

NOTICE OF TIMBER SALE

(R)

SALE NAME/NO.: Foster Divide Combination 341-03-21

AUCTION DATE/TIME: May 20, 2003, starting at 2:00 p.m.

AUCTION LOCATION: Oregon Department of Forestry
Astoria District Headquarters
92219 Highway 202
Astoria, Oregon 97103
(503) 325-5451 FAX (503) 325-2756
(4 miles SE of Astoria on Highway 202)

DISTRICT/UNIT
OFFICE (MAILING
ADDRESS FOR BIDS): Oregon Department of Forestry
Astoria District Headquarters
92219 Highway 202
Astoria, Oregon 97103
(503) 325-5451 FAX (503) 325-2756

HARVEST TYPE: **Areas 1, 2, 3, 4, and 6A:** 401 acres of "automark" partial cut commercial thinning of good quality, 55- to 65-year-old Douglas-fir and western hemlock. Volume to be removed in Areas 1 and 4 is approximately 17.7 MBF/acre. Volume to be removed in Areas 2 and 6A is approximately 11.7 MBF/acre. Volume to be removed in Area 3 is approximately 15.3 MBF/acre. **Areas 5, 6B, and 7:** 180 acres of clearcut of 55- to 65-year-old red alder and Douglas-fir, with a small component of western hemlock and bigleaf maple. Volume to be removed in Areas 5, 6B, and 7 is approximately 25.5 MBF/acre. **Area 8 (in-sale R/W):** There are 6 acres of in-sale R/W consisting primarily of Douglas-fir, with a small amount of western hemlock, red alder, red cedar, and bigleaf maple. Volume to be removed in Area 8 is approximately 39.1 MBF/acre. **Area 9 (outside sale R/W):** There are 9 acres of outside sale R/W consisting of Douglas-fir, with a small amount of red alder and bigleaf maple. Volume to be removed in Area 9 is approximately 20.1 MBF/acre.

SALE LOCATION: Sale Areas 1 - 9 are located in portions of Sections 31 and 32, T7N, R6W, and portions of Sections 5, 6, 8, 9, and 16, T6N, R6W, W.M., Clatsop County, Oregon.

DIRECTIONS TO TIMBER
SALE AREA: **Areas 1 - 9** can be accessed via Highway 202. Beginning at the District Office, proceed east to Milepost 35; turn north on the Northrup Creek County Road. Proceed 3.0 miles to the Foster Mainline Road Junction. Proceed 4.0 miles on Foster Mainline to the 9.0 mile marker. You are at the east sale boundary of Area 1.

APPRAISED VOLUMES AND QUALITY:

SPECIES	AVG DBH	TOTAL MBF	GRADES BY MBF																
			1P	2P	3P	P	SM	1S	2S	3S	4S	5S	6S	SEL	SC	UT	CR	WRM	PLP
Douglas-fir	19"	8,591							5,792	2,385	414								
Red Alder	14"	1,794								1,440	354								
Maple	17"	7									7								
Hemlock	15"	640							158	429	53								
Sale Total		11,032																	

MINIMUM BID: BID SPECIES Douglas-fir \$367.08 per MBF

NO-BID SPECIES Western red cedar \$906.21 per MBF
Hemlock and other conifers \$120.50 per MBF
Maple \$256.53 per MBF
Red alder and other hardwoods \$354.18 per MBF

There is no project amortization. ODF will **not** reduce the price of a species to amortize the project work. Instead ODF will credit PURCHASER's timber account in the amount of \$471,421 after the project work is completed and accepted, as described in the section titled, "Credit for Project Work."

The timber sale areas contain negligible volumes of other logs to be paid for at the prices in Section 44.

PERFORMANCE SECURITY: 20% of bid value (unknown) **or** the total value of the project work (\$472,000), whichever is greater. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: September 30, 2005 BID METHOD: Sealed Bids

BID DEPOSIT: \$339,600 SALE TYPE: Recovery/BOF-100%

INSURANCE: \$500,000 Commercial General Liability; \$500,000 Automobile Liability; \$500,000 Logger's Broad Form

HARVEST METHOD: Area 1: 81% cable yarding and 19% ground-based yarding.
Area 2: 92% cable yarding and 8% ground-based yarding.
Area 3: 81% cable yarding and 19% ground-based yarding.
Area 4: 75% cable yarding and 25% ground-based yarding.
Area 5: 78% cable yarding and 22% ground-based yarding.
Area 6A: 86% cable yarding and 14% ground-based yarding.
Area 6B: 84% cable yarding and 16% ground-based yarding.
Area 7: 40% cable yarding and 60% ground-based yarding.
Area 8: 100% ground-based yarding (in-sale right-of-way).
Area 9: 100% ground-based yarding (outside sale right-of-way).

