

# **BID PACKAGE**

**STARR ASPEN NON-COMMERCIAL TREE  
FELLING**

**CONTRACT NAME: Starr Aspen Non-Commercial Tree Felling**

**Units:** SA378, SA379, SA380, SA381, SA382, SA383A, SA383B, SA384, SA390, SA393, SA394, SA397, SA407

**Total acres: 26.5**

**Attached Unit table:** contains additional prescription requirements specific to each unit and both must be utilized during implementation.

**Statement of Work & General Prescription**

Conifers within the aspen stands included in this contract are currently overtopping and shading aspen, and/or competing with aspen for available resources and growing space. Most conifers, except for western larch, from 2 feet in height to 20.9 inches at dbh will be felled by hand within the unit boundary to permit more light and heat to reach the soil and stimulate regeneration and allow for clonal expansion.

For aspen stands that are adjacent to meadows, conifer will be directionally felled into these meadows to facilitate/extend water retention and soil saturation into warmer/drier months of the year, benefiting riparian hydric plant species and aquatic fauna. Trees located closest to the edge of the meadow in a range of size classes will be felled into the meadow so that, to the extent possible, when on the ground, the crowns will be touching.

**Prescription requirements to apply to all units unless otherwise identified in the unit specific table:**

1. **No heavy equipment allowed in units.**
2. **No trees 21 inches dbh or larger will be cut.** Stump height shall not exceed 12" in height on the up-slope side. Cut trees 2 feet in height and greater.
3. Retain western larch in all size classes unless specified in unit table.
4. Retain snags that are not posing safety to contractors, preference is to retain larger snags.
5. Fell conifers away from any existing fences, roadways and drainage feature. All felled material will be cleared to a distance of 6 feet from existing fences. Remove all bole and branch material from any roadway and drainage feature.
6. Leave conifers being used as meat poles in dispersed camp sites.
7. Retain all conifers directly on stream banks to maintain shade and bank stability.
8. Fell conifers that are within height distance to the stream channel as follows: Trees will have at least a portion of them within the stream channel (could be the butt end or the top). Trees will be angled downstream and not perpendicular to the channel in order to be within the bankfull width of the stream unless it can't be done without causing damage to trees being retained.
9. Units 393, 394, and 397: a seasonal restriction where no timber removal or similar disturbances may occur within ½ mile from occupied goshawk nest site from approximately April 1 - August 15 is applied. Review of nests and confirmation of activity will occur by the US Forest Service wildlife biologists in May or June: if nests are not active work may continue without any restrictions.

<b>Unit</b>	<b>Acres</b>	<b>Lower Cut Height</b>	<b>Upper Cut Diameter Limit</b>	<b>Prescription Specifics</b>	<b>Unit Access Information</b>	<b>Restrictions</b>
SA378	3.0	2 feet	20.99" dbh	Fell conifers into channel and meadow as described in the prescription	No road access	
SA379	3.0	2 feet	20.99" dbh	Fell conifers into channel and meadow as described in the prescription	No road access	
SA380	2.4	2 feet	20.99" dbh	Fell conifers into channel and meadow as described in the prescription	No road access	
SA381	1.0	2 feet	Above Rd 10" dbh Below Rd 16" dbh	Fell conifer away from road. All bole or branch material will be removed from the roadway and any drainage features. Below Rd 4955, trees that would reach into the RHCA should be felled in that direction	Unit is on both sides of 4955	
SA382	2.3	2 feet	Fir 18" dbh	Retain ponderosa pine		
SA383 & 383B	5.2	2 feet	Fir 18" dbh	Retain ponderosa pine		
SA 384	0.2	2 feet	18" dbh	Fell conifer on edge of meadow into the meadow	A tree flagged with orange and purple flagging on the 4955 Rd identifies where to walk into Unit 384.	
SA390	1.0	2 feet	20.99" dbh	Fell conifer on edge of meadow into the meadow		Fence line along boundary with private ownership is east side of unit.
SA393	2.3	2 feet	12" dbh	Wetland west end of unit, fence along north end of unit. Fell		Luce Creek goshawk nest may have seasonal

