42. SPECIAL TERMS:

a. Harvest Specifications

(1) All conifers except white bark pine, alive, 8 inches diameter breast height and larger, containing at least 1 merchantable log, lying within unit(s) 46, not marked with a band of orange paint, shall be felled and merchantable products removed as designated in term 30.a.(5) below:

(2) All dead trees will be left standing in all units unless they are a safety hazard. All damaged or diseased trees designated by the State (Forester-in-charge) shall be felled and merchantable products removed, as designated in term 30.a.(6) below:

(3) Boundaries: All units. The boundaries of units are marked with orange flagging and orange paint on three (3) sides of the cutting unit boundary trees with a horizontal line above the harvest unit number facing the cutting unit and vertical lines online with cutting unit boundary. Trees used for boundary designation are not to be cut. All hardwood trees are not to be cut. Where a cutting unit is adjacent to a system road, the road is the boundary, and no paint was used.

(4) No harvesting shall occur within flammulated owl buffers. Flammulated owl buffers are marked with pink flagging and neon green paint on three (3) sides of the no cutting buffer area trees and vertical lines are marked online with the no cutting area boundary. Trees used for buffer designation are not to be cut. Buffers are depicted on the Attached Sale Map (Exhibit A).

(5) Merchantable products shall be removed as designated below:

(a) Merchantable sawlogs shall be removed.

(b) Non-sawlog products may be removed at the Purchaser's option according to a written plan approved by the State (Forester-in-charge).

b. Utilization, Merchantability and Measurement Standards

(1) A sawlog is merchantable if it meets the following minimum specifications:

(a) A log top diameter, inside bark, of 5.51 inches. A length of 8 feet, 1 inch and a net scale of 33.33 percent, all species.

(2) Non-sawlog material is any chunk, log, longbutt or portion of a tree designated for harvest, which does not contain merchantable sawlog. Non-sawlog will be sold lump sum or by weight. Sawlogs found in non-sawlog loads may be scaled using Scribner Decimal C Rule and charged stumpage rates per MBF, equivalent to the per ton contract rate. Stumpage charges for Scribner scaled sawlogs in non-sawlog loads are in addition to the per ton stumpage charges for non-sawlog.

c. Harvest Procedures

(1) Logging practices and equipment which minimize damage to soil, reproduction, and reserve timber shall be required. Ground-based heavy equipment would be allowed when soil moisture is sufficiently low. Forester-in-charge would ultimately determine when and where appropriate operating conditions exist. **See contract addendum *Soil Moisture Equipment Operability Guide* (USDA, PNF, 2019).**

(2) Removal of merchantable trees or operation of ground-based equipment (skidders, tractors, feller buncher etc.) is not allowed within 120 feet of intermittent streams, ponds, lakes, and wetlands or within 240 feet of perennial streams. Operations will be suspended within 240 feet of any water feature discovered during operations that is not identified on the sale area map until The State (Forester-in-Charge) can determine an appropriate protection area.

(3) The Purchaser shall ensure that prior to moving to the sale area, all earth-disturbing, construction, and road maintenance equipment is free of soil, seeds, vegetative matter, or other debris that could contain or hold seeds, as determined by the State (Forester-in-charge). When moving from units contain heavy populations of noxious weeds the purchaser may be required to clean equipment as determined by the State (Forester-in-charge). "Off-road equipment" includes all logging and construction machinery or vehicles that travel off designated roads or adjacent landings as specified

on the sale area map. Equipment shall be considered clean when a visual inspection does not disclose such material. Disassembly of equipment components or specialized inspection tools is not required. Initial cleaning shall not take place on USFS land.

(4) Felling and Bucking

(a) Mechanized falling and other harvesting equipment is allowed in areas up to 35 percent slope. Where ground-based harvesting equipment is restricted logs will be winched with Off-Road Jammer to designated skid trails.

(b) Feller bunchers shall be restricted to State (Forester-in-charge) approved skid/felling trails. Exceptions must be approved in advance by the State (Forester-in-charge).

