

Letter of Agreement

This Letter of Agreement is documentation by and between the Back Country Horsemen of Washington, hereafter referred to as the BCHW and the USDA Forest Service (Region 6), USFS.

The purpose of this letter is to facilitate the required training and certification of BCHW for the use of crosscut and chain saws for the improvement, management and operation of trails on National Forest System lands within the Pacific Northwest Region consistent with Land and Resource Management plans. This letter will also facilitate the coordination, development and implementation of a saw training and certification program for both chain and crosscut saws, conducted by qualified and approved BCHW members.

Nothing in this letter is intended to alter, limit, or expand the agencies' statutory and regulatory authority. The letter creates no right, benefit, or trust responsibility, substantive or procedural, enforceable at law or equity. The parties shall manage their respective resources in a separate, coordinated and mutually beneficial manner to meet the purposes of this letter.

We therefore mutually agree that the provisions in the enclosed Exhibit A – Chainsaw and Crosscut Operations (dated November 18, 2016) shall be the standard for training and certification of Back Country Horseman of Washington members, volunteers and staff on National Forest System lands in the Pacific Northwest Region.

This letter is executed November 18, 2016 as of the last signature and is effective until rescinded after which time it will expire. By signature below, each party certifies that the individual listed on the letter is authorized to act on behalf of the agency or group.



Rebecca Lockett Heath
Deputy Regional Forester



Kathy Young
President, Back Country Horsemen of Washington



Darrell Wallace
Executive Director, Back Country Horsemen of Washington

Exhibit A
Chain Saw and Crosscut Saw Operations
November 18, 2016

Introduction

Safety is paramount for Forest Service employees and Back Country Horsemen of Washington volunteers and staff (hereafter referred to as BCHW) maintaining trails on National Forest System lands. Use of chain saws and crosscut saws is frequently needed for clearing trails sufficiently for horse and hiker travel and routine trail maintenance.

Standards for Saw Operations on National Forest Lands

1. **BCHW cooperator's employees, and any participants and volunteers** engaged on behalf of the cooperator and Forest Service, who will use chain saws or crosscut saws on National Forest System lands to conduct the program of work contained in this agreement must be trained, evaluated, and certified in accordance with **Forest Service Manual 2358 and Forest Service Handbook 6709.11, section 22.48b**. The cooperator is responsible for providing this training, evaluation, and certification, unless the Forest Service and the cooperator determine it is not in the best interest of the partnership. In these circumstances, the Forest Service, upon request and based on availability of Agency funding and personnel, may assist with developing and conducting training, evaluation, and certification of the cooperator's employees, and any volunteers and participants engaged on behalf of the cooperator and the Forest Service, who will use chain saws or cross cut saws on National Forest System lands.
2. **Formal training courses to be utilized.** Either the Chain Saw and Crosscut Saw Training Course Tech. Rep. 0667-2805 (Student) and 2804 (Instructor – MTDC developed by the Missoula Technology and Development Center or the NWCG S212 Wildland Fire Chain Saw course will be utilized as the basis for chain saw and crosscut saw operator training for the non-fire environment.
3. It is understood by all parties that participation in a training course by an individual BCHW member or volunteer is not a guarantee of certification. Instructors have complete authority to limit the scope of the certification on any operator, including restrictions on projects, functions, and material size, based on demonstrated performance.
4. **Personal Protective Equipment (PPE) is required for use of crosscut and chain saws.** The specific equipment required is found in FSM 6709.11 standards for saw operations and outlined in a job hazard analysis (JHA). No work is authorized to occur without appropriate PPE. The Forest Supervisor, BCHW or the individual may provide PPE. The individual is responsible for protective footwear and non-specialty safety eyewear, everyday work clothing; or ordinary clothing, skin creams, or other items used solely for protection for the weather.
5. **Requirements for first aid training and the ability to call for assistance.** The JHA for saw operations outline the need for sawyers to be able to call for assistance and render first aid. No work is authorized to occur without appropriate training and communications in place. The Forest Service or BCHW may provide this training and communication (cell phones, radios, etcetera).

6. **Reporting requirements of accidents and near misses:** The accident policies and responsibilities for investigation lie with the Forest Service where the sponsored work was occurring under Volunteer, Challenge Cost Share or Participating agreement at the time of the incident. All occupational injuries, illnesses, and fatalities are to be reported.

GOVERNMENT PROVISIONS

The USDA Forest Service Shall:

1. Provide chain saw and crosscut saw operator safety training, certification, and recertification opportunities using Forest Service instructors to meet the needs of BCHW members, volunteers and staff to the fullest extent possible; and especially to meet the needs of the BCHW on National Forest System lands.
2. Maintain records of the training, certifications, and recertification's conducted by Forest Service Instructor/Evaluators and make these records available to other parties upon request.
3. Accept and recognize as valid the certifications of chain saw and crosscut saw operators under this instrument, including those trained by Forest Service instructors and BCHW affiliated instructors.
4. With the other parties, provide required PPE and supplies to meet the needs of the BCHW chain saw and crosscut saw operators to the fullest extent possible.
5. Assist the BCHW in developing a cadre of instructors trained and certified to agency requirements to provide training and certification for BCHW members and volunteers. These instructors would be able to train and certify operators to the level necessary for normal trail maintenance. They would document this training and level of certification and provide copies to the local agency instructors where the work is being performed.

BCHW PROVISIONS

BCHW Shall:

1. Provide chain saw and crosscut saw operator safety training, certification, and recertification opportunities using BCHW affiliated Instructor/Evaluator or an agency-approved certifying Instructor/Evaluator to meet the needs of the BCHW members, volunteers and staff to the fullest extent possible.
2. Maintain records of the training, certifications, and recertification's conducted by BCHW Instructor/Evaluators and make these records available to other parties upon request. Maintain list of currently certified sawyers for all BCHW sponsored members and volunteers.
3. Accept and recognize as valid the certifications of chain saw and crosscut saw operators under this instrument, including those trained by Forest Service instructors, BCHW affiliated instructors or an agency-approved Instructor.
4. With the other parties, provide required PPE and supplies to meet the needs of the BCHW chain saw and crosscut saw operators to the fullest extent possible.

5. Coordinate with local units of the Forest Service and BCHW staff members to schedule training, certification, and recertification opportunities led by the Forest Service, BCHW affiliated or agency-approved instructors.
6. BCHW Contacts:
 - a. President: Kathy Young, (206) 551-7824, or kyoung1735@gmail.com
 - b. Executive Director: Darrell Wallace, (360) 918-3016, or exec@bchw.org
 - c. Saw Program Coordinator: Tony Karniss, (360) 748-8640, or tkarniss@gmail.com
 - d. Saw Program Coordinator: Tom Mix, (360) 582-0460, or Tom@Cuttinggarden.com