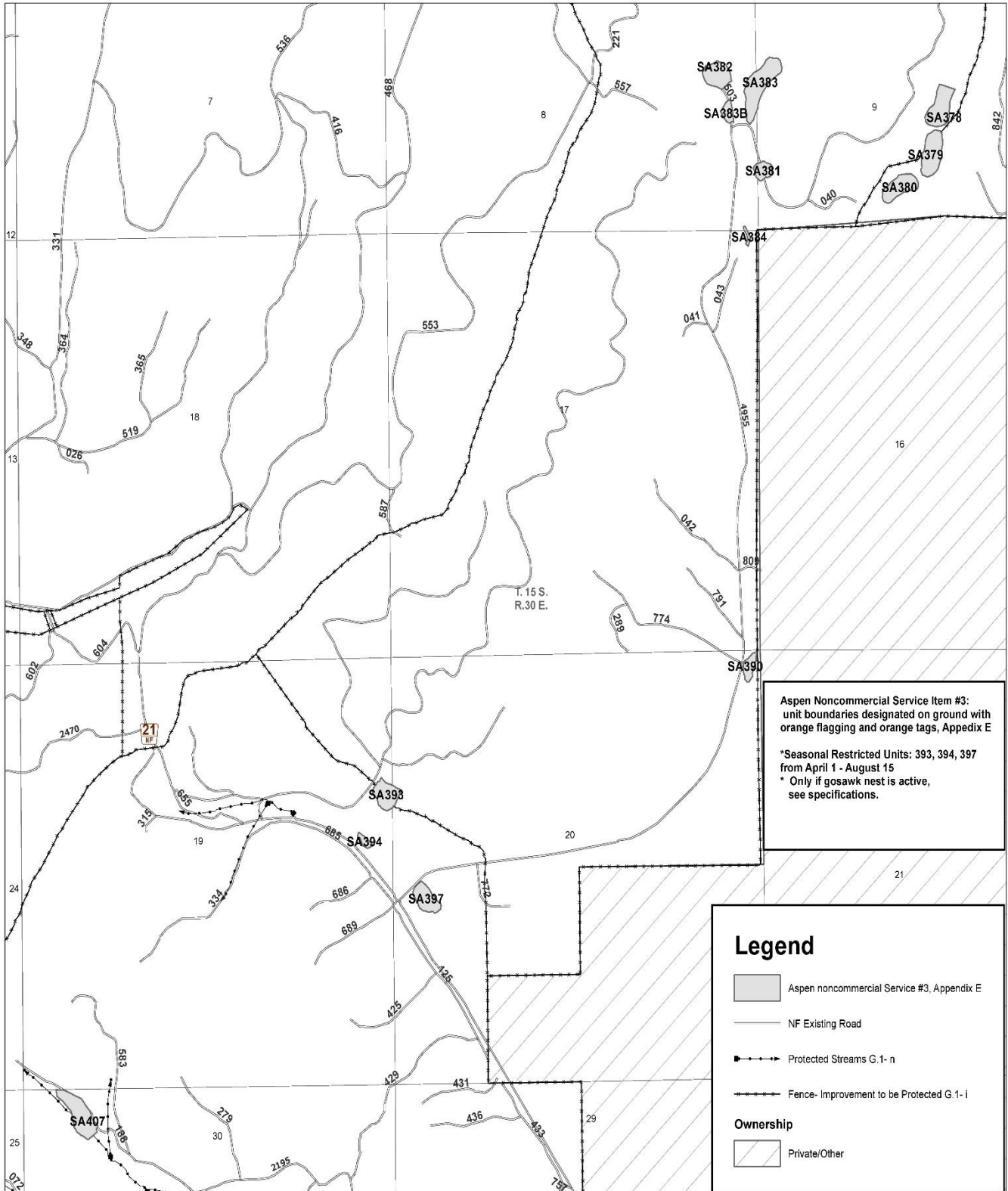
				conifer on edge of wetland into wetland		restriction from April 1 to August 15 only when active
SA394	0.4	2 feet	Western larch 12" dbh	Fell conifer on edge of meadow into the meadow	A tree flagged with orange and purple flagging on the 4955 Rd identifies where to walk into Unit 384.	Luce Creek goshawk nest may have seasonal restriction from April 1 to August 15 only when active
SA397	2.1	2 feet	20.99" dbh	Cut western larch less than 21 inches dbh that are within 10 feet of existing aspen. Fell conifer on edge of meadow into the meadow		Luce Creek goshawk nest may have seasonal restriction from April 1 to August 15 only when active
SA407	3.6	2 feet	20.99" dbh	Fell conifer on edge of meadow into the meadow		

**Starr Aspen Stewardship Agreement Area Map:  
Noncommercial Service Item #3, Appendix E  
Malheur National Forest  
Blue Mountain Ranger District**



Agreement Provision References:  
Use of Roads by Partner. Applies to all roads identified in F.10 - C  
Protect all improvements not limited to roads, trails, utilities, ditches, fences and signs. G.1 - i.

Date: 8/17/2020



Aspen Noncommercial Service Item #3:  
unit boundaries designated on ground with  
orange flagging and orange tags, Appendix E

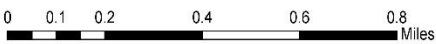
\*Seasonal Restricted Units: 393, 394, 397  
from April 1 - August 15  
\* Only if gosawk nest is active,  
see specifications.

**Legend**

- Aspen noncommercial Service #3, Appendix E
- NF Existing Road
- Protected Streams G.1- n
- Fence- Improvement to be Protected G.1- i

**Ownership**

- Private/Other



## **Liability**

**Liability for Loss.** If Included Timber is destroyed or damaged by an unexpected event that significantly changes the nature of Included Timber, such as fire, wind, flood, insects, disease, or similar cause, the party holding title shall bear the timber value loss resulting from such destruction or damage; except that such losses after removal of timber from the Stewardship Project Area, but before scaling, shall be borne by **Error! Reference source not found.** at current SPA Rates and Required Deposits. Deterioration or loss of value of salvage timber is not an unexpected event.

In the event Included Timber to which Forest Service holds title is destroyed, **Error! Reference source not found.** will not be obligated to remove and pay for such timber. In the event Included Timber to which Forest Service holds title is damaged, the Forest Service shall make an appraisal to determine for each species the difference between the appraised unit value of Included Timber immediately prior to the value loss and the appraised unit value of timber after the loss. Current SPA Rates in effect at the time of the value loss shall be adjusted by differences to become the redetermined rates. There shall be no obligation for the Forest Service to supply, or for **Error! Reference source not found.** to accept and pay for, other timber in lieu of that destroyed or damaged. This Subsection shall not be construed to relieve either party of liability for negligence.

### **Limited Liability for Operations Fires.**

**Maximum Amount of Error! Reference source not found.'s Obligation per Operation's Fire.** Entry should be determined as follows and rounded up to the nearest \$100. The minimum amount will be \$1,000.00. If State statute or law defines limited liability, use that determination (e.g. Oregon), otherwise calculate the amount using the following formula:

**Cooperator's Obligation per Operations Fire,**  
**Maximum Amount                    \$300,000**

## GUIDELINES FOR OPERATIONS

The following Guidelines for Operations apply to activities under this contract, when relevant to the project. These guidelines are intended to clarify the expectations of the parties related to these specific areas of operations.

1. **Use of Roads by the Partner. Error! Reference source not found.** is/are authorized to use existing National Forest system roads and specified roads. The Parties will determine that such use will not cause damage to the roads or National Forest resources.
2. **Protection of Residual Trees. Error! Reference source not found.**'s operations shall not unnecessarily damage young growth or other trees to be reserved.
3. **Safety. Error! Reference source not found.**'s operations shall facilitate the Forest Service's safe and practical inspection of **Error! Reference source not found.**'s operations and conduct of other official duties on the Stewardship Project Area. **Error! Reference source not found.** has/have all responsibility for compliance with safety requirements for **Error! Reference source not found.**'s employees.

