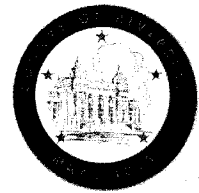


**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

230



FROM: Economic Development Agency

SUBMITTAL DATE:
September 16, 2010

SUBJECT: First Amendment to Communications Use Lease – U.S. Department of Agriculture, Forest Service, Red Mountain Communications Site

RECOMMENDED MOTION: That the Board of Supervisors approve the attached First Amendment to Lease and authorize the Chairman to execute same on behalf of the County.

BACKGROUND: Riverside County Information Technology (RCIT) operates radio equipment in support of the Public Safety Radio System, whose mission is critical to the County's Sheriff and Fire Department. The Public Safety Enterprise Communication (PSEC) project is responsible not only for upgrading the existing network of communications sites but also for adding approximately fifty new sites to this existing network. On June 8, 2010, the Board of Supervisors approved a lease for Red Mountain PSEC communication site. The lease did not include provisions for overnight camping during the initial construction, nor did it provide a necessary fire plan or burn permit. This amendment does so.

(Continued)

Robert Field
Assistant County Executive Officer/EDA

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2010/11

COMPANION ITEM ON BOARD OF DIRECTORS AGENDA: No

SOURCE OF FUNDS: N/A	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE

BY:
Jennifer L. Sargent

County Executive Office Signature

FORM APPROVED COUNTY COUNSEL
DATE: 9-16-10
BY: Cynthia M. Givens
SYNTH Department of Information Technology
DATE: 9-16-10
By:
Amy R. Stoddard
Glen Stoddard, Information Technology Officer
Riverside County Information Technology

Dept Recomm.: Consent
Per Exec. Ofc.: Consent
Policy
Policy

Prev. Agn. Ref.: 3.27 of 6/8/10 District: 3 Agenda Number

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

3.38

BACKGROUND: (Continued)

The First Amendment to Communication Use Lease is summarized below:

Grantor: U.S. Department of Agriculture Forest Service
San Jacinto Ranger District
San Bernardino National Forest
Idyllwild Ranger Station
P.O. Box 518
54270 Pine Crest Rd.
Idyllwild, CA 92549

Premises Location: Red Mountain Communication Site
Aguanga, California

Term: Approximately 30 years expiring December 31, 2040

Rent: None

Utilities: Electricity only, paid by County directly

The First Amendment to Communications Use Lease has been approved as to form by County Counsel.

Auth ID: SJD818102
Contact ID: COUNTY OF RIVERSIDE PSEC
Use Code: 818

FS-2700-23 (v. 10/09)
OMB No. 0596-0082

**U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE
AMENDMENT
FOR**

SPECIAL-USE AUTHORIZATION

Amendment#: 01

This amendment is attached to and made a part of the SJD818102 special use authorization for Red Mountain Communication Site issued to COUNTY OF RIVERSIDE on 02/10/2010 which is hereby amended as follows:

Authorization to camp on site during construction

This document authorizes COUNTY OF RIVERSIDE, PSEC CONTRACTORS, MOTOROLA EMPLOYEES WHO ARE ENGAGED IN THE PROCESS OF CONSTRUCTING THE PREVIOUSLY DESCRIBED TOWER AND ASSOCIATED STRUCTURES ON RED MOUNTAIN TO CAMP AT THE PROJECT SITE DURING THE CONSTRUCTION PROCESS FOR A PERIOD UP TO SIXTEEN (16) WEEKS BEGINNING ON THIS _____ DAY OF _____, 2010, UTILIZING TWO (2) FULLY SELF CONTAINED RECREATIONAL VEHICLES (RV) OCCUPIED BY A MAXIMUM OF SIX (6) PEOPLE TOTAL.

