

## NOTICE OF TIMBER SALE

(Recovery – Scaled Sale)

SALE NAME/NO.: Cook Wright 341-03-28

AUCTION DATE/TIME: December 17, 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: 470 acres.  
Age: 40 years old.

SALE LOCATION: Portions of Sections 8, 9, 15, 16, 17, 20, 21, and 22, T2N, R8W, W.M., Tillamook County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: Access to the timber sale area from Tillamook is via Highway 101, Miami Foley County Road, Foss Road, Cook Creek Road, and South Fork Cook Creek 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	12"	3,368								2,246	1,122								
W Hem. / fir	11"	1,097								732	365								
Sale Total		4,465																	

MINIMUM BID: BID SPECIES Douglas-fir ..... \$206.87 per MBF

NO-BID SPECIES Hemlock ..... \$ 62.88 per MBF\*\*

**\*\*THE PRICE PER MBF FOR HEMLOCK SHALL BE DETERMINED BY MULTIPLYING THE MINIMUM PRICE FOR HEMLOCK BY A BID-UP FACTOR. THE BID-UP FACTOR SHALL BE DETERMINED BY DIVIDING THE BID PRICE FOR DOUGLAS-FIR BY THE MINIMUM PRICE FOR DOUGLAS-FIR. 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 \$441,767 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 (\$442,000), whichever is greater. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: March 31, 2006 BID METHOD: Sealed Bids

BID DEPOSIT: \$32,300 SALE TYPE: Recovery/BOF – 100%

INSURANCE:	\$500,000 Commercial General Liability; \$500,000 Automobile Liability; \$500,000 Logger's Broad Form
HARVEST METHOD:	70% cable; 30% ground.
PROJECTS:	11.0 miles road improvement. 0.4 mile road construction.
FEES:	None.
THREATENED AND ENDANGERED SPECIES INFORMATION:	<p>This State timber sale contract requires that Purchaser comply with all laws, including the Endangered Species Act (ESA). This timber sale is within the Tillamook Burn. The Department of Forestry (ODF) policy does not require surveys for northern spotted owls in the Tillamook Burn due to the marginal quality of the habitat and the extensive amount of this habitat on the landscape. Because of the lack of suitable habitat, ODF has not surveyed the sale area shown in Exhibit "A" for marbled murrelets. 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. 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.</p> <p>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 surveys, future planned survey information, or other threatened or endangered species information.</p>
SPECIAL REMARKS:	<p><b>SEASONAL RESTRICTIONS APPLY - SEE SECTION 39.</b></p> <p>Acreage was calculated using digital ortho photographs in a GIS. See the Logging Plan in the Cruise Report for required acres to be partial cut.</p> <p>Should STATE approve processing rock outside the project period, PURCHASER's project credit shall be reduced by \$0.87 per cubic yard.</p>
SALE OBJECTIVES:	Harvest Douglas-fir with moderate to severe symptoms of Swiss needle cast and partial cut other conifers.

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.**

<b>SALE NAME:</b>	<b>Cook Wright</b>
<b>COUNTY:</b>	<b>Tillamook</b>
<b>CONTRACT NO.:</b>	<b>341-03-28</b>

TIMBER SALE NAME: **Cook Wright**

TIMBER SALE NO.: **341-03-28**

OPENING DATE: **December 17, 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:

**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: THE CONTRACT PRICE FOR HEMLOCK SHALL BE DETERMINED BY MULTIPLYING THE MINIMUM PRICE PER MBF FOR HEMLOCK BY THE BID-UP FACTOR OF THE BID SPECIES. FIVE DECIMAL PLACES SHALL BE USED TO CALCULATE THE BID-UP FACTOR.**

Enclosed is a bid deposit as required, consisting of a \_\_\_\_\_ in the amount of **\$32,300**, 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 Cook Wright  
Timber Sale Number 341-03-28

**To:** Potential Bidders

**From:** Marcia Humes, Wildlife Biologist

**Date:** October 18, 2002

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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 is located within the Tillamook Burn. Current ODF policy does not require surveys for northern spotted owls in the Tillamook Burn due to the marginal quality of the habitat and the extensive amount of this habitat on the landscape.

This sale does not contain potential suitable habitat for marbled murrelets. Surveys for murrelets are not necessary.

There are no seasonal operating restrictions or felling deadlines associated with northern spotted owls or marbled murrelets for this sale.

cc: Tillamook District