When operations are in progress adjacent or on Forest Service controlled roads and trails open to public travel, **Error! Reference source not found.** shall furnish, install, and maintain all temporary traffic controls that provide the user with adequate warning of hazardous or potentially hazardous conditions associated with operations occurring in the area. The parties shall agree to a specific traffic control plan prior to commencement of work. Devices shall be appropriate to current conditions and shall be covered or removed when not needed.

During periods of general recreation activity within Stewardship Project Area or vicinity, the Forest Service may restrict road construction, timber cutting, yarding, and other harvesting operations to days other than Saturdays, Sundays, and holidays.

## LOGGING AND MAINTENANCE OPERATIONS SIGNING STANDARDS

All signs must be manufactured & installed as specified in the FHWA "**Manual on Uniform Traffic Control Devices**" (MUTCD) & FS publication "**Standards for Forest Service Signs & Posters**"( EM 7100-15).

### SIGN STANDARDS

**SHAPE & COLOR:** Generally, signs for logging and maintenance operations are either diamond-shaped or rectangular. All signs are **reflective orange background with black legend and border** unless shown otherwise. Handpainted, homemade signs are not legal. Fluorescent paint is not reflectorized.

**SUBSTRATE:** Sign substrate material may be High Density Overlay (HDO) Plywood,

Aluminum, Fiberglass Reinforced Plastic, Corrugated Plastic or Roll-up Fabrics.

**SIGN SIZE:** Sign size is a factor of speed and MUTCD & FS standards. Where conditions of speed, volume, or special hazard require greater visibility or emphasis, larger signs should be used. Minimum sizes for the most common signs can be found in Figure 4. Refer to the EM-7100-15 for additional sign sizes.

**LEGEND:** All lettering shall be Series "C" alphabet, conforming to Standard Alphabets for Highway Signs. Letter size is also a function of speed - use letter size and word messages as specified in MUTCD and EM-7100-15.

### SIGN PLACEMENT

Signs are to be installed in locations as agreed to in the traffic control plan. All signs are to be removed, covered, or folded when operations are not in progress or the sign message is not applicable. Signs should generally be located on the right-hand side of the roadway. When special emphasis is needed, signs may be placed on both the left and right sides of the road. Sign message shall be clearly visible to road users, mounted on posts or portable sign stands.

#### **LATERAL CLEARANCE**

From the edge of the road - 2 foot minimum, where slope limits to less than 6 feet. 6-12 foot preferred.

#### **HEIGHT**

Minimum of 7 feet, measured from the bottom of the sign to the near edge of the travelway. The height to the bottom of a supplemental sign mounted below the primary sign will be 6 feet.

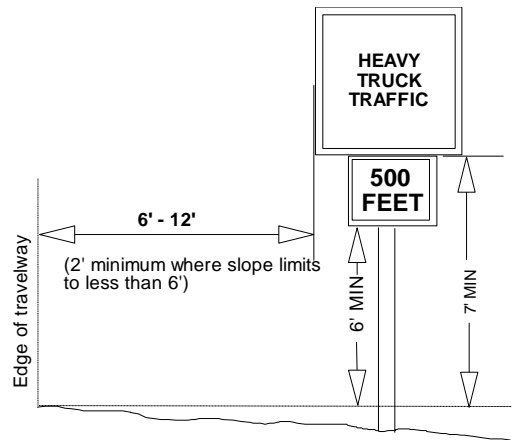


Figure 1: Sign Placement

#### Dimensions

#### **PLACEMENT DISTANCE**

Signs must be located 100-500 feet prior to the activity, (both ends if a through road) and maintained at that distance. This distance is based on speed. Refer to Figure 2, Table II-1, MUTCD, a portion of which is reproduced here, to determine correct placement distance.

Posted or 85 percentile speed MPH	Deceleration to listed advisory speed MPH				
	10	20	30	40	50
20	NA				
25	100				
30	150	100			
35	200	175			
40	275	250	175		
45	350	300	250		
50	425	400	325	225	
55	500	475	400	300	
60	575	550	500	400	300
65	650	625	575	500	375

Figure 2: A Portion of MUTCD TABLE II-1

### SIGN SUPPORTS



**POSTS:** Signs are to be mounted on separate posts. Supplemental signs such as Speed Advisory plates are to be mounted on the same post as the primary sign. *Do not mount signs on trees or other signs.* Posts may be wood, metal, carsonite or similar material. Where sign supports cannot be sufficiently offset from the road edge, supports will meet breakaway standards. Single wood posts with less than 24 square inches do not require breakaway design.

**TEMPORARY/PORTABLE SUPPORTS:** Portable supports may be used for short-term, short-duration, and mobile conditions. MUTCD defines this time period as one work shift, 12 hours or less. All portable supports must meet MUTCD standards, including breakaway. These must be a minimum of 1 foot above the road surface or more if visibility requires it.

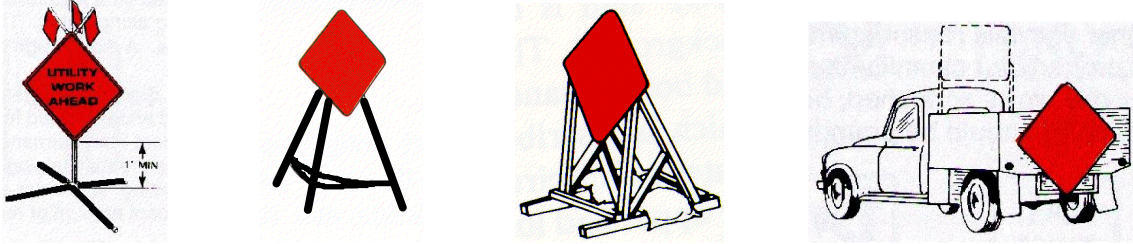
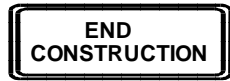


Figure 3: Examples of Temporary/Portable Supports

### SIGNS

The following signs meet the intent of the Safety standard. *This is not a complete listing of signs that may be needed.*



FG20-1-48\*

FG20-2-48

FG20-3-42\*

FG20-3a-42

FW22-3-30



FW20-1-30\*

W21-3-30\*

FW21-4a-30

FW11-7-24

W22-1-36\*





FW8-6-24  
24\*

FW11-9a-24

W7-3a-24\*

W13-1-18\*\*

W20-7aP-

\* Specify Distance

\*\* Specify

Speed



BM-L-O



BM-R-O

Barricade Markers (See MUTCD for length and stripe size)

- 4. **Accident and Injury Notification.** **Error! Reference source not found.** shall notify Forest Service of any lost time personal injury accident or any accident or vandalism resulting in personal property damage over \$400 in value that occurs as a result of or is associated with **Error! Reference source not found.**'s Operations.