The following stipulations shall be met:

- The Federal Government is not responsible for any loss or damage to personal property.
- No open campfires or portable stoves are permitted, only stoves within the RVs are allowed for cooking purposes.
- No human waste or grey water will be disposed of on site. All human waste and grey water will be placed within the containing systems of the RV and will be disposed of at designated sites for disposal.
- No fire arms will be discharged on the Red Mountain project site.
- All garbage and food items will be kept in containers that will not allow local wildlife to access food or trash. Garbage will be kept contained and disposed of properly. All personal property and trash will be removed when leaving. No wildlife feeding devices (bird, squirrel, etc) will be used on site.
- In order to minimize visual disturbance to residents, visitors, Forest employees and motorists, all after dark lighting devices shall be kept to the minimum needed to facilitate camping on site and will not be allowed to the levels that would facilitate night time construction (i.e. floodlights will only be used in an emergency situation and not left on all night).
- Any audio device, such as a radio or musical instrument, will be operated so that it does not disturb other visitors. Noise will be kept at a reasonable level. Quiet hours are between 10:00 p.m. and 6:00 a.m.
- Pets will always be restrained or on a leash.

This permit amendment is an authorized exemption to the following permanent Forest Order:

**ORDER NO. 2
OCCUPANCY AND USE
SAN BERNARDINO NATIONAL FOREST**

Pursuant to 36 CFR 261.50 (a) and (b) each of the following acts are prohibited on the identified areas under my jurisdiction:

1. Camping for a period longer than 14 days in one place in the general Forest area, not to exceed 30 days on one Ranger District during a calendar year, unless authorized by the District Ranger by written permit. 261.58(a).
2. Camping within 1/4 mile of State Highways, designated campgrounds, picnic grounds, improvements, trailheads and private property. 261.58(e).

Pursuant to 36 CFR 261.50 (e), each of the following persons is exempt from this order:

1. Any Federal, State or Local Officer, or member of an organized rescue or firefighting force in the performance of an official duty.
2. person(s) with authorization or a permit.

This Amendment is accepted subject to the conditions set forth herein, and to conditions to attached hereto and made a part of this Amendment.

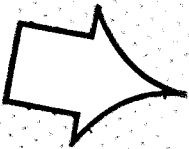
Marion Ashley, Chairman	Jeanne Wade Evans
County of Riverside, Board of Supervisors	
	Forest Supervisor
Date	Date

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0082. The time required to complete this information collection is estimated to average one (1) hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.

The Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552) govern the confidentiality to be provided for information received by the Forest Service.



FORM APPROVED COUNTY COUNSEL
E. *Synthia M. Gunzel* 9-6-70
SYNTHIA M. GUNZEL
DATE

California Inter-Agency
BURNING PERMIT

No. SJD818102-01

ISSUED TO: Riverside County, PSEC

3403 10th Street Suite 500

(Print Full Name)

Riverside, CA 92501

(Address)

(City or Town)

(State)

(Zip)

TELEPHONE NUMBER. (Home) / 9519554820 (Work)

BURNING LOCATION:

Red Mountain, approximately twelve miles southeast of the City of Hemet

(Street, Road or Other Description)

SW 1/4 of the SE 1/4 of _____ SEC. 23 TWP. 6 south R. 1 East

COUNTY OF Riverside STATE OF CALIFORNIA.

Burning authorized by this permit hereby applies to:
(Check applicable block below)

- Burn in incinerator
- Burn debris in small 4' X 4' piles
- Burn small plots of grass or weeds in lots or residential premises
- Burn small parcels or strips for hazard reduction
- Set off fireworks

AGRICULTURAL BURNING, CROP TYPE _____ ACRES/TONS _____
 OTHER (Explain) cutting, welding, grinding


Burning shall be confined to hours N/A A.M. to N/A A.M. P.M.
This permit valid during period January 1, 2010 to December 31, 2010
(Month & Day) (Month & Day) (Year)

THIS PERMIT IS SUBJECT TO THE TERMS AND CONDITIONS OF USE AS INDICATED

1. Permittee must not burn during very hot and dry periods when winds are strong enough that burning would be considered unsafe. (Example: wind keeps leaves in motion or extends a light flag or cloth.)
2. The fire shall be: (a) attended at all times by at least one prudent and responsible person; (b) confined within cleared firebreaks or barriers adequate to prevent it from escaping control.
3. When the burning operation authorized by this permit is in an incinerator: (a) a minimum clearance of 10 feet from all flammable material must be provided and maintained; (b) all openings must be screened with nonflammable material with holes not larger than 1/4 inch; and (c) must be attended at all times by a responsible person until fire is dead out.
4. This permit does not relieve the permittee of any duty to use reasonable and ordinary care to prevent damage to the property of others or injury to persons as prescribed by law.
5. THIS PERMIT IS VOID DURING PERIODS WHEN BURNING IS PROHIBITED BY STATE LAW, LOCAL ORDINANCE, OR PROCLAMATION OF PUBLIC OFFICERS.
6. This permit is valid only on those days which are not prohibited by the State Air Resources Board pursuant to Section 41855 of the Health and Safety Code or by the local air pollution control district.
7. Before burning call 909-383-5654

