

PART III: EXHIBITS

State Timber Sale Contract
No. 341-18-47
Nicolai

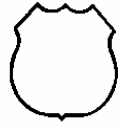
EXHIBIT B

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.: 341-18-47

(2) Sale Name: Nicolai

(3) Contract Expiration Date: October 31, 2019

Project Completion Dates: _____

(4) Purchaser: _____

(6) Purchaser Representatives:

Logging: _____

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:

Logging: _____

Phone: _____

Cell/Other

Phone: _____

Home: _____

Logging: _____

Phone: _____

Cell/Other

Phone: _____

Home: _____

(8) Name of Subcontractors & Starting Dates:

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.

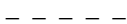
- (10) The STATE representative will furnish extra copies of Exhibit A of the contract for your use in preparing the operations map. The map shall use the following legend and show:
 1. Landing locations, approximate setting boundaries, and probable sequence of logging the settings. Number the settings 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.



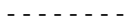
Cable Landing, with numbers for sequence.



Tractor Landing with alphabetical sequence.



Approximate setting boundary.



Spur truck roads.



Tractor yarding roads.



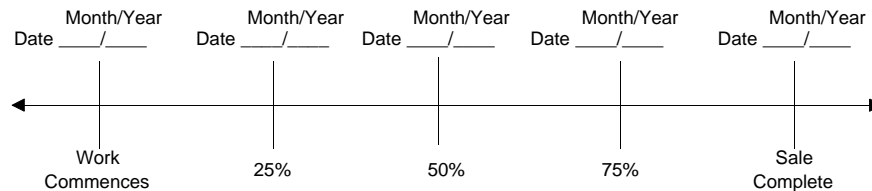
Temporary stream crossings.

EXHIBIT B
OPERATIONS PLAN

Completion Timeline

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.

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: _____

SUBMITTED BY:
PURCHASER

STATE OF OREGON - DEPARTMENT OF FORESTRY

Title _____

Title _____

Original: Salem
cc: District File
Unit
Purchaser
Operator
(Purchaser Representative) _____

EXHIBIT C – SAWMILL GRADE (WESTSIDE SCALE)

SCALING INSTRUCTIONS -- LOCATION APPROVAL -- BRAND INFORMATION

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

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

(3) FROM: Astoria (04) Phone (503) 325-5451
(State Forestry District)
Address 92219 Hwy. 202, Astoria, OR 97103

(4) PURCHASER: _____
Mailing Address: _____
Phone Number: _____

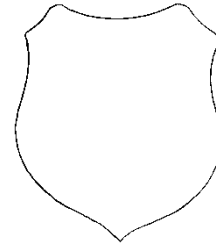
(9) SALE NAME: Nicolai

COUNTY: Clatsop

(10) STATE CONTRACT NUMBER: 341-18-47

(11) STATE BRAND REGISTRATION NUMBER: _____

(12) STATE BRAND INFORMATION (COMPLETE):



(13) PAINT REQUIRED: YES ☒
COLOR: Orange

(5) MINIMUM SCALING SPECIFICATIONS	
SPECIES	MINIMUM NET VOLUME
Conifers	10
Hardwoods	10

* Apply minimum volume test to whole logs over 40' Westside

(6) WESTSIDE SCALE: YES ☒ NO ☐
Use Region 6 actual taper rule. Logs over 40'.

(7) Weight Scale Sample ☐ ☒

(14) SPECIAL REQUESTS	(Check applicable)
PEELABLE CULL (all species)	<input type="checkbox"/>
NO DEDUCTIONS ALLOWED FOR MECHANICAL DAMAGE	<input checked="" type="checkbox"/>
ADD-BACK VOLUME - Deductions due to delay	<input checked="" type="checkbox"/>
OTHER:	

(15) REMARKS _____

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

(16) SIGNATURES:

Purchaser or Authorized Representative Date

State Forester Representative Date

State Forester Representative PRINT NAME

(8) APPROVED SCALING LOCATIONS (as shown on the ODF Approved Locations web-site)	Species	Yard	Truck	Weight

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 (See specific instructions on pg. 2): ORIGINAL: Salem / COPIES: TPSO, Approved Scaling Location, Purchaser, District, Mgmt. Unit

EXHIBIT C – SAWMILL GRADE
INSTRUCTIONS FOR FORM 343-307a (rev. 11/11)

- (1) Check appropriate box. REVISION NUMBER requires comments. CANCELLATION requires logging and hauling to be complete, recall branding hammers, date and sign where indicated, write diagonally across page "CANCEL", and send to TPSO.
- (2) Designate Third Party Scaling Organization (TPSO).