**Error! Reference source not found.** shall notify Forest Service within 8 hours of any personal injury accident. For vandalism and personal property accidents, **Error! Reference source not found.** shall notify Forest Service at the same time notification is given to the state and local law enforcement authorities.

**Error! Reference source not found.** shall take all reasonable measures after an accident or vandalism event to preserve the scene of the incident and provide information to facilitate a Forest Service investigation.

- 5. **Sanitation and Servicing.** **Error! Reference source not found.** shall take all reasonable precautions to prevent pollution of air, soil, and water by **Error! Reference source not found.**'s operations. Precautions shall include if facilities for employees are established on the Stewardship Project Area, they shall be operated in a sanitary manner. The parties shall agree to the cleanup and restoration of a polluted site. **Error! Reference source not found.** shall maintain all equipment operating on Stewardship Project Area in good repair and free of abnormal leakage of lubricants, fuel, coolants, and hydraulic fluid. **Error! Reference source not found.** shall not service tractors, trucks, or other equipment on National Forest lands where servicing is likely to result in pollution to soil or water. **Error! Reference source not found.** shall furnish oil-absorbing mats for use under all stationary equipment or equipment being serviced to prevent leaking or spilled petroleum-based products from contaminating soil and water resources. **Error! Reference source not found.** shall remove from National Forest lands all contaminated soil, vegetation, debris, vehicle oil filters (drained of free-flowing oil), batteries, oily rags, and waste oil resulting from use, servicing, repair, or abandonment of equipment.
- 6. **Prevention of Oil Spills.** If **Error! Reference source not found.** maintain(s) storage

facilities for oil or oil products on the Stewardship Project Area, **Error! Reference source not found.** shall take appropriate preventive measures to ensure that any spill of such oil or oil products does not enter any stream or other waters of the United States or any of the individual States. If the total oil or oil products storage exceeds 1,320 gallons in containers of 55 gallons or greater, **Error! Reference source not found.** shall prepare a Spill Prevention Control and Countermeasures Plan. Such plan shall meet applicable EPA requirements (40 CFR 112), including certification by a registered professional engineer. **Error! Reference source not found.** shall notify the Forest Service and appropriate agencies of all reportable (40 CFR 110) spills of oil or oil products on or in the vicinity of the Stewardship Project Area that are caused by **Error! Reference source not found.**'s employees, agents, contractors or their employees or agents, directly or indirectly, as a result of **Error! Reference source not found.**'s operations. **Error! Reference source not found.** will take whatever initial action may be safely accomplished to contain all spills.

7. **Hazardous Substances.** **Error! Reference source not found.** shall notify the National Response Center and Forest Service principal contact of all releases of reportable quantities of hazardous substances on or in the vicinity of the Stewardship Project Area that are caused by **Error! Reference source not found.**'s employees, agents, contractors or their employees or agents, directly or indirectly, as a result of **Error! Reference source not found.**'s operations, in accordance with 40 CFR 302.
8. **Washing Equipment.** In order to prevent the spread of noxious weeds into the Stewardship Project Area, **Error! Reference source not found.** shall be required to clean all off-road logging and construction equipment **prior** to entry on to the Stewardship Project Area. This cleaning shall remove all soil, plant parts, seeds, vegetative matter, or other debris that could contain or hold seeds. Only logging and construction equipment so cleaned and inspected by the **Error! Reference source not found.** will be allowed to operate within the Stewardship Project Area. All subsequent move-ins of equipment to the Stewardship Project Area shall be treated in the same manner as the initial move in. "Off-road equipment" includes all logging and construction machinery, except for log trucks, chip vans, service vehicles, water trucks, pickup trucks, cars, and similar vehicles.

**Error! Reference source not found.** shall employ whatever cleaning methods are necessary to ensure that off-road equipment is free of noxious weeds. Equipment shall be considered free of soil, seed, and other such debris when a visual inspection does not disclose such material. Disassembly of equipment components or specialized inspection tools is not required.

As agreed upon, **Error! Reference source not found.** shall inspect equipment at cleaning location, and provide documentation of inspection to the Forest Service.

New infestations of noxious weeds, of concern to Forest Service and identified by either **Error! Reference source not found.** or Forest Service, on the Stewardship Project Area or on the haul route, shall be promptly reported to the other party. **Error! Reference source not found.** and Forest Service shall agree on treatment methods to reduce or stop the spread of noxious weeds when new infestations are found. A current list of noxious weeds of

concern to Forest Service is available at each Forest Service office.

