

MICHIGAN DEPARTMENT OF NATURAL RESOURCES
Forest Certification Work Instruction

DRAFT FINAL

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Work Area Group: 7 - Integrated Implementation and Contracting

Work Instruction Title: 7.1 Timber Sale Preparation and Administration Procedures

Purpose: To provide direction to field staff on preparing timber for sale and on administration of timber sale contracts.

Work Instruction:

1. Timber Sale Preparation

Timber Sale Proposal Checklist: Complete the Timber Sale Proposal Checklist which will indicate the sale conditions to include in the Timber Sale contract. Ensure timber sale specifications match forest inventory prescriptions.

2. Timber Sale Contract Inspection Process

Use the following guidelines to record timber sale inspections, including the initial pre-sale meeting and ongoing site inspections, and to complete the final Timber Sale Contract – Field Inspection Report.

a. **Pre-Sale Meeting:** Conduct a pre-sale meeting with the stumpage purchaser and/or logging crew to review provisions of the contract and to discuss any special features that require care or attention. Use Form R-4050 Timber Sale Contract – Field Inspection Report to:

- 1) Record pre-sale meeting date, attendance and method (on-site, telephone or in the office)
- 2) Record name of the Sustainable Forestry Education (SFE) trained foreman and verification of status as a Qualified Logging Professional (has core training and annual continuing education⁴).
- 3) Document any special features that require care or attention and any specific conditions not covered in the timber sale contract such as initial access requirements or landings.

b. **Ongoing Inspections:** For active contracts a record of all timber sale inspections, site visits, telephone conversations and other related observations and notes will be kept on a Timber Sale Contract Field Inspection Report, R-4050 for the duration of the open contract. At a minimum, documentation should include:

- 1) Dates of inspections, visits, or other communication.
- 2) Payment unit start/finish dates.
- 3) Name of person recording remarks.
- 4) Annual checks of active contracts (for each calendar year) for SFE continuing education⁴.
- 5) Agreements or details not specified in contract specifications such as landing locations, placement of skid-trails, etc.

⁴ The annual SFE continuing education verification requirement is in effect for those timber sale contracts advertised or issued as of January 1, 2016

- 6) Document “not acceptable” or substandard performance along with corrective actions as requested on R-4050. Unacceptable performance must be followed up with a letter or personal contact with the contractor to explain conditions and required corrective actions.
 - 7) Document steps taken to correct “not acceptable” conditions.
 - 8) All timber sale inspection reports will be kept as part of the timber sale record.
 - 9) Schedule of Field Inspections: The Unit must visit timber sale areas often enough to maintain up-to-date knowledge of activity. Inactive sales: check occasionally during life of contract. Active sales (sales where on-the-ground work is occurring): weekly inspections are recommended, though more frequent inspections may be necessary.
3. **Final Inspection:** A final timber sale inspection will be completed for each timber sale contract and will be documented on form R-4050 when a sale is completed, closed or cancelled. Completion of the timber sale shall also be recorded in MiFI with an update of the Stand and Treatment databases, including the creation of any appropriate ‘Next Step’ treatments. The final timber sale inspection report (front page of R-4050) will be attached to the Timber Sale Completion Report. A copy of the entire timber sale inspection report will be kept as part of the timber sale record.
- a. There must be thorough documentation of “not acceptable” conditions and corrective actions during the term of the contract.
 - b. Summary comments on performance can be documented under “Overall Comments/Evaluation”.
4. **Additional instructions** for evaluating some of the items on the Timber Sale Contract - Field Inspection Report follow:
- a. **BMPs.** The following items on the Timber Sale Inspection Form (R-4050) relate to BMPs. Follow the guidelines in the BMP manual (Sustainable Soil and Water Quality Practices on Forest Land, 2009) when evaluating these features as follows:
 - 1) Landings. Be sure they are located away from streams and other water bodies. Fueling, maintenance and repair should only be conducted on properly located landings except in emergencies.
 - 2) Oil Spills and Cleanup of Area. Check that producers have an oil spill kit on-site. Ensure that any spills have been cleaned up according to the requirements of the General Sale Condition 5.6.1. Additionally the site should be kept clean of trash generated by the harvest operations.
 - 3) Soil Protection. Check to be sure that operations affecting soil erosion, compaction and rutting are in compliance with contract specifications.
 - 4) Road construction, Road Maintenance, Location of Skid Trails and Roads. These three items on the form should be used to check that road construction, road maintenance and the location of roads and skid trails, including road closures, are in compliance with contract specs and the BMP manual. Careful attention should be given to these features to assure that they are not causing negative site impacts such as rutting, erosion or runoff into streams, lakes and ponds.
 - 5) BMP Applications. This is a general BMP category to consider anything related to BMPs that has not specifically been addressed in the previous items. Restricting operations in riparian management zones (RMZs) and avoiding vernal pools are some examples of issues that should be checked here.
 - b. **Safety.** DNR encourages safe working conditions and safety training for contractors and stumpage purchasers within the scope of our legal responsibility and authority. The following personal protective equipment (PPE) checklist, and the Training Requirements for Loggers (section c), apply to timber sale contracts only. Recommendations for small receipt permits for timber removal and firewood permits are covered under information circulars.
 - 1) **Safety Requirements.** Stumpage purchasers are required by contract to abide by all safety laws including MIOSHA safety standards. Compliance with the safety standard is required whether or not MIOSHA has jurisdiction under the circumstances. The following PPE table, consistent with MIOSHA standards, applies to all contractor and DNR personnel on all open timber sale contracts. The table, in conjunction with the explanations that follow, is to be used to assess worker safety on each timber sale.