(c) Stump height shall not exceed 12 inches above ground line as measured on the uphill side of the stump unless otherwise approved in writing by the State (Forester-in-charge).

(d) Limbing and topping shall be performed on the landing on tractor ground.

(e) After manufacturing, tops/limbs/branches may be required to be hauled back and utilized as slash material on skid trails where consistent with fuels reduction objectives as directed by the State (Forester-in-charge).

(f) Timber shall be felled in the direction of yarding to minimize damage to the residual stand and reproduction during yarding operations.

(5) Yarding

(a) Cable and ground based methods are required on this sale. These methods shall be used in areas designated for them by the State (Forester-in-charge), as shown on the attached map (Exhibit A).

(b) Ground Based (47 acres)

1) Tractors shall be restricted to machines with a maximum overall width of 144 inches including the blade, as measured by the State (Forester-in-charge).

2) Tractors shall be equipped with a properly functioning winch with at least 50 feet of winch line.

3) Grapple skidders shall only be allowed on trails designated by the State (Forester-in-charge).

4) The location and use of new and existing trails shall be approved by the State (Forester-in-charge) prior to felling operations. The Purchaser may be required to flag trail locations for approval by the State (Forester-in-charge).

5) Trails shall be constructed prior to felling operations, on locations approved by the State (Forester-in-charge).

6) Trails shall not follow the bottoms of draws or streams or be located in RCAs without prior approval by the State (Forester-in-charge).

7) Sidehill trails shall not be constructed. All skidding shall be performed at slope gradients.

8) Go-back trails shall only be constructed on locations approved by the State (Forester-in-charge).

9) Tractors shall be kept on designated trails. Where the winch line will not reach, the tractors may be backed off the trail in the direction of the line of skid.

10) The minimum distance between constructed skid trails must be 200’ unless approved otherwise by the State (Forester-in-charge). Constructed skid trails shall not be

constructed over 30% slope except for short distances (<150'). Construction of excavated trails will only be allowed on hillslopes up to 45%.

11) Skidding on nonconstructed trails is allowed on slopes up to 35%. The average minimum distance between nonconstructed skid trails must be 100' unless approved otherwise by the State (Forester-in-charge).

(a) All newly constructed, existing skid trails and landings shall be obliterated/recontoured within one year following harvest activities. Displaced mineral topsoil will be pulled back according to the criteria below. This work may be completed by hand or with an excavator on slopes up to 40%.

- When treatment activity displaces a continuous >4 inch depth of mineral topsoil on >10 sq. ft. area or
- In defined ruts with continuous displaced mineral topsoil berms >4 inches in height and longer than 10 feet
- Reclaim disturbed soil by pulling displaced mineral topsoil berms back to original configuration.
- Place logs and slash against the ground surface over the disturbed area to achieve at least 50 to 80 percent coverage, when available.
- If impacts are mainly limited to track ruts and the centerline of the skid trail is not compacted and still vegetated, decompact only within defined track ruts if they are compacted to a greater than 4-inch depth.
- If decompaction will fracture the roots of trees greater than 8 inches diameter breast height, restrict decompaction in that specific area. This area is typically defined by the tree drip line, or a set radius around such trees as determined by the project forester.

(b) Nonconstructed skid trails would be fully decompacted on the entire width if compacted (typically >4-inch depth of compaction with strong platy or massive structure). Typically, this is a minimum distance of 100-200 feet from landings and primary skid trails.

12) Trees designated for cutting and/or logs will be left as rub trees along tractor skid trails to protect residual stand.

(c) Cable and off-road jammer/tong thrower (Portions of Unit 46)

1) Approximately 70 acres of the sale area shall require cable yarding with distances up to 900 feet.

2) Cable yarding equipment (excaliner or yoder) shall be equipped with a locking carriage and shall have lateral skidding capability of 75 feet.