Columbia River Log Scaling & Grading Bureau
P.O. Box 7002, Eugene, OR 97401
Phone: (541) 342-6007 Fax: (541) 342-2631
Email: services@crsls.com

Pacific Rim Log Scaling Bureau, Inc.
8288 28th Court North East, Lacey, WA 98516
Phone: (360) 528-8710 Fax: (360) 528-8718
Email: office@prlsb.com

Mountain Western Log Scaling & Grading Bureau
P.O. Box 580, Roseburg, OR 97470
Phone: (541) 673-5571 Fax: (541) 672-6381
Email: info@mwlsqb.com

Yamhill Log Scaling & Grading Bureau
P.O. Box 709, Forest Grove, OR 97116
Phone: (503) 359-4474 Fax: (503) 359-4476
Email: yamhill@attglobal.net

Northwest Log Scalpers, Inc.
5526 NE 122nd Ave, Portland, OR 97230
Phone: (503) 254-0600 Fax: (503) 408-0919
Email: info@nwlogscalpers.com

Pacific Log Scaling & Grading Bureau, Inc.
P.O. Box 23939, Portland, OR 97281
Phone: (503) 684-5599 Fax: (503) 639-4880
Email: PacLogScale@aol.com

- (3) State District office, address and phone.
- (4) Enter Purchaser's business name, address, and phone number as it appears on the Contract.
- (5) Minimum Scaling Specifications.
- (6) Westside – Region 6 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) Weight Scale Sample – Check box if sale is to be a Weight Scale Sample. All specifics for handling, scaling and processing will be attached or explained in the Remarks section Item (15).
- (8) Show scaling locations only applicable to TPSO. Location name should appear as it does on the ODF Approved Scaling Location web site: http://www.odf.state.or.us/DIVISIONS/management/asset_management/ScalingLocation.asp Locations with scaling and processing directions specific to their location should be on a separate form. Species should be identified if not capable of receiving "all" species. Check appropriate box for either: yard, truck scale, or weight. Refer to the web site listed above for the locations approval status.
- (9) Enter sale name and county.
- (10) Enter sale Contract number.
- (11) Enter Oregon's State Brand Registry Number **(REQUIRED)**.
- (12) Show brand assigned to timber sale. One brand only. If more than one brand is assigned to the sale: (1) make a separate form for each brand and (2) on each form, explain and show other brand(s) in the Remarks section Item (15).
- (13) Check yes for Paint Required and designate "Orange" for color. Non required removal volumes may sometimes require blue paint.
- (14) Special Requests. These are requests that will be applied to ODF timber sales. All boxes applicable to the timber sales designated in the Exhibit C form must be "marked." If "Other" is indicated, it must contain a description and any necessary comments.
- (15) Use this space to designate any weight conversion factors, per load volumes, weight scale sample instructions or any other explanations to clarify scaling, processing and/or mailing requirements. If additional scaling locations are approved, revise original or current form showing all (old and new) locations. Check REVISION box at top of form and explain under remarks. Route as indicated.
- (16) Require purchaser to sign and date completed form in addition to State Forester Representative, sign and print name on the form.

Salem Distribution Instructions: Original will be mailed to Salem after it is electronically scanned and placed in the Salem transfer drive <\\WPODFILL01\Transfer\ScalingInstructions> or e-mailed directly to scaling@odf.state.or.us. Scaling instructions for each brand should be scanned separately, for each approved TPSO.

Distribution (See specific instructions on pg. 2): ORIGINAL: Salem / COPIES: TPSO, Approved Scaling Location, Purchaser, District, Mgmt. Unit

EXHIBIT C – PULP SORT

PROCESSING INSTRUCTIONS -- LOCATION APPROVAL -- BRAND INFORMATION

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

(2) TO: _____
(Approved Pulp Processing Facility)

(3) FROM: Astoria (04) Phone (503) 325-5451
(State Forestry District)

(4) PURCHASER: _____

(5) Scaling Bureau (TPSO) Processing Weight receipts:

Mailing Address: _____

Phone Number: _____

(6) **STATE Definition of Approved Pulp Sort:**

- Top portion of the tree (tops).
- All logs with a diameter (Big End) greater than 8 inches marked with blue paint.