For Air Pollution Control call _____

8. Additional terms: SEE ATTACHMENT. ALL EQUIPMENT SHALL HAVE APPROVED SPARK ARRESTERS

 of legally control the above described land. I agree to comply with all fire laws, ordinances, and regulations. I further agree to comply with specific terms of this permit.

SIGNED: Marion Ashley, Chairman, Board of Supervisors DATE: _____

DIRECTOR OF THE CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION

BY _____, AGENT

TITLE Battalion Chief DATE _____

ISSUING AGENCY USDA Forest Service DIST./BATT. San Jacinto Ranger District

SEE REVERSE SIDE FOR FURTHER INFORMATION
CAUTION YOU CAN BE HELD LIABLE FOR ESCAPED FIRES
VIOLATIONS OF ANY BURNING PERMIT TERMS ARE A VIOLATION OF STATE
LAWS AND RENDERS THE PERMIT NULL AND VOID.

ATTENTION, PERMITTEE!
BE FIRE SAFE!
THE FOLLOWING INFORMATION IS CALLED TO YOUR ATTENTION AND
IS FOR YOUR PROTECTION

Air Pollution Rules and Regulations establish conditions when burning of the material for which this permit is issued may be allowed. Permittees should only burn on "BURN DAYS." Burn only those items for which this permit is issued.

Apparent violations of air pollution control observed by forest officers will be promptly reported to the local Air Pollution Control officer. Forest and fire protection officers of the Department will enforce fire law violations to prevent the occurrence of uncontrolled fire and violations from which an uncontrolled fire resulted.

You are cautioned that reasonable prudence requires careful consideration of: time, weather, place of starting fire, size of area and material to be burned, condition of firebreaks, number of adult persons required for control, adequate fire fighting tools. It is also important for you to understand that:

1. The object of legislation is to prevent fires, or have them controlled so that general and widespread disastrous consequences will not follow. It is not the object of legislation to protect persons from their own carelessness, but to protect the general public from such carelessness.
2. It is required by law that fire be used by you in such a manner as to minimize the possibility of damage to others. The law requires the application of good common sense and logical reasoning by persons using fire so that such fire does not escape control and do damage to others.
3. Uncontrolled fires are dangerous and expensive. It is a legal duty of every individual citizen to prevent and suppress uncontrolled fires.
4. It is a violation of law, and liability is imposed upon anyone who allows a fire to burn uncontrolled upon his lands, regardless of what may have caused it.
5. During the burning authorized by this permit, Forest Officers are instructed to immediately take whatever action is necessary to bring under control and suppress the fire if they find any of the following conditions existing:

That, because of the violation of the terms of this permit the fire appears to be obviously out of control, or that it is burning with such magnitude it cannot be controlled by the facilities and personnel at hand, or that the fire will obviously escape control lines established, or that the fire has already escaped such control lines and is beyond the ability of the permittee to effect control.
6. The California Department of Forestry and Fire Protection is not a volunteer when it takes action to suppress a fire burning uncontrolled on lands in this State. It is compelled to take such action for the protection of the State's interests. When the California Department of Forestry and Fire Protection takes action to control a fire which is burning uncontrolled due to a breach of duty on the part of an individual, it is entitled to reimbursement for the public funds which were expended.

Permittees should not burn on days of unsafe weather conditions.

It is unsafe to burn during very hot, dry periods when winds are strong enough to keep leaves and small twigs in constant motion or to extend a light flag or cloth.

FIRE PLAN FOR CONSTRUCTION AND SERVICE CONTRACTS

6-14-2006

(Ref: FSH 6309.32 and 6309.11)

1. SCOPE:

The provisions set forth below outline the responsibility for fire prevention and suppression activities and establish a suppression plan for fires within the contract area. **The site is on Red Mountain, approximately twelve miles southeast of the City of Hemet, Riverside County, California. The legal description is SE ¼ of the SW ¼ of Section 23 of Township 6 South and Range 1 East, on the Blackburn Canyon, California USGS topographic quadrangle as shown on project plans.** The provisions set forth below also specify conditions under which contract activities will be curtailed or shut down.