3) Intermediate supports, extended tailholds, elevated tailholds, supplemental anchors, forwarding, or extended yarding distances may be required as determined by the State (Forester-in-charge).

4) Prior to felling, the Purchaser may be required to flag yarding corridors and designated rub trees for approval by the State (Forester-in-charge).

5) Yarding corridors shall not be located closer than 120 feet to each other except with prior written approval of the State (Forester-in-charge).

6) Rub trees shall be used to prevent excessive sideways movement of the mainline and skyline.

7) Reserve trees will not be used as rub, guy, or tailhold trees without prior written approval from the State (Forester-in-charge). Approved protective devices will be used when anchoring to leave trees.

8) Any damaged rub, guy, or tailhold tree designated by the State (Forester-in-charge) shall be felled and merchantable products removed.

9) Corridors shall not exceed 10 foot width, as measured by the State (Forester-in-charge). Prior written approval from the State (Forester-in-charge) is required for any corridors exceeding this width.

(6) Yarding across or along main, secondary, and surfaced roads shall be approved in advance by the State (Forester-in-charge). Damage to roads shall be repaired by the Purchaser at their expense, as directed by the State (Forester-in-charge).

(7) Optional products yarded to the landing, but not hauled, shall be decked separately from other landing debris as designated by the State (Forester-in-charge).

(8) Minimum CWD (Course Woody Debris) requirements is 4 tons per acre (maximum of 14 tons) of woody material over 3 inches in diameter on the small end and 6 feet or greater lengths. If available, material that is 15 inches diameter or greater should be used to attain at least 75 percent of the tonnage. Cull logs, long butts, and / or slash at landing locations may be required to be skidded back out to units in sale area and dispersed to meet the CWD requirements as determined by State (Forester-in-charge).

(9) Landing and decking locations shall be approved by the State (Forester-in-charge) prior to construction.

(10) Logging will only be permitted July 1 through December 15 of each year. Logging outside this time period shall require submission of a detailed plan to the State (Forester-in-charge) for approval not less than 30 days prior to the commencement of any work on the sale area. The plan shall describe how the procedure will provide a food chain of green ponderosa pine material to protect the residual stand from the pine engraver beetle (Ips). Any alternate plans describing pine slash disposal shall be submitted to the State. Each plan will include a map showing the location of proposed work.

(11) Logging, hauling and road construction operations will not be allowed between December 16 and June 30 each year to reduce the amount of open road miles on the forest. Operations may be allowed to continue after December 16th if significant winter conditions have not settled in as determined by the State (Forester-in-charge).

(12) Logging operations including hauling shall not be conducted when conditions are such that excessive road damage, soil compaction, erosion, or tree damage will result, as determined by the State (Forester-in-charge). *See attached* ***Table 2 – Soil Moisture Equipment Operability Guide (USDA, PNF 2019).***

d. Hazard Management

(1) Contractor's timing of product removal and hazard reduction shall not unnecessarily delay Forest Service slash disposal, site preparation, or reforestation.

(2) Landing debris and debris located along sale roads, except debris within a constructed filter windrow, shall be grapple and/or excavator piled to facilitate burning. Slash and debris deposited on the fill slope of the roads and landings shall also be pulled up and piled. Piles shall be free of soil, stumps, snow, and non-woody organic material and constructed as approved by the State (Forester-in-charge) as logging progresses.

(3) Piling of debris within the RCA of any stream, within 120 feet of any wet area, or within 40 feet (or tree dripline whichever is farther) of any living tree shall not be permitted.

(4) No slash or logging debris shall be left outside the marked cutting unit or sale boundary.

(5) Approximately 117 acres on locations designated on the attached map will be lopped if necessary. All slash and logging debris, less than 3 inches in diameter, will be cut so that it does not extend more than 24 inches of the mean height above the ground.

e. Road Maintenance and Erosion Control Specifications

(1) Erosion control specifications will be as follows:

(a) Erosion control measures shall be installed as operations progress, at the end of each logging season, prior to freeze-up when winter logging is anticipated, or as designated by the State (Forester-in-charge).