Personal Protective Equipment Checklist

Activity	Leg Protection	Hard Hat	Safety Boots/ Shoes	Eye Protection	Face Screen	Hearing Protection	Gloves
Chainsaw operator	X	X	X		X*	X	
Logging or road construction equipment operator		X	X	X		X	
Truck driver**		X	X	X		X	
Landing worker (repair person, deck attendant)	If using chainsaw	X	X	X		X	As needed
Supervisor		X	X	X		As needed	
DNR staff	If using chainsaw	X	X	X	If using chainsaw	As needed	As needed

* When the Face Screen is used, no other eye protection is required.

** When outside the truck on the logging job.

- **HARD HAT.** Approved hard hats shall be worn by all persons present on the logging operation including log truck drivers and anyone on or near the woods or landing areas. Hard hats are not required while operators are within an enclosed cab that meets MIOSHA standards for rollover protections and brush guards.
- **EYE PROTECTION**
 - Safety glasses, face shields or goggles shall be worn by all workers involved in activities where wood chips, sawdust, flying particles, foreign objects (twigs, limbs, branches) may injure, puncture, scratch or damage workers' eyes.
 - Eye protection for equipment operators where cab protection or a windshield is not adequate.
- **HEARING PROTECTION.** Hearing protection shall be worn by all workers operating chainsaws or woods equipment. All workers in the immediate area of any mechanized equipment shall use hearing protection.
- **SAFETY FOOTWEAR.** Workers shall wear foot protection, such as* heavy-duty logging boots, which are waterproof or water-repellent and which cover and provide support to the ankle. Workers shall wear protective footwear when working in areas where an employee's feet are exposed to a danger of foot injuries due to falling or rolling objects or a danger of objects piercing the sole of the shoe. Workers who operate a chain saw must wear foot protection that is constructed with cut-resistant material that will protect the employee's foot against contact with a running chain saw.
*The "such as" means including but not limited to.
- **CHAINSAW SAFETY EQUIPMENT.** Workers who use chainsaws must wear leg protection made of cut-resistant material, such as ballistic nylon.
- **HAND PROTECTION.** An employee on a logging operation who is working with a wire rope or sharp object that may cause an injury to the hand shall wear gloves of a suitable type. The gloves shall provide adequate protection from puncture wounds, cuts, and laceration.

- 2) **Safety Administration.** Personal protective equipment identified in Section 1 must be properly used by all contractor personnel regardless of MIOSHA jurisdiction. DNR staff on open State timber sale contracts must properly use personal protective equipment identified in Section 1 after any on-the -ground contractor work has begun, and until the sale contract has been closed. (Proper use means proper selection and safe use of personal protection equipment as defined by the MIOSHA General Industry Safety Standards Part 51. Logging and Part 33. Personal Protective Equipment).

If improper use of PPE by one or more contract employees is observed, the following steps will be taken. Multiple observations of improper PPE use on one inspection visit will be counted as one violation.

- If unsafe practices are observed and not immediately remedied, all operations on the contract are to be suspended until the unsafe practice is resolved. The unsafe practice must be noted on a Timber Sale Inspection form (R-4050). The forest management unit tracks violations on each contract.
- If unsafe practices are observed during 7 separate field visits on a single contract, the contract will be terminated. Contact the Timber Sales Specialist regarding the process to terminate a contract. The Timber Sales Specialist will also track contract terminations.
- If 4 or more contracts under the same purchaser are terminated for unsafe practices within a 12 month period, the purchaser will be placed on the no-bid list for one year.

3) **Referrals to MISOHA.** MIOSHA is interested in receiving referrals when a contractor with one or more employees has health or safety hazards that are violations of MIOSHA rules and the contractor will not voluntarily address the issue(s). When a hazard is identified and corrected, there is no need to refer to MIOSHA. MIOSHA is also interested in receiving referrals when a serious accident, such as an amputation or severe laceration occurs. The Timber Sale Specialist will submit all referrals.

c. Training Requirements for Loggers. Stumpage purchasers, their employees, their contractors, and their subcontractors shall have adequate training, sufficient for their roles and responsibilities. Purchasers are required to have their State timber sales closely supervised by a staff person that is a Qualified Logging Professional (QLP) as defined by the Michigan Sustainable Forestry Initiative Implementation Committee (SFI IC), or has a certificate of completion for QLP training per the Wisconsin Forest Industry Safety and Training Alliance (FISTA). “Closely supervised” means “overseen with adequate knowledge of the concerns and current status of an operation to be able to provide immediate control over any process that may threaten compliance with BMPs and other contract terms”.

