

NOTICE OF TIMBER SALE

(Recovery – Scaled Sale)

SALE NAME/NO.: Eck Creek 341-03-27

AUCTION DATE/TIME: October 15, 2002 starting at 10:00 a.m.

AUCTION LOCATION: Oregon Department of Forestry
Tillamook District Headquarters
4907 East Third Street
Tillamook, Oregon 97141
(503) 842-2545 FAX (503) 842-3143

DISTRICT/UNIT OFFICE (MAILING ADDRESS FOR BIDS): Oregon Department of Forestry
Tillamook District Headquarters
4907 East Third Street
Tillamook, Oregon 97141
(503) 842-2545 FAX (503) 842-3143

HARVEST TYPE: Partial cut: 194 acres.
Approximate age: 60 years.

SALE LOCATION: Portions of Sections 28, 29, 32, and 33, T3N, R9W, W.M., Tillamook County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: Access to the timber sale area from Tillamook via Highway 101, Miami Foley Road, Foss Road, and Peterson Road.

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	16"	1,269							825	444										
W Hem. / fir	13"	2,177							871	1,306										
Red Alder	16"	592																	592	
Sale Total		4,038																		

MINIMUM BID: BID SPECIES Hemlock \$79.83 per MBF

NO-BID SPECIES Douglas-fir \$225.52 per MBF**

Hardwoods \$221.83 per MBF

****THE PRICE PER MBF FOR DOUGLAS-FIR SHALL BE DETERMINED BY MULTIPLYING THE MINIMUM PRICE FOR DOUGLAS-FIR BY A BID-UP FACTOR. THE BID-UP FACTOR SHALL BE DETERMINED BY DIVIDING THE BID PRICE FOR HEMLOCK BY THE MINIMUM PRICE FOR HEMLOCK. FIVE DECIMAL PLACES SHALL BE USED TO CALCULATE THE BID-UP FACTOR.**

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 \$128,915 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 (\$129,000), whichever is greater. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: June 30, 2004 BID METHOD: Sealed Bids

BID DEPOSIT: \$46,200 SALE TYPE: Recovery/BOF – 100%

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

HARVEST METHOD: 85% cable; 15% ground.

PROJECTS: Road construction and improvement.

FEES: None.

THREATENED AND ENDANGERED SPECIES INFORMATION: This State timber sale contract requires that PURCHASER comply with all laws, including the Endangered Species Act (ESA). The Department of Forestry (ODF) has conducted surveys for marbled murrelets, and has established a Marbled Murrelet Management Area within 0.25 miles of the sale area described in Exhibit "A". Section 39 of the contract establishes certain restrictions as a result of this situation. Prospective purchasers should reference that section for restriction details. ODF has surveyed the sale area shown in Exhibit "A" for northern spotted owls. Results of the survey are on file with ODF, and are available for inspection upon request. Northern spotted owls were not detected in survey areas within or adjacent to this sale. However, ODF is engaged in an active threatened or endangered species survey process and does not guarantee that a threatened or endangered species will not be found as a result of those surveys or the surveys of others that might impact this sale. In the event a threatened or endangered species is found, ODF may take steps, including contract alteration or termination as provided in Section 32 of the contract, if ODF believes those steps are necessary to protect the interests of State. Purchaser should take appropriate steps to be certain that no ESA violations occur.

Prospective purchasers are encouraged to contact the ODF Wildlife Information Coordinator (503-945-7374) for further information or questions relative to threatened or endangered species survey or activity center information.

SPECIAL REMARKS: **SEASONAL RESTRICTIONS APPLY - SEE SECTION 39.**

Acreage was calculated from a GIS digital ortho photograph. See logging plan in cruise report for acres to be thinned.

FELLING MUST BE COMPLETED BY FEBRUARY 29, 2004.

SALE OBJECTIVES: Partial cutting to promote opportunities to develop layered and OFS stands. Hardwoods will be harvested in portions of Area 1 to create gaps.

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: Eck Creek
COUNTY: Tillamook
CONTRACT NO.: 341-03-27

TIMBER SALE NAME: **Eck Creek**

TIMBER SALE NO.: **341-03-27**

OPENING DATE: **October 15, 2002**

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:

Hemlock, sawmill grade or better, _____
_____ Dollars (\$) _____) per MBF.

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

NO-BID SPECIES: THE CONTRACT PRICE FOR DOUGLAS-FIR SHALL BE DETERMINED BY MULTIPLYING THE MINIMUM PRICE PER MBF FOR DOUGLAS-FIR BY THE BID-UP FACTOR OF THE BID SPECIES. FIVE DECIMAL PLACES SHALL BE USED TO CALCULATE THE BID-UP FACTOR.

No-bid species will remain as shown:

Hardwoods..... **\$221.83** per MBF.

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$46,200**, 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.]

Memorandum

Subject: Biological Survey of Eck Creek
Timber Sale Number 341-03-27

To: Potential Bidders

From: Marcia Humes, Wildlife Biologist

Date: August 5, 2002

PROSPECTIVE PURCHASERS OF STATE TIMBER SALES NEED TO BE AWARE THAT THE DEPARTMENT OF FORESTRY IS ENGAGED IN AN ACTIVE THREATENED AND ENDANGERED SPECIES SURVEY PROGRAM. AS PART OF THAT PROGRAM, ODF SURVEYS ITS LANDS ON A CONTINUING BASIS FOR LAND MANAGEMENT, SPECIES PROTECTION, RESEARCH, AND OTHER REASONS. PROSPECTIVE PURCHASERS ARE REMINDED THAT ODF SURVEYING EFFORTS MAY TAKE PLACE DURING THE LIFE OF ANY TIMBER SALE CONTRACT, AND THAT THE DISCOVERY OF A THREATENED OR ENDANGERED SPECIES IN THE VICINITY OF A TIMBER SALE MAY AFFECT OPERATIONS CONTEMPLATED UNDER THE CONTRACT. THIS INCLUDES TIMBER SALES THAT HAVE BEEN DETERMINED TO BE UNSUITABLE HABITAT OR NOT DETRIMENTAL TO HABITAT. PLEASE REFER TO SECTIONS 30, 32, AND 33 OF YOUR CONTRACT PROSPECTUS, OR CONTACT OUR WILDLIFE INFORMATION COORDINATOR AT (503) 945-7374 FOR FURTHER INFORMATION.

This sale was surveyed for northern spotted owls in 2000, and 2001, using a protocol endorsed by the U.S. Fish and Wildlife Service. There were no observations of spotted owls during any of these surveys. This sale is not affected by any known northern spotted owl activity centers.

Potentially suitable habitat in and adjacent to the sale area was surveyed for marbled murrelets in 1998, 1999, 2000 and 2001, using a protocol developed by the Pacific Seabird Group. Murrelets were observed during surveys of potential habitat adjacent to Areas 1 and 3, and ODF has established a Marbled Murrelet Management Area (MMMA) adjacent to the sale as a result of these observations. There were no observations of marbled murrelets in or adjacent to Area 2 of the sale. Seasonal restrictions apply from April 1 through September 15 annually, as outlined in the contract, in order to avoid disturbance to marbled murrelets potentially nesting in the adjacent MMMA.

Northern spotted owl surveys are valid until March 1, 2004. All timber must be felled by this date.

cc: Tillamook District