



The following clauses become an integral part of any agreement between the Licensee and the Ministry only when indicated on FS 916-1 (page 1) and when attached to one of the Primary Licence Addendum forms (FS 517, 521).

SECTION C-6 BRUSHING, CONIFER RELEASE, SEED TREE CONTROL

1. General Instruction to the Licensee

- (a) The use of chemicals for vegetation management shall conform with the terms and conditions of the Pesticide Use Permit and the Pesticide Control Act, as administered by the British Columbia Ministry of the Environment, Pesticide Control Branch.
(b) If the aerial application of chemicals is to be performed under this Addendum, it shall be the obligation of the Licensee to ensure that any person or Contractor performing such work acquires and maintains, for the full duration of the work period, liability insurance with a minimum limit of \$500,000 covering any losses, damages or claims that may arise out of aerial drift of chemicals.

2. Supervision and Standard of Performance

- The Licensee shall:
(a) provide daily on-site supervision during vegetation management operations;
(b) ensure that in supervising operations involving the use of chemicals, procedures used for all phases of chemical safety - for example, storage, transport, mixing, security, warning signs, disposal, clean-up and emergencies for accidents - conform with standards set forth by the Ministry of Environment, Pesticide Control Branch permit and the Ministry of Forest (Standards, Section 4.0 below);
(c) ensure that the standards and specifications including pesticide-free zones, date of application and name, formulation, total and unit amount of chemicals used conform to those specified in the Pesticide Use Permit;
(d) whenever chemicals are applied, ensure that all necessary daily records of operations are properly completed. In accordance with the Pesticide control Branch Regulations, the records shall be kept for three years, and shall be made available for inspection to the District Manager on request;
(e) ensure that damage to crop trees within and without the treatment unit is minimized;
(f) ensure that the techniques used for all non-chemical treatments, hack and squirt and other injection methods, stump treatment, spot treatments and chemical spray conform with standards prescribed by the Ministry of Forests and any additional conditions as agreed to between the Licensee and the District Manager and stipulated on FS 916-4.

3. Inspection and Credit

- (a) To judge performance, the Licensee shall establish and measure sample plots according to standards set either by the Ministry of Forests or standards agreed to between the Licensee and the District Manager and stipulated on FS 916-4. The District Manager may randomly inspect a percentage of the Licensee's plots to establish their validity.
(b) Should the District Manager in the course of field evaluation determine that the work performed does not meet the required standard, the District Manager will inform the Licensee in writing and request that the breaches of the addendum be rectified, giving a deadline for completion.

4. Standards and Other Conditions

- (a) Non-chemical treatments: All target species shall be completely cut with minimum damage to crop trees.
(b) Hack and Squirt and Other Injection Methods: For injection methods including Hack and Squirt, the herbicide label directions must be followed. The use of any method not shown on the herbicide label shall be done to a standard agreed to between the licensee and the District Manager and stipulated on FS 916-4.
(c) Stump Treatment: Where stump treatment is proposed, target trees shall be completely cut and the fresh stump surface treated with herbicide within five minutes as specified on FS 916-4.
(d) Spot Application: Spacing of spots and chemical application rates shall be as specified on the FS 916-4.
(e) Ground and Aerial Broadcast Spray: The equipment and technique used shall be as specified in the proposal and as stipulated on the FS 916-4.
(f) Other Non-Broadcast Treatments: All sub-units (eg patches) of the area scheduled for treatment shall be premarked for treatment and later identification.
(g) Other Conditions: (see FS 916-4).

SECTION C-7 STAND TENDING -- Juvenile spacing, Sanitation Spacing

1. Standard of Performance

- (a) Spacing density requirements and allowances as specified in (b) and (c) following shall be based on triangularly measured distances.
(b) The actual spacing between crop (leave) trees may on occasion be varied as stipulated on FS 916-4 (by ± 10 percent) to permit selection of vigorous trees of good form and size. Normal spacing must be resumed after any