(7) PULP FACILITY PROCESSING INSTRUCTIONS:

- Pulp loads shall be weighed in lieu of scaling.
- One Ton = 2000 lbs. (Short Ton).
- Pulp loads shall have a yellow Log Load Receipt attached.
- Gross weight and truck tare weight for each load shall be machine printed on the weight receipt.
- Weigher shall sign the weight receipt.
- Weigher shall record the Log Load Receipt number on the weight receipt.
- Weigher shall attach the Weight receipt to the Log Load Receipt and mail them weekly to the TPSO processing the Weight receipt.

(8) TPSO PROCESSING INSTRUCTIONS

- **Mail to ODF weekly.**
- Convert to MBF using 10 tons per MBF.

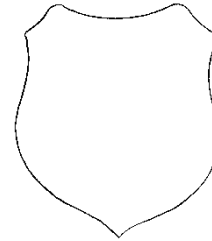
(9) SALE NAME: Nicolai

COUNTY: Clatsop

(10) STATE CONTRACT NUMBER: 341-18-47

(11) STATE BRAND REGISTRATION NUMBER _____

(12) STATE BRAND INFORMATION: (COMPLETE BELOW)



(13) REMARKS: _____

Operator's Name (Optional inclusion by District):

(14) SIGNATURES:

Purchaser or Authorized Representative Date

State Forester Representative Date

State Forester Representative PRINT NAME

Notify the District within one hour when branding is inadequate for quick identification, the logs are marked with orange paint, the receipts are missing, not correctly or completely filled out, and/or logs do not meet the specifications of the STATE definition of Approved Pulp Sort.

Distribution: ORIGINAL: Salem / COPIES: TPSO, Approved Pulp Processing Location, Purchaser, District, Mgmt. Unit

EXHIBIT C – PULP SORT
INSTRUCTIONS FOR FORM 343-307b (rev. 11/11)

- (1) **Must Complete.** Check appropriate box. REVISION NUMBER requires comments in the Remarks Section (13). CANCELLATION requires logging and hauling to be complete, recall branding hammers, date and sign where indicated, write diagonally across page "CANCEL", and send to TPSO.
- (2) **Must Complete.** Approved Pulp Processing Facility. Write in as written in the Approved Log Delivery Location http://www.odf.state.or.us/DIVISIONS/management/asset_management/ScalingLocation.asp
- (3) **Must Complete.** State Forestry District and District Phone Number.
- (4) **Must Complete.** Purchaser's business name as it appears on the Contract.
- (5) **Must Complete.** Third Party Scaling Organization that will be processing the weight tickets, mailing address, and phone number.

Columbia River Log Scaling & Grading Bureau
P.O. Box 7002, Eugene, OR 97401
Phone: (541) 342-6007 Fax: (541) 342-2631
Email: services@crls.com

Pacific Rim Log Scaling Bureau, Inc.
8288 28th Court North East, Lacey, WA 98516
Phone: (360) 528-8710 Fax: (360) 528-8718
Email: office@prlsb.com

Mountain Western Log Scaling & Grading Bureau
P.O. Box 580, Roseburg, OR 97470
Phone: (541) 673-5571 Fax: (541) 672-6381
Email: info@mwlsbg.com

Yamhill Log Scaling & Grading Bureau
P.O. Box 709, Forest Grove, OR 97116
Phone: (503) 359-4474 Fax: (503) 359-4476
Email: yamhill@attglobal.net

Northwest Log Scalpers, Inc.
5526 NE 122nd Ave, Portland, OR 97230
Phone: (503) 254-0600 Fax: (503) 408-0919
Email: info@nwlogscalpers.com

Pacific Log Scaling & Grading Bureau, Inc.
P.O. Box 23939, Portland, OR 97281
Phone: (503) 684-5599 Fax: (503) 639-4880
Email: PacLogScale@aol.com