9. **Conduct of Logging.** Unless otherwise specifically provided herein, **Error! Reference source not found.** shall fell trees designated for cutting and shall remove the portions that meet Utilization Standards, prior to acceptance of work for completion of logging and stewardship projects. Forest Service may make exceptions for occasional trees inadvertently not cut or trees or pieces not removed for good reason, including possible damage to forest resources or gross economic impracticability at the time of removal of other timber.
10. **Felling and Bucking.** Felling shall be done to minimize breakage of included timber and damage to residual timber. Unless agreed otherwise, felling shall be done by saws or shears. Bucking shall be done to permit removal of all minimum pieces. **Error! Reference source not found.** may buck out cull material when necessary to produce pieces meeting utilization standards. Such bucked out material shall contain a minimum amount of sound wood, not in excess of the net scale in percentage of gross scale, or based on the merchantability factor. If necessary to assess extent of defect, **Error! Reference source not found.** shall make sample saw cuts or wedges.
11. **Felling in Clearings.** Insofar as ground conditions, tree lean, and shape of clearings permit, trees shall be felled so that their tops do not extend outside clearcutting units, construction clearings, and areas of regeneration cutting.
12. **Stump Heights.** Stumps shall not exceed, on the side adjacent to the highest ground, the maximum heights of 12 inches except that occasional stumps of greater heights are acceptable when **Error! Reference source not found.** determine(s) that they are necessary for safe and efficient conduct of logging. Unless otherwise agreed, **Error! Reference source not found.** shall re-cut high stumps so they will not exceed heights and shall dispose of severed portions in the same manner as other logging debris.
13. **Protection of Streamcourses.** **Error! Reference source not found.**'s Operations shall be conducted to prevent debris from entering streamcourses unless otherwise specified. In event **Error! Reference source not found.** cause(s) debris to enter streamcourses in amounts that may adversely affect the natural flow of the stream, water quality, or fishery resource, **Error! Reference source not found.** shall remove such debris as soon as practicable, but not to exceed 2 days, and in an agreed manner that will cause the least disturbance to streamcourses.
  - a) Culverts or bridges shall be required on Temporary Roads at all points where it is necessary to cross Streamcourses. Such facilities shall be of sufficient size and design and installed in a manner to provide unobstructed flow of water and to minimize damage to streamcourses. Trees or products shall not be otherwise hauled or yarded across streamcourses unless fully suspended.
  - b) Wheeled or track-laying equipment shall not be operated in streamcourses, except at crossings agreed to by **Error! Reference source not found.** and the Forest Service or as essential to construction or removal of culverts and bridges.
  - c) Flow in streamcourses may be temporarily diverted only if such diversion is necessary

for **Error! Reference source not found.**'s planned construction and Forest Service gives written authorization. Such flow shall be restored to the natural course as soon as practicable and, in any event, prior to a major storm runoff period or runoff season.

14. **Erosion Prevention and Control.** **Error! Reference source not found.**'s operations shall be conducted reasonably to minimize soil erosion. Equipment shall not be operated when ground conditions are such that excessive damage will result. **Error! Reference source not found.** shall adjust the kinds and intensity of erosion control work done, to ground conditions and weather conditions and the need for controlling runoff. Erosion control work shall be kept current immediately preceding expected seasonal periods of precipitation or runoff.

Prior to periods of accelerated water runoff, especially during the spring runoff and periods of heavy rainfall, **Error! Reference source not found.** shall inspect and open culverts and drainage structures, construct special cross ditches for road runoff, and take other reasonable measures needed to prevent soil erosion and siltation of streams.

Unless otherwise agreed in writing, **Error! Reference source not found.** shall complete erosion prevention and control work, including streamcourse protection, within 15 calendar days after completion of skidding and/or yarding operations for each landing.

Designation of on the ground work shall be done as promptly as feasible unless it is agreed that the location of such work can be established without marking on the ground.

During periods of accelerated water runoff, especially during the spring runoff and periods of heavy rainfall, **Error! Reference source not found.** shall inspect and open culverts and drainage structures, construct special cross ditches for road runoff, and take other reasonable measures needed to prevent soil erosion and siltation of streams.

When operations are active, erosion control work will be kept current and will be completed as soon as practicable.

15. **Protection of Improvements.** So far as practicable, **Error! Reference source not found.** shall protect specified roads and other improvements (such as roads, trails, telephone lines, ditches, and fences):
- a) Existing in the operating area,
  - b) Determined to have a continuing need or use, and
  - c) Designated on the Map.

**Error! Reference source not found.** shall keep roads and trails needed for fire protection or other purposes and designated on the Map reasonably free of equipment and products, slash, and debris resulting from **Error! Reference source not found.**'s operations. **Error! Reference source not found.** shall make timely restoration of any such improvements damaged by **Error! Reference source not found.**'s operations and, when necessary because of such operations, shall move such improvements.

16. **Meadow Protection.** Reasonable care shall be taken to avoid damage to the cover, soil, and

water in meadows shown on the Map. Vehicular or skidding equipment shall not be used on meadows, except where roads, landings, and tractor roads are approved. Unless otherwise agreed, trees felled into meadows shall be removed by endlining. Resulting logging slash shall be removed where necessary to protect cover, soil, and water.

17. **Wetlands Protection.** Wetlands requiring protection under Executive Order 11990 are shown on the Map. Vehicular or skidding equipment shall not be used in such wetlands, except where roads, landings, and tractor roads are approved.
18. **Temporary Roads.** As necessary to attain stabilization of roadbed and fill slopes of temporary roads, **Error! Reference source not found.** shall employ such measures as outsloping, drainage dips, and water-spreading ditches. After a temporary road has served **Error! Reference source not found.**'s purpose, **Error! Reference source not found.** shall give notice to the Forest Service and shall remove bridges and culverts, eliminate ditches, outslope roadbed, remove ruts and berms, effectively block the road to normal vehicular traffic where feasible under existing terrain conditions, and build cross ditches and water bars, as staked or otherwise agreed to. When bridges and culverts are removed, associated fills shall also be removed to the extent necessary to permit normal maximum flow of water.
19. **Temporary Roads to Remain Open.** All bridges and culverts shall remain in place and ditches shall not be eliminated on Temporary Roads, shown as "Remained Open on the Map. All drainage structures shall be left in functional condition.
20. **Erosion Control Structure Maintenance.** During the period of this SPA, **Error! Reference source not found.** shall provide maintenance of soil erosion control structures constructed by **Error! Reference source not found.** until they become stabilized, but not for more than one year after their construction.
21. **Slash Disposal.** **Error! Reference source not found.**'s timing of product removal and preparatory work shall not unnecessarily delay slash disposal.
22. **Fire Precautions and Control**
  - a) **Plans.** Prior to initiating **Error! Reference source not found.**'s operations during Fire Precautionary Period, **Error! Reference source not found.** shall file with Forest Service a Fire Prevention and Control Plan providing for the prevention and control of fires on the Stewardship Project Area and other areas of **Error! Reference source not found.**'s Operations. Such plan shall include a detailed list of personnel and equipment at **Error! Reference source not found.** disposal for implementing the plan. This requirement may be met by preparing a single plan for more than one SPA.
  - b) **Fire Precautions.** Specific fire precautionary measures listed in this document shall be applicable during **Error! Reference source not found.**'s Operations in "Fire Precautionary Period" described. The dates of Fire Precautionary Period may be changed by agreement, if justified by unusual weather or other conditions. Required tools and equipment shall be kept in serviceable condition and immediately available for fire fighting at all times during **Error! Reference source not found.**'s operations in Fire Precautionary Period.

