$138.00/hour		
Stump Grinder under 40hp	\$54.00/hour		
Stump Grinder over 40hp	\$68.00/hour		
Hydro Ax	\$138.00/hour		
Hydraulic Excavator	\$108.00/hour		
Brush Cutter	\$54.00/hour		
Power Generator	\$20.00/hour		
Backhoe Equal 915 Caterpillar	\$116.00/hour		
ASV Posi-Trac	\$52.00/hour		

Groomer – 65% reimbursable when used for non-grooming purposes, and only when machine is in operation.

## SECTION 6:

### TRAIL DESIGN AND CONSTRUCTION SUGGESTIONS

When designing and constructing OHV trails, some important factors must be taken into consideration. Managers from all affected agencies **MUST** be included in the development planning stage. If possible, trails or trail systems should be linked; provide for destination travel; or if free standing, have the potential to serve substantial amounts of use. Existing roads and trails should be utilized to the greatest extent practicable for the trails or trail system.

**Environmental Degradation:** Steep slopes, wet areas, heavily wooded areas, and agricultural areas pose special problems for OHV facility development and use. Because OHV use compacts the soil, and since use during snow-free months can be expected, environmentally sensitive areas must be protected to the greatest extent possible. By designing facilities that minimize detrimental affects on these areas, the success of the program will be greatly enhanced. During periods when trail surfaces are subject to greater damage, (i.e., spring thaw) it is suggested that trails or trail systems be closed to all use.

**Conflicting Land Uses:** Attempts should be made to locate facilities in areas where conflicting uses will be minimized. Areas such as game preserves, deer yarding areas, wilderness areas, experimental stations, nurseries, scientific and natural areas, agricultural fields, roads, wetlands, same season non-motorized trails or areas, and other sensitive areas may all be expected to be potential areas of conflict.

**Signing:** Information should be clear and concise and readily available to facility users. Signing should include emergency services, route description, hazardous areas, parking lot or staging areas. Facility boundaries, if applicable, should be clearly marked as well. Sensitive areas or non-motorized trails or areas should also be clearly marked. All signing must meet state and federal guidelines regarding sign color and trail classification.

Since the RMV programs are relatively new, these guidelines are subject to review and change. The following descriptions are proposed for facility development.

#### CONCENTRATED TRAIL AREAS

All-Terrain Vehicle, Off-Highway Motorcycle, and Off-Road Vehicle areas present a number of advantages for users and operators if implemented well. By utilizing concentrated areas, the following issues would be more manageable. These areas do not include scramble or open riding areas.

1. Maintenance concerns concentrated and easily identifiable;
2. Rules and regulations would be more easily enforced;
3. Hazards would be easier to identify; and
4. Trespass problems would be reduced or eliminated.

The following are areas that could be utilized:

1. **Tracts of Vacant:** Within or near high population areas, or popular tourism areas there are tracts adjacent to major roadways or highways that could be utilized to provide opportunities for ATV enthusiasts. These tracts of land have the potential to provide trail systems within their boundaries.
2. **Existing Off-Highway Vehicle Areas On Public Land:** Some trails currently exist in forested areas of Minnesota, which are presently sustaining ATV use. These areas have potential for continued use in a more managed manner through signing, development of amenities and more intensive maintenance. Site evaluation should attempt to determine motorized activity compatibility

with other users. Dedicated funds can be used for these trails only if they are designated GIA trails. Therefore, these areas can provide opportunities for partnership between local trail organizations and public land managers.

Design considerations would be reviewed on a case-by-case basis for proposed areas. Area T&W Supervisor would work with the individual organizations to develop a proposal, which would be both user friendly, as well as environmentally sound. Discussions about potential areas should include the Area T&W Supervisor as early as possible in the process as possible to ensure all necessary parties (i.e., land managers) are involved.

## TRAIL SPECIFIC DESIGN SUGGESTIONS

### 1. All-Terrain Vehicle Trails

#### A. Parameters

1. Minimum surface for a one-way trail should be fifty (50) inches or a reasonable width based on the conditions.
2. Minimum surface for two-track trail should be six (6) feet or a reasonable width based on the conditions.
3. An additional one (1) foot should be cleared outside the trail surface.
4. Minimum turning radius is 25 feet, unless marked.
5. Branches and obstacles above the trail should be cleared to a minimum height of six (6) feet.
6. Reflecting type signs should be placed on the right side of the trail on posts at reasonable intervals (see signing suggestions on page 23).

B. Vertical and horizontal sight distance from trail surface should be a minimum of fifty (50) feet. Brush at road and trail crossings should be cut back to provide adequate visibility in both directions on both sides. Warning signs should be installed on trails at both trail and road crossings at sufficient distances to properly warn trail users.

C. Whenever possible, trails should cross contours at right angles. Careful considerations will have to be given to soil type, grade and slope, and vegetative cover in these situations so that erosion is minimized and controllable. When this is not possible, switchbacks are a reasonable alternative when constructed properly. The use of rolling dips and climbing turns are good ways to control run-off when working with elevation change. Safety is a key consideration in designing and using switchbacks. Contact your Area T&W Supervisor for additional information that they may be available.

D. ATV trails shall not be routed over lakes, streams, or other bodies of water. When stream crossings are necessary, bridges at least six (6) feet wide must be provided. Unless a hardened stream crossing has been permitted and provided, railings are required on all bridges. **NOTE: *Permits to work in public waters are required for most bridges. Information and applications are available from the DNR's Division of Waters.***

E. To the extent possible, trails must be routed away from game preserves, deer yarding areas, wilderness areas, experimental stations, nurseries, scientific & natural areas, agricultural fields, roads, wetlands, non-motorized trails or areas, and other sensitive areas may all be expected to be potential areas of conflict.

F. A sign developed by the DNR which designates the trail or trail system as a part of the GIA program should be placed at parking areas, starting points, and other areas of high visibility on the trail or trail system.

- G. If possible, the trail should be located in such a manner as to avoid potentially hazardous areas such as cliffs, rock falls, steep hills, congested areas, sharp ditches, sharp curves or other such situations. **NOTE: It is the responsibility of the local unit of government and/or the local trail organization for signing hazards.**

## 2. Off-Highway Motorcycle Trails

### A. Parameters

1. Minimum surface for a single-track trail should **not** be less fifty (50) inches in width at handlebar height and at least twenty-four (24) inches at ground level.
  2. Minimum surface for a two-track trail should be eight (8) feet or a reasonable width based on conditions.
  3. Trail loop or point-to-point destinations should provide for 15 to 50 miles of riding opportunity.
  4. To the extent possible, trails should try to incorporate as much “woods” riding as possible. Terrain should be as challenging and varied as possible.
  5. Grade should not exceed 30% slope on trails, especially single track. Slope can be up to 40% on trails where maintenance equipment can be used. Bypasses should be provided for all grades exceeding 25%.
  6. Reflecting type signs should be placed on the right side of the trail on posts at reasonable intervals (see signing suggestions).
- B. Trails should cross contours at right angles where possible. Routing trails along side slopes should be avoided. Approaches to slopes should be straight and at least as long as the slope.
- C. Off-Highway Motorcycle trails should not be routinely routed through streams or other bodies of water. When stream crossings are necessary, bridges at least six (6) feet wide must be provided. Bridge width may also be dictated by the need for maintenance equipment access. Bridge designs must have the approval of the Area T&W Supervisor. Railings are required on all bridges. Hardened stream crossings will be dealt with on a case-by-case basis. **NOTE: Permits to work in public water are required for most bridges. Information and applications area available from the DNR, Division of Waters.**
- D. To the extent possible, trails must be routed away from game preserves, deer yarding areas, wilderness areas, experimental stations, nurseries, scientific & natural areas, agricultural fields, roads, wetlands, non-motorized trails or areas, and other sensitive areas may all be expected to be potential areas of conflict.
- E. A sign developed by the DNR which designates the trail or trail system as a part of the GIA program should be placed at parking areas, starting points, and other areas of high visibility on the trail or trail system.
- F. If possible, the trail should be located in such a manner as to avoid potentially hazardous areas such as cliffs, rock falls, steep hills, congested areas, sharp ditches, sharp curves or other such situations. **NOTE: It is the responsibility of the local unit of government and/or the local trail organization for signing hazards.**

### 3. Off-Road Vehicle Trails

#### A. Parameters

1. Recommended cleared surface for single-track trail should **not** be less than six (6) feet in width at ground level.
2. Recommended cleared width for a double track trail should be twelve (12) feet or a reasonable width based on conditions.
3. Recommended cleared height for an ORV trail is ten (10) feet above ground level.
4. Trail loop or point-to-point destinations should provide for 1 to 20 miles of riding opportunity depending upon trail difficulty.
5. To the extent possible, trails should attempt to incorporate as much “woods” riding as possible. The trails should have terrain as challenging and varied as possible.
6. Properly designed trails should allow an average vehicle speed of less than 5 m.p.h.
7. Grade can be up to 40% slope or **greater** on trails where maintenance equipment can be used or slope is non-eroding (rock). Bypasses should be provided for all grades exceeding 25% slope unless trail is designated for advanced riders only.
8. Reflecting type signs should be placed on the right side of the trail on posts at reasonable intervals (see signing suggestions).

B. Trails should cross contours at right angles where possible. Routing trails along side slopes should be avoided. Approaches to slopes should be straight and at least as long as the slope.

C. Off-Road Vehicle trails should not be routinely through streams or other bodies of water. When stream crossings are necessary, bridges at least eight (8) feet wide must be provided, unless a hardened stream crossing has been permitted and provided. Bridge width may also be dictated by the need for maintenance equipment access. Bridge designs must have the approval of the Area T&W Supervisor. Railings are required on all bridges. Hardened stream crossings will be dealt with on a case-by-case basis. **NOTE: Permits to work in public water are required for hardened stream crossings and most bridges. Information and applications area available from the DNR, Division of Waters.**

D. To the extent possible, trails must be routed away from game preserves, deer yarding areas, wilderness areas, experimental stations, nurseries, scientific & natural areas, agricultural fields, roads, wetlands, non-motorized trails or areas, and other sensitive areas may all be expected to be potential areas of conflict.