2. RESPONSIBILITIES:

A. Contractor

- (1) Shall abide by the requirements of this Fire Plan.
- (2) Shall take all steps necessary to prevent his/her employees, subcontractors and their employees from setting fires not required in completion of the contract, shall be responsible for preventing the escape of fires set directly or indirectly as a result of contract operations, and shall extinguish all such fires which may escape.
- (3) Shall permit and assist in periodic testing and inspection of required fire equipment. Contractor shall certify compliance with specific fire precautionary measures in the fire plan, before beginning operations during Fire Precautionary Period and shall update such certification when operations change.
- (4) Shall designate in the fire plan and furnish on Contract Area during operating hours a qualified fire supervisor authorized to act on behalf of Contractor in fire prevention and suppression matters.

Shall complete the Contractor's Plan Regarding Personnel and shall furnish the Contracting Officer (CO) with a copy prior to commencing work at the site. Shall currently advise the CO of any changes in personnel as the changes occur. Shall revise Section 6.B to reflect current activities upon request of the CO.

B. Forest Service

The Forest Service may conduct one or more inspections for compliance with the fire plan. The number, timing, and scope of such inspections will be at the discretion of agency employees responsible for contract administration. Such inspections do not relieve the Contractor of responsibility for correcting violations of the fire plan or for fire safety in general, as outlined in paragraph 2.A above.

3. TOOLS AND EQUIPMENT:

- A. The Contractor shall comply with the following requirements during the fire precautionary period as defined by unit administering contracts unless waived in writing:

The Fire Precautionary Period is 05/01/2010 to 12/30/2010.

Contractor shall equip each operating tractor and any other internal combustion engine with a spark arrester, except for motor vehicles equipped with a maintained muffler as defined in C.P.R.C. Section 4442 or tractors with exhaust-operated turbochargers. Spark Arresters shall be a model tested and approved under Forest Service Standard 5100-1a as shown in the National Wildlife Coordinating Group Spark Arrester Guide, Volumes 1 and 2, and shall be maintained in good operating condition.

Contractor shall meet minimum requirements of Sections 4427 and 4428 of the California Public Resources Code (C.P.R.C.). Fire tools kept at each operating landing shall be sufficient to equip all employees in the felling, yarding, loading, chipping, and material processing operations associated with

8/20/2010

each landing. Fire equipment shall include two tractor headlights for each tractor dozer used in Contractor's Operations. Tractor headlights shall be attachable to each tractor and served by an adequate power source.

Where cable yarding is used, Contractor shall provide a size 0 or larger shovel with an overall length of not less than 46 inches and a filled backpack can (4 or 5 gallon) with hand pump within 10 feet of each tail and corner block.

Trucks, tractors, pickups and other similar mobile equipment shall be equipped with and carry at all times a size 0 or larger shovel with an overall length of not less than 46 inches and a 2-1/2 pound axe or larger with an overall length of not less than 28 inches.

Contractor shall equip each internal combustion yarder, fuel truck, and loader with a fire extinguisher for oil and grease fires (4-A:60-B:C).

Contractor shall equip each mechanized harvesting machine with hydraulic systems, powered by an internal combustion engine (chipper, feller/buncher, harvester, forwarder, hot saws, stroke delimeter, etc), except tractors and skidders, with at least two 4-A:60-B:C fire extinguishers or equivalent. In addition, concentrations of wood dust and debris shall be removed from such equipment daily. Additional extinguishers and sizes may be required at landings in accordance with Section 5.

Each power saw shall be equipped with a spark arrester approved according to C.P.R.C. Section 4442 or 4443 and shall be maintained in effective working order. One fire extinguisher meeting specifications of C.P.R.C. Section 4431 shall be kept with each operating power saw. A size 0 or larger shovel with an overall length of not less than 38 inches shall be kept with each gas can but not more than 300 feet from each power saw when used off cleared landing areas.

