

Los Pinos Timber Sale  
COS06-TS-2016-001  
Special Terms

A. Harvest Specifications

1. All Engelmann spruce and sub alpine fir dead or dying 8 inches diameter breast height and larger containing at least one merchantable log, lying within units 1, 2 and 3, not marked with a band of orange paint, shall be felled and merchantable products removed as designated below:
  - a. Merchantable sawlogs shall be removed.
  - b. Biomass shall be removed at the Purchaser's option.
2. The Purchaser shall leave an average of 3-5 snags or wildlife trees 10 inches in diameter or greater per acre, if available, not posing a safety hazard during operations. Where possible, group snags in close proximity to each other or associated with green trees being retained. The Contracting Officer Representative shall determine the species and height of snags and wildlife trees.
3. All damaged or diseased trees designated by the Contracting Officer Representative shall be felled and merchantable products removed.

B. Utilization and Merchantability Standards

1. A sawlog is merchantable if it meets the following specifications:
  - a. A scaling length of eight feet or more plus trim allowance;
  - b. A net scale of 33 1/3%, all species;
  - c. A minimum top diameter inside bark of 6 inches
2. Biomass is merchantable if it meets the following specifications:
  - a. A bottom diameter inside bark of less than 6 inches;
  - b. A top diameter of no less than 4 inches in diameter;
  - c. At least 8 feet long plus trim;
  - d. A net scale of 33 1/3, all species
3. This sale will be weight scaled and converted to CF for billing as follows:
  - a. Log trucks will be required to utilize a Bureau of Land Management load ticket system.
  - b. All loads will be weighed on State of Colorado certified scales to determine the weight of the load.
  - c. A CF to pounds conversion factor of 42.15 will be utilized to determine the volume removed from the sale area.
  - d. Billing will occur monthly utilizing the Bureau of Land Management's Timber Sale Information System (TSIS).
  - e. Missing, incomplete, inaccurately filled out load tickets will be charged at 1.5 times the current sale average load weight.

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C. Harvest Procedures

1. Logging practices which minimize damage to soil, reproduction and reserve timber shall be required.
2. Stream channels shall be kept clear of slash and other debris and no ground based equipment or decking will be permitted in these areas. Crossing may be allowed with prior approval of the Contracting Officer Representative.
3. Perennial Streams will be buffered 100 feet.
4. Intermittent streams will be buffered 50 feet.
5. Wetlands will be buffered 100 feet from edge.
6. Springs will be buffered 100 feet.
7. The Purchaser shall ensure that prior to moving to the sale area, all off-road equipment is free of soil, seeds, vegetative matter or other debris that could contain or hold seeds, as determined by the Contracting Officer Representative. "Off-road equipment" includes all logging and construction machinery or vehicles that travel off designated roads or adjacent landings as specified on the sale 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. Cleaning shall not take place on Bureau of Land Management land.
8. Slash and other debris deposited in any stream or spring as a result of logging operations shall be removed and deposited at least 5 feet above the ordinary high watermark using care to minimize damage to stream and spring channels and banks.
9. Feller bunchers will not be permitted on slopes exceeding 35 percent.
10. Ground based skidding will not be permitted on slopes exceeding 35 percent.
11. 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 Contracting Officer Representative.
12. Timber shall be felled in the direction of the line of skid to minimize damage to the residual stand and reproduction during skidding operations.
13. Limbing, topping and longbutting shall be done on the landing.
14. If biomass is not removed it will be piled as if it were slash.
15. Tractor methods are required on this sale.
16. Tractors used for skidding, skid trail construction or cross ditching shall be restricted to machines with a maximum overall width of 132 inches including the blade, as measured by the Contracting Officer Representative.
17. Skidding tractors shall be equipped with a properly functioning winch with at least 50 feet of winch line, except grapple skidders.
18. The location and use of new and existing skid trails shall be approved by the Contracting Officer Representative prior to felling operations. The Purchaser may be required to flag skid trail locations for approval by the Contracting Officer Representative.