(b) Cross-ditches installed in roads, skid trails, and firelines shall slope diagonally down grade at an adequate angle to divert water from the road or skid trail. Each ditch shall be cut into the roadbed, tied to the cut bank, sloped to the shoulders, open at the lower end, and capable of diverting water flow completely off the road at that point.

(c) Cross-ditch or drain dip spacing shall be approximately as follows: 0-4 percent, 150 feet; 5-10 percent, 100 feet; 11 percent and greater, 50 feet; or as designated by the State (Forester-in-charge).

(d) Cross-ditches and drain dips in roads shall be located within 30 feet uphill of all culverts and/or fills except where diverted water will erode fill slopes or at locations designated by the State (Forester-in-charge).

(e) Unless otherwise agreed in writing, Purchaser shall keep erosion control work current with his operations under the sale and in any case not later than 15 days after completion of skidding on each payment unit or cutting unit.

(2) The Purchaser shall be responsible for maintaining any and all gate closures accessing the sale area during periods when public access is restricted as directed by the State (Forester-in-charge). The Purchaser will furnish a lock that can be “daisy-chained” with a USFS/State lock to allow all parties access to the sale during these closure periods. The Purchaser will be responsible for any and all damage caused by said gates being left open by the Purchaser or the Purchaser's employees, contractors, subcontractors, agents or guests.

(3) Damage to culverts, fences, cattle guards, gates, and other improvements will be repaired immediately. Repairs shall be made to the previous conditions as determined by the State (Forester-in-charge) or the State will hire the work done at the Purchaser's expense.

(4) Access roads are defined as beginning on the sale area and terminating at the Paddy Flat Road (FSR 50388). If the Purchaser deviates from the appraised haul route, the Purchaser will be required to obtain legal access and pay any additional road use fees.

(5) Access roads will be kept open at all times as designated by the State (Forester-in-charge).

(6) All roads designated by the State (Forester-in-charge) will be barricaded to vehicular traffic.

(7) Access roads shall be maintained to acceptable standards as determined by the State (Forester-in-charge).

(8) Maintenance work shall include keeping the road surface graded, the berm on the outside edge removed, the inside ditches open, culverts and culvert catch basins clean, rolling dips and sediment traps maintained, and dust abatement as needed. Side casting of surface material (aggregate) shall be minimized by spreading the material on the road surface. Damaged culverts will be repaired or replaced at the Purchaser's expense. Water drafting sites need approval in advance from the State (Forester-in-charge). No vehicles will be allowed in stream courses at any time for the purpose of withdrawing water. Drafting hoses will be required to be fitted with screens with a 3/32 inch or smaller mesh and velocity at the intake must not be so great that fish could be trapped against the screen while drafting. This can be accomplished by pumping from a screened submerged 5-gallon bucket or similar apparatus that provides a large surface around the footvalve.

(9) Access roads will be graded within 3 days of notification by the State (Forester-in-charge).

(10) Cross-ditching and road maintenance shall be done in a satisfactory manner or the State will hire it done at the Purchaser's expense.

(11) Snow berms resulting from winter logging will be removed or breached by the Purchaser as designated by the State (Forester-in-charge).

(12) Authorization to plow snow must be obtained from the State (Forester-in-charge) prior to snow removal. Any resulting damage, including loss of gravel, will be repaired or replaced by the Purchaser as directed by the State (Forester-in-charge). Drainage structures must be maintained to allow for functional drainage. Dozers and skidders shall not be used to plow snow on system roads without written approval of State (Forester-in-charge). Upon approval, dozers or skidders must be equipped with shoes or runners to keep the plow blade a minimum of 2-4 inches above the road surface unless specifically removed from the requirements in writing. Snow must not be removed from the road surface. A minimum of 2-4 inch depth must be left to protect the roadway.

(13) Hauling will be prohibited on weekends (all day Saturday and Sunday); and all major holidays (New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving and the day after, Christmas Eve, and Christmas Day).