E. A sign developed by the DNR which designates the trail or trail system as a part of the GIA program should be placed at parking areas, starting points, and other areas of high visibility on the trail or trail system.

F. If possible, the trail should be located in such a manner as to avoid potentially hazardous areas such as cliffs, rock falls, steep hills, congested areas, sharp ditches, sharp curves or other such situations. **NOTE: It is the responsibility of the local unit of government and/or the local trail organization for signing hazards.**

## SECTION 7:

### SIGNING SUGGESTIONS

Trail or trail system signing should be designed to provide direction, information, and user safety. Major signing areas are at the trailhead, trail junctions, and in areas where user safety is involved. Trailhead and trail junction signs will provide use designation, maps showing route designations, distance, traffic flow direction, and location of support facilities. Safety signing should caution trail users of such things as steep slopes, bridges, road crossings, and other conditions, which might be hazardous.

Attempts should be made to keep the number of signs on all trails at a minimum, while ensuring signing adequacy. Therefore, it is important that signs are well placed.

Signs placed along the trail routes should include reassuring blazers, caution signs, do not enter signs, stop signs, stop ahead signs, directional arrows, and stay on trail signs. Most signs should be placed on the right-hand side of the trail just outside the main tread-way, but within clearing limits of the trail. Signs will be fastened to posts and placed two (2) to three (3) feet off the trail, and four (4) to six (6) feet above the ground. Attach the signs securely with bolts or lag screws. Wood or metal posts may be used depending on location and availability.

The only directional signs, which should be used are trail junction signs, directional blazers, and reassuring blazers. Signs should be placed in open areas or locations where trail users could become confused. The color of these signs are as follows:

1. Directional blazers, trail junction signs: black on yellow
2. Reassurance blazers, motorized: red
3. User symbols – motorized: white on red

\*Note - snowmobile remains black on orange.

### SUGGESTED SIGNING PROGRAM

1. **Trailhead:** The following signs should be located near the parking areas, trailheads, or strategic junctions:

#### Major Information Board

- |  |  |
|--|--|
| * Map of trails                                    | * Trail conditions   |
| * Address of trail administrator                   | * Trail uses permitted and prohibited                                  |
| * Distance of various routes                       | * Address of trail operation and maintenance management (unit manager) |
| * Interpretive information                         | * Emergency telephone numbers  |
| * Rules and regulations                            |  |
| * Where to go and whom to see in case of emergency |  |

You Are Here: Should be located at the trailhead and at intersections with other trails.

- A. If necessary, direction of trail (one-way, two-way)
- B. Trail distances (miles or kilometers)
- C. Location of facilities
- D. You are here location marker

**2. Information:**

Use Designation: Should be located at all intersections where incompatible users may access the trail.

Interpretive: Located at points of interest along trail. Consult with appropriate DNR interpretive staff, or similar resources at other agencies, for recommendations concerning interpretive signs.

General Information: Located and designed to provide information to trail users to assist or improve their ability to safely and enjoyably use the trail or trail system

**3. Traffic Control Signs:**

Stop: Location: every traveled public road or railroad crossing and intersections with other heavily used trails

Stop Ahead: Location: every traveled public road or railroad crossing and intersections with other heavily used trails **before** the stop sign.

Do Not Enter: Location: at intersections with trails of other user groups (i.e., cross-country ski) one-way trails, or prohibited areas or trails.

Yield: Location: intersections with other trails in open areas. May also be used at trail crossings of private roads or trails.

Caution: Location: should be placed **prior** to all potentially hazardous areas (i.e., cliff edges, rock falls, steep hills, congested areas, bridges, sharp ditches, sharp curves).

Reassuring Blazer: Location: where required to reassure trail users that they are on the designated trail. Most frequent location will be in open areas, less in wooded areas. May also be needed at unused road or trail intersections.

Directional and Trail Junctions: Location: Use will be dictated by trail junction. Directional arrows should be placed **prior** to sharp curves and turns. Distance will depend on anticipated speed of trail user.

ATV Trail, OHM Trail, ORV Trail: Location: at the start of trails and at intersections with other use trails.

No ATVs, OHMs, ORVs: Location: where needed to restrict use by other trail user types.

No Motorized Vehicles Permitted Except: Location: where necessary to prohibit use by motorized vehicles, except ATVs, OHMs, or ORVs or combination thereof.

#### 4. **Temporary and Special Signs:**

Trail Closed: Location: at points where users could enter the trail to be closed.

Handicapped Accessible and Decals: Location: trailhead and facilities.

Grant-In-Aid: Location: at intersections of DNR and GIA trails, also at GIA trailheads.

Mileage Markers: Location: at intervals of miles or kilometers. ***NOTE: Mileage markers can be very helpful to the trail user and manager. They let trail users know the distance they have traveled or must travel to the trailhead. They can also help the manager easily identify maintenance problem areas and can also be useful to help locate injured or stranded trail users.***

Caution Truck Hauling: Location: placed to provide warnings where logging or other trucks cross or share trail tread way.

Stay On Trail: Location: placed to provide in areas where trespass from trail or environmental impacts are of concern.

Trail Difficulty:

Green Circle - easiest trail  
A trail with gentle curves, wide, smooth tread, at least two vehicles in width, 10% grade, side slope at 10 to 35%, 10 miles from trail head at furthest point and no significant obstacles.

Blue Square - more difficult trail  
A trail with frequent sharp curves, trail width of about 1 1/2 vehicle width, partially rough surface, 30 miles from trailhead at furthest point, grades up to 30%, side slopes up to 50%, several moderate switchbacks with some moderate obstacles.

Black Diamond – most difficult trail  
A trail having sharp switchbacks on steep grades exceeding 30%, constructed on steep side slopes of up to 100%, rough, loose tread surface with one or more obstacles being 10 inch or greater.

## SECTION 8:

### TRAIL USER MAPS AND PUBLIC INFORMATION

Accurate maps of the trail system should be prepared for free distribution to users. They should be available at the trailhead, DNR offices, and other locations convenient to the public and should include the following data:

1. Trail Name or Names.
2. Trail Location -- Give direction how to get to the trail system parking lot from the nearest town and major highway. A small state map showing the general location in the state could also be useful.
3. Trail Length -- Show the number of miles/km for each segment or loop.
4. Trail Use -- Identify loops or segments designated for specific users, as well as trails closed to specific users if the potential for conflict with other users exist.
5. Trail Connections -- Identify other trails the trail connects to, such as: State Parks and State Forests; State Trails; or, other Grants-In-Aid Trails.
6. Trail Information -- Give name, address, and phone number of an individual who may be contacted for information, (contact the local chamber of commerce to identify them as the local contact). The phone number of the local conservation officer may also be helpful.
7. Bridges -- Show all bridge crossings.
8. Roads -- Identify maintained state forest roads and portions used as trails; also identify roads not maintained, but suitable for ATVs, OHMs, or ORVs.
9. Mark on map and/or list locations where the following services would be available:

Gas	Repair services	Law enforcement officers
Food	911 or Zenith	Other helpful info.
Lodging	Nearest DNR office	
Medical facilities		
10. Develop a grid system for safety purposes or locating facilities.
11. Basic Safety Tips -- Speed limit, driving on forest roads, general first-aid, trail signs, etc. Statements concerning speed and alcohol should be included on the map.
12. It is helpful to put a date somewhere (bottom right-hand corner for consistency) on the map so the proper maps are in circulation.

County highway maps available through the State Department of Transportation (Mn/DOT) serve as ideal base maps for showing off-highway motorcycle trail alignments. These base maps are available for most counties from the T&W Division. Check with the Area T&W Supervisor for your county. **THESE MAPS WILL IDENTIFY THAT THE TRAIL SYSTEM IS A GIA TRAIL AND FUNDED BY THE DNR AND THAT DNR DOES NOT ENDORSE ANY OF THE ADVERTISERS ON THE MAP.**

## SECTION 9:

### STATE FUNDED TRAILS -- REGULATION OF USE

#### 84.90 LIMITATIONS ON THE OPERATION OF RECREATIONAL MOTOR VEHICLES.

Subd. 4. It is unlawful for a person to post, mutilate, or remove any notice or sign provided in this section upon any lands or waters over which the person has no right, title, interest, or license. It is unlawful for a person other than a duly constituted legal authority to so post any public lands, including but not limited to tax forfeited lands, as above described. It is unlawful for a person to mutilate, destroy, damage, or remove any shelter, comfort station or other trail facility on any trail established on state-owned land or on any recreational trail which is funded in whole or in part by state grant-in-aid funds.

#### 85.018 TRAIL USE; VEHICLES REGULATED, RESTRICTED.

Subdivision 1. **Definitions.** For the purposes of this section:

(b) "Commissioner" means the commissioner of the state agency from which the grants-in-aid are received.

...(e) "Trail" means a recreational trail, that is funded in whole or in part by state grants-in-aid to a local unit of government.

Subd. 2. **Authority of local government.** (a) A local government unit that receives state grants-in-aid for any trail, with the concurrence of the commissioner, and the landowner or land lessee, may:

(1) designate the trail for use by snowmobiles or for non-motorized use from December 1 to April 1 of any year; and

(2) issue any permit required under subdivisions 3 to 5.

(b) A local government unit that receives state grants-in-aid under section 84.794, subdivision 2, 84.803, subdivision 2, or 84.927, subdivision 2, for any trail, with the concurrence of the commissioner, and landowner or land lessee, may:

(1) designate the trail specifically for use at various times of the year by all-terrain or off-road vehicles or off-highway motorcycles, for non-motorized use such as ski touring, snowshoeing, and hiking, and for multiple use, but not for motorized and non-motorized use at the same time; and

(2) issue any permit required under subdivisions 3 to 5.

(c) A local unit of government that receives state grants-in-aid for any trail, with the concurrence of the commissioner and landowner or land lessee, may designate certain trails for joint use by snowmobiles, off-highway motorcycles, all-terrain and off-road vehicles.