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19. Skid trails shall be constructed prior to felling operations, on locations approved by the Contracting Officer Representative.
20. Skid trails shall not follow the bottoms of draws or streams.
21. Whole tree skidding shall be required.
22. Skidding across or along main or secondary roads shall be approved in advance by the Contracting Officer Representative. Damage to roads shall be repaired by the Purchaser at their expense, as directed by the Contracting Officer Representative.
23. Landing and decking locations shall be approved by the Contracting Officer Representative prior to construction.
24. Logging operations will not be allowed between April 16 and June 30.
25. Logging shall not be conducted when conditions are such that excessive soil compaction, erosion or tree damage will result, as determined by the Contracting Officer Representative.
26. No activities will be allowed within ½ mile of active northern goshawk nests from March 1 to July 31 or until fledging has occurred. No harvesting will be allowed within a 30 acre buffer of nest sites. At this time, no nest sites are known to occur in the sale area.
27. If any new cultural resource sites are discovered, activities will be stopped and Contracting Officer Representative notified. The Purchaser in cooperation with the Bureau of Land Management will ensure that the discovery is protected from further disturbance until mitigation is completed. Operations may not begin again until written authorization is provided by the Contracting Officer Representative.
28. Native American human remains: Pursuant to 43 CFR 10.4(g), the Purchaser must notify the Contracting Officer Representative by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects or objects of cultural patrimony on Bureau of Land Management lands. Pursuant to 43 CFR 10.4(c) and (d), the Purchaser must stop activities in the vicinity of the discovery. The Purchaser shall make a reasonable effort to protect the human remains, funerary items, sacred objects or objects of cultural patrimony until a written notice to proceed is granted by the Contracting Officer Representative.
29. All Cadastral Survey monuments and evidence of PLSS boundaries will be protected by the Purchaser. Damage to monuments and evidence of PLSS boundaries will be repaired at the Purchaser's expense if it is determined to be at fault.

**D. Hazard Management**

1. Landing debris and debris located along sale roads except debris within a constructed filter windrow shall be piled with a grapple to facilitate burning. Slash and debris deposited on the fill slope of the roads and landings shall also be pulled up and piled. Piles will be constructed as approved by the Contracting Officer Representative.

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2. Piling of debris within the stream protection zone of any stream or spring shall not be permitted.
3. No slash or logging debris shall be left outside the sale area.
4. Maintain large diameter downed logs in various stages of decomposition within the harvest units.

E. Road Maintenance and Erosion Control Specification

1. Hauling will not be allowed between April 16 and June 30.
2. Erosion control specifications will be as followed:
  - 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 Contracting Officer Representative.
  - b. Cross ditches installed in roads and skid trails shall slope diagonally out and 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 cutbank, sloped to the shoulders, open at the lower end and capable of diverting water flow completely off the road at that point.
  - c. Rolling dip or cross-ditch spacing shall be approximately as follows: 0-4%, 150 feet; 5-10%, 100 feet; 11% and greater, 50 feet; or as designated by the Contracting Officer Representative.
3. The Purchaser shall be responsible for maintaining any and all gate closures accessing the sale area during periods when public access is restricted. 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.
4. 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 Contracting Officer Representative.
5. Access roads are defined as beginning on the sale area and terminating at the end of the United States forest Service road Use Permit.
6. Access roads will be kept open at all times as designated by the Contracting Officer Representative.
7. All spur roads designated by the Contracting Officer Representative will be barricaded to vehicular traffic.
8. Access roads will be maintained to acceptable standards as determined by the Contracting Officer Representative.
9. 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 shall be minimized by spreading the material on the road surface

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10. Access roads will be maintained within three days of notification by the Contracting Officer Representative.
11. The cross-ditching and road maintenance shall be done in a satisfactory manner or the Bureau of Land Management will hire it done at the Purchaser's expense.
12. Snow berms resulting from winter logging will be removed by the Purchaser as designated by the Contracting Officer Representative.
13. Written authorization must be obtained from the Contracting Officer Representative to plow snow.

F. General Sale Administration

1. A cutting unit will be cleared when contractual requirements have been satisfactorily completed on that unit, as determined by the Contracting Officer Representative.
2. Logging will proceed in a systematic manner through the sale area as determined by the Contracting Officer Representative.
3. When final clearance has been granted by the Bureau of Land Management for any cutting unit, the Bureau of Land Management reserves the right to initiate forest improvement and hazard reduction activities on that unit. This may involve precommercial thinning or planting contractors or slash treatment crews working on the cleared unit.
4. Purchaser's operations shall facilitate BLM's safe and practical inspection of Purchaser's operations and BLM's conduct of other official duties on Contract Area. Purchaser has all responsibility for compliance with safety requirements for Purchaser's employees, contractors and subcontractors. In the event that the Authorized Officer identifies a conflict between the requirements of this contract or agreed upon methods of proceeding hereunder and State or Federal safety requirements, the contract may be modified. If the cost of such contract modification is of a substantial nature (\$2,000.00 or more), the Purchaser may request, in writing, an adjustment in the total contract purchase price specified in Section 2 of the timber sale contract, as amended, to compensate for the changed conditions. Unless otherwise specified in writing, when operations are in progress adjacent to or on roads and/or trails in the harvest unit area, Purchaser shall furnish, install, and maintain all temporary traffic controls that provide the road or trail user with adequate warning of and protection from hazardous or potentially hazardous conditions associated with its operations. Purchaser shall prepare a Traffic Control Plan, which the Purchaser has determined is compliant with state and local OSHA and Transportation standards no later than the pre-work meeting and prior to commencing operations. Traffic control devices shall be appropriate to current operating and/or weather conditions and shall be covered or removed when not needed., Flagmen and devices shall be as specified in state OSHA and Transportation standards for logging roads or the "Manual on Uniform Traffic Control Devices for Streets and Highways"