Contractor shall meet minimum requirements of Section 4430 of the California Public Resources Code (C.P.R.C.). Contractor shall provide a water tank truck or trailer on or in proximity to Contract Area during Contractor's Operations hereunder during Fire Precautionary Period unless otherwise agreed. When Project Activity Level B or higher is in effect, a tank truck or trailer shall be on or immediately adjacent to each active landing unless otherwise excepted when hot saw technology is being used. See Section 5 for specific contract requirements.

The tank shall contain at least 300 gallons of water available for fire suppression. A water sprinkling tank truck will meet this requirement if provision is made to insure that the minimum of 300 gallons is available for fire suppression at all times. Ample power and hitch shall be readily available for promptly and safely moving tank over roads serving Contract Area. Tank truck or trailer shall be equipped with following:

- (1) Pump, which at sea level, can deliver 23 gallons per minute at 175 pounds per square inch measured at the pump outlet. Pumps shall be tested on Contract Area using a 5/16 inch orifice in the Forester One Inch In-Line Gauge test kit. Pump shall meet or exceed the pressure value in the following table for nearest temperature and elevation:

T e m p	Sea Leve l	1000 Feet		2000 Feet		3000 Feet		4000 Feet		5000 Feet		6000 Feet		7000 Feet		8000 Feet		9000 Feet		10000 Feet		
		P	G	P	G	P	G	P	G	P	G	P	G	P	G	P	G	P	G	P	G	
55	179	23	174	23	169	23	165	22	161	22	157	22	153	22	150	21	146	21	142	21	139	21
70	175	23	171	23	166	22	162	22	158	22	154	22	150	21	147	21	143	21	139	21	136	20
85	171	23	168	23	163	22	159	22	155	22	151	21	147	21	144	21	140	21	136	20	133	20
100	168	23	164	23	159	22	155	22	152	22	148	21	144	21	141	21	137	20	133	20	131	20
	P	G	P	G	P	G	P	G	P	G	P	G	P	G	P	G	P	G	P	G	P	G
	S	P	S	P	S	P	S	P	S	P	S	P	S	P	S	P	S	P	S	P	S	P
	I	M	I	M	I	M	I	M	I	M	I	M	I	M	I	M	I	M	I	M	I	M

The pump outlet shall be equipped with 1-1/2 inch National Standard Fire Hose thread. A bypass or pressure relief valve shall be provided for other than centrifugal pumps.

- (2) 300 feet of 3/4-inch inside diameter rubber-covered high-pressure hose mounted on live reel attached to pump with no segments longer than approximately 50 feet, when measured to the extreme ends of the couplings. Hose shall have reusable compression wedge type 1-inch brass or lightweight couplings (aluminum or plastic). One end of hose shall be equipped with a coupling female section and the other end with a coupling male section. The hose shall, with the nozzle closed, be capable of withstanding 200 PSI pump pressure without leaking, distortions, slipping of couplings, or other failures.
- (3) A shut-off combination nozzle that meets the following minimum performance standards when measured at 100 P.S.I. at the nozzle:

	G.P.M.	Horizontal Range
Straight Stream	10	38 feet
Fog Spray	6 - 20	N/A

- (4) Sufficient fuel to run pump at least 2 hours and necessary service accessories to facilitate efficient operation of the pump.

When Contractor is using Hot Saw Technology, an additional 500 feet of not less than one (1) inch outside diameter serviceable hard rubber poly or rubber lined or fiber jacket rubber lined (FJRL) hose shall be immediately available for use and be capable of connecting to the 300 feet of hose and appurturances in (2) and (3) above. Synthetic hose may be used by agreement