PROJECTS: Project No. 1: Approximately 1.79 miles of new road construction and 2.13 miles of road improvement. Project No. 2: Approximately 1.32 miles of new road construction and 4.11 miles of road improvement. Project No. 3: Sterling Quarry development and rock crushing of 10,000 cubic yards of rock. Project No. 4: Approximately 1.3 miles of road vacating.

FEES: None

ENDANGERED SPECIES ACT COMPLIANCE STATEMENT: The Oregon Department of Forestry (ODF) is engaged in an active threatened and endangered (T&E) species survey program. Surveys, determinations, and management measures are developed and implemented in good faith compliance with federal and state Endangered Species Act (ESA) requirements. Restrictions on operations due to T&E species considerations are included in the prospectus. Purchasers are required to comply with all federal and state laws, including the Endangered Species Act. Purchaser should take steps to be certain that no ESA violations occur. Prospective purchasers of timber sales are reminded that ODF surveying efforts may take place any time during the term of a timber sale contract. As part of the survey program, ODF surveys its lands on a continuing basis for land management, species protection, research, and other reasons. During the contract term, T&E survey work and/or the discovery of a threatened or endangered species within or in the vicinity of a timber sale may affect operations contemplated under the contract. In the event a threatened or endangered species is found within or near this sale, ODF may take steps necessary to protect the interests of the State, including contract alteration, suspension, or termination.

Prospective purchasers are encouraged to contact the Astoria ODF District at (503) 325-5451 for further information or questions relative to threatened or endangered species surveys, future planned survey information, or other threatened or endangered species information.

SPECIAL REMARKS:

SEASONAL RESTRICTIONS APPLY - SEE SECTION 39.

All felling must be completed by March 15, 2005 (see Section 57).

Project Nos. 2, 3, and 4 must be completed prior to September 30, 2003.

A minimum of 50 percent of the estimated bid value shall be paid on or before August 1, 2004 (see Section 42).

Timber sale acreage was determined by mapping sale areas on an ortho photograph and using ArcView to calculate acres.

SALE OBJECTIVES:

This sale is aligned with the objectives of the NWO Forest Management Plan. The Plan presents guiding principles, a forest vision, and resource management goals.

Guiding Principals (in part) – To secure the greatest permanent value of these lands to the state, the State Forester shall maintain these lands as forest lands and actively manage them in a sound environmental manner to provide sustainable timber harvest and revenues to the state, counties, and local taxing districts. This management focus is not exclusive of other forest resources but must be pursued with a broader management context.

The information shown on the Exhibit "A" map(s) are approximate locations. Exact locations of features represented by map symbols shall be determined on site and shall depend upon the conditions that exist on site. Activities shall be conducted based upon features determined on site rather than features shown on maps.

See inside front cover of Auction Schedule booklet for disclaimer regarding all governmental regulatory actions.

SALE NAME: Foster Divide Combination
COUNTY: Clatsop
CONTRACT NO.: 341-03-21

TIMBER SALE NAME: **Foster Divide Combination**

TIMBER SALE NO.: **341-03-21**

OPENING DATE: **May 20, 2003**

FORM OF PROPOSAL

The undersigned agrees to accept and perform all of the above terms and conditions as stated in the form of contract for the above-cited timber sale, and bids, and will pay:

ON THE BASIS OF PRICE PER THOUSAND BOARD FEET FOR:

Bid Species:

Douglas-fir, sawmill grade or better, _____
_____ Dollars (\$ _____) per MBF.

Minimum grades and volumes for bid species are stated in the timber sale prospectus.

No-bid species will remain as shown:

Western red cedar **\$906.21** per MBF.
Hemlock and other conifers **\$120.50** per MBF.
Maple **\$256.53** per MBF.
Red alder and other hardwoods **\$354.18** per MBF.