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(MUTCD) published by the U.S. Department of Transportation - Federal Highway Administration. Included in the Traffic Control Plan, Purchaser shall note traffic control device locations on a Purchaser produced copy of the contract Exhibit "A" Map.

G. Developments

1. Approximate development locations are shown on the attached map and/or development log. The Bureau of Land Management reserves the right to make reasonable alterations in the system through written directions to the Purchaser.
2. Approximately 0.05 miles of secondary road shall be reconstructed and/or improved on locations designated by the Contracting Officer Representative. The standards are:
  - a. Individual roads will be constructed to grades specified by the Contracting Officer Representative.
  - b. Clearing and windrowing and/or piling of slash and debris at the toe of the cleared area shall be required prior to earth moving.
  - c. The area affected by the disposal of right-of-way slash and debris shall be kept to a minimum by concentrating this material at selected locations in piles at the toe of the slope.
  - d. Right-of-way slash will be piled with a grapple as specified by the Contracting Officer Representative.
  - e. All stumps, root wads and other organic debris shall be grubbed within the cut slope, running surface and fill zones.
  - f. Right-of-way clearing width will be kept to minimum standards as directed by the Contracting Officer Representative.
  - g. Running surface width: 14 feet.
  - h. All stumps shall be removed for a distance of 2 feet above the top of the cut slope as measured by the Contracting Officer Representative.
  - i. Rolling cross-dip drainage structures will be built into the road at the time of reconstruction. These structures will meet the following specifications unless approved otherwise by the Contracting Officer Representative:
    1. The dip will be approximately one foot in depth from the surface plane of the road; the upgrade approach to the bottom of the dip will be approximately 20 feet in length and the downgrade approach to the bottom of the dip approximately 60 feet in length.
    2. The dip will cross the road at nearly a 90 degree angle and will inslope or outslope approximately 5 percent according to how that portion of the road drains (inslope to a ditch, or outslope if no inside drainage is available).
  - j. Cut slopes shall be approximately 1:1 ratio (horizontal to vertical).
  - k. Fill slopes shall be approximately 1 ½ : 1 ratio (horizontal to vertical).

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3. Approximately 3.93 miles of secondary road shall be opened on locations designated by the Contracting Officer Representative. The standards are:
  - a. Improve and install new drainage as designated by the Contracting Officer Representative.
  - b. Remove brush from cut and fill slopes as needed to allow for safe truck traffic. Brush shall be removed by cutting or chipping in place, with root systems left intact, at locations as designated by the Contracting Officer Representative.
4. Approximately 0.96 miles of road shall be closed on locations designated by the Bureau of Land Management, to include the following:
  - a. Install semi-permanent drainage structures following harvest operations.
  - b. Barricade the road as designated in the development log.
5. Any additional roads the Purchaser wishes to construct shall be built to the above listed specifications and shall require prior written approval from the Contracting Officer Representative.
6. The Purchaser shall purchase and apply 100 pounds of live grass seed to landings, skid trails, disturbed cut and fill slopes and portions of the C Road that are closed following harvest activities. The seed shall be certified weed free San Luis slender wheatgrass or another acceptable seed mix as determined by the Contracting Officer Representative. Heavily compacted landings, skid trails and closed roads may need to be ripped prior to seeding.

H. Right-of-Way

1. A Road Use Permit must be obtained from the United States Forest Service at the expense of the Purchaser. This cost may be different than the estimated cost calculated within the Logging and Development Cost worksheet.
2. A copy of a fully executed Road Use Permit from the United States Forest Service for this sale will be provided to the Bureau of Land Management. All terms and conditions within the United States Forest Service road Use Permit will become part of this contract.