- deviation to ensure that density of the spaced stand is within the allowable range of trees per hectare specified in Section B - Summary of Work.
(c) Spacing around the edge of openings which have an average diameter greater than twice the prescribed spacing must be decreased by one-third the specified distance.
(d) Density of the spaced stand is determined by the number of trees left uncut on sample plots established under 2(b) below. Except in instances where Clause 1(c) above is in effect, the maximum number of crop trees permitted per 0.1 hectare plot may be calculated from the inter-tree spacing specified on the FS 916-1.
(e) The selection of crop trees according to the specifications in this Schedule is the responsibility of the Licensee. Poor selection of crop trees is classified as stand damage.
(f) The Licensee shall select and leave uncut the tallest conifers of good form and vigour (as described in 1(g) below) that will maintain the average spacing as designated.
(g) In addition to an advantage in height, crop trees should have as many as possible of the following characteristics:
i) Free of injury and disease;
ii) Full crowns;
iii) Straight stems;
iv) A preferred species, see (h) below;
v) Small branches;
vi) Good terminal growth;
vii) Good colour.
(h) As between species, the order of preference as crop trees is derived from ecologically-based species selection guidelines and stipulated on FS 916-1 (state order of preference).
(i) Leave single trees within openings although they might not otherwise qualify as crop trees.
(j) Leave such potentially merchantable hardwoods as stipulated on FS 916-1 unless they are considered to interfere with the growth of adjacent conifers.
(k) Damaged or deformed trees are not to be cut if their removal would create an unnecessarily large opening in the residual stand.
(l) Forked or double-topped trees should preferably be cut. If selected for leaving, however, they must be left wholly uncut.
(m) All trees not selected as crop trees must be cut if they are taller than the height stipulated in FS 916-1 or FS 916-4.
(n) In carrying out the provisions of this project, the Licensee shall not:
i) Leave cut trees and/or vegetation partially cut, i.e. hinged;
ii) Leave live limbs on stumps;
iii) Leave standing any class of tree or brush designated for cutting.
iv) Other (as stipulated on FS 916-1 or FS 916-4).
(o) If overcutting results in an opening having an average diameter of twice the prescribed spacing, it is classed as stand damage.
(p) Physical damage on a crop tree will be classed as crop tree damage.

2. Inspection and Credit

- (a) The Licensee will currently inspect each unit or parts thereof for purposes of determining the quality of work.
(b) Where directed by the District Manager, the Licensee shall establish a series of sample plots concurrently with spacing operations at a minimum density of one percent (1%) or to an intensity agreed to by the District Manager and stipulated on FS 916-4 or in Section A. In determining the quality of work, the Licensee shall examine the plots on the basis of standards set either by the Ministry of Forests (see FS 749) or to standards previously agreed to between the Licensee and the District Manager, and stipulated on FS 916-4, and the Licensee shall provide the District Manager with a written statement of the spacing standard achieved, supported by plot data and a map of the treated area. The District Manager may examine a minimum of 10% of the Licensee's plots to verify the credit for area satisfactorily treated. If the Licensee's and the District manager's inspection results are within ± 10%, the Licensee's sampling results will be acceptable.
(c) Should the District Manager determine that the sampling carried out by the Licensee does not correctly indicate the condition of the treated area, the Licensee may be required to carry out additional sampling to a stated minimum intensity.
(d) Should the District Manager, in the course of field inspections, determine that any addendum conditions do not meet the required standards, he shall inform the Licensee in writing and request that defaults be rectified specifying a period of time for completion. On notification, the Licensee shall immediately:
(i) Take steps to rectify the defaults; or
(ii) Arrange for a joint examination with the District Manager to determine where corrections are needed and to institute measures to correct the defaults; or
(iii) Request time to carry out and intensify evaluation surveys as per section

COMPANY NAME

LICENCE NUMBER

TO BE INITIALED ONLY WHEN A FINAL ADDENDUM OR AMENDMENT

Table with columns for LICENSEE INITIAL, DATE, R.P.F. SIGNATURE & SEAL, DATE, MINISTRY INITIAL, DATE, and LICENCE ADDENDUM NUMBER.

