

Liquidated Damages Schedule

November 2019

M.S. 90.151 (15) Liquidated damages. The permit may include a schedule of liquidated damage charges for breach of permit terms by the permit holder. The damage charges shall be limited to amounts that are reasonable in light of the anticipated or actual harm caused by the breach, the difficulties of proof of loss, and the inconvenience or nonfeasibility of otherwise obtaining an adequate remedy.

Violation Type	Offenses Within Last 2 Years		
	Fee Schedule		
Fees escalate when the same violation occurs within 2 years.			
90.145 (2) Providing false registration information.	\$200		
90.050 (6,10,15) Ignoring Forester's directive regarding sale operations.	1	2	3
	\$200	\$400	\$600
90.151 (6) Failure to give notice, receive approval to start operations, or attend presale meeting.	1	2	3
	\$250	\$500	\$750
90.151 (6) Failure to obtain prior approval of road or landing locations.	1	2	3
	\$250	\$500	\$750
90.151 (4,7) Damage to residual/reserved desirable or crop trees. Damage must exceed \$100 minimum. Minimum fee per tree is \$5 Damage is defined as 10% of stem circumference, and or greater than 30% of live crown. EXAMPLE: Bid Price is \$20/cord 13- 10" DBH trees were damaged(\$20 x 0.40= \$8/tree) \$8x13 trees= \$104 charge	Fee per Tree		
	8 inch DBH or less	\$5	Flat rate
	9-14 inch DBH	40%	Base or Bid Price per cord
	14 inch DBH or larger	75%	
High value/veneer	Trespass		
90.151 (9) Non-Compliance with slash specifications listed on the Appraisal.	1	2	3
	\$100	\$200	\$300
90.151 (8) Violation of MN DNR Rutting Metric.	1	2	3
	\$250	\$500	\$750
90.145 (1d) Absence of a Site Supervisor with Site-Level Guideline Training. Absent more than 3 days during active felling / skidding.	1	2	3
	\$250	\$500	\$750
90.151 (1a) Failure to have a spill kit on-site (per Permit)	1	2	
	Written Warning	Shutdown and \$50	
Scaling Violations 90.151 (2), 90.252			
Failure to mark loads	\$100		
Failure to mark piles at alternate landings	\$100		
Failure to fill out load tickets correctly: (charged per instance, not per ticket) Time, date, species and destination	\$50		
Failure to use a load ticket: (charged per instance, not per ticket) Only if either the lockbox stub or mill stub was used. Only if all other terms of consumer scaling are met.	1	2	3
	\$100	\$200	\$300
Hauling to a mill without a Consumer Scale Agreement Only if all other terms of consumer scaling are met.	\$250		
Failure to return all ticket books: (Per Permit) Send warning letter to return tickets within 1 week before entering charge in TSM.	\$50		

To dispute charges, contact the area supervisor they will work with the regional manager to resolve. The invoice date will be delayed for the same number of days it takes to resolve the dispute.