- c) **Substitute Precautions.** The Forest Service may authorize substitute measures or equipment, or waive specific requirements by written notice, if substitute measures or equipment will afford equal protection or some of the required measures and equipment are unnecessary.
  
- d) **Emergency Precautions.** The Forest Service may require the necessary shutting down of equipment on portions of **Error! Reference source not found.**'s Operations, as specified by the emergency fire precautions schedule. Under such conditions, after **Error! Reference source not found.** cease(s) active operations, **Error! Reference source not found.** shall release for hire by Forest Service, if needed, **Error! Reference source not found.**'s shutdown equipment for fire standby on the Stewardship Project Area or other areas of **Error! Reference source not found.**'s Operations and personnel for fire standby or fire patrol, when such personnel and equipment are not needed by **Error! Reference source not found.** for other fire fighting or protection from fire. Equipment shall be paid for at fire fighting equipment rates common in the area or at prior agreed rates and, if **Error! Reference source not found.** request(s), shall be operated only by personnel approved by the **Error! Reference source not found.** Personnel so hired shall be subject to direction and control by Forest Service and shall be paid by Forest Service at fire fighting rates common in the area or at prior agreed rates.
  
- e) **Fire Precautionary Period and Fire Precautions.** Specific fire precautionary measures are set forth below. Upon request of Forest Service, **Error! Reference source not found.** shall permit and provide an individual to assist in periodic testing and inspection of required fire equipment. **Error! Reference source not found.** shall promptly remedy deficiencies found through such inspecting and testing.
  - 1. The following requirements shall apply during the period (April 1 – October 31) and during other such periods as specified by Forest Service. Modifications maybe made to these dates each year by the Forest Service.

## **SPECIFIC FIRE PRECAUTIONS**

K. H 2. When the industrial fire precautions level is I or higher, unless waiver is granted under K.H2.2, specific required fire precautionary measures are as follows:

### **A. Fire Security.**

Partner will designate in writing a person or persons who shall perform fire security services listed below on Sale Area and vicinity. The designated person will be capable of operating Partner's communications and fire fighting equipment specified in the contract, excluding helicopters, and of directing the activities of Partner's personnel on Forest fires. Such person must report any fire detected to Forest Service within 15 minutes of detection. In lieu of having the designated person perform the required supervisory duties, Partner may provide another person meeting the qualifications stated above to direct the activities of Partner's personnel and equipment during all fire fighting activities.

Services described shall be for at least 1 hour from the time Partner's Operations are shut

down. For the purposes of this provision, personnel servicing equipment, and their vehicles, who are not engaged in cutting or welding metal are excluded.

Fire security services shall consist of moving throughout the operation area or areas constantly looking, reporting, and taking suppression action on any fires detected. Where possible, the designated person shall observe inaccessible portions of helicopter operating areas from vantage points within or adjacent to Project Area.

Partner shall furnish fire security services based on the predicted industrial precaution level, obtained by Partner from the appropriate Ranger District Headquarters. If predictions made after 6:00 p.m. local time, are significantly different than originally estimated, Forest Service will inform Partner when changes in fire security services are indicated.

**B. Fire Extinguisher and Equipment (on Trucks, Tractors, Power Saws, etc.).**

- (a) Each yarder or loader equipped with an internal combustion engine or other spark emitting source shall be equipped with a readily accessible fire extinguisher, with an Underwriter's Laboratory (UL) Rating of at least 5 B,C.
- (b) All power-driven equipment operated by Partner on National Forest land, except portable fire pumps, shall be equipped with one fire extinguisher having a UL rating of at least 5 B,C and one "D" handled or long handled round point shovel, size O or larger. In addition, each motor patrol, truck and passenger-carrying vehicle shall be equipped with a double-bit axe or Pulaski, 3-1/2 pounds or larger.
- (c) Equipment required in (a) and (b) shall be kept in a serviceable condition and shall be readily available.
- (d) Each gasoline power saw operator shall be equipped with a pressurized chemical fire extinguisher of not less than 8-ounce capacity by weight, and one long handled round point shovel, size O or larger, except at a landing where a suitable fire extinguisher and shovel are immediately available. The extinguisher will be kept in possession of the saw operator at all times. The shovel shall be accessible to the operator within 1 minute.
- (e) Each helicopter shall be equipped with one fire extinguisher having a UL rating of at least 5B,C mounted inside the aircraft within reach of the pilot's operating position.
- (f) One refill for each type or one extra extinguisher sufficient to replace each size extinguisher required on equipment shall be safely stored in the fire tool box or other agreed upon place on Sale Area that is protected and readily available.
- (g) At each area where helicopters are being serviced or supplied, a carbon dioxide fire extinguisher with a UL rating of at least 20 B, C will be provided on the site and placed where it is available for immediate use.



### C. Spark Arrestors and Mufflers.

Each internal combustion engine shall be equipped with a spark arrester qualified and rated under USDA Forest Service Standard 5100-1a as shown in the National Wildfire Coordination Group Spark Arrester Guide, unless it is:

- (a) Equipped with a turbine-driven exhaust supercharger such as the turbocharger. There shall be no exhaust bypass.
- (b) A multi-position engine, such as on power saws which must meet the performance levels set forth in the Society of Automotive Engineers (SAE) "multi-positioned small engine exhaust fire ignition standard, SAE recommended practice J335B" as now or hereafter amended.
- (c) A passenger carrying vehicle or light truck, or medium truck up to 40,000 GVW, used on roads and equipped with a factory designed muffler complete with baffles and an exhaust system in good working condition.
- (d) A heavy duty truck, such as a dump or log truck, or other vehicle used for commercial hauling, used only on roads and equipped with a factory designed muffler and with a vertical stack exhaust system extending above the cab.