- 2(b) above, so as to clearly outline areas requiring correction;
- (iv) If it is not possible to correct the default area, the Licensee shall be allowed to continue work on the remaining area; should any further serious defaults such as overcutting occur, the District Manager may issue a Stop Work Order to immediately suspend operations preparatory to cancelling the addendum. No payment shall be made for unsatisfactorily treated areas that cannot be corrected;
 - (v) Where it is agreed a default can be corrected, the District Manager may issue a Stop Work Order to suspend operations in any remaining area until the default is rectified. Further work carried out in contravention of a Stop Work Order may not receive payment. Failure to rectify defaults in the conditions as notified may render the addendum subject to cancellation.
- (e) The basis for payment shall be the area satisfactorily treated times the approved price per unit area in addition to any other fixed costs such as access development as agreed to by the Licensee and the District Manager, as stipulated on the FS 916-1.
- (f) An unsatisfactorily-treated area is defined as one on which more than twenty-five percent (25%) of the inspection plots show one or more of the following faults:
- (i) Poor selection of crop trees as to attributes in 1(g);
 - (ii) Overcutting causing openings having a diameter more than twice the prescribed spacing;
 - (iii) Retention of live limbs on cut trees;
 - (iv) Partially cut or hinged trees;
 - (v) Obvious physical damage to crop trees (scarring, broken tops);
 - (vi) Undercutting relative to spacing distance in 1(d);
 - (vii) Other (specify, as stipulated on FS 916-4 or in Section A).
- (g) If any single infraction or combination of infractions occurs on the residual stand, as defined in 1(n), except damage to crop trees, on more than one-quarter (25%) of the check plots, the area must be reworked to correct the situation to the satisfaction of the District Manager.
- (h) If the Licensee is of the opinion that the results of the District Manager's inspection indicating unsatisfactory work are incorrect, the Licensee may request a re-inspection by a senior District Officer. A request for a re-inspection shall be made in writing to the District manager within five (5) days after the original inspection. The Licensee must be present at the re-inspection where results are provided to the Licensee. If the re-inspection confirms that the area was treated satisfactorily, then the payment will be based on the re-inspection information.

3. Other Conditions

- (a) In conducting operations under this agreement, additional requirements shall apply as set forth in FS 916-4.

SECTION C-8 PORTABLE REFRIGERATION, SEEDLINGS

Where it is deemed necessarily for the Licensee to provide portable refrigeration facilities for seedling storage, the procedures and price are to be negotiated by the Licensee and the District Manager, and the price shall be stipulated on FS 916-1 and the procedures on FS 916-4.

SECTION C-9 SITE PREPARATION, PRESCRIBED BURNING

1. Burning Plan and Permit

- (a) The Licensee will submit a suitable Burning Plan (FS 117B) to the District Manager for approval adequately ahead of any work to be performed. All subsequent work must be in accordance with this plan or written and duly authorized modifications thereof.
- (b) The Burning Plan shall include a written statement of the objectives to be met, a map of the area indicating:
 - all necessary fuelbreak locations and specifications;
 - ignition patterns, anticipated type of ignition and back-up systems;
 - hose layouts;
 - pump locations;
 - safety escape routes;
 - access roads.
- (c) Prior to the actual burn, a Burning Permit (FS 64) shall be obtained from the District Manager. The permit shall govern the actual burn and be in accordance with the Burning Plan.

2. Licensee's Liability

- (a) In the event the burn escapes from the prescribed treatment area, the resulting fire shall be deemed to be the Licensee's responsibility as per the FOREST ACT.
- (b) The Licensee shall comply with all pertinent municipal, provincial and federal regulations and will be responsible for any claims of damage or injury to persons or property arising out of the work undertaken under this addendum/amendment.
- (c) The Licensee shall, at his own expense, provide the necessary compensation coverage for all workmen and/or partners employed under this addendum, and will comply with all the provisions of the WORKER'S COMPENSATION ACT and pursuant regulations.

3. Reporting Requirements

- (a) In addition to the Burning Plan and Burning Permit (FS 64), the Licensee must also prepare the following and make at least one copy available to the Ministry prior to the final invoice (FS 527) being approved:
 - (i) Prescribed Burn Analysis (FS 117) must include the burn objectives;
 - (ii) Mechanical/Chemical Site Preparation Report (FS 737) must address objectives and results; and
 - (iii) On-site weather observations:
 - actual long-term rainfall (from closest representative weather station);
 - daily temperature ranges;
 - daily relative humidity ranges;
 - daily wind speed ranges and direction;
 - total daily precipitation.