Subd. 3. **Motorized use; permits, restrictions.** Permits may be issued for motorized vehicles, other than those designated, to use a trail designated for use by snowmobiles, off-highway motorcycles, all-terrain or off-road vehicles. Notice of the permit must be conspicuously posted, at the expense of the permit holder, at no less than one-half mile intervals along the trail, for the duration of the permit. Permits shall require that permit holders return the trail and any associated facility to their original condition if any damage is done by the permittee. Limited permits for special events such as races may be issued and shall require the removal of any trail markers, banners and other material used in connection with the special event.

Subd. 4. **Non-motorized use trails.** No motorized vehicle shall be operated on a trail designated for non-motorized use.

Subd. 5. **Motorized vehicle trails restricted.** (a) From December 1 to April 1 in any year no use of a motorized vehicle other than a snowmobile, unless authorized by permit, lease or easement, shall be permitted on a trail designated for use by snowmobiles.

(b) From December 1 to April 1 in any year no use of a motorized vehicle other than an all-terrain or off-road vehicle and an off-highway motorcycle, unless authorized by permit, shall be permitted on a trail designated for use by all-terrain vehicles, off-road vehicles, or both, and off-highway motorcycles.

Subd. 6. **Exceptions.** The following motor vehicles are exempt from the provisions of subdivisions 3 to 5:

- (a) military, fire, emergency or law enforcement vehicles used for official or emergency purposes;
- (b) vehicles registered to the county, state or federal government;
- (c) vehicles authorized by permit, lease or contract;
- (d) vehicles owned by private persons engaged in the upkeep and maintenance of the trail systems under the direction of the local unit of government that manages the trail; and
- (e) vehicles registered to or operated with the permission of a landowner on whose lands the trail system has been constructed, but only with respect to operation on the land of that owner.

Subd. 7. **Street and highways.** This section does not apply to any portion of a trail located on any street or highway as defined in section 169.01.

Subd. 8. **Enforcement.** The provisions of this section may be enforced by officers of the department of natural resources as provided in section 97A.201 to 97A.235.

**History:** 1981 c 215 s 2; 1984 c 609 s 5; 1986 c 386 art 4 s 17; 1986 c 452 s 16; 1993 c 311 art 1 s 11-13; art 2 s 10-13

**MINNESOTA LIABILITY LAW**  
**Activities Involving a Public Benefit or Function**

**604A.20 POLICY.**

It is the policy of this state, in furtherance of the public health and welfare, to encourage and promote the use of privately owned lands and waters by the public for beneficial recreational purposes, and the provisions of sections 604A.20 to 604A.27 are enacted to that end.

**History:** 1994 c 623 art 4 s 1

**604A.21 RECREATIONAL LAND USE; DEFINITIONS.**

Subdivision 1. **General.** For the purposes of sections 604A.20 to 604A.27, the terms defined in this section have the meanings given them, except where the context clearly indicates otherwise.

Subd. 2. **Charge.** "Charge" means any admission price asked or charged for services, entertainment, recreational use, or other activity or the offering of products for sale to the recreational user by a commercial for profit enterprise directly related to the use of the land.

Subd. 3. **Land.** "Land" means privately owned or leased land, roads, water, watercourses, private ways and buildings, structures, and machinery or equipment when attached to the land.

Subd. 4. **Owner.** "Owner" means the possessor of a fee interest or a life estate, tenant, lessee, occupant, or person in control of the land.

Subd. 5. **Recreational purpose.** "Recreational purpose" includes, but is not limited to, hunting; trapping; fishing; swimming; boating; camping; picnicking; hiking; bicycling; horseback riding; firewood gathering; pleasure driving, including snowmobiling and the operation of any motorized vehicle or conveyance upon a road or upon or across land in any manner, including recreational trail use; nature study; water skiing; winter sports; and viewing or enjoying historical, archaeological, scenic, or scientific sites.

Subd. 6. **Recreational trail use.** "Recreational trail use" means use on or about a trail, including but not limited to, hunting, trapping, fishing, hiking, bicycling, skiing, horseback riding, snowmobile riding, and motorized trail riding.

**History:** 1994 c 623 art 4 s 2

**604A.22 OWNER'S DUTY OF CARE OR DUTY TO GIVE WARNINGS.**

Except as provided in section 604A.25, an owner who gives written or oral permission for the use of the land for recreational purposes without charge:

(1) owes no duty of care to render or maintain the land safe for entry or use by other persons for recreational purpose;

(2) owes no duty to warn those persons of any dangerous condition on the land, whether patent or latent;

(3) owes no duty of care toward those persons except to refrain from willfully taking action to cause injury; and

(4) owes no duty to curtail use of the land during its use for recreational purpose.

**History:** 1994 c 623 art 4 s 3

**604A.23 OWNER'S LIABILITY.**

An owner who gives written or oral permission for the use of the land for recreational purposes without charge does not by that action:

(1) extend any assurance that the land is safe for any purposes;

(2) confer upon the person the legal status of an invitee or licensee to whom a duty of care is owed;

or

(3) assume responsibility for or incur liability for any injury to the person or property caused by an act or omission of the person.

**History:** 1994 c 623 art 4 s 4

**604A.24 LIABILITY; LEASED LAND, WATER FILLED MINE PITS.**

Unless otherwise agreed in writing, sections 604A.22 and 604A.23 also apply to the duties and liability of an owner of the following land:

- (1) land leased to the state or any political subdivision for recreational purpose, or
- (2) idled or abandoned, water-filled mine pits whose pit walls may slump or cave, and to which water the public has access from a water access site operated by a public entity.

**History:** 1994 c 623 art 4 s 5

**604A.25 OWNER'S LIABILITY; NOT LIMITED.**

Nothing in sections 604A.20 to 604A.27 limits liability that otherwise exists:

- (1) for conduct which, at law, entitles a trespasser to maintain an action and obtain relief for the conduct complained of; or
- (2) for injury suffered in any case where the owner charges the persons who enter or go on the land for the recreational purpose, except that in the case of land leased to the state or a political subdivision, any consideration received from the state or political subdivision by the owner for the lease is not considered a charge within the meaning of this section.

Except for conduct set forth in section 604A.22, clause (3), a person may not maintain an action and obtain relief at law for conduct referred to by clause (1) if the entry upon the land is incidental to or arises from access granted for the recreational trail use of land dedicated, leased, or permitted by the owners for recreational trail use.

**History:** 1994 c 623 art 4 s 6

**604A.26 LAND USER'S LIABILITY.**

Nothing in sections 604A.20 to 604A.27 relieves any person using the land of another for recreational purpose from any obligation that the person may have in the absence of sections 604A.20 to 604A.27 to exercise care in use of the land and in the person's activities on the land, or from the legal consequences of failure to employ that care.

**History:** 1994 c 623 art 4 s 7

**604A.27 DEDICATION; EASEMENT.**

No dedication of any land in connection with any use by any person for a recreational purpose takes effect in consequence of the exercise of that use for any length of time except as expressly permitted or provided in writing by the owner, nor shall the grant of permission for the use by the owner grant to any person an easement or other property right in the land except as expressly provided in writing by the owner.

**History:** 1994 c 623 art 4 s 8

**TORT CLAIMS, STATE**

**3.736 TORT CLAIMS. Minnesota Statutes (1998)**

Subdivision 1. **General rule.** The state will pay compensation for injury to or loss of property or personal injury or death caused by an act or omission of an employee of the state while acting within the scope of office or employment or a peace officer who is not acting on behalf of a private employer and who is acting in good faith under section 629.40, subdivision 4, under circumstances where the state, if a private person, would be liable to the claimant, whether arising out of a governmental or proprietary function. Nothing in this section waives the defense of judicial or legislative immunity except to the extent provided in subdivision 8.

Subd. 2. **Procedure.** Claims of various kinds shall be considered and paid only in accordance with the statutory procedures provided. If there is no other applicable statute, a claim shall be brought under this section as a civil action in the courts of the state.

Subd 3. **Exclusions.** Without intent to preclude the courts from finding additional cases where the state and its employees should not, in equity and good conscience, pay compensation for personal injuries or property losses, the legislature declares that the state and its employees are not liable for the following losses:

(a) a loss caused by an act or omission of a state employee exercising due care in the execution of a valid or invalid statute or rule;

(b) a loss caused by the performance or failure to perform a discretionary duty, whether or not the discretion is abused;

(c) a loss in connection with the assessment and collection of taxes;

(d) a loss caused by snow or ice conditions on a highway or public sidewalk that does not abut a publicly owned building or a publicly owned parking lot, except when the condition is affirmatively caused by the negligent acts of a state employee;

(e) a loss caused by wild animals in their natural state, except as provided in section 3.7371;

(f) a loss other than injury to or loss of property or personal injury or death;

(g) a loss caused by the condition of unimproved real property owned by the state, which means land that the state has not improved, state land that contains idled or abandoned mine pits or shafts, and appurtenances, fixtures, and attachments to land that the state has neither affixed nor improved;

(h) a loss incurred by a user arising from the construction, operation, or maintenance of the outdoor recreation system, as defined in section 86A.04, or for a loss arising from the construction, operation, maintenance, or administration of grants-in-aid trails as defined in section 85.018, or for a loss arising from the construction, operation, or maintenance of a water access site created by the iron range resources and rehabilitation board, except that the state is liable for conduct that would entitle a trespasser to damages against a private person. For the purposes of this clause, a water access site, as defined in section 86A.04 or created by the iron range resources and rehabilitation board, that provides access to an idled, water filled mine pit, also includes the entire water filled area of the pit and, further, includes losses caused by the caving or slumping of the mine pit walls;

(i) a loss of benefits or compensation due under a program of public assistance or public welfare, except if state compensation for loss is expressly required by federal law in order for the state to receive federal grants-in-aid;

(j) a loss based on the failure of a person to meet the standards needed for a license, permit, or other authorization issued by the state or its agents;

(k) a loss based on the usual care and treatment, or lack of care and treatment, of a person at a state hospital or state corrections facility where reasonable use of available appropriations has been made to provide care;

(l) loss, damage, or destruction of property of a patient or inmate of a state institution;

(m) a loss for which recovery is prohibited by section 169.121, subdivision 9;

(n) a loss caused by an aeration, bubbler, water circulation, or similar system used to increase dissolved oxygen or maintain open water on the ice of public waters, that is operated under a permit issued by the commissioner of natural resources;

(o) a loss incurred by a visitor to the Minnesota zoological garden, except that the state is liable for conduct that would entitle a trespasser to damages against a private person;

(p) a loss arising out of a person's use of a logging road on public land that is maintained exclusively to provide access to timber on that land by harvesters of the timber, and is not signed or otherwise held out to the public as a public highway; and

(q) a loss incurred by a user of property owned, leased, or otherwise controlled by the Minnesota National Guard or the department of military affairs, except that the state is liable for conduct that would entitle a trespasser to damages against a private person.