Any additional fire plan requirements: NONE

4. **GENERAL**

- A. **State Law.** The Contractor shall comply with all applicable laws of the State of California. In particular, see California Public Resource Codes.
- B. **Permits Required.** The Contractor must secure a special written permit from the District Ranger or designated representative before engaging in any of the activities listed below. The terms and conditions of any of the permits required for this contract are as shown on copies attached to the Fire Plan.
 - (1) Blasting and Storage of Explosives and Detonators. (Explosives Permit required by California Health & Safety Code, Section 12101.)
 - (2) Burning. (Burn Permit)
 - (3) Air Pollution. (Issued by local State or County Air Pollution Control Districts, as applicable.)
 - (4) Camp, Lunch and Warming Fires.
 - (5) Welding and Cutting. (Burn Permit)
- C. **Regulations for Burning.** Before setting any fires whatsoever, the Contractor shall notify the CO of his/her intentions. Special care shall be taken to prevent scorching or causing any damage to adjacent structures, trees, and shrubbery. Piles of material to be burned shall be of such size and so placed that during burning no damage shall result to adjacent objects.
- D. **Smoking and Fire Rules.** Smoking shall not be permitted during fire season, except in a barren area or in an area cleared to mineral soil at least three feet in diameter (CPRC 4423.4). In areas closed to smoking, the CO may approve special areas to be used for smoking. The Contractor shall sign designated smoking areas. Contractor shall post signs regarding smoking and fire rules in conspicuous places for all employees to see. Contractor's supervisory personnel shall require compliance with these rules. Under no circumstances shall smoking be permitted during fire season while employees are operating light or heavy equipment, or walking or working in grass and woodlands.

- E. **Storage and Parking Areas.** Equipment service areas, parking areas, and gas and oil storage areas shall be cleared of all flammable material for a radius of at least 10 feet unless otherwise specified by local administrative unit. Small mobile or stationary internal combustion engine sites shall be cleared of flammable material for a slope distance of at least 10 feet from such engine. The COR shall approve such sites in writing.
- F. **Welding.** Contractor shall confine welding activity to cleared areas having a minimum radius of ten feet measured from place of welding.
- G. **Blasting.** Contractor shall use electric caps only unless otherwise agreed in writing. When blasting is necessary in slash areas, a watchperson equipped with a size 0 or larger shovel with an overall length of not less than 46 inches and a filled backpack can (4 or 5 gallon) with hand pump shall remain in the immediate area for an hour after blasting has been completed.
- H. **Oil Filter and Glass Jugs.** Contractor shall remove from National Forest lands oily rags and used oil filters and shall prohibit use of glass bottles and jugs in Contractor's Operations.
- I. **Reporting Fires.** As soon as feasible but no later than 15 minutes after initial discovery, Contractor shall notify Forest Service of any fires on Contract Area or along roads used by Contractor.
- J. **Communications.** Contractor shall furnish a serviceable telephone, radio-telephone or radio system connecting each operating side with Contractor's headquarters. When such headquarters is at a location which makes communication to it clearly impractical, Forest Service may accept a reasonable alternative location. The communication system shall provide prompt and reliable communications between Contractor's headquarters (or agreed to alternative) and Forest Service via commercial or Forest Service telephone. The communications system shall be operable during Contractor's Operations in Fire Precautionary Period described in Section 3 and during the time fire patrolperson service is required. A radio-equipped fire patrolperson vehicle will satisfy this requirement if in operation during the time required except during PAL levels "D" and "Ev". See Section 5 for other communication requirements when operating on "D" and "Ev" days with hot saw technology. A CB is not acceptable communication because FCC Regulations prohibit commercial use.
- K. **Fire Patrol Person.** Contractor shall furnish a qualified fire patrolperson each operating day when Project Activity Level B or higher is in effect. When on duty, sole responsibility of patrolperson shall be to patrol the operation for prevention and detection of fires, take suppression action where necessary and notify the Forest Service as required by Section 5.

By agreement, one patrolperson may provide patrol on this and adjacent projects or sales. No patrolperson shall be required on Specified Road construction jobs except during clearing operations unless otherwise specified.

- L. **Time of Snag Felling.** Unless the felling of dead trees would interfere with the felling, skidding or yarding of green timber or be a safety hazard, or be prevented under Section 5, required felling of dead trees shall be concurrent with the felling of live timber. There shall be reasonably timely felling of dead trees to facilitate utilization and protection from fire.

- M. **Clearing of Fuels.** Contractor shall clear away, and keep clear, fuels and logging debris as follows:

Welding equipment and stationary log loaders, yarders and other equipment listed in California State Law:	10 feet slope radius
Tail or corner haulback blocks:	5 feet slope radius
Lines near, between or above blocks:	Sufficient clearing to prevent line from rubbing on snags, down logs and other dead woody material

5.

EMERGENCY MEASURES

The table set forth below establishes work restrictions and fire precautions that the Contractor must observe at each activity level. The restrictions are cumulative at each level.

