

PART III: EXHIBITS

State Timber Sale Contract
No. 341-09-32
Commo Tower

EXHIBIT B

Page 1 of 3
629-Form 341-203
Revised 06/97

OREGON DEPARTMENT OF FORESTRY

TIMBER SALE OPERATIONS PLAN

(See Page 2 for instructions)



Date Received by STATE: _____ (5) State Brand Information (complete):

(1) Contract No.: 341-09-32

(2) Sale Name: Commo Tower

(3) Contract Expiration Date: June 30, 2010

Project Completion Dates: _____

(4) Purchaser: _____

(6) Purchaser Representatives:

Projects: _____	Phone: _____	Cell/Other Phone: _____	Home: _____
Projects: _____	Phone: _____	Cell/Other Phone: _____	Home: _____
Projects: _____	Phone: _____	Cell/Other Phone: _____	Home: _____
Projects: _____	Phone: _____	Cell/Other Phone: _____	Home: _____
Logging: _____	Phone: _____	Cell/Other Phone: _____	Home: _____
Logging: _____	Phone: _____	Cell/Other Phone: _____	Home: _____
Logging: _____	Phone: _____	Cell/Other Phone: _____	Home: _____
Logging: _____	Phone: _____	Cell/Other Phone: _____	Home: _____

(7) State Representatives:

Projects: _____	Phone: _____	Cell/Other Phone: _____	Home: _____
Logging: _____	Phone: _____	Cell/Other Phone: _____	Home: _____

(8) Name of Subcontractors & Starting Dates:

Projects: No(s) _____ - _____	Date: _____	Phone: _____
No(s) _____ - _____	Date: _____	Phone: _____
No(s) _____ - _____	Date: _____	Phone: _____
No(s) _____ - _____	Date: _____	Phone: _____
Logging: Felling _____	Date: _____	Phone: _____
Yarding: _____	Date: _____	Phone: _____

(9) Comments: _____

(10) Operations Map: Attach a copy of timber sale Exhibit A or other suitable map which plainly shows the items listed on the instruction sheet.

EXHIBIT B
INSTRUCTION SHEET FOR OPERATIONS PLAN

SUBMIT ONE COPY OF PLAN TO STATE

Operations shall be limited to the work shown in the plan until a revised plan or supplemental plan is submitted covering additional work. Compliance with this plan is not in lieu of compliance with any federal requirements related to the federal Endangered Species Act. If STATE has prepared a required Forest Practices Act (FPA) "Written Plan" for operations, PURCHASER shall comply with all provisions of the Written Plan.

Explanation of Item No. (from Page 1)

- (5) All sales require you to use a brand furnished by STATE. If the State brand has not been assigned when the plan is submitted, it will be furnished and assigned later. Complete drawing. If more than one brand is assigned to the sale, complete both drawings.
- (6) The contract requires you to have a designated representative available on the sale area or work location who is authorized to receive in your behalf any notice or instruction given by STATE and to take action in regard to performance under the contract. If logging and project work is widely separated, a representative is required for each.
- (7) The STATE representative will be designated when your plan is approved and is the person who will inspect and issue instructions regarding performance.
- (8) Show names of subcontractors to be used for any or all phases of the operations. If subcontractors are not known, or are changed later, give notification to the STATE representative prior to commencement of work by subcontractor.

Show projected dates for commencement of both projects and logging. If projected dates need to be changed at a later date, notification must be given to the STATE representative by supplemental plan or otherwise, prior to commencement of such operations.

- (10) The STATE representative will furnish extra copies of Exhibit A of the contract for your use in preparing the operations map. The map shall use the following legend and show:
 - 1. Landing locations, approximate setting boundaries, and probable sequence of logging the settings. Number the settings in sequence.
 - 2. Locations of spur roads planned for construction, other than those required by the timber sale contract. Provide spur road specifications.
 - 3. Location of proposed tractor yarding roads. Show if and how marked on the ground.
 - 4. Location of temporary stream crossings.
 - 5. List the sequence of performing project work.
 - 6. Location of rock sources - attach pit development plans.



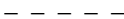
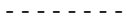


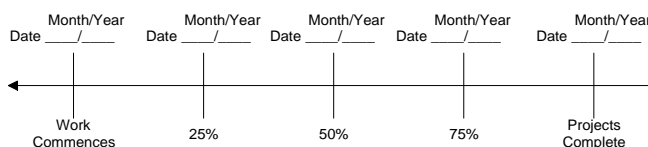
	Cable landing, with numbers for sequence.
	Tractor landing with alphabetical sequence.
	Approximate setting boundary.
	Spur truck roads.
	Tractor yarding roads.
	Temporary stream crossings.