The state will not pay punitive damages.

Subd. 4. **Limits.** The total liability of the state and its employees acting within the scope of their employment on any tort claim shall not exceed:

- (a) \$300,000 when the claim is one for death by wrongful act or omission and \$300,000 to any claimant in any other case;
- (b) \$750,000 for any number of claims arising out of a single occurrence, for claims arising on or after January 1, 1998, and before January 1, 2000; or
- (c) \$1,000,000 for any number of claims arising out of a single occurrence, for claims arising on or after January 1, 2000.

If the amount awarded to or settled upon multiple claimants exceeds the applicable limit under clause (b) or (c), any party may apply to the district court to apportion to each claimant a proper share of the amount available under the applicable limit under clause (b) or (c). The share apportioned to each claimant shall be in the proportion that the ratio of the award or settlement bears to the aggregate awards and settlements for all claims arising out of the occurrence.

The limitation imposed by this subdivision on individual claimants includes damages claimed for loss of services or loss of support arising out of the same tort.

Subd. 4a. **Securities claims limits.** The total liability of the state and its employees acting within the scope of their employment on any claim of whatever matter arising from the issuance and sale of securities by the state shall not exceed:

- (a) \$100,000 to any one person or
- (b) \$500,000 to all claimants in respect of the securities of the same series.

The limitations in clauses (a) and (b) shall not affect the obligation of the issuing state entity to pay the indebtedness under the securities in accordance with their terms and from the sources pledged to their payment.

Subd. 5. **Notice required.** Except as provided in subdivision 6, every person, whether plaintiff, defendant or third party plaintiff or defendant, who claims compensation from the state or a state employee acting within the scope of employment for or on account of any loss or injury shall present to the attorney general or, in the case of a claim against the University of Minnesota, to the person designated by the regents of the university as the university attorney, and any state employee from whom the claimant will seek compensation, within 180 days after the alleged loss or injury is discovered, a notice stating its time, place and circumstances, the names of any state employees known to be involved, and the amount of compensation or other relief demanded. Actual notice of sufficient facts to reasonably put the state or its insurer on notice of a possible claim complies with the notice requirements of this section. Failure to state the amount of compensation or other relief demanded does not invalidate the notice, but the claimant shall furnish full information available regarding the nature and extent of the injuries and damages within 15 days after demand by the state. The time for giving the notice does not include the time during which the person injured is incapacitated by the injury from giving notice.

Subd. 6. **Claims for wrongful death; notice.** When the claim is one for death by wrongful act or omission, the notice may be presented by the personal representative, surviving spouse, or next of kin, or the consular officer of the foreign country of which the deceased was a citizen, within one year after the alleged injury or loss resulting in death. If the person for whose death the claim is made has presented a notice that would have been sufficient had the person lived, an action for wrongful death may be brought without additional notice.

Subd. 7. **Payment.** A state agency, including an entity defined as part of the state in section 3.732, subdivision 1, clause (1), incurring a tort claim judgment or settlement obligation or whose employees acting within the scope of their employment incur the obligation shall seek approval to make payment by submitting a written request to the commissioner of finance. The request shall contain a description of the tort claim that causes the request, specify the amount of the obligation and be accompanied by copies of judgments, settlement agreements or other documentation relevant to the obligation for which the agency seeks payment. Upon receipt of the request and review of the claim, the commissioner of finance shall

determine the proper appropriation from which to make payment. If there is enough money in an appropriation or combination of appropriations to the agency for its general operations and management to pay the claim without unduly hindering the operation of the agency, the commissioner shall direct that payment be made from that source. Claims relating to activities paid for by appropriations of dedicated receipts shall be paid from those appropriations if practicable. On determining that an agency has sufficient money in these appropriations to pay only part of a claim, the commissioner shall pay the remainder of the claim from the money appropriated to the commissioner for the purpose. On determining that the agency does not have enough money to pay any part of the claim, the commissioner shall pay all of the claim from money appropriated to the commissioner for the purpose. Payment shall be made only upon receipt of a written release by the claimant in a form approved by the attorney general, or the person designated as the university attorney, as the case may be.

No attachment or execution shall issue against the state.

**Subd. 8. Liability insurance.** A state agency, including an entity defined as a part of the state in section 3.732, subdivision 1, clause (1), may procure insurance against liability of the agency and its employees for damages resulting from the torts of the agency and its employees. Procurement of the insurance is a waiver of the limits of governmental liability under subdivisions 4 and 4a only to the extent that valid and collectible insurance, including where applicable, proceeds from the Minnesota Guarantee Fund, exceeds those limits and covers the claim. Purchase of insurance has no other effect on the liability of the agency and its employees. Procurement of commercial insurance, participation in the risk management fund under section 16B.85, or provisions of an individual self-insurance plan with or without a reserve fund or reinsurance does not constitute a waiver of any governmental immunities or exclusions.

**Subd. 9. Indemnification.** The state shall defend, save harmless, and indemnify any employee of the state against expense, attorneys' fees, judgments, fines, and amounts paid in settlement actually and reasonably incurred by the employee in connection with any tort, civil, or equitable claim or demand, or expenses, attorneys' fees, judgments, fines, and amounts paid in settlement actually and reasonably incurred by the employee in connection with any claim or demand arising from the issuance and sale of securities by the state, whether groundless or otherwise, arising out of an alleged act or omission occurring during the period of employment if the employee provides complete disclosure and cooperation in the defense of the claim or demand and if the employee was acting within the scope of employment. Except for elected employees, an employee is conclusively presumed to have been acting within the scope of employment if the employee's appointing authority issues a certificate to that effect. The attorney general may overrule this determination. The determination of whether an employee was acting within the scope of employment is a question of fact to be determined by the trier of fact based upon the circumstances of each case:

- (i) in the absence of a certification,
- (ii) if a certification is overruled by the attorney general
- (iii) if an unfavorable certification is made, or
- (iv) with respect to an elected official.

The absence of the certification or an unfavorable certification is not evidence relevant to a determination by the trier of fact. It is the express intent of this provision to defend, save harmless, and indemnify any employee of the state against the full amount of any final judgment rendered by a court of competent jurisdiction arising from a claim or demand described herein, regardless of whether the limitations on liability specified in subdivision 4 or 4a are, for any reason, found to be inapplicable. This subdivision does not apply in case of malfeasance in office or willful or wanton actions or neglect of duty, nor does it apply to expenses, attorneys' fees, judgments, fines, and amounts paid in settlement of claims for proceedings brought by or before responsibility or ethics boards or committees.

Subd. 9a. **Peace officer indemnification.** The state shall defend, save harmless, and indemnify a peace officer who is not acting on behalf of a private employer and who is acting in good faith under section 629.40, subdivision 4, the same as if the officer were an employee of the state.

Subd. 10. **Judgment as bar.** The judgment in an action under this section is a complete bar to any action by the claimant, by reason of the same subject matter, against the state employee whose act or omission gave rise to the claim.

Subd. 11. **Statute of limitation.** The statute of limitations for all tort claims brought against the state is as provided in chapter 541 and other laws.

**History:** 1976 c 331 s 33; 1978 c 669 s 2,3; 1978 c 793 s 32; 1982 c 423 s 1; 1983 c 331 s 1; 1985 c 84 s 1,2; 1985 c 166 s 2,3; 1985 c 248 s 70; 1Sp1985 c 13 s 64; 1Sp1985 c 16 art 1 s 1; 1986 c 444; 1986 c 455 s 1,2; 1987 c 184 s 1; 1987 c 373 s 1; 1988 c 469 art 1 s 1; 1988 c 530 s 2; 1989 c 331 s 1; 1990 c 594 art 1 s 39; 1991 c 313 s 1; 1992 c 513 art 4 s 26; 1997 c 210 s 1; 1997 c 249 s 1

## TORT LIABILITY, POLITICAL SUBDIVISIONS

### 466.01 DEFINITIONS.

Subdivision 1. **Municipality.** For the purposes of sections 466.01 to 466.15, "municipality" means any city, whether organized under home rule charter or otherwise, any county, town, public authority, public corporation, nonprofit firefighting corporation that has associated with it a relief association as defined in section 424A.001, subdivision 4, special district, school district, however organized, county agricultural society organized pursuant to chapter 38, joint powers board or organization created under section 471.59 or other statute, public library, regional public library system, multi-county multi-type library system, family services collaborative established under section 124D.23, children's mental health collaborative established under sections 245.491 to 245.496, or a collaborative established by the merger of a children's mental health collaborative and a family services collaborative, or other political subdivision, or community action agency.

Subd. 2. **Governing body of a town, school district.** For the purposes of sections 466.01 to 466.15, the "governing body of a town" means the board of supervisors thereof; "school district" includes an unorganized territory as defined in Minnesota Statutes 1961, section 120.02, subdivision 17.

Subd. 3. **Release, hazardous substance.** For the purposes of sections 466.01 to 466.15, "release" and "hazardous substance" have the meanings given in section 115B.02.

Subd. 4. [Repealed, 1997 c 7 art 1 s 140]

Subd. 5. [Repealed, 1997 c 7 art 1 s 140]

Subd. 6. **Employee, officer, or agent.** For the purposes of sections 466.01 to 466.15, "employee," "officer," or "agent" means a present or former employee, officer, or agent of a municipality, or other person acting on behalf of the municipality in an official capacity, temporarily or permanently, with or without compensation, but does not include an independent contractor other than a nonprofit firefighting corporation that has associated with it a relief association as defined in section 424A.001, subdivision 4. "Employee" includes court administrators and their staff under chapter 485, district administration staff in the second and fourth judicial districts, guardians ad litem, and other employees within the court system whose salaries are paid by the county, other than employees who remain on the county payroll under section 480.181, subdivision 2..