The Forest Service, in its sole discretion, may change the predicted activity level if the current fire suppression situation, weather and vegetation conditions warrant additional restriction of activities. Contractor shall obtain the predicted Project Activity Level by calling the following phone number 909-383-5654 before starting work each day. If practicable, Forest Service will determine the following day's activity level by 6:00 PM local time. If predictions made after 6:00 PM are significantly different than originally estimated, Forest Service will inform Contractor when changes in restrictions or industrial precautions are indicated.

The following definitions shall apply to these Project Activity Levels:

Cable Yarding Systems: A yarding system that takes logs from the stump area to a landing using an overhead system of winch-driven cables to which logs are attached with chokers or grapples.

Hot Saw Technology: A harvesting system that employs a high-speed (>1100 rpm) rotation felling heads (i.e., full rotation lateral tilt head).

Sunset: The time that sunset is reported in the local newspaper for that day.

Except for Project Activity Level days "Ev after 1:00 PM local time" and "E", Forest Service may issue substitute precautions(s) of the requirements below. Such agreements shall prescribe measures to be taken by Contractor to reduce risk of ignition and/or spread of fire.

Forest Service may change the Project Activity Levels to other values upon revision of the National Fire Danger Rating System and may change the specific Project Activity Levels and/or requirements when such changes are necessary for the protection of the National Forest. When sent to Contractor, the revised Project Activity Levels will supersede the levels below.

PROJECT ACTIVITY LEVEL –EMERGENCY PRECAUTIONS

Table version 6/13/2006

PROJECT ACTIVITY LEVEL

<i>Level</i>	<i>Project Activity Requirements</i>
A	<p>Minimum required by Section 3</p> <ol style="list-style-type: none"> 1. PAL levels are cumulative, Ev level would include all preceding PAL requirements.
B	<ol style="list-style-type: none"> 1. A fire patrolperson is required for mechanical operations from cessation of operations until 2 hours after operations cease or sunset, which ever occurs first. 2. Tank truck or trailer shall be on or adjacent to each active landing. 3. When hot saw technology is being used, the tank truck or trailer (B2 above) may serve dual purpose as active landing tank truck provided it shall be kept readily available for use as follows: <ol style="list-style-type: none"> a. Within one quarter mile of the operating hot saw technology; and b. Within 10 minutes of the active landing; and c. Effective communications exist between hot saw technology and active landing. <p>Otherwise, there shall be a tank truck or trailer at both the active landing and within one quarter mile of the operating hot saw technology.</p> 4. (Additional restrictions specified by the forest.)
C	<ol style="list-style-type: none"> 1. The following operations are prohibited from 1:00 PM until 8:00 PM local time: <ol style="list-style-type: none"> a. Blasting 2. Operations using hot saw technology are prohibited between 1:00 PM and sunset local time. Hot

	<p>saw technology operations may continue if Contractor provides a portable fire suppression system capable of extinguishing a 20-foot by 20-foot wild land fire within five (5) minutes of discovery. The following equipment will meet the requirements above:</p> <ul style="list-style-type: none"> a. Compressed Air Foam System with minimum requirements of 20 gallons stored energy, 100 feet of 1 inch hose and adjustable 1 inch nozzle, minimum discharge range of 60 feet and 1 spare air cylinder; or b. All terrain tank truck or equivalent capable of traveling throughout the cutting unit, containing not less than 300 gallons of water and complies with all tank truck requirements of Section 3. All terrain tank truck or equivalent may serve dual purpose as active landing tank truck provided: <ul style="list-style-type: none"> 1) Tank truck or equivalent shall be kept readily available to extinguish a fire within 5 minutes of discovery of the operating hot saw technology, 2) Tank truck or equivalent shall be no further than 10 minutes travel time to the active landing, 3) A 4-A:80-B:C extinguisher is maintained at the landing fire tool box and, 4) Effective communications exist between the hot saw technology, active landing and all terrain tank truck or equivalent. <p>Otherwise there shall be a tank truck at the active landing and an all terrain tank truck or equivalent with the hot saw technology.</p> <p>3. (Additional restrictions specified by the forest.)</p>
<p>D</p>	<p>1. The following restrictions apply:</p> <ul style="list-style-type: none"> a. No blasting after 10:00 AM b. Welding or cutting of metal only by special permit c. No Burning without a permit <p>2. The following activities may not operate after 1:00 PM local time unless fire patrolperson(s) walks all areas operated that day once per hour until sunset local time and has the capability of notifying the designated Forest Service Dispatch Center within fifteen (15) minutes of discovery of a fire:</p> <ul style="list-style-type: none"> a. Track-laying equipment b. Chipping outside of landings and roadbeds c. Equipment using Hot Saw Technology d. Chainsaw operations outside of landings and roadbeds e. Tree felling operations f. Ripping roads and landings g. Mastication h. Cable-yarding employing motorized carriages. <p>3. (Additional restrictions specified by the forest.)</p>
<p>Ev</p>	<p>1. The following operations are prohibited:</p> <ul style="list-style-type: none"> a. Blasting b. Welding or cutting metal c. Burning <p>2. Following activities may operate when fire patrolperson walks from 9:00 AM until local sunset all areas once per hour that were mechanically operated that day.</p> <p>A. Activities that may operate all day:</p> <ul style="list-style-type: none"> 1. Hauling and loading of logs decked at approved landings. 2. Hauling and loading of chips piled at approved landings. 3. Equipment servicing at approved sites. 4. Roads: Dust abatement or rock aggregate installation (does not