(14) Contamination or displacement of road surface aggregate associated with logging activities (skidding or snow plowing) will be repaired/replaced at the purchaser's expense. Any damage to or debris left on the road template (shoulder, ditch line or surface) will be repaired or removed prior to seasonal shutdown.

f. General Sale Administration

(1) Prior to any ground-disturbing activity, including but not limited to, the construction of landings, temporary roads, skid trails, road maintenance, prescribed burning, and logging activity, the Wildlife Biologist or designated staff and the Forest Botanist or designated staff must do on-site surveys for threatened, endangered, proposed, candidate, and sensitive Wildlife and Plant species. Project area could require additional protections based upon findings.

(2) A unit will be cleared when contractual requirements have been satisfactorily completed on that unit, as determined by the State (Forester-in-charge).

(3) Logging will proceed in a systematic manner through the sale area as determined by the State (Forester-in-charge).

(4) When final clearance has been granted by the State (Forester-in-charge) the State and USFS reserves the right to initiate forest improvement and hazard reduction activities on that unit.

(5) The Purchaser shall post warning signs regarding hauling and logging operations along roads and at access road junctions and at other locations requested by the State (Forester-in-charge).

(6) In the event new cultural sites are discovered, ground-disturbing activities in the area shall stop until a qualified archaeologist is consulted and appropriate mitigation identified, as needed, to avoid/protect these sites. ***See PNF Cultural Resource Inadvertent Discovery Plan PY2018****.*

(7) All log landings, temporary roads, and skid trails will be located outside of RCAs unless approved by the State (Forester-in-charge) and responsible USFS official.

(a) Riparian Conservation Area (RCA). RCAs are defined as the area within:
240-foot slope distance from the high-water mark or flood-prone width (whichever is greatest) for perennial streams AND

(b) 120-foot slope distance of the high-water mark of intermittent streams, springs, ponds, lakes, reservoirs, and/or wetlands or flood-prone width (whichever is greatest).

(c) 30-foot slope distance from the outer edge of seeps (saturated soils)

(8) When suspending cable across roads, the Purchaser shall post “line overhead” or equivalent signs. Bright colored flagging shall be tied to any line which is crossing a road.

(9) Haul cull logs back into the units as directed by the State (Forester-in-charge) if the large size class of coarse woody debris is determined to be lacking per 30.c.(8) and the addition of the cull logs back into the unit is consistent with wildfire hazard reduction objectives within the wildland-urban interface.

(10) Report the finding of any active Goshawk nest immediately to the State (Forester-in-charge) and stop all operations within a 650-foot radius around the nest site. No commercial harvest (including yarding), or road work activities including road construction/reconstruction shall occur within a 650-foot radius of an active Goshawk nest. In addition, operations in those 30-acres would be halted until the end of nesting season (March 1 to September 30). Operations may resume earlier if it is determined that the birds are no longer present. No known active nests are currently located within harvest units.

(11) If active great gray owl nest sites are found, restrict project activities for up to 1,500 feet. This could include restricting activities between March 1 and August 1. Exact distance for which restrictions apply will be determined by a wildlife biologist based upon topography and vegetation screening on a site-specific basis. Maintain a 150-foot ground disturbance buffer around identified active nests to maintain site level microhabitat conditions. Great gray owl nesting sites that have not been identified before vegetation or prescribed fire treatments may require protected activity centers to retain nesting and rearing habitat sufficient to rear fledgling great gray owls.

(12) If an elk wallow is discovered during operations, immediately suspend operations within 120 feet and notify the State (Forester-in-Charge).

(13) During transportation system activities, including road maintenance, temporary road construction, AOP culvert/bridge installation, and road decommissioning activities, USFS personnel will need to survey potential water sources or disturbance areas for Columbia spotted frog egg masses or other amphibian species after ice melt and avoid disturbing any water sources with identified egg masses or other amphibian species. If the species is found to be present, delay activities or reroute until masses and tadpoles can be moved or metamorphosis is complete, as the adults are highly mobile.