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$339,600**, payable to the State Forester.

The undersigned agrees to execute and deliver the contract, initial payment, required certificates of insurance, and performance bond, within thirty (30) days of the date of the written notification of high bid; and that any cash bid deposit may be applied to the first required timber sale payment.

The undersigned understands that the bid is irrevocable and further agrees that if he fails to qualify under the terms of the contract within the thirty-day period, the bid deposit shall become the property of the Oregon Department of Forestry as liquidated damages.

BIDDER _____
(Name of company or individual)

TAX ID NO. _____

ADDRESS _____

PHONE _____

BY _____
(Signature of Authorized Official & Title)

COMPLETE PURCHASER'S STATUS ON PAGE 2

PURCHASER'S STATUS

Purchaser is a corporation ☐ Check
() Incorporated in the State of _____

President's Name _____

Secretary's Name _____

Purchaser is: ☐ a partnership ☐ an assumed (business) ☐ company
☐ an individual name

List names of all persons doing business under the partnership or assumed name:

If assumed name is subsidiary to a corporation, fill in data requested of corporation also and write in corporation name here:

CERTIFICATION OF ELIGIBILITY
TO BID ON STATE TIMBER

_____ hereby certifies that they:

EXPORT

- (a) Will not export the unprocessed State timber as defined in OAR 629-031-0020 which is the subject of this transaction;
- (b) Will not sell, transfer, exchange, or otherwise convey the unprocessed timber as defined above which is the subject of this transaction to any other person without first obtaining a certification from that person which meets the requirements of OAR 629-031-0030.
- (c) Are not prohibited by OAR's 629-031-0005 through 0045 from bidding for unprocessed State timber as defined above directly from the State Forester.
- (d) Understand that falsely entering into this certification is a violation of the Forest Resources Conservation Amendments Act of 1993 and OAR Chapter 629, Division 31, and is subject to any and all penalties contained therein.
- (e) Have not exported unprocessed timber originating from private lands in Oregon in the last 24 months, **or if bidding only on STATE hardwood timber or logs, HAVE** exported unprocessed timber originating from private lands in Oregon in the last 24 months, but **HAVE NOT** exported unprocessed **hardwood** timber originating from private lands in Oregon in the last 24 months **and** meet the requirements of OAR 629-031-0010(2).

DEFAULT, TERMINATION, AND OTHER RELATED MATTERS

- (a) Are not currently in default status under any timber sale contract sold by the State Forester.
- (b) Has not, within a 3-year period preceding this bid, had one or more Federal, State, or local timber sales terminated for cause or default.
- (c) If (b) above is Yes, has submitted an explanation, in writing, with this bid for consideration by STATE. Any such explanation shall be submitted at the time of bid on a separate piece of paper.

Signed

Title

Dated

[NOTE: For the purpose of this form, the definition of unprocessed timber is the same as in OAR 629-031-0005.]

Biological Survey Report

Project: Foster Divide Combination 341-03-21
Date: February 26, 2003
To: Ron Zilli
CC: Tom Savage, District Sale File
From: Marcia Humes

Habitat Suitability

This sale contains potentially suitable habitat for northern spotted owls. It does not contain potentially suitable habitat for marbled murrelets.

Survey Results

This sale was surveyed for northern spotted owls in 2001 and 2002, using a protocol endorsed by the U.S. Fish and Wildlife Service¹. There were no observations of northern spotted owls during any of these surveys. Surveys for marbled murrelets are not necessary.

Known T&E Resources

There are no known northern spotted owl activity centers within 1.5 miles or Marbled Murrelet Management Areas within 0.25 miles of this sale.

Operational Considerations

Northern spotted owl survey results are valid until March 15, 2005. All timber should be felled by March 15, 2005.

Future Survey Plans

ODF has no plans for further survey of these sales. However, ODF has an active survey program and northern spotted owl surveys will be conducted within 3 miles of this sale during the life of the contract.

¹ USDI Fish and Wildlife Service. 1991, revised 1992. Protocol for surveying proposed management activities that may impact northern spotted owls. 15pp.

Survey Results Summary

Table 1. Northern Spotted Owl Surveys of Foster Divide Combination

[illegible]