The identity of the QLP staff person and the current status of their QLP designation will be verified at the pre-sale meeting with the sale administrator, documented on the Timber Sale Inspection form, and checked annually thereafter after January 1 of each calendar year using the sources listed below. A current QLP designation is signified by a ‘green’ or ‘yellow’ status in the Michigan SFI IC SFE electronic database.

Timber sales sold by other State of Michigan agencies are exempt from the requirement for SFE trained supervision. In those cases, DNR professional foresters will provide the supervision as defined above.

Logger Training Requirements

SFI Training Standard	Contacts
Michigan <ul style="list-style-type: none"> • Certificate of Completion for SFE training as a QLP 	<ul style="list-style-type: none"> • Check the Michigan SFI IC SFE electronic data base at http://sfimi.org (logon address and passwords are available from the Forest Certification Coordinator). • For additional follow-up on SFE training records, contact the Forest Certification Coordinator or Scott Robbins with the Michigan Forest Products Council at 517-853-8880.
Wisconsin <ul style="list-style-type: none"> • Certificate of Completion for Qualified Logging Professional training 	For FISTA training records contact Amy Marquardt, 800-551-2656.

d. **Aesthetic Considerations** that were noted in the Pre-sale Checklist and/or specified in the contract should be evaluated for compliance.

- e. **Fire Prevention.** Operations relating to contract provisions that apply restrictions for the purpose of reducing fire risks should be evaluated.
- f. **Wildlife Considerations.** Evaluate any stand level habitat (snags, coarse woody debris, mast tree, conifer retention, threatened or endangered species or ecologically unique feature) provisions of the contract. These are also noted in the Pre-sale Checklist.
5. The Remarks section should also be used to evaluate compliance for anything else that is specified in the contract and not directly addressed in the items above. Examples would be historical or geologically unique features, tribal resources or forest health risks.
6. Copies of inspection forms for completed contracts are to be filed with the Timber Sale Contract in the Unit office.

Scope: (All State Forest Land and Affected Divisions): State Forest Land Other: _____

DNR – FRD DNR – Wildlife DNR – Fish DNR – Law

Responsibility and Role: (Staff who will implement or supervise this instruction)

Job Title/Division	Role
Foresters, Forest Technicians / FRD	Complete Pre-sale checklist and Timber Sale Inspection Form. Follow-up with purchaser to correct non-conformances. Supervise timber sale operations on sales sold to other State of Michigan agencies (see sec II, 4, c, Training requirements for loggers).
Timber Sale Administrator	Responsible for inspection of timber sales and documentation of observations. Comply with work instruction. Follow up with purchaser to correct non-conformances as needed.
Unit Manager / FRD	Responsible for overseeing use of forms and compliance to work instruction. Review inspection reports for accuracy and completeness. Follow up with purchaser to correct non-conformances as needed. Ensure timber sale specifications match MiFI prescriptions.
Wildlife Biologists and Technicians / WD	Report non-conformances or other issues to unit manager.
Fisheries Biologists and Techs / FD	Report non-conformances or other issues to unit manager.
Conservation officers / LED	Enforce state law and address violations.
Timber Sales Program Leader / FRD	Responsible for monitoring to determine the number and frequency of safety offenses and insuring that proper administrative actions are taken.

Training/Skills: (Those required to accomplish work instruction)

Item	Brief Description of Skill or Course	Exists / New
Timber sale administration	Timber Sale Administration FRD Training Course	<input checked="" type="checkbox"/> E <input type="checkbox"/> N

References:

- Policy 251, March 2000, Sales and Removal of Timber
- Michigan DNR/DEQ, 2009. Sustainable Soil and Water Quality Practices on Forest Land.
- MIOSHA STD-1135, Dept of Labor, General Industry Standards, Part 51. Logging, as amended 6/17/1996
- MIOSHA STD-1126, Dept of Labor, General Industry Standards, Part 33. Personal Protective Equipment, as amended 5/14/1997
- MIOSHA notification web address: http://www.michigan.gov/cis/0,1607,7-154-11407_30453-93835--,00.html.
- Sustainable Forestry Education: <http://wildfire.for.msu.edu/extension/sfe.htm>
- Within-Stand Retention Guidance, IC 4110
- Forest Certification Green-Up Guidelines, 6-1-16
- Michigan Woody Biomass Harvesting Guidance

Monitoring:

- Unit managers perform QA/QC function, Inspection forms (R-4050), Timber sale completion reports
 - SFE training data contact Scott Robbins, 517-853-8880
 - FISTA training records contact Amy Marquardt, 800-551-2656.
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Records:

- Timber sale inspection form, timber sale contract, VMS Customers database
- Pre-sale Checklist (new),
- Timber Sale Inspection Form (R-4050)
- Timber Sale Completion Report (Division Timber Sale Computer Program)