EXHIBIT B
OPERATIONS PLAN

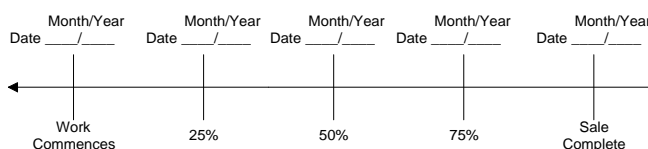
Key Points

Indicate on the appropriate timeline below, the dates by which you plan to complete the work as required under this contract. The purpose of this section is to develop a plan that will ensure you complete the work as required, and meet the interim completion date(s) and contract expiration date. This plan is incorporated and made a part of the contract. When, in the opinion of STATE, operations are not commencing in a manner that meets the intent of this plan, you may be placed in violation of contract and your operations suspended until an amended plan is submitted and approved by STATE.

Projects



Harvest & Other Requirements



The Federal Endangered Species Act (ESA) prohibits a person from taking any federally listed threatened or endangered species. Taking under the federal ESA may include alteration of habitat. STATE's approval of this plan does not certify that PURCHASER's operation under the plan is lawful under the federal ESA. As provided in the timber sale contract, PURCHASERS must comply with all applicable state, federal, and local laws.

PURCHASER's compliance with this plan is not in lieu of compliance with any federal requirements related to the federal Endangered Species Act.

APPROVED: Date: _____

STATE OF OREGON - DEPARTMENT OF FORESTRY

SUBMITTED BY:
PURCHASER

Title _____

Original: Salem
cc: District File
Purchaser

Title _____

EXHIBIT C – SAWMILL GRADE

SCALING INSTRUCTIONS -- LOCATION APPROVAL -- BRAND INFORMATION

(1) ORIGINAL REGISTRATION ☐ Date _____
REVISION NUMBER _____ ☐ Date _____
CANCELLATION ☐ Date _____

(2) TO: _____
(Third Party Scaling Organization)

(3) FROM: Western Lane (03) Phone 541-935-2283
(State Forestry District)
Address PO Box 157, Veneta, OR 97487

(4) PURCHASER: _____
Address _____

(5) MINIMUM SCALING SPECIFICATIONS			CLASS		
SPECIES	SCALING DIAMETER INCHES	*NET SCALE VOLUME	PER MBF	** SUM	SUB
Conifers	--	10	X		
Hardwoods	--	--		X	

* Apply minimum volume test to whole logs over 40' Westside; 20' Eastside.
** Sum (if indicated): see instructions and explain in Item (20).

(6) WESTSIDE SCALE: YES ☒ NO ☐
Actual taper all logs over 40' scaling length

(7) EASTSIDE SCALE: YES ☐ NO ☒
*Actual taper butt logs over 40' scaling length

(8) PENCIL BUCK YES ☐ NO ☒
back to Minimum Scaling Diameter _____

(9) ADD-BACK VOLUME -- YES ☒ NO ☐
Deductions due to delay

(10) APPROVED SCALING LOCATIONS	Species	Yard	Truck

(11) NOTICE OF CANCELLATION OF BRAND:
Effective Date: _____

State Forester's Representative

(12) SALE NAME Commo Tower

COUNTY Lane

(13) STATE CONTRACT NUMBER 341-09-32

(14) SCALE: westside ☒ eastside ☐ cubic foot ☐

(15) STATE BRAND REGISTRATION NUMBER _____

(16) BUREAU BRAND CODE NUMBER _____

(17) STATE BRAND INFORMATION:

(COMPLETE) 

(18) PAINT REQUIRED: YES ☒
COLOR Orange

(19) SPECIAL SCALES

PEELABLE CULL (all species)

UTILITY/PULP (all species)

**NO DEDUCTIONS ALLOWED
FOR MECHANICAL DAMAGE**

OTHER: _____

OTHER: _____

(20) REMARKS: Loads containing only SUM material
need not be accounted for by scale ticket.

Operator's Name (Optional inclusion by District): _____

(21) SIGNATURES:

Purchaser or Authorized Representative Date

State Forester Representative Date

Notify the District within one hour when branding or painting is inadequate for quick identification, the receipts are missing, not correctly or completely filled out, and/or when logs presented for scaling are impossible to scale accurately.