- (6) **Must Complete.** Big end log not to exceed 8 inches. Big end of log is not to exceed 2 inches greater than the minimum removal specifications in the contract. Example: Minimum removal specifications 6 inches and 20 board feet, then the Big end of log not to exceed 8 inches. When conifer and hardwood removal specifications are different, use the smaller removal diameter to determine this specification.
- (9) **Must Complete.** Enter sale name and county. If more than one county write in all the counties that the sale is located in.
- (10) **Must Complete.** Enter sale Contract number.
- (11) **Must Complete.** Enter Oregon's State Brand Registry Number **(REQUIRED)**.
- (12) **Must Complete.** Show brand assigned to timber sale. One brand only. If more than one brand is assigned to the sale: (1) make a separate form for each brand and (2) on each form, explain and show other brand(s) in the Remarks section Item (13).
- (13) Use this section to list any special instructions or the reason for any revisions in section item (1).
- (14) **Must Complete.** Purchaser required to sign and date completed form in addition to State Forester Representative, sign and print name on the form.

Salem Distribution Instructions: Original will be mailed to Salem after it is electronically scanned and placed in the Salem transfer drive \\WPODFFILL01\Transfer\ScalingInstructions or e-mailed directly to scaling@odf.state.or.us. Scaling instructions for each brand should be scanned separately, for each approved TPSO.

EXHIBIT D

COMPACTION AND PROCESSING REQUIREMENTS

Moisture Content: Compaction must take place when moisture content of the materials being compacted is favorable for effective compaction as determined by STATE.

Compaction Pass: A pass is defined as traveling a road section forward and then backward over that same section.

Crushed Rock. The rock shall be uniformly mixed and spread in layers on the approved roadbed. Each layer of crushed rock shall be moistened or dried to uniform moisture content suitable for maximum compaction and compacted in layers not to exceed 6 inches in depth. When more than 1 layer is required, each shall be shaped and compacted before the succeeding layer is placed. Any irregularities or depressions that develop during compaction of the top layer shall be corrected by loosening the material at these places and adding or removing material until the surface is smooth and uniform. Each layer shall be compacted with a minimum of 3 passes over the entire width and length of the road until the surface is smooth and hard and visible deformation ceases. Compaction shall be accomplished by using one or more of the approved equipment options listed below:

Rock shall be compacted and processed during the same project period it is spread, unless otherwise approved in writing by STATE.

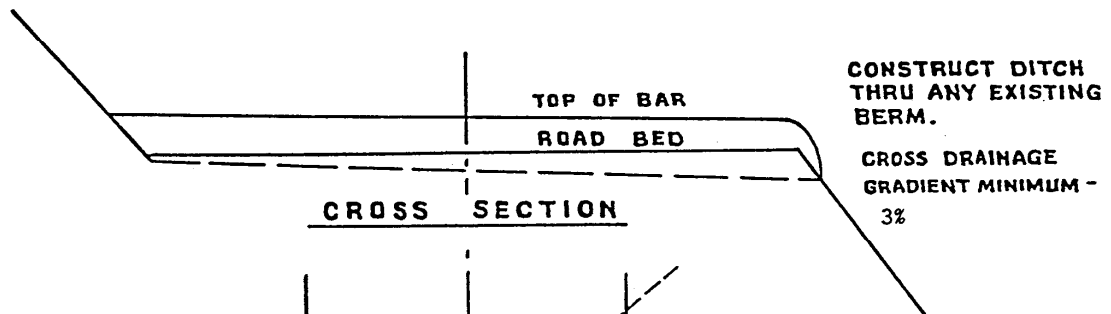
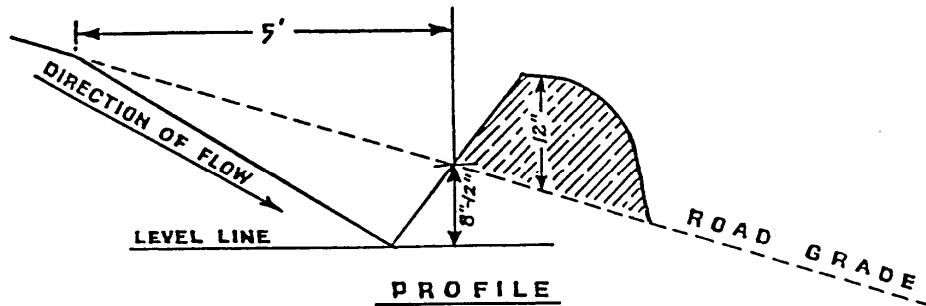
Rock shall be crowned at 4 to 6 percent as specified.