Exhaust equipment described in this Subsection, including spark arresters and mufflers, shall be properly installed and constantly maintained in serviceable condition.

### D. Fire Tools.

Partner shall furnish serviceable fire fighting tools in a readily accessible fire tool box or compartment of sound construction with a hinged lid and hasp so arranged that the box can be secured or sealed. The box shall be red and marked "Fire Tools" in letters at least 1 inch high. It shall contain a minimum of:

- (a) Two axes or Pulaskis with a 32 inch handle.
- (b) Three adze eye hoes. One Pulaski may be substituted for one adze eye hoe.
- (c) Three long handled, round point shovels, size 0 or larger.

### E. Tank Truck.

Partner shall provide a tank truck or trailer, containing not less than 300 gallons of water, during yarding, skidding, loading, land clearing, right-of-way clearing, mechanical falling, and mechanical treatment of slash. Such tank truck or trailer shall be maintained in a serviceable condition and located within 10 minutes, round trip, from each operating side during Fire Precautionary Period (closed season), except as provided under B7.21.

The tank truck or trailer shall be equipped with a pump capable of discharging 20 gallons of water per minute, using a 1/4 inch nozzle tip, through a 50 foot length of poly or rubber lined

hose. In addition, 500 feet of serviceable hard rubber poly or rubber lined or FJRL hose of not less than 1 inch outside diameter, fitted with a nozzle capable of discharging a straight stream of 1/4 inch diameter and a spray pattern shall be immediately available for use. The tank, pump, nozzle and at least 250 feet, of the total 500 feet of hose, shall be connected and ready for use at all times. Synthetic hose may be used by agreement.

If a trailer is used, it shall be equipped with a hitch to facilitate prompt movement. A serviceable tow vehicle shall be immediately available for attachment to the trailer and must meet the time requirements stated above. Such truck or trailer shall be equipped to operate for a minimum of 8 hours.

Where designated on Sale Area Map, Partner shall provide a tank trailer or water source and pumping equipment, including accessories, which can be lifted and transported by the yarding system. The component parts shall meet all specifications above. The tank trailer or water supply and pumping accessories shall be deliverable to a fire, in area of operations, within 15 minutes of detection.

In lieu of the above tank trailer or water supply for helicopter operations, Partner may provide a suitable helicopter water bucket with a 300 gallon capacity. When Partner provides a water bucket, a water source shall be provided within 5 minutes round trip flight time from operating side.

#### F. Communications.

During Partner's Operations, excluding powersaw falling and bucking, Partner shall provide adequate two-way communication facilities to report a fire to Forest Service within 15 minutes of detection. Citizen Band radios (CB's) are not considered adequate two-way communications because FCC Regulations prohibit commercial use.

#### G. Smoking and Open Fire Restrictions.

Smoking and fires shall be permitted only at the option of Partner. Partner shall not permit open fires on Sale Area without advance permission in writing from Forest Service.

#### H. Blasting.

Blasting shall be permitted only for road construction purposes unless advance permission is obtained from Forest Service. Whenever the Industrial Fire Precaution Level is II or greater, a fire security person equipped with a long handled round point No. 0 or larger shovel and a 5 gallon backpack pump can filled with water, will stay at location of blast for 1 hour after blasting is done. Blasting may be suspended by Forest Service, in areas of high rate of spread and resistance to control. Fuses shall not be used for blasting. Explosive cords shall not be used without permission of Forest Service, which may specify conditions under which such explosives may be used and precautions to be taken.

#### I. Compliance with State Fire Laws.

Listing of specific fire precautionary measures in the foregoing Subsections is not intended to relieve Partner in any way from compliance with State fire laws covering fire prevention and suppression equipment, applicable to Partner's Operations.

#### J. Aircraft Communications.

Every aircraft used in conjunction with Partner's Operations shall be equipped with an operable radio system. The radio system shall be capable of transmitting and receiving on VHF frequency 122.85 Megahertz (MHz) with a minimum output of 5 watts at the transmitter. The system shall be located and installed so that the pilot can operate it while flying. A shielded all-weather broad-band antenna shall be part of the system. Radio and antenna shall be properly installed and maintained. Upon discovery or notification of a fire on Sale Area, all aircraft pilots controlled by Partner shall monitor VHF frequency 122.85 MHz when within 5 miles of a fire and broadcast their intentions.

#### K. Logging Block Equipment.

Partner shall provide a serviceable 5 gallon backpack pump full of water, one axe, and one long handled round point shovel, size 0 or larger, at each haulback block through which a running line passes.

The area below such blocks must be kept clear of all flammable debris under 4 inches in diameter for a distance of 6 feet in all directions. Material larger than 4 inches that poses a fire risk, such as punky logs, must also be removed. Partner shall avoid line-rub on rocks or woody material which may result in sparks or sufficient heat to cause ignition of fire.

#### K.H.2.1 - BURNING BY PARTNER

Notwithstanding the Fire Precautionary Period limitation of B7.2, Partner is required to obtain written permission from Forest Service prior to any burning on the National Forest Lands.

#### KH.2.2 - EMERGENCY FIRE PRECAUTIONS

Partner shall restrict operations in accordance with the Industrial Fire Precaution Levels attached. Forest Service may change the Industrial Fire Precaution Levels to other values upon revision of the National Fire Danger Rating System and may change the specific Industrial Fire Precaution Levels when such changes are necessary for the protection of the National Forest. When sent to Partner, the revised Industrial Fire Precaution Levels will supersede the attached levels.

### INDUSTRIAL FIRE PRECAUTIONS SCHEDULE

#### LEVEL I. FIRE SEASON

Fire season requirements are in effect. In addition to other fire prevention measures, a Firewatch is required at this and all higher levels unless otherwise waived

#### LEVEL II. LIMITED SHUTDOWN

The following may operate only between the hours of 8 P.M. and 1 P.M.:

- Power saws except at loading sites;
- Feller-bunchers with rotary head saws;
- Cable yarding;

- Blasting;
- Welding, cutting, or grinding of metal.