Distribution: ORIGINAL: Salem / COPIES: TPSO, Purchaser, District, Mgmt. Unit

EXHIBIT C – SAWMILL GRADE

INSTRUCTIONS FOR FORM 343-307 (rev. 5/01)

- (1) Check appropriate box. REVISION NUMBER requires comments. CANCELLATION requires Item (21). Complete date.
- (2) Designate Third Party Scaling Organization (TPSO). Send 4 copies to TPSO, 1 to purchaser, 1 to Salem, and keep such copies as to district needs.
- (3) State District office, address and phone.
- (4) Enter Purchaser's business name and address as it appears on the Contract.
- (5) Minimum Scaling Specifications. Review Section 2040 or 2045, "Log Removal," of the Contract. Species, or combined species can be separate entries. Information serves as a basis for scaling (see also Items (13) thru (17)), and is required to show existence on the sale. **PerM** (per MBF). **SUM** (lump sum material). **SUB** (submerchantable material). SUB, as used by the State, references that material containing at least 10 bf (net) but less than the lower merchantable net volume limit or grade requirements for other merchantable (PerM) entries. PerM, SUM, and Sub must be indicated by checking the appropriate column. Species with the same specifications and value are combined into one entry. PerM and Sub require scaling therefore complete specifications. SUM need not be scaled, hence no specifications. Loads containing only SUM are to be ticketed if so instructed in Item (19). Mixed loads of SUM, PERM and/or subspecies will always be scaled.
- (6) Westside -- actual taper segment scale. Check Yes or No. Special Service Rules on file with TPSO. See: Segment Scaling and Grading of Long Logs -- All Species -- State Forestry Department Scaling Practices (Westside).
- (7) Eastside -- actual taper/taper table segment scale. Special Service Rules on file with TPSO. See: Segment Scaling and Grading of Long Logs -- All Species -- State Forestry Department Scaling Practices (Northwest Log Rules Eastside). Items with * follow U.S. Forest Service Eastside rules.
- (8) Pencil Buck. Check NO if a westside sale, optional for eastside sales.
- (9) Add-Back Volume. Add-Back is normally checked YES. Scaler records deductions (sap rot, weather checks, etc.) caused by an abnormal delay in removal. Enter separately on scale ticket. TPSO provides State with summaries that include this as a net volume by species. Salvage sales and certain other circumstances may require that "NO" be checked.
- (10) Show scaling locations only applicable to TPSO. Not necessary to list markets. If all species are scaled at same location, enter "ALL."
- (11) When logging is complete, recall branding hammers, date and sign where indicated, check CANCELLATION box at top of form, and send to TPSO.
- (12) Enter sale name and county.
- (13) Enter sale Contract number.
- (14) Check Westside or Eastside log scale. Cubic foot refers to Northwest Log Rules Cubic Foot Scale.
- (15) Oregon Forest Products Brand Registry Number (optional).
- (16) DO NOT USE -- TPSO will fill in when applicable.
- (17) Show one brand only. Complete drawing. If more than one brand is assigned to the sale, (1) make separate form for each brand, and (2) on each form, explain and show other brand(s) under REMARKS, Item 19.
- (18) Check YES and designate orange.
- (19) Special Scales. These are the Special Scales that will be applied. If "Other" is indicated, please describe. Give comments in Item (19).
- (20) Use this space to designate weight conversion factors, or any other explanations to clarify scaling requirements. If additional scaling locations are approved, prepare another form showing all (old and new) locations. Check REVISION box at top of form and explain under remarks. Route as indicated.
- (21) Require purchaser to sign and date completed form.

EXHIBIT C – PULP SORT

SCALING INSTRUCTIONS -- LOCATION APPROVAL -- BRAND INFORMATION

- (1) ORIGINAL REGISTRATION ☐ Date _____
REVISION NUMBER _____ ☐ Date _____
CANCELLATION ☐ Date _____
- (2) TO: _____
(Third Party Scaling Organization)
- (3) FROM: Western Lane (03) Phone 541-935-2283
(State Forestry District)
Address PO Box 157, Veneta, OR 97487
- (4) PURCHASER: _____
Address _____

(5) MINIMUM SCALING SPECIFICATIONS			CLASS		
SPECIES	SCALING DIAMETER INCHES	*NET SCALE VOLUME	PER MBF	** SUM	SUB
Pulp	*By Load			<input type="checkbox"/>	
				<input type="checkbox"/>	

* Apply minimum volume test to whole logs over 40' Westside; 20' Eastside.
** Sum (if indicated): see instructions and explain in Item (20).