ROAD SEGMENT	COMPACTION EQUIPMENT OPTIONS
All road segments requiring crushed rock.	1

COMPACTION EQUIPMENT OPTIONS

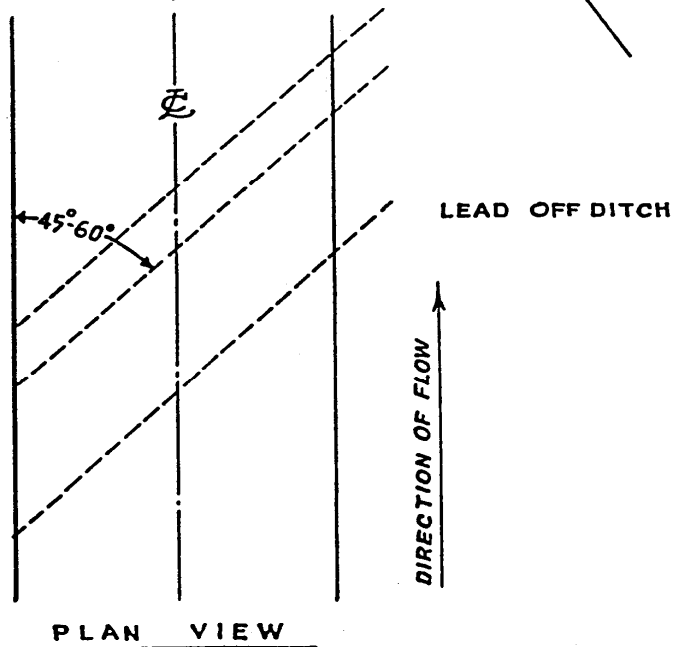
- (1) Vibratory Rollers. The drum shall have a smooth surface, a diameter not less than 48 inches, a width not less than 58 inches, and a turning radius of 15 feet or less. Vibration frequency shall be regulated in steps to 1400, 1500, and 1600 VPM, corresponding to engine speeds of 1575, 1690, and 1800 RPM. The centrifugal force developed shall be 7 tons at 1600 VPM. It shall be activated by a power unit of not less than 25 horsepower. The vibratory roller shall be self-propelled and operated at speeds ranging from 0.9 miles to 1.8 miles per hour, as directed by STATE.

EXHIBIT E
 WATERBAR SPECIFICATIONS



SPACING OF WATERBARS

ROAD GRADE	DISTANCE
≤ 5%	400'
6-10%	200'
11-15%	150'
16-20% or greater	100'



**WATERBAR SPECIFICATIONS
 FOR CROSS DITCHING #298**

PART IV: OTHER INFORMATION

OREGON DEPARTMENT of FISH and WILDLIFE



SMALL PUMP SCREEN SELF CERTIFICATION

The Oregon Water Resources Department in coordination and cooperation with the Oregon Department of Fish and Wildlife includes screen requirements on pumps to protect fish as a condition of many surface water and/or reservoir water right permits. This is done in accordance with ORS 537.153.

The Oregon Department of Fish and Wildlife does not usually inspect small pump screens at **pumped diversions less than 225 gpm** (gallons per minute), but furnishes the following fish screening criteria information to the water right permit holder:

Screen material open area must be at least 27% of the total wetted screen area.

Perforated plate: Openings shall not exceed 3/32 or 0.0938 inches (2.38 mm).

Mesh/Woven wire screen: Square openings shall not exceed 3/32 or 0.0938 inches (2.38 mm) in the narrow direction, e.g., 3/32 inch x 3/32 inch open mesh.

Profile bar screen/Wedge wire: Openings shall not exceed 0.0689 inches (1.75 mm) in the narrow direction.

Screen area must be large enough not to cause fish impact. Wetted screen area depends on the water flow rate and the water approach velocity. **Approach velocity** is the water velocity perpendicular to and approximately three inches in front of any part of the screen face.