(14) If active flammulated owl nest sites are found, restrict project activities for up to 1,500 feet from active flammulated owl nest sites. This activity restriction could include restricting commercial harvest, noncommercial thinning, fuel abatement, or roadwork activities from May 1 to July 30 to avoid disrupting nesting activities. Exact distance for which restrictions apply will be determined by a wildlife biologist based on topography and vegetation screening on a site-specific basis. Maintain a 150-foot ground disturbance buffer around identified active nests to maintain site-level microhabitat conditions. Timing restrictions shall only be required for active nest sites. Timing restrictions shall not restrict planned road use patterns, public access, or log hauling. Before project implementation, the wildlife biologist will conduct additional surveys using established protocols during the breeding season (June) to confirm nests are still active and identify any additional nests.

(15) Before project implementation, the USFS wildlife team will resurvey suitable three-toed woodpecker nesting habitat for any active nests using established protocols during the breeding season (June). If new nests are discovered, restrict project activities occurring up to 1,500 feet including commercial harvest or roadwork activities from May 1 to July 30 or until fledging occurs to avoid disrupting nesting activities. Exact distance for which restrictions apply will be determined by a wildlife biologist based on topography and vegetation screening on a site-specific basis.

(16) Before project implementation, USFS personnel will need to survey suitable fisher habitat for presence of the species using established protocols. This may include track surveys, baited camera trap surveys, or other established survey protocols. If fisher are detected, then restrict project activities including commercial harvest, noncommercial thinning, fuel abatement, or roadwork activities from May 1 to July 30 in denning habitat. Denning habitat includes riparian areas and mature forests with canopy closure of 30 percent or more. Exact distance for restrictions will be determined by a wildlife biologist based on topography and vegetation screening on a site-specific basis. Maintain a 150-foot

ground disturbance buffer around identified active dens to maintain site-level microhabitat conditions. Timing restrictions shall not restrict planned road use patterns, public access, or log hauling.

(17) The State shall by written order, delay or interrupt, authorized operations or modify this contract in whole or in part:

(a) To prevent environmental degradation or resource damage, including but not limited to, harm to habitat, plants, animals, cultural resources, or cave resources;

(b) To ensure consistency with land and resource management plans, or other documents prepared pursuant to the National Environmental Policy Act of 1969, 42 USC 4321-4347;

(c) To allow USFS to conduct environmental analysis, including but not limited to, engaging in consultation pursuant to the Endangered Species Act of 1973, 16 USC 1531, et seq.;

(d) Upon agreement with the Forest Service, due to administrative appeal or litigation, regardless of whether by court order or this contract is named in such a proceeding.

(18) If Purchaser has on-site storage of oil or oil products exceeding 1,320 gallons, Purchaser shall prepare, for approval, a Spill Prevention Control and Countermeasures Plan (EPA, 40 CFR 112), including certification by a registered professional engineer.

(a) Purchaser shall notify the State (Forester-in-charge) and appropriate agencies of all reportable (40 CFR 112) spills of oil and oil products on or in the vicinity of the Sale Area that are caused by the Purchaser's employees agents, contractors, Subcontractors, or their employees or agents, directly or indirectly, as a result of Purchaser's Operations. Purchaser will take whatever initial action may be safely accomplished to contain all spills.

(b) Purchaser shall notify the National Response Center and State (Forester-in-charge) of all releases of reportable quantities of hazardous substances on or in the vicinity of the Sale Area that are caused by Purchaser's employees, agents, contractors, subcontractors, or their employees or agents, directly or indirectly, as a result of Purchasers Operations, in accordance with 40 CFR 302.

(c) Store no fuel in RCAs. Refueling or servicing of vehicles or equipment should not take place within RCAs unless there is no other alternative. In the event there is no acceptable alternative site for these activities, refueling or servicing sites must be approved by the State (forester-in-charge), and responsible USFS official.