4. Weather Factors

- (a) Canadian Forest Fire Weather Index values must be utilized in conjunction with the Prescribed Burn Planner-Predictor to ensure optimum fuel and weather conditions prevail to meet the silviculture objectives of the burn outlined in 1 above.
- (b) Weather Index values used in the Planner-Predictor must be relevant to the specific site. On-site weather observations must be used to determine the index values, or nearby representative value must be applied. The burn analysis must address the values used.

5. Preparation

- (a) Fuelbreaks must be planned to encompass the greatest amount of area with the least amount of constructed perimeter by efficiently using natural fuelbreaks.
- (b) All fuelbreaks shall be a maximum of six (6) metres in width unless otherwise detailed in the Burn Plan and listed on FS 916-5, and should be cleared of all combustible material.
- (c) Heavy fuel accumulations within twenty-five (25) metres of the fuelbreak shall be dispersed with a brush blade or pushed further away than twenty-five (25) metres inside the fuelbreak.
- (d) The outside perimeter fuelbreak shall have a one (1) metre wide strip of exposed mineral soil constructed at the outer edge of the regular six (6) metre boundary strip. The residue from this one (1) metre strip shall be rolled to the outside of the guard.
- (e) Residuals over three (3) metres in height within the proposed burn area must be felled with sufficient lead time to allow the downed material to dry. The final stump height of any residual shall be noted on FS 916-4 or FS 916-5.
- (f) On ignition day, the control crew will be available to commence work immediately following completion of the ignition pattern.

6. Follow-up

- (a) The Mop-up Crew designated in the Burn Plan shall commence aggressive mop-up no later than the morning immediately following ignition unless authorized in writing to do otherwise by an authorized Forest Officer. When aggressive mop-up for the number of days specified in the Burn Plan (three recommended) has not completed the activity, the District Manager will accept an Amendment to a Licence Addendum (FS 521) for justifiable additional mop-up on a daily basis.
- (b) The Patrol Crew will commence work immediately following the Mop-up Crew and continue as specified in the Burn Plan unless authorized in writing to do otherwise by an authorized Forest Officer.

7. Inspection

- (a) A Forest Officer may inspect each area or parts thereof for purposes of determining that the quality and quantity of work conforms to the Burn Plan and subsequent final invoice (FS 527).

8. Payments

- (a) Payment and evaluation of same shall be confined to the actual area confined by the natural or constructed fuelbreak outlined in this project, as detailed in the Burn Plan.
- (b) Where the project is completed and the objectives achieved meet the criteria established in the Addendum/Amendment(s) (FS 517, 521) and supporting documentation, then the Ministry shall pay the Licensee to the full extent of the agreed total listed on FS 916-5.
- (c) Where the project is partially completed and because of reasons beyond the control of the Licensee cannot be completed within the expected time, the figures entered under the Ministry Use heading on the relevant Unit Cost Summary Work Sheet - Prescribed Burn (FS 917A) for each "unit" will be paid to the Licensee on an individual "unit" allowance based on the following criteria:
 - (i) Payments for:
 - 1. Fuelbreak Construction,
 - 2. Three-metre Knockdown (where authorized for credits), and/or
 - 3. Operational Weather Station
shall be allowed for the full Ministry-authorized amount where the work has been completed to the satisfaction of the inspecting Forest Officer as required in the above conditions;
 - (ii) Payments for:
 - 4. Ignition
will be allowed for the full Ministry-authorized amount when either:
 - the silviculture objectives outlined on the Prescribed Burn Analysis (FS 117A) are met to the satisfaction of the inspecting Forest Officer, or
 - the Canadian Forest Fire Weather index, Prescribed Fire Planner-Predictor values as defined in the Burn Plan above has been attained at the time of ignition, regardless of whether the silviculture objectives were met;
 - (iii) Payments for:
 - 5. Control,
 - 6. Mop-up, and/or
 - 7. Patrol
will be allowed for the full Ministry-authorized amount where the work has been completed to the satisfaction of the inspecting Forest Officer, as required in the above condition.

9. Additional Conditions

- (a) All additional conditions shall be detailed as follows, on FS 916-5 or FS 916-4, and be incorporated into this schedule.