An Active pump screen is a self-cleaning screen that has a proven cleaning system. The **screen approach velocity for active pump screens** shall not exceed 0.4 fps (feet per second) or 0.12 mps (meters per second). The wetted screen area in square feet is calculated by dividing the maximum water flow rate in cubic feet per second (1 cfs = 449 gpm) by 0.4 fps.

A Passive pump screen is a screen that has no cleaning system other than periodic manual cleaning. **Screen approach velocity for passive pump screens** shall not exceed 0.2 fps or 0.06 mps. The wetted screen area in square feet is calculated by dividing the maximum water flow rate by 0.2 fps.

For further information on fish screening please contact:

Oregon Department of Fish and Wildlife, Statewide Fish Screening Coordinator: 503.947.6229
Oregon Department of Fish and Wildlife, Screening Program Administrative Specialist:
503.947.6224

As evidence of having met fish screen installation requirements, please sign the certification and send to: **Oregon Water Resources Department, Water Rights Section, 725 Summer Street NE, Suite A, Salem, OR 97301-1271.**

Certification: I certify that my small pumped diversion of less than 225 gpm meets fish screening criteria, and that I will maintain it to comply with regulatory criteria. I also understand that should fish screening standards change, I may be required to modify my installation to meet applicable standards.

Applicant Signature: _____ Date: ____/____/____ WRD File #: _____

Printed Name and Address: _____

Phone: (____) _____ Fax: (____) _____

FOREST PRACTICES ACT "WRITTEN Plan"
For Operations within 100 feet of Type F Stream

Portions of Sections 16 and 21 of T7N, R6W, W.M., Clatsop County, Oregon.

Landowner: Oregon Department of Forestry
92219 Hwy 202
Astoria, OR 97103
(503) 325-5451

Protected Resources:

1. An unnamed tributary to the West Fork Plympton Creek, here after referred to as the North unnamed tributary.
2. An unnamed tributary to the West Fork Plympton Creek, here after referred to as the Middle unnamed tributary.
3. An unnamed tributary to the West Fork Plympton Creek, here after referred to as the South unnamed tributary.

Specific Site Characteristics:

1. The North unnamed tributary to the West Fork Plympton Creek, (Small, Type F) flows along the North boundary of Area 1 for approximately 3,140 feet.
2. The Middle unnamed tributary to the West Fork Plympton Creek, (Small, Type F) flows along the East boundary of Area 1 for approximately 2,550 feet, of which 230 feet is a seasonal stream.
3. The South unnamed tributary to the West Fork Plympton Creek, (Small, Type F) flows through the southern portion of Area 1 for approximately 1,770 feet.

Tree and Vegetation Retention:

Vegetation within the buffer consists of a combination of conifers, hardwoods, and shrubs.

Most of the Type F buffers are outside of the sale area and are posted with Timber Sale Boundary tags. The South unnamed tributary of the West Fork Plympton Creek is posted with Buffer Zone tags, 100 feet from the stream. If trees need to be felled within FPA defined stream buffer to allow for cable corridors, the trees cut will not be removed. Cable lines may extend over and/or through these buffer.

Resource Protection Practices:

Along all of the above mentioned streams, as well as any other streams, the following practices are required under the timber sale contract, to protect the streams and streamside areas:

- No trees will be felled within stream buffer, except as necessary in cable corridors.
- Trees that fall or slide into a Type F buffer shall not be removed without prior approval from STATE.
- Trees adjacent to the stream buffer will be felled away from or parallel to the streams to prevent trees from entering the aquatic areas.
- When cable logging is conducted near the buffer, logging lines may cross, but will not be lowered into the buffer during yarding, except during rigging. During rigging the lines must be pulled out of the buffer when changing corridors.
- Logs shall be fully suspended when yarding across all stream buffer.
- Cable corridors must be at least 100 feet apart where they cross the stream buffer.

I, the undersigned, submit this written plan in compliance with the requirements in the Forest Practices Act regarding the operations conducted within 100 feet of Type F streams. I agree to the protection measures listed on this plan:

Submitted: _____
Purchaser/Operator Contract Representative

Date: _____

Original: Salem
cc: PURCHASER, Operator, District file, Sunset Unit