- (6) WESTSIDE SCALE: YES NO
Actual taper all logs over 40' scaling length ☐ *☒
- (7) EASTSIDE SCALE: ☐ ☒
*Actual taper butt logs over 40' scaling length
- (8) PENCIL BUCK ☐ ☒
back to Minimum Scaling Diameter _____
- (9) ADD-BACK VOLUME -- ☐ ☒
Deductions due to delay

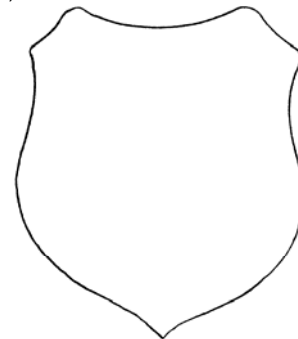
(10) APPROVED SCALING LOCATIONS	Species	Yard	Truck
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>

- (11) NOTICE OF CANCELLATION OF BRAND:
Effective Date: _____

State Forester's Representative

- (12) SALE NAME Commo Tower
COUNTY Lane
- (13) STATE CONTRACT NUMBER 341-09-32
- (14) SCALE: *By Load ☒ eastside ☐ cubic foot ☐
- (15) STATE BRAND REGISTRATION NUMBER _____
- (16) BUREAU BRAND CODE NUMBER _____
- (17) STATE BRAND INFORMATION:

(COMPLETE)



- (18) PAINT REQUIRED: YES ☒ On 10% of logs
COLOR Orange

(19) SPECIAL SCALES
PEELABLE CULL (all species)
UTILITY/PULP (all species)
NO DEDUCTIONS ALLOWED FOR MECHANICAL DAMAGE
OTHER: <u>Convert loads to MBF, using a factor of 2,500 board feet per load.</u>

- (20) REMARKS: *(1) The Scaler Receipt part of the STATE Log Load Receipt shall be removed and mailed weekly to the approved Third-Party Scaling Organization (TPSO). (2) The TPSO shall notify the Western Lane District Office, 541-935-2283, immediately if the above requirements are not met.

Operator's Name (Optional inclusion by District): _____

- (22) SIGNATURES:

Purchaser or Authorized Representative _____ Date _____

State Forester Representative _____ Date _____

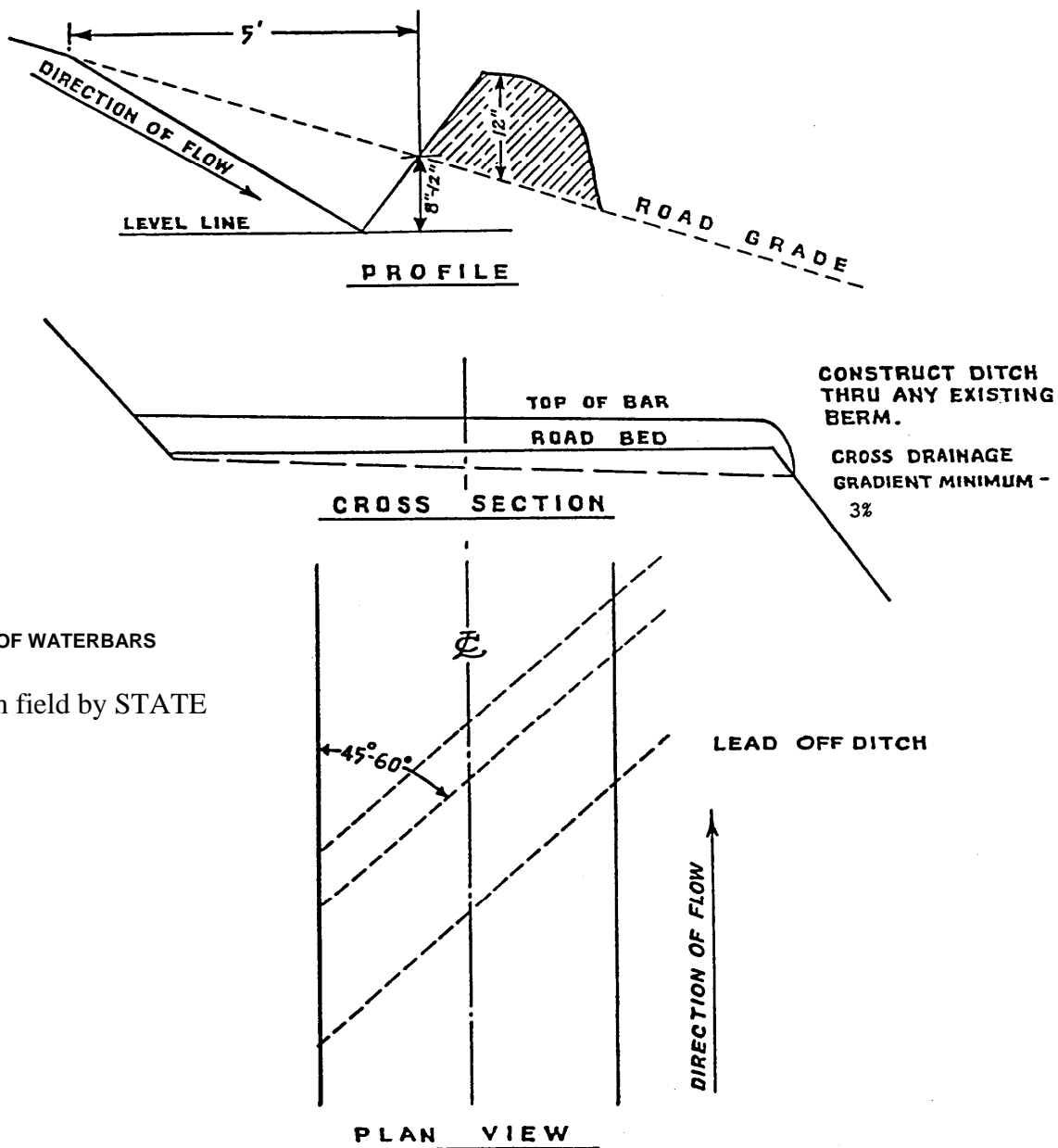
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- (3) State District office, address and phone.
- (5) Enter Purchaser's business name and address as it appears on the Contract.
- (5) Minimum Scaling Specifications. Review Section 45, "Log Removal," of the Contract. Species, or combined species can be separate entries. Information serves as a basis for scaling (see also Items (13) thru (17)), and is required to show existence on the sale. **PerM** (per MBF). **SUM** (lump sum material). **SUB** (submerchantable material). SUB, as used by the State, references that material containing at least 10 bf (net) but less than the lower merchantable net volume limit or grade requirements for other merchantable (PerM) entries. PerM, SUM, and Sub must be indicated by checking the appropriate column. Species with the same specifications and value are combined into one entry. PerM and Sub require scaling therefore complete specifications. SUM need not be scaled, hence no specifications. Loads containing only SUM are to be ticketed if so instructed in Item (19). Mixed loads of SUM, PERM and/or subspecies will always be scaled.
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- (7) Eastside -- actual taper/taper table segment scale. Special Service Rules on file with TPSO. See: Segment Scaling and Grading of Long Logs -- All Species -- State Forestry Department Scaling Practices (Eastside). Items with * follow U.S. Forest Service Eastside rules.
- (8) Pencil Buck. Check NO if a westside sale, optional for eastside sales.
- (9) Add-Back Volume. Add-Back is normally checked YES. Scaler records deductions (sap rot, weather checks, etc.) caused by an abnormal delay in removal. Enter separately on scale ticket. TPSO provides State with summaries that include this as a net volume by species. Salvage sales and certain other circumstances may require that "NO" be checked.
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- (13) Enter sale Contract number.
- (14) Check Westside or Eastside log scale. Cubic foot refers to Northwest Log Rules Cubic Foot Scale.
- (15) Oregon Forest Products Brand Registry Number (optional).
- (16) DO NOT USE -- TPSO will fill in when applicable.
- (17) Show one brand only. Complete drawing. If more than one brand is assigned to the sale, (1) make separate form for each brand, and (2) on each form, explain and show other brand(s) under REMARKS, Item 19.
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- (20) Use this space to designate weight conversion factors, or any other explanations to clarify scaling requirements. If additional scaling locations are approved, prepare another form showing all (old and new) locations. Check REVISION box at top of form and explain under remarks. Route as indicated.
- (21) Require purchaser to sign and date completed form.

EXHIBIT D

WATERBAR SPECIFICATIONS



WATERBAR SPECIFICATIONS
FOR CROSS DITCHING #298