History: 1963 c 798 s 1; 1973 c 123 art 5 s 7; 1978 c 659 s 3; 1983 c 121 s 27; 1983 c 280 s 2; 1986 c 395 s 12, 13; 1986 c 455 s 64; 1988 c 708 s 7; 1989 c 335 art 3 s 12; 1994 c 632 art 4 s 75; 1996 c 412 art 3 s 34; 1996 c 448 art 6 s 1,2; 1997 c 203 art 5 s 23; 1998 c 397 art 11 s 3

### 466.02 TORT LIABILITY.

Subject to the limitations of sections 466.01 to 466.15, every municipality is subject to liability for its torts and those of its officers, employees and agents acting within the scope of their employment or duties whether arising out of a governmental or proprietary function.

History: 1963 c 798 s 2; 1976 c 2 s 142

### 466.03 EXCEPTIONS.

Subdivision 1. **Scope.** Section 466.02 does not apply to any claim enumerated in this section. As to any such claim every municipality shall be liable only in accordance with the applicable statute and where there is no such statute, every municipality shall be immune from liability.

Subd. 2. [Repealed, 1987 c 346 s 18]

Subd. 3. **Tax claims.** Any claim in connection with the assessment and collection of taxes.

Subd. 4. **Accumulations of snow and ice.** Any claim based on snow or ice conditions on any highway or public sidewalk that does not abut a publicly owned building or publicly owned parking lot, except when the condition is affirmatively caused by the negligent acts of the municipality.

Subd. 5. **Execution of statute.** Any claim based upon an act or omission of an officer or employee, exercising due care, in the execution of a valid or invalid statute, charter, ordinance, resolution, or rule.

Subd. 6. **Discretionary acts.** Any claim based upon the performance or the failure to exercise or perform a discretionary function or duty, whether or not the discretion is abused.

Subd. 6a. **Driving under the influence; custody of motor vehicle.** Any claim for which recovery is prohibited by section 169.121, subdivision 9.

Subd. 6b. **Unimproved property.** Any claim based upon the condition of unimproved real property owned by the municipality.

Subd. 6c. **Water access sites.** Any claim based upon the construction, operation, or maintenance by a municipality of a water access site created by the iron range resources and rehabilitation board. A water access site under this subdivision that provides access to an idled, water filled mine pit also includes the entire water filled area of the pit, and, further, claims related to a mine pit water access site under this subdivision include those based upon the caving or slumping of mine pit walls.

Subd. 6d. **Licensing of providers.** A claim against a municipality based on the failure of a provider to meet the standards needed for a license to operate a day care facility, under chapter 245A for children, unless the municipality had actual knowledge of a failure to meet licensing standards that resulted in a dangerous condition that was foreseeable that threatened the plaintiff.

Subd. 6e. **Parks and recreation areas.** Any claim based upon the construction, operation, or maintenance of any property owned or leased by the municipality that is intended or permitted to be used as a park, as an open area for recreational purposes, or for the provision of recreational services, or from any claim based on the clearing of land, removal of refuse, and creation of trails or paths without artificial surfaces, if the claim arises from a loss incurred by a user of park and recreation property or services. Nothing in this subdivision limits the liability of a municipality for conduct that would entitle a trespasser to damages against a private person.

Subd. 7. **Other immunity.** Any claim against a municipality as to which the municipality is immune from liability by the provisions of any other statute.

Subd. 8. **Other than property, personal injury, death.** Any claim for a loss other than injury to or loss of property or personal injury or death.

Subd. 9. **Welfare benefits; exceptions.** Any claim for a loss of benefits or compensation due under a program of public assistance or public welfare, except where municipal compensation for loss is expressly required by federal law in order for the municipality to receive federal grants-in-aid.

Subd. 10. **Municipal authorization standard not met.** Any claim for a loss based on the failure of any person to meet the standards needed for a license, permit, or other authorization issued by the municipality or its agents.

Subd. 11. **Usual care and treatment, hospital, corrections.** Any claim for a loss based on the usual care and treatment, or lack of care and treatment, of any person at a municipal hospital or corrections facility where reasonable use of available funds has been made to provide care.

Subd. 12. **Loss by municipal patient or inmate.** Any claim for a loss, damage, or destruction of property of a patient or inmate of a municipal institution.

Subd. 13. **Unimproved realty, old mines.** Any claim for a loss caused by the condition of unimproved real property owned by a municipality, which means land that the municipality has not improved, land that is owned or administered by the municipality that contains idled or abandoned mine pits or shafts, and appurtenances, fixtures, and attachments to land that the municipality has neither affixed nor improved.

Subd. 14. **Arrestee's motor vehicle; care and custody.** Any claim for a loss for which recovery is prohibited by section 169.121, subdivision 9.

Subd. 15. **Section 3.736--like claim.** Any claim against a municipality, if the same claim would be excluded under section 3.736, if brought against the state.

Subd. 16. **Special vehicles; exception.** Any claim against a county arising from the operation of an all-terrain vehicle, as defined in section 84.92, subdivision 8, an off-road vehicle, as defined in section 84.797, subdivision 7, or an off-highway motorcycle on land administered by a county under chapter 280, 281, or 282, except that the county is liable for conduct that would entitle a trespasser to damages against a private person.

Subd. 17. **Logging roads.** Any claim arising out of a person's use of a logging road on public land that is maintained exclusively to provide access to timber on the land by harvesters of the timber, and is not signed or otherwise held out to the public as a public highway.

History: 1963 c 798 s 3; 1975 c 359 s 23; 1982 c 423 s 13; 1983 c 362 s 1; 1985 c 248 s 70; 1Sp1985 c 13 s 346, 1986 c 395 s 14; 1986 c 455 s 65-74; 1988 c 530 s 9,10; 1989 c 331 s 24; 1991 c 162 s 1; 1991 c 313 s 2; 1993 c 311 art 1 s 15; art 2 s 15; 1995 c 226 art 3 s 46; 1997 c 7 art 1 s 141

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NA-03602-03-0HM/ORV

**MINNESOTA TRAIL ASSISTANCE PROGRAM  
Recreational Motor Vehicles  
GRANT AGREEMENT**

Local Unit of Government	Trail Name	State Cost \$	Effective Date See Item H
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**THIS AGREEMENT**, effective date shown, is made between the STATE OF MINNESOTA, acting through the Commissioner of Natural Resources, hereinafter referred to as the "State", and the sponsoring Local Unit of Government specified above, and relates to the establishment of proposed trails specified above.

**WHEREAS**, the local unit of government desires to establish, construct, and maintain public trails; and

**WHEREAS**, the Minnesota Trails Assistance Program provides grants to local units of government for the construction and maintenance of recreational trails pursuant to Minnesota Statutes, Section 84.794, 84.803, and 84.927; and

**WHEREAS**, the local unit of government has applied to the State for a grant for said trails and has submitted the Minnesota Trails Assistance Program's application form, maps, ownership list, and resolution of the local unit of government authorizing the proposed trails as outlined in said documents; and said application form and/or new trail project proposal and map are attached hereto as Exhibit "A".

**NOW THEREFORE**, it is agreed between the parties as follows:

- A. **TRAIL OBLIGATION OF THE LOCAL UNIT OF GOVERNMENT.** The local unit of government agrees to construct, operate, and maintain the proposed trails in accordance with the Minnesota RMV Trails Assistance Program Manual, hereinafter referred to as the "Manual", and with the application or new trail project proposal form, as accepted or amended by the State.  
The local unit of government shall:
  - 1. Forthwith proceed to acquire necessary interests in lands and open trails to the public. The local unit of government must acquire the interests in land in fee, or by easement, lease, permit, or deed for said trails. The term of said interest shall be no less than three (3) months between April 1 of any year and April 1 of the succeeding year. For each parcel of land crossed by proposed trails, the local units of government shall obtain from the owner of said parcel and submit to the State a permit, easement, lease, or deed for said crossing.
    - (a) A person having personal knowledge of ownership shall sign an affidavit that the person whose name appears on the document of conveyance, lease, or permit is the owner or possessor.
    - (b) Any instrument of conveyance or permit with a consideration exceeding \$500.00 shall be accompanied by an Attorney's Certificate of Title.
  - 2. Construct the trails and provide adequate maintenance which shall include keeping the trails reasonably safe for public use; provide sanitation and sanitary facilities when needed; and provide other maintenance as may be required. The local unit of government and not the State is responsible for maintaining signs and grooming all trails. If the local unit of government fails to expedite establishment and construction of trails or fails to provide for adequate maintenance, the State may withhold future payments to the local unit of government and/or terminate this agreement.
- B. **TECHNICAL ASSISTANCE.** The state shall give technical assistance to the local unit of government in establishing trails, upon request.
- C. **FUNDING.** The State's sole responsibility under this Agreement is to provide funds to the local unit of government. In the event that state funds become unavailable because of legislative or executive action or restraints, the grant amount may be reduced or canceled by the State.
- D. **REIMBURSEMENT.** The State agrees to reimburse the local unit of government 65 percent of the cost of trail acquisition, development and administration, except maintenance, winter grooming and liability insurance which shall be reimbursed at the rate of 90 percent. All costs shall be in accordance with the allowable charges and costs listed in the Manual. This grant shall not exceed the State costs as specified above.
- E. **PAYMENT.** The local unit of government must submit a request for reimbursement and attach worksheets furnished by the State for all costs incurred in acquiring, developing, maintaining and grooming the trail, all in accordance with the Manual. Additionally, the local unit of government must submit original receipts of actual purchases exceeding \$100.00.

The books, records, documents, accounting procedures, and practices of the local unit of government relevant to this grant shall be subject to examination by the State and legislative auditor. Records shall be sufficient to reflect all costs incurred in performance of this grant.

1. **First Payment:** Upon receipt of the request for reimbursement evidencing acceptable trail costs of \$500.00 or more for acquisition, development, or maintenance, the State agrees to reimburse the local unit of government for approved costs in accordance with the Manual. The State shall not be required to pay for any services provided by the local unit of government which the State determines to be unsatisfactory, as determined by the State's authorized representative.
2. **Subsequent Payments:** Each thirty (30) successive days after the first payment, the local unit of government may submit invoices evidencing trail costs. Payments shall be made to the extent of authorized reimbursement, or until this agreement is terminated.
3. **Trail Segments:** It is understood that if the trail system is developed in segments, the local unit of government may submit requests for reimbursement as soon as continuous and workable segments are completed.

**F WORKERS COMPENSATION.** The Sponsor shall comply with the provisions for workers compensation in Minnesota Statutes Chapters 176.181, Subd. 1 and 176.182 and all applicable rules and subsequent amendments thereto.

**G LIABILITY.** Each party agrees that it will be responsible for its own acts and the results thereof to the extent authorized by law and shall not be responsible for the acts of the other party and the results thereof. The State's liability shall be governed by the provisions of the Minnesota Tort Claims Act, Minnesota Statutes Section 3.736 and other applicable law. The Sponsor's liability shall be governed by the provisions of Minnesota political Subdivisions Tort Liability, Minnesota Statutes Chapter 466.02 and other applicable law.

**H TERM. Effective date:** (SPELL OUT FULL DATE), or the date the obligation is encumbered in the statewide accounting system.

**The Grantee must not begin work under this Grant Agreement until this Grant is fully executed and the Grantee has been notified by the State's Authorized Representative to begin work.**

**Expiration date:** June 30, 2004, or until all obligations have been satisfactorily fulfilled, whichever occurs first.

**I TERMINATION.** This Agreement may be terminated by the State in the event of a default by the Sponsor, the legislature appropriates insufficient monies for the program, or the abandonment of the Trail. It may also be terminated upon mutual agreement by the State and the Sponsor.

**J ASSIGNMENT OR MODIFICATION.** The Sponsor may not assign any of its rights or obligations under this Agreement without prior written consent of the State. No change or modification of the terms or provisions of this Agreement shall be binding unless such change or modification is in writing and signed by all parties on this Agreement.

**IN WITNESS WHEREOF,** the parties hereto have executed this Agreement.

**LOCAL UNIT OF GOVERNMENT**

(County) (City)	(Village) (Town)		
Authorized Signature	Title	Date	
Authorized Signature	Title	Date	

**DEPARTMENT OF NATURAL RESOURCES**

Authorized Signature	Title	Date
Signature (Recommend for Approval)	Title	Date

**TRAIL PERMIT**

**THIS PERMIT**, is granted this \_\_\_\_\_ day of \_\_\_\_\_ (Month) (Year) \_\_\_\_\_, by \_\_\_\_\_ Permitters to the \_\_\_\_\_ Permittee, to establish and maintain on the hereinafter described land a trail route.

**THAT**, the (record owners, contract for deep purchasers, lessees) in consideration of grants this permit over and upon the following described premises situated in the County of \_\_\_\_\_, State of Minnesota, to wit:

**SUBJECT TO:**

1. This permit shall terminate upon sale of the land, or upon notification in writing to the Permittee six (6) months prior to termination by the Permitters.
2. The right-of-way shall be open to the general public for (all-terrain vehicle, off-highway motorcycle, off-road vehicle) use.
3. The Permittee shall at all times have the right to enter upon said right-of-way for any purpose necessary to the performance of lawful powers and duties.
4. The Permitters shall have the right to close said right-of-way during any emergency, with the approval of the Permittee.
5. The permit is for a \_\_\_\_\_ foot width over the route to be used.

Date:	Landowner Signature:
Date:	Club Representative Signature:

**NOTE:** ALL TRAIL PERMITS ARE TO BE MADE OUT TO THE CLUB **SPONSOR** AS THE PERMITTEE, NOT THE CLUB. PERMITS CAN BE MADE OUT TO CLUB ONLY IF THE SPONSOR HAS SPECIFICALLY GIVEN WRITTEN PERMISSION AND AUTHORITY TO THE CLUB, AND THE CLUB HAS BEEN INCORPORATED.



## MINNESOTA TRAILS ASSISTANCE PROGRAM APPLICATION

Trail/Area Name/Type of Trail (PRINT OR TYPE)	Trail Mileage	Date
Administrator	Administrator Signature	
Address (No. & Street, RFD, Box No., City, State, Zip Code)	Work Telephone Number	Home Telephone Number

**A. ADMINISTRATION**

Explanation:

Labor	Mileage	Other

A Total: \$ \_\_\_\_\_

**B. ACQUISITION**

Explanation:

Labor	Mileage	Equipment	Materials

B Total: \$ \_\_\_\_\_

**C. RELOCATION**

Explanation:

Labor	Mileage	Equipment	Materials

C Total: \$ \_\_\_\_\_

NOTE: Changes in trail location should be shown on map.

**D. FACILITIES**

Explanation:

Labor	Mileage	Equipment	Materials

D Total: \$ \_\_\_\_\_

**E. TRAIL SYSTEM MAP PRINTING**

Explanation:

Labor	Mileage	Equipment	Materials

**Total E: \$ \_\_\_\_\_**  
**Sub-Total A-E \$ \_\_\_\_\_**  
**65% State Cost: \$ \_\_\_\_\_**

**F. MAINTENANCE**

Explanation:

Labor	Mileage	Equipment	Materials

**F Total: \$ \_\_\_\_\_**

**G. GROOMING**

Explanation:

Labor	Mileage	Equipment	Materials

**G Total: \$ \_\_\_\_\_**

**H. LIABILITY INSURANCE**

Explanation:

**Total H: \$ \_\_\_\_\_**  
**Sub-Total F-H \$ \_\_\_\_\_**  
**90% State Cost \$ \_\_\_\_\_**

**BALANCE REMAINING FROM PREVIOUS APPLICATION(S) \$ \_\_\_\_\_**

**GRANT TOTAL STATE COST \$ \_\_\_\_\_**

**SPONSOR APPROVAL**

Unit of Government	TELEPHONE NUMBER (Include Area Code)	
Authorized Signature of Sponsor	Title	Date

**CERTIFICATION BY DEPARTMENT OF NATURAL RESOURCES**

**RECOMMENDED GRANTS:**

Area Trails & Waterways Supervisor	Date
Regional Trails & Waterways Supervisor	Date



## MINNESOTA TRAIL ASSISTANCE PROGRAM NEW PROJECT PROPOSAL

Trail/Area Name/Type of Trail (PRINT OR TYPE)	Trail Mileage	Use Period	Date
Administrator	Administrator Signature		
Address (No. & Street, RFD, Box No., City, State, Zip Code)	Work Telephone Number	Home Telephone Number	

**A. ADMINISTRATION**  
Explanation:

Total: \$ \_\_\_\_\_

**B. ACQUISITION**  
Explanation:

Labor	Mileage	Other
-------	---------	-------

Total: \$ \_\_\_\_\_

**C. CONSTRUCTION:**  
Explanation:

Labor	Mileage	Equipment	Materials
-------	---------	-----------	-----------

Total: \$ \_\_\_\_\_

**D. FACILITIES**  
Explanation:

Labor	Mileage	Equipment	Materials
-------	---------	-----------	-----------

Total: \$ \_\_\_\_\_

**TRAIL SYSTEM MAP PRINTING**

E. Explanation:

Total E: \$ \_\_\_\_\_  
Sub-Total A-E \$ \_\_\_\_\_  
65% State Cost: \$ \_\_\_\_\_

**MAINTENANCE**

F. Explanation:

Total: \$ \_\_\_\_\_

**TRAIL GROOMING**

G. Explanation:

Total: \$ \_\_\_\_\_

**LIABILITY INSURANCE**

H. Explanation:

Total H: \$ \_\_\_\_\_  
Sub-Total F-H \$ \_\_\_\_\_  
90% State Cost \$ \_\_\_\_\_

BALANCE REMAINING FROM PREVIOUS APPLICATION(S) \$ \_\_\_\_\_  
GRANT TOTAL STATE COST \$ \_\_\_\_\_

**SPONSOR APPROVAL**

Unit of Government	TELEPHONE NUMBER (Include Area Code)	
Authorized Signature of Sponsor	Title	Date

CERTIFICATION BY DEPARTMENT OF NATURAL RESOURCES RECOMMENDED GRANTS: \_\_\_\_\_

Area Trails & Waterways Supervisor	Date
Regional Trails & Waterways Supervisor	Date



## MINNESOTA TRAIL ASSISTANCE PROGRAM NEW RMV PROJECT PROPOSAL

Trail/Area Name/Type of Trail (PRINT OR TYPE)  King-of-the-Hill-Trail	Trail Mileage  6 miles	Use Period  12/1 - 11/30	Date  November 15, 1999
Administrator  Buck Hill	Administrator Signature		
Address (No. & Street, RFD, Box No., City, State, Zip Code)  739 Gulch Road, Mountain Lake, MN 56789	Work Telephone Number  (320) 888 - 6648	Home Telephone Number  (218) 320-3489	

A. **ADMINISTRATION** **Total: \$ 300.00**  
 Explanation: This funding will be used for office supplies, stamps, telephone calls, paper, computer time, and clerk time necessary to comply with the Assistant Program.

B. **ACQUISITION**  
 Explanation: This funding will be used to contact affected landowners and meet with them to discuss trail plans and secure necessary permits. Will also be used to purchase necessary maps and related documents.

Labor	Mileage	Other
\$800.00	\$200.00	\$50.00

**Total: \$ 1,050.00**

C. **CONSTRUCTION**  
 Explanation:  
 This proposal is to construct 6 miles of ATV trail, which is 90% new development through the woods. Most construction will be done by hand with club members, equipment will be used to help install two culverts, one bridge over Rat Creek, and necessary sedimentation controls near the stream and wetland.

Labor	Mileage	Equipment	Materials
\$2000.00	\$500.00	\$2,500.00	\$3,500.00

**Total: \$ 8,500.00**

D. **FACILITIES**  
 Explanation: Construct one parking lot/staging area at County Highway 599, clear, level, and gravel this area. Also construct a unisex toilet at this site. One shelter will also be built at the location shown on attached map. Shelter site will also have a picnic table, fire ring, benches, and a unisex toilet.

Labor	Mileage	Equipment	Materials
\$3,500.00	\$500.00	\$2,500.00	\$4,000.00

**Total: \$ 10,500.00**

**E. TRAIL SYSTEM MAP PRINTING**

Explanation:

**Total E: \$ 800.00**  
**Sub-Total A-E \$21,150.00**  
**65% State Cost: \$13,747.50**

**F. MAINTENANCE**

**Total: \$1,500.00**

Explanation: Minimum maintenance funding will be needed this year, most of the season will be devoted to construction. Some signing, seeding, and maintenance blading needed by late season.

**G. GROOMING**

**Total: \$1,600.00**

Explanation: Groom one (1) pass per week during the winter depending upon use and condition, not to exceed \$1,600.00 for the season. This trail is shared with snowmobile use during the winter.

**H. LIABILITY INSURANCE**

Explanation: Standard trail liability insurance policy from C&C Insurance company at \$800.00 per year (maximum state allowed \$1,000.00 per year).

**Total: \$ 800.00**  
**Sub-Total F-H \$2,300.00**  
**90% State Cost \$2,070.00**

**BALANCE REMAINING FROM PREVIOUS APPLICATION(S) \$ \_\_\_\_\_**

**GRANT TOTAL STATE COST \$16,000.00**

**SPONSOR APPROVAL**

Unit of Government	TELEPHONE NUMBER (Include Area Code)	
Authorized Signature of Sponsor	Title	Date

**CERTIFICATION BY DEPARTMENT OF NATURAL RESOURCES**

**RECOMMENDED GRANTS:**

Area Trails & Waterways Supervisor	Date
Regional Trails & Waterways Supervisor	Date



## MINNESOTA TRAIL ASSISTANCE PROGRAM REQUEST FOR REIMBURSEMENT

Sponsor	Trail/Area Name	
Period covered by this statement:	FROM:	TO:

**EXPENDITURES**

- A. Administration      \$ \_\_\_\_\_
- B. Acquisition          \$ \_\_\_\_\_
- C. Construction        \$ \_\_\_\_\_
- D. Facilities             \$ \_\_\_\_\_
- E. Map Printing         \$ \_\_\_\_\_
- F. Maintenance         \$ \_\_\_\_\_
- G. Grooming             \$ \_\_\_\_\_
- H. Liability Insurance   \$ \_\_\_\_\_

Sub-Total A through E

Sub-total F and H \$ \_\_\_\_\_

**CHECK LIST**

1. Any Bids Required?
2. Original Signatures on All Copies?
3. Signed Work Sheets & Grooming Logs?
4. Invoices for Purchases & Services over \$100.00

\$ \_\_\_\_\_  
State Cost 65% \$ \_\_\_\_\_

(10% limited on shared winter use trails)

State Cost 90% \$ \_\_\_\_\_

Grand Total (State Cost) \$ \_\_\_\_\_

Original Amount and Year of Grant      \$ \_\_\_\_\_

Expenditures to Date (including this Request)      \$ \_\_\_\_\_

Balance Left in Account                      \$ \_\_\_\_\_

**DEVELOPMENT**

(Accomplishments)

Number of miles constructed to date      \_\_\_\_\_

Number of bridges                              \_\_\_\_\_

Number of parking areas                      \_\_\_\_\_

**GROOMING**

(Accomplishments)

Number of miles maintained (this reimbursement only)      \_\_\_\_\_

Trail width    \_\_\_\_\_

Miles traveled by grooming equipment                      \_\_\_\_\_

**APPROVAL** I hereby certify that the materials and/or services shown on attached invoices have been delivered, that this is my only original invoice and is correct and just, and that no part of same has been paid.

	Signature - Administrator	Date
County	signature - Title Auditor/Clerk	Date

**THIS INVOICE APPROVED FOR PAYMENT BY:**

Regional Supervisor	Date	FY	Vendor Number	Amount
Area Trails & Waterways Supervisor	Date	Purchase Order Number PO R 29 -----		Line Number
		Invoice Number:		Doc #
		Signature:		



**MINNESOTA TRAIL ASSISTANCE PROGRAM  
REQUEST FOR REIMBURSEMENT**

<b>Sponsor</b>  Gulch Township	<b>Trail/Area Name</b> King-of-the-Hill Trail	
<b>Period covered by this statement:</b>	<b>FROM:</b>  April 1, 1998	<b>TO:</b>  June 30, 1998

**EXPENDITURES**

**CHECK LIST**

A. Administration \$ 130.00

1. Any Bids Required?

B. Acquisition \$ 210.00

2. Original Signatures on All Copies?

C. Construction \$ 1,350.00

3. Signed Work Sheets & Grooming Logs?

D. Facilities \$ 2,150.00

4. Invoices for Purchases & Services over \$100.00

E. Map Printing \$ 400.00

Sub-Total A through E \$ 4,240.00

State Cost 65% \$ 2,713.60

F. Maintenance \$ 955.00

G. Grooming \$ 1,990.00 (10% limited on shared winter use trails)

H. Liability Insurance \$ 800.00

Sub-total F and H \$ 3,745.00

State Cost 90% \$ 3,370.00

Grand Total (State Cost) \$ 6,083.60

Original Amount and Year of Grant \$ 15,300.00

Year: \_\_\_\_\_

Expenditures to Date (including this Request) \$ 6,083.60

Balance Left in Account \$ 9,216.40

**DEVELOPMENT**

(Accomplishments)

Number of miles constructed to date 4 miles

Number of bridges 0

Number of parking areas 1

**GROOMING**

(Accomplishments)

Number of miles maintained (this reimbursement only) 14

Trail width 6 feet

Miles traveled by grooming equipment 28

**APPROVAL**

I hereby certify that the materials and/or services shown on attached invoices have been delivered, that this is my only original invoice and is correct and just, and that no part of same has been paid.

	Signature - Administrator	Date
County	signature - Title Auditor/Clerk	Date

**THIS INVOICE APPROVED FOR PAYMENT BY:**

Regional Supervisor	Date	FY	Vendor Number	Amount
Area Trails & Waterways Supervisor	Date	Purchase Order Number PO R 29 -----		Line Number
		Invoice Number:		Doc #
		Signature:		

## WORKSHEET INSTRUCTIONS & SAMPLE FORM

**In the appropriate boxes on first line:** Fill in the Trail Name (as it appears on the Application or New Project Proposal form), the Sponsor Name, and Date.

**In the boxes numbered on the sample form, fill in the following information:**

1. Date the work was done.
2. Operator's or volunteer's name.
3. Number of hours of labor time.
4. Rate per hour (taken from Allowable Cost page)
5. Total cost of labor (multiply #3 x #4).
6. Name the mode of transportation used (pickup, ATV, etc.) If different types of modes of transportation are used, use a separate line for each type, (i.e., pickup truck on one line, ATV the next line.)
7. Number of miles being claimed.
8. Rate per mile (taken from Allowable Costs page).
9. Total cost of transportation. (Multiply #7 x #8)
10. Name types of heavy equipment or power equipment used. Include make and model for heavy equipment. Use one line for each piece of equipment being used (i.e., bulldozer on one line, backhoe the next line, etc.) See NOTE section below for instructions for entering INVOICES for purchased goods or services.
11. Numbers of hour's equipment used.
12. Rate per hour (taken from Allowable Costs page).
13. Total cost of equipment used (multiply #11 x #12).
14. Total cost (add #5, 9, & 13).
15. Fill in the type of work done and the location.
16. Fill in the Expenditure Type (Adm=Administration; Acq = Acquisition; Con = Trail Construction; Reloc = Trail Relocation; Fac = Trail Facilities; Maint = Trail Maintenance).
17. Add all costs in boxes #5 to get Grand Total Labor Costs.
18. Add all costs in boxes #9 to get Grand Total Transportation Costs.
19. Add all costs in boxes #13 to get Grand Total Other Equipment Costs.
20. Grand Total for this page (add #17+ 18 + 19).
21. Trails Administrator's Signature.
22. Date the worksheet was completed.

### **NOTE FOR ENTERING INVOICES FOR PURCHASED GOODS/SERVICES OVER \$100.00:**

All Requests For Reimbursement for purchased goods or services over \$100.00 must be accompanied by an invoice. When invoices for purchased goods and services are included please enter:

**"Invoice"** AND THE **Invoice Number** in Operator's Name Column (#2).  
The **invoice amount** in the Total Cost Column (#14).  
The **explanation for the expense** in the Type of Work and Location column (#15).  
And complete **Expenditure Type** column (#16).

**MINNESOTA TRAIL ASSISTANCE PROGRAM  
WORKSHEET**

Trail Name:				Sponsor:					Date:						
Date	Operator Name	Labor			Mode of Transportation	Transportation			Other Equipment Used (include make/model of heavy equipment)	Other Equipment			TOTAL COST	Type of Work & Location	Expenditure Type
		Hours	Rate	Cost		Miles	Rate	Cost		Hours	Rate	Cost			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)
<b>TOTALS</b>		(17)				(18)				(19)			(20)		
<i>I certify that the material and/or services shown on this worksheet are correct and just, and that no part of same has been previously submitted for payment.</i>															
Authorized signature													Date		
(21)													(22)		

## COMMON TRAIL SIGN ORDER FORM

DATE: \_\_\_\_\_  
 FOR: \_\_\_\_\_  
 PER: \_\_\_\_\_

DATE PICKED UP: \_\_\_\_\_

ORDERED	RECEIVED	POSTED	DESCRIPTION
		NRM 8.1.4	State Trail
		NRM 8.2.3	State Trail Rules
		NRM 8.4.13	No Camping
		NRM 8.2.26A	Decal – All-Terrain Vehicle
		NRM 8.2.26X	Decal – Cross-Country Ski
		NRM 8.2.26K	Decal – Hiker
		NRM 8.2.26V	Decal – Snowmobiling
		NRM 8.2.25B	Recreational Use Blank 18" x 12"
		NRM 8.2.25A	Recreational Use Blank 12" x 18"
		NRM 8.2.25C	Recreational Use Blank 12" x 12"
		NRM 8.2.20	Stay on Trail
		NRM 8.3.12	Shooting and Hunting Prohibited
		NRM 8.4.1.	Stop
		NRM 8.4.2	Stop Ahead
		NRM 8.4.4	Do Not Enter
		NRM 8.4.4B	Decal for 8.4.4 -- One Way
		NRM 8.4.4C	Decal for 8.4.4 – Road Closed
		NRM 8.4.4.D	Decal for 8.4.4 – Trail Closed
		NRM 8.4.4E	Decal for 8.4.4 – Bridge Out
		NRM 8.4.3	Yield
		NRM 8.4.5	Caution
		NRM 8.4.6A	Easy
		NRM 8.4.6B	Intermediate
		NRM 8.4.6C	Most Difficult
		NRM 8.5.14B	Decal for 8.4.11 & 12 – Slash
		NRM 8.4.14A	No Motorized Vehicles Permitted
		NRM 8.4.14F	Decal – Except Snowmobiles
		NRM 8.4.14E	Decal – Except ATVs
		NRM 8.4.14G	Decal – Except ATVs & Snowmobiles
		NRM 8.4.10	No Parking
		NRM 8.4.9	Caution Trucks Hauling
		NRM 8.6.7	Absolutely No Fires
		NRM 8.6.9	Snowmobile Trail Closed
		NRM 8.2.38	No Horses Permitted on Limestone Surface
		NRM 8.5.4	LAWCON/Heritage Conservation & Recreation Service
		NRM 8.5.7	Grants-in-Aid Trail
		NRM 8.5.24	Ski Pass Required
		NRM 8.6.14	Notice to Skiers
			Fence Reflectors
			Posts – 8' Steel
			Posts – 8' Wood

COMMON TRAIL SIGN ORDER FORM

Page 2

DATE: \_\_\_\_\_ DATE PICKED UP: \_\_\_\_\_  
 FOR: \_\_\_\_\_  
 PER: \_\_\_\_\_

FOR THE FOLLOWING SIGNS, PLEASE SPECIFY:

- BLUE (Ski)
- ORANGE (Snowmobile) OR
- RED (All-Terrain Vehicle), (Off-Highway Motorcycle), (Off-Highway Vehicle)

Ordered	Received	Pink	Red	Blue	Orange	Yellow	Posted	Description
							NRM 8.4.7	Recessing Blazer
							NRM 8.4.8A	Info w/Intersection
							NRM 8.4.8B	Info w/"T" Junction
							NRM 8.4.8C	Information w/Arrow
							NRM 8.4.8D	Info w/"Y" Right
							NRM 8.4.8E	Info w/"Y" Left
							NRM 8.4.11	Info w/Snowmobile
							NRM 8.4.12	Info w/All-Terrain Vehicle

**NOTE: These signs are available on a limited basis through DNR Area offices. Quantities are limited. If signs are not available, the Trail Administrator is responsible for obtaining signs from other sources.**

## RIGHT-OF-WAY EASEMENT

**THIS INDENTURE**, made this 13th Day of March, 1991, between the State of Minnesota, by and through the Auditor of the County of Koochiching, hereinafter called the Grantor, and INTERNATIONAL VOYAGEURS SNOWMOBILE CLUB, International Falls, hereinafter called the Grantee.

**WITNESSETH**, whereas the Grantee has applied to Grantor for an easement over certain tax-forfeited lands owned by the State of Minnesota, situated in the County of Koochiching, and administered by the County of Koochiching, described as follows: Government Lot One (1) and the Southeast Quarter of the Northeast Quarter (SE NE), Section One (1), Township Seventy (70), Range Twenty-four (24).

Said easement shall be twenty feet (20') in width for the following purposes:  
Snowmobile trail

**NOW, THEREFORE**, Grantor, pursuant to the Authority of Minnesota Statutes Annotated, Section 282.04, Subd. 4, and Koochiching County Board of Commissioners Resolution, Number 91/02-30, for the rights and interests herein conveyed, does hereby grant and convey onto the Grantee, from and after the 7th day of February, 1991.

The acquiring party is International Voyageurs Snowmobile Club, see attachment A (map).

Subject to the following terms and conditions, unless superceded by special provisions:

1. Outstanding rights and interest, if any
2. Grantee shall construct and maintain said right-of-way at its own expense.
3. The right-of-way hereby conveyed shall be open to public use that is not in contravention with the use provided Grantee.
4. Grantor shall at all times have the right to enter upon said right-of-way for any purpose necessary to the performance of lawful powers and duties.
5. Grantee shall, during construction, maintenance and operation, protect and preserve vegetation cover and aesthetic values on the right-of-way and outside the construction limits.
6. Grantee shall have the right to close said right-of-way during any emergency.
7. Grantee shall establish no borrow, sand or gravel pits, stone quarry or permanent storage area, and shall deposit no debris accept with the prior approval of the Grantor.
8. Grantee may maintain the right-of-way clearing by means of chemicals upon approval, in writing by the Grantor.
9. Grantor hereby reserves the right to assess additional fees for damages resulting from construction and annual renewal fees, as set by County Board action.
10. Grantee shall comply with all laws, regulations and municipal ordinances affecting said lands.
11. Grantee shall hold Grantor harmless of all claims or damages to the person or property of others arising out of the use for construction, operations or maintenance of said strip or in gaining access thereto or egress there from.
12. No delay by the Grantor in enforcing any of the conditions of this easement shall be construed as a waiver of any of Grantors' rights.

## RIGHT-OF-WAY EASEMENT

13. The Grantor reserves the right to lease and grant easements, permits or contracts for other purposes that are not in direct contravention with the purpose or intended uses of the easement (lease) hereby granted
14. This agreement shall not be assignable except upon written consent of the Grantor and it shall be binding upon successors, assignees, heirs and legal representatives of the parties hereto.

The Easement and right-of-way herein conveyed may be terminated either by mutual agreement of the parties hereto, or by the Grantor upon ninety (90) days written notice to the Grantee if Grantee fails to comply with applicable laws or the terms of this easement; otherwise to remain in effect as long as used for the purposes granted and the annual fees are paid when assessed, provided, however, if the easement and right-of-way or any part thereof shall be abandoned or shall cease and terminate and the land traversed by the abandoned or unused segment shall be freed from this easement and right-of-way. In the event of such agreement to terminate or abandon, the Grantee, by authorized representative, shall furnish to the Grantor a statement in recordable form evidencing termination.

**IN TESTIMONY WHEREOF**, Grantor has caused these presents to be executed by the Chair of the Board of Commissioners, the Auditor and the Land Commissioner, County of Koochiching, State of Minnesota, this day and year first above written.

KOOCHICHING COUNTY, STATE OF MINNESOTA

Doris Hanson, Chair

Joseph a. Gust, Auditor

Dennis Hummitzsch, Land Commissioner

VOYAGEURS SNOWMOBILE CLUB

by:  
Address:

Phone:  
(Include Area Code)

**Resolution  
of the  
Board of County Commissioners  
St. Louis County, Minnesota**

**Date adopted:** February 20, 1990    **Resolution No.** 128  
**Offered by Commissioner:** Kron

**WHEREAS**, St. Louis County serves as the sponsor of various winter recreational trails that are part of the State of Minnesota Grant-in-Aid Trail System; and

**WHEREAS**, the construction and maintenance of these trails are funded through Minnesota Trail Assistance Program Grants issued with the approval of the Minnesota Department of Natural Resources; and

**WHEREAS**, Minnesota Trail Assistance Program Applications have been prepared for the approval of St. Louis County as sponsor of the following existing trails sponsored by St. Louis County and funded by the State of Minnesota Trail Assistance Program;

Ashawa Cross Country Ski Trail (Ashawa Trail Ski Club)  
Cook Access Trail (Cook Timberwolves Snowmobile Club)  
The Chisholm and Side Lake Spur (Pathfinders Snowmobile Club)  
Hermantown Trail (Hermantown Snowmobile Club)  
Iron Ore Trail (Vermilion Penguins Snowmobile Club)  
Laurentian Trail (Range Trail Committee)  
Lookout Mountain Cross Country Ski Trail (Laurentian Ski Club)  
Orr Exit Trails - North and South (Pelican Lake Area Snowmobile Club)  
Pequaywan - Hoyt Lakes Trail (Pequaywan Area Trailblazers Snowmobile Club)  
Pequaywan Lake Trail (Pequaywan Area Trailblazers Snowmobile Club)  
Ranger Trail (East Range Joint Powers Board)  
Reservoir Lakes Trail (Reservoir Riders Snowmobile Club)  
Taconite Spur/Stony Spur Trails (Babbitt-Embarrass Area Development Association)  
Voyageur Trail - Crane Lake (Crane Lake Voyageur's Snowmobile Club)  
Voyageur Trail - Kabetogama (Kabetogama Snowdrifters Snowmobile Club)  
Wolf Track Trail (Cook Timberwolves Snowmobile Club); and

**WHEREAS**, these trails are located in St. Louis County,

**NOW, THEREFORE, BE IT RESOLVED**, that St. Louis County agrees to sponsor said trails at no cost to the County;

**KOOCHICHING COUNTY**  
**Court House Complex**  
**International Falls, MN 56649**

○○○91/09-38 Motion by Biggins, seconded by Sandbeck authorizing Board Chair signature to 1991-92 DNR Snowmobile Trail Agreement allowing for County sponsorship in the MN Trail Assistance Program pertaining to the Hagerman Trail (State cost of \$8,000). Adopted, voting yes: Bergstedt, Biggins, Hanson, Rizzo, Sandbeck.

STATE OF MINNESOTA

COUNTY OF KOOCHICHING

I, Darlene Olsen, Clerk to the County Board in and for the County of Koochiching, State of Minnesota, do hereby certify that the minute records of the county show that the above is a true and correct copy of a resolution adopted by the County Board of Koochiching County at their meeting held September 17, 1991.

Dated this 4th day of December, 1991 \_\_\_\_\_/s/