	<p>include pit or quarry development) 5. Chainsaw or stroke delimeter operation associated with loading at approved landing sites.</p> <p>B. All other Operations are permitted until 1:00 PM local time subject to the following:</p> <p>1. When hot saw technology is being used a tractor or other equipment with blade capable of constructing fire line, shall be on standby and immediately available. Tractor will have effective communications with hot saw technology and be within one quarter mile of hot saw technology to quickly reach and effectively attack a fire start.</p> <p>C. (Additional restrictions specified by the forest.)</p>
<p>E</p>	<p>The following activities may operate subject to B1. and B2.</p> <ol style="list-style-type: none"> 1. Hauling and loading of logs decked at approved landings. 2. Hauling and loading of chips piled at approved landings. 3. Equipment at approved sites may be serviced. 4. Roads: Dust abatement or rock aggregate installation (does not include pit development). 5. Chainsaw operation associated with loading at approved landings.

6. REPORTING ALL WILD FIRES

A. Contractor's employees shall report all fires as soon as possible but no later than 15 minutes after initial discovery to any of the following Forest Service facilities and/or personnel listed below, but not necessarily in the order shown:

****Fire Emergency call: 911****

Fire Emergency: 911	Name	Office Address and/or telephone	Alternate phone
Dispatch Center	FS Dispatch	(909) 383-5652	(909) 383-5653
Idyllwild FS Station		(909) 382-2921	
Battalion 52	Richard Gearhart	(951) 315-5856	
Division 5	Daniel Felix	(951) 314-1427	
Patrol 52	Fred Pena	(951) 312-3543	

When reporting a fire, provide the following information;

- Your Name;
- Call back telephone number;
- Project name;
- Location;
 - Legal description (Township, Range, Section); and
 - Descriptive location (Reference point);
- Fire Information;
 - Acres;
 - Rate of Spread; and
 - Wind Conditions.

B. **Contractor's Plan Regarding Personnel.** The Contractor shall, prior to commencing work, furnish the following information relating to key personnel

Riverside County		
George A. Schrock	Microwave and Comm. Sites Supervisor Riverside County Information Technology (RCIT)	Office (951)-955-3062 Cellular (951)-323-6954
David L. Littell	Information Technology Officer II RCIT Communications Bureau Radio-Microwave Division	Office: 951-955-3687 Cell: 951-840-8662
Trish Byrd	Radio Operations Supervisor Riverside County Information Technology (RCIT)	Off: (951) 955-1086 Cell: (951)-840-8692
Contractor - Motorola		
Gerry Macpherson	Project Engineer	951-897-9619
Kevin Herring	Superintendent	951-452-4121
Ron Ebarb	General Superintendent	909-838-9379

FORM APPROVED COUNTY COUNSEL
 BY *Synthia M. Gunzel* 9/6/10
 DATE
 SYNTHIA M. GUNZEL

 Marion Ashley, Chairman
 Board of Supervisors

 Date

 Forest Service Representative, Title

 Date