### LEVEL III. RESTRICTED SHUTDOWN

Cable yarding is prohibited except that gravity operated logging systems employing non-motorized carriages or approved motorized carriages (defined below), may operate between 8 P.M. and 1 P.M. when all blocks and moving lines are suspended 10 feet above the ground except the line between the carriage and the chokers and during rigging. The following are permitted to operate between the hours of 8 P.M. and 1 P.M. where mechanized equipment capable of constructing fire line is immediately available to quickly reach and effectively attack a fire start:

- Ground-based operations (defined below);
- Power saws on ground-based operations;
- Rotary head saw feller-bunchers with a continuous Firewatch;
- Non-rotary head saw feller-bunchers;
- Tethered logging systems (defined below).

The following are permitted to operate between the hours of 8 P.M. and 1 P.M.:

- Power saws at loading sites;
- Loading or hauling of any product or material;
- Blasting;
- Welding, cutting, or grinding of metal;
- Any other spark emitting operation not specifically mentioned.

### LEVEL IV. COMPLETE SHUTDOWN

All operations are prohibited.

NOTE: Where hauling involves transit through more than one shutdown/regulated use area, the precaution level at the woods loading site shall govern the level of haul restriction, unless otherwise prohibited by other than the IFPL system. Under IFPL III, all trucks must be loaded and leaving the loading site no later than 1 P.M.

### INDUSTRIAL FIRE PRECAUTIONS Definitions:

*Approved motorized carriage:* a cable yarding system employing a motorized carriage with two fire extinguishers, each with at least a 2A:10BC rating, mounted securely on opposite sides of the carriage, an emergency motor cutoff, and an approved exhaust system.

*Cable yarding system:* a yarding system employing cables, and winches in a fixed position.

*Fire Season:* that season of the year when a fire hazard exists as declared by the responsible agency official.

*Ground-based operations:* mobile and stationary equipment operations other than cable yarding systems, including but not limited to tractor/skidder, feller-buncher, forwarder, processor, and shovel operations.

*Loading sites:* a place where any product or material (including, but not limited to logs,

firewood, slash, soil, rock, poles, etc.) is placed in or upon a truck or other vehicle. Loading site shall govern the level of haul restriction, unless otherwise prohibited by other than the industrial precaution level system.

*Tethered logging system:* winch-assisted, cable-assisted, traction-assisted, etc., which enable ground-based timber harvesting machines to operate on steep slopes.

Waivers:

Advance written waiver of the above precautions may be issued by the Contracting Officer or Forest Service Representative for any and all activities. Activities for which waivers may be issued include, but are not limited to:

- Mechanized loading and hauling.
- Road maintenance such as sprinkling, graveling, grading and paving.
- Cable yarding using gravity systems or suspended lines and blocks, or other yarding systems where extra prevention measures will significantly reduce the risk of fire.
- Power saws at loading sites or in felling and bucking where extra prevention measures will significantly reduce the risk of fire.
- Maintenance of equipment (other than metal cutting and welding) or improvements such as structures, fences and powerlines.

Partner shall submit written waiver, or substitute precautions under K.H.2.1, with specific measures to be taken by Partner to reduce the risk of ignition, and/or the spread of fire. The Contracting Officer or Forest Service Representative shall consider site specific weather factors, fuel conditions, and specific operations that result in less risk of fire ignition and/or spread than contemplated when precaution level was predicted. Consideration shall also be given to measures that reduce the precaution levels above. Partner shall assure that all conditions of such waivers or substitute precautions are met.

Forest Service will inform Partner when changes in restrictions or industrial precautions are indicated

**23. Fire Control. Error! Reference source not found.** shall, both independently and in cooperation with Forest Service, take all reasonable and practicable action to prevent and suppress fires resulting from **Error! Reference source not found.**'s Operations on the Stewardship Project Area. **Error! Reference source not found.**'s independent initial fire suppression action on such fires shall be immediate and shall include the use of all necessary personnel and equipment at **Error! Reference source not found.**'s disposal on Stewardship Project Area.

- a) **The Partner's Reinforcement Obligations.** Whenever an Operations Fire or Negligent Fire, whether on or off Stewardship Project Area or any other forest fire on Stewardship Project Area, has not been suppressed by initial action and appreciable reinforcement strength is required, Forest Service may require further actions by **Error! Reference source not found.** until such fire is controlled and mopped up to a point of safety. Such actions may include any or all of the following as necessary to fight such fire:

- (1) **Suspend Operations.** To suspend any or all of **Error! Reference source not found.**'s Operations.
- (2) **Personnel.** To release for employment by Forest Service any or all of **Error! Reference source not found.**'s personnel engaged in **Error! Reference source not found.**'s Operations or timber processing within the distance of Stewardship Project Area: (*5 miles*). Any organized crew so hired shall include **Error! Reference source not found.**'s supervisor, if any. Personnel so employed shall be paid at Forest Service standard emergency fire fighting rates.
- (3) **Equipment.** To make available for Forest Service rental at fire fighting equipment rates common in the area or at prior agreed rates any or all of **Error! Reference source not found.**'s equipment suitable for fire fighting and currently engaged in **Error! Reference source not found.**'s Operations within the distance of Stewardship Project Area: (*5 miles*). Equipment shall be operated only by personnel approved by **Error! Reference source not found.**, if so requested by **Error! Reference source not found.**.

24. **Temporary Roads and Skid Trails.** **Error! Reference source not found.** shall locate Temporary Roads and Skid Trails on locations approved by the Forest Service. Such location shall include the marking of road centerline or grade-line and the setting of such construction stakes as are necessary to provide a suitable basis for economical construction and the protection of National Forest lands.

Temporary road surface width shall be limited to truck bunk width plus four (4) feet, except for needed turnouts which shall not exceed two (2) times the bunk width plus four (4) feet. If shovels or cranes with revolving carriage are used to skid or load, temporary road surface width equal to track width plus tail swing shall be permitted.

As necessary to attain stabilization of roadbed and fill slopes of Temporary Roads, **Error! Reference source not found.** shall employ such measures as outsloping, drainage dips, and water-spreading ditches.