

OPERATING PLAN
for the
Lac du Flambeau Timber Harvest Agreement
pursuant to the Tribe's request dated 11/02/2012

Operating Conditions

1. *Location and Area.* This Agreement pertains to a General Operations Area of approximately 120 acres located almost entirely within Section 17 of Township 40N, Range 3E. Approximate acreage of Harvesting Area is estimated at 30 acres. See Operations Map.
2. All individuals gathering fuelwood under this Agreement must have a copy of the Operations Map and the Operating Conditions on them, along with a tribal permit and personal identification, on them while harvesting.
3. *Included Trees.* Trees included for harvest are marked with BLUE paint at breast height and at the stump.
4. *Felling Operations.* Trees shall be felled so as to leave paint on stump. Stump heights shall be no more than 6 – 10 inches. Felling shall be done in a manner that does not unnecessarily damage undesignated trees or young growth. Undesignated trees accidentally damaged shall not be harvested and shall be left on site. Trees shall not be felled into roads, and all tops or other slash will be removed from roadways.
5. *Utilization.* All felled trees shall be bucked into lengths no greater than 4 feet prior to their removal from the woods. All material in felled trees, including branches, shall be harvested up to a minimum 3 inch diameter top. Portions of felled trees that contain substantial rot or decay may be left unharvested.
6. *Roads.* Use of existing roads is limited to those identified on Operations Map, and use is restricted to highway-legal vehicles only. All vehicles must stay within existing road corridor. The use of heavy equipment or ATVs is not allowed.

Partner shall maintain existing roads in their current condition, and shall avoid using roads during periods of heavy snowmelt or rain, or when use results in rutting.

Road 135 is gated to block general public use. This gate will have a Forest Service lock, as well as a lock provided by the Tribe. Those individuals harvesting under this Agreement will be provided a key, by the Tribe, for the purpose of opening the gate and accessing the Included Trees. The gate will need to be kept locked at all times, except to allow vehicles used during harvesting to enter or exit, to prevent the general public from accessing roadway. Partner will remove their locks from all gates once either all fuelwood under this agreement has been harvested along this road or by termination date, whichever is sooner.

7. *Safety.* Harvesting shall be done in a safe a practical manner. Those harvesting under this Agreement shall take the necessary precautions to ensure general public safety within the Harvest Area.
8. *Sanitation.* Precautions shall be taken to prevent pollution of air, soil, and water. Equipment and products used for the removal of fuelwood, such as oil bottles or rags, will not be left on site.

General Conditions

1. The Forest Service does not assume liability for any third party claims for damages arising out of this Agreement.
2. Notices under this Agreement will be sufficient only if in writing and delivered in person, mailed, or transmitted electronically by email or fax. Such notices from Lac du Flambeau (hereafter known as the Tribe) shall be addressed to the Medford-Park Falls' District Ranger, and such notices from the Forest Service shall be addressed to ~~Larry Wawronowicz~~ ^{to} Scott Smith.
3. If Tribe's operations materially fail to comply with any term of the Agreement, the Forest Service may wholly or partly suspend or terminate the Agreement.
4. Modifications within the scope of this Agreement shall be made by mutual consent of both parties. Requests for modifications should be made, in writing, and shall only become authorized when signed off on by the Forest Service and the Tribe.
5. This Agreement is executed as of the date of the last signature and is effective through the day prior to the Wisconsin 2014 rifle deer hunting season, at which time it will expire, unless extended by an executed modification.

Bob Hennes
Forest Service signature

BOB HENNES DISTRICT RGR 11/21/12
Print Name & Title Date

[Signature]
Lac du Flambeau signature

Tom Marlson PRESIDENT 11-21-12
Print Name & Title Date

OPERATIONS MAP

Lac du Flambeau Band Fuelwood Request

LEGEND

- Road
- General Operations Area
- ▨ Approximate Harvest Area
- Non-USFS Ownership

