

**NOTICE OF TIMBER SALE****(Recovery – Scaled Sale)**

SALE NAME/NO.: Swiss MISC 341-03-29

AUCTION DATE/TIME: June 17, 2003, starting at 10:00 a.m.

AUCTION LOCATION: Oregon Department of Forestry  
Tillamook District Headquarters  
5005 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  
5005 Third Street  
Tillamook, Oregon 97141  
(503) 842-2545 FAX (503) 842-3143

HARVEST TYPE: Clearcut: 80 acres  
Partial Cut: 162 acres  
Approximate ages: Areas 1 and 2 – 45 years; Area 3 – 50 years; Areas 4, 5, and 6 – 30 to 40 years

SALE LOCATION: Portions of Sections 13, 14, 23, 24, 25, 26, T1N, R10W; Section 31, T2N, R9W; and Section 36, T2N, R10W, W.M., Tillamook County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: Access to all the sale areas from Tillamook is via Highway 101. Access is as follows: Areas 1 and 2 are via Bay City, 5<sup>th</sup> Street, Main Street, 7<sup>th</sup> Street, and Patterson Creek Road. From there, Area 1 is via Electric Creek Road. Areas 3 and 4 are via Ekroth County Road and Illingsworth Creek Road. Areas 5 and 6 are via Miami-Foley County Road and Stuart 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"	1,602								1,602									
W. Hem/fir	13"	213								213									
Sitka Spruce	13"	96								96									
Sale Total		1,911																	

MINIMUM BID: BID SPECIES Douglas-fir ..... \$209.93 per MBF

NO-BID SPECIES Hemlock ..... \$ 62.14 per MBF  
Sitka spruce ..... \$ 70.30 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 \$180,400 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 (\$181,000), 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: \$17,500 SALE TYPE: Recovery/BOF – 89%  
CSL – 11%

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

HARVEST METHOD: 80% cable; 20% ground.

PROJECTS: 0.2 mile of road construction; 6.3 miles of road improvement.

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 Tillamook ODF District at 503-842-2545 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.**

Acreage was calculated from a GIS digital orthophoto. See Logging Plan in Cruise Report for acres expected to be harvested.

Seasonal operating restrictions will apply from April 1 through September 15, annually on Areas 1, 2, 4b, 5b, and 6 to avoid disturbance to nesting murrelets. A culvert replacement on Stuart Creek Road may occur between August 6 and September 15 as long as the work occurs between two hours after sunrise and two hours before sunset.

SALE OBJECTIVES: Harvest Douglas-fir with severe symptoms of Swiss needle cast and plant with native conifer species. Partial cut other conifers. The overall goal is to develop an understory stand.

<p>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.</p>
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**See inside front cover of Auction Schedule booklet for disclaimer regarding all governmental regulatory actions.**

**SALE NAME:** Swiss MISC  
**COUNTY:** Tillamook  
**CONTRACT NO.:** 341-03-29

TIMBER SALE NAME: **Swiss MISC**

TIMBER SALE NO.: **341-03-29**

OPENING DATE: **June 17, 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:

Hemlock ..... \$62.14 per MBF.  
Sitka spruce ..... \$70.30 per MBF.

Enclosed is a bid deposit as required, consisting of a \_\_\_\_\_ in the amount of **\$17,500**, 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 -- Revised**

**Project:** Swiss Misc 341-03-29  
**Date:** April 14, 2003  
**To:** Barbara Moore  
**CC:** Mark Labhart, District Sale File  
**From:** Marcia Humes

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### **Habitat Suitability**

This sale does not contain potentially suitable habitat for marbled murrