

**Goodhue  
County**  
MINNESOTA

# DNR Grant-In-Aid Snowmobile Trails & DOT Limited Use Permits

# Agenda

- DNR Snowmobile Trail Grants-In-Aid (GIA) Program
- DOT Nighttime, Two-Way Use Limited Use Permit (LUP)
- Issues
- Options/Ramifications
- Questions/Additional Discussion/Staff Direction

# DNR Snowmobile Trail GIA Program

## Program Background:

- In 1973 the Minnesota Legislature delegated the responsibility of administering a cost-sharing program for the development and maintenance of snowmobile trails to the Department of Natural Resources (DNR). The goal of this program was the creation and maintenance of locally initiated trails that were financially assisted by the state.
- This program is popularly known as the grants-in-aid (GIA) program. The DNR has been delegated the responsibility of administering the funds appropriated by the legislature for the GIA program.
- Minnesota's GIA snowmobile trail system has grown to over 21,000 miles. The Minnesota Snowmobile Trails Assistance Program provides funding mostly for maintenance and grooming, though trail improvement grants for snowmobile trails are also available.

# DNR Snowmobile Trail GIA Program

## Goodhue County Trail Association Specifics:

- Funding for 2024-2025 season is \$84,664.80 split amongst the clubs
- Six local clubs
  - Goodhue-Bellechester Railriders
  - Covered Bridge Riders
  - Kenyon Snowdrifters
  - Red Wing Riverview Riders
  - Twin River Riders Snowmobile Club
  - Wells Creek Riders Snowmobile Club
- 320.7 trail miles
- Goodhue County receives \$264/trail mile
- Long history of trails. Red Wing system goes back to at least the 1960's

# DNR Snowmobile Trail GIA Program

## Program Requirements for Sponsors:

- Pass a resolution to serve as sponsor and submit application to DNR
  - Current resolution goes through end of this snowmobile season
- Certify the four benchmarks to initiate payment from DNR
- Work with DNR to verify clubs are adhering to various guidelines
- Meet with DNR once annually
- The DNR strongly urges the sponsors to similarly enter into contracts with their snowmobile clubs.
- Assure trails are ready and open for use and landowner permission obtained

# DNR Snowmobile Trail GIA Program

## Program Requirements for Clubs:

- Secure local unit government sponsorship (Goodhue County)
- Complete tasks and submit documentation in a timely manner
- Maintain sufficient records to satisfy auditing needs
- Adhere to trail user maps, public information, grooming, signage guidelines
- Attend one DNR training session per year
- Secure appropriate insurance coverage
- Obtain sufficient permission from each landowner on which trail is located
  - Private ownership – written or verbal OK per DNR program requirements
  - MN DOT ROW – DOT is requiring a signed LUP from the sponsor
- Provide backup plan if trail groomer breaks down
- Secure federal tax status as a nonprofit corporation

# DOT Nighttime, Two-Way Use LUP

## Statutory Authority:

### 84.87 OPERATION; REGULATIONS BY POLITICAL SUBDIVISIONS.

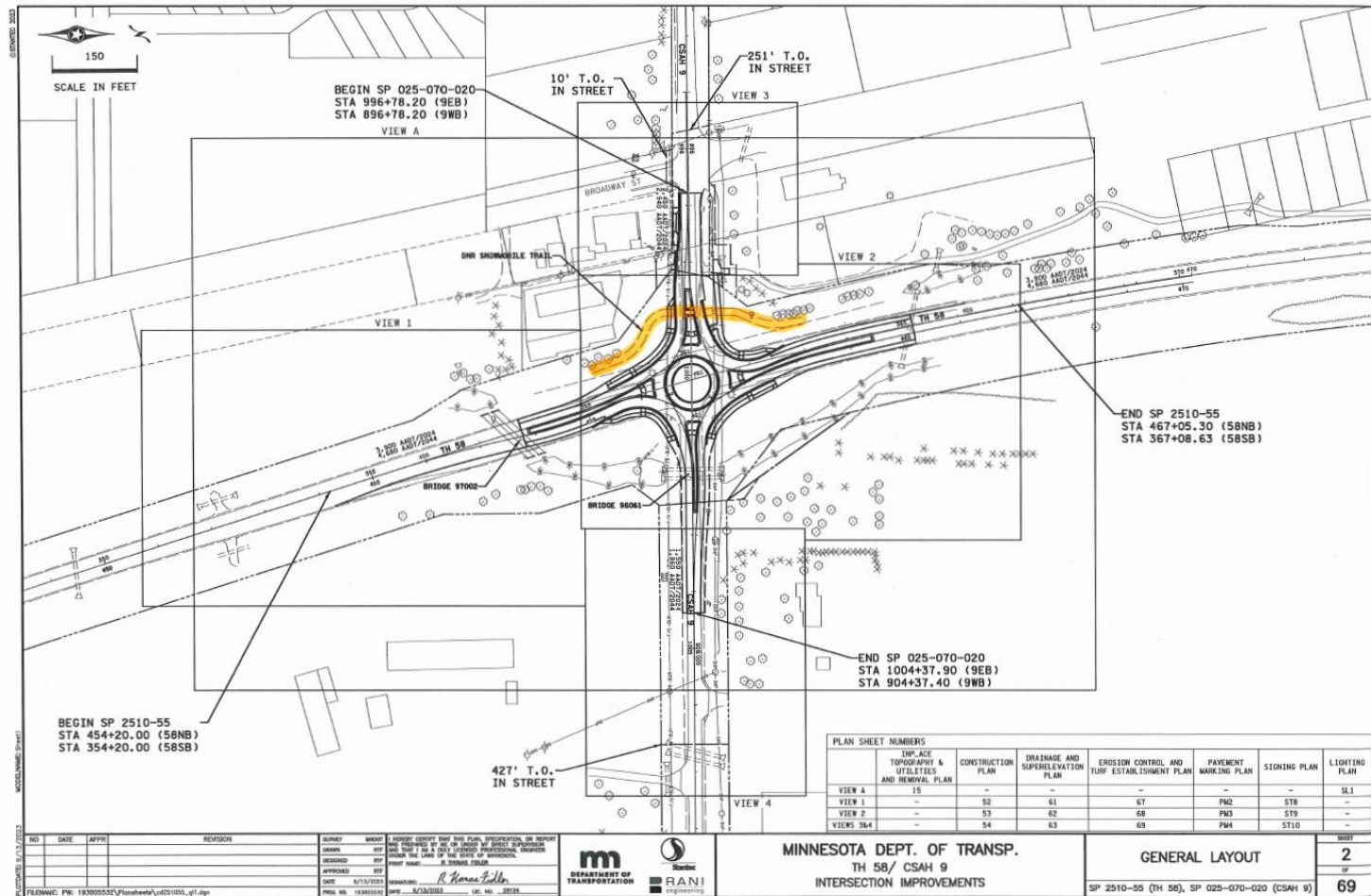
Subdivision 1. **Operation on streets and highways.** (a) No person shall operate a snowmobile upon the roadway, shoulder, or inside bank or slope of any trunk, county state-aid, or county highway in this state and, in the case of a divided trunk or county highway, on the right-of-way between the opposing lanes of traffic, except as provided in sections [84.81](#) to [84.90](#). No person shall operate a snowmobile within the right-of-way of any trunk, county state-aid, or county highway between the hours of one-half hour after sunset to one-half hour before sunrise, except on the right-hand side of such right-of-way and in the same direction as the highway traffic on the nearest lane of the roadway adjacent thereto. No snowmobile shall be operated at any time within the right-of-way of any interstate highway or freeway within this state.

(b) Notwithstanding any provision of paragraph (a) to the contrary:

(1) under conditions prescribed by the commissioner of transportation, the commissioner of transportation may allow two-way operation of snowmobiles on either side of the trunk highway right-of-way where the commissioner of transportation determines that two-way operation will not endanger users of the trunk highway or riders of the snowmobiles using the trail;

# DOT Nighttime, Two-Way Use LUP

DOT Proposed LUP at T.H. 58 & CSAH 9 in City of Goodhue:





# DOT Nighttime, Two-Way Use LUP

## LUP Agreement Specifics:

- Required for trail sections with Nighttime two-way traffic in MN DOT ROW
  - Trail crossings of US Highway and State Highways
  - Sections of trail in which snowmobilers ride against oncoming roadway traffic
  - Trail on one single side of the roadway within MN DOT ROW
- Indemnifies the State of Minnesota, thereby shifting liability to sponsor
- 10-year agreement

## Items to note:

- Doesn't appear LUP's have been implemented consistently statewide
- Doesn't appear LUP's have been enforced until now
- MN DOT and Goodhue County are not aware of any other Two-Way Nighttime LUP's currently on file or having been signed in the past
- Two other SE MN Counties have refused to sign LUP's

# Liability / Insurance Issues

## MCIT Response:

- If you (Goodhue County) agree to indemnify the state, you will be assuming responsibility for the state's potential liability. MCIT excludes liability of others assumed in a contract except under narrow exceptions. The LUP does not appear to qualify as one of those exceptions. Therefore, it is likely Goodhue County will be self-insuring this assumption of liability.
- Generally, MCIT recommends against agreeing to indemnify another entity for their own conduct. If the right of ways at issue are all within the state's jurisdiction, only the state is able to control that risk.
- Ideally, it would be best for the state to contract directly with the snowmobile club, where the club agrees to protect, defend, release and hold the state harmless for a claim arising out of the snowmobile club's negligence.

# Timing / Club Issues

## Grant Payment Delay:

- DNR can disburse payment as soon as LUP is signed.
- If LUP is not signed, clubs must provide updated maps to DNR
- Benchmark #1 payments are typically made early to mid-January
- Benchmark #1 2024-2025 season amount is approximately \$38,000

# Options / Ramifications

1. Sign LUP from MN DOT:
  - Goodhue County assumes liability in each area identified within LUP(s)
  - No impact to local club funding
  - Additional LUP(s) may be required in future
2. Deny signing of LUP from MN DOT:
  - Goodhue County does not assume liability
  - Local clubs must remove signage, update maps/public trail system information, and provide updated trail mile information to DNR
  - Trail groomers not allowed in sections of trail removed from system
  - Reduces GIA snowmobile trail funding by \$264 per trail mile removed
  - Riding in MN DOT ROW remains legal
3. Draft contract between County and clubs in which liability is assigned to individual clubs. Sign LUP after each club signs contract.

# Questions

# Additional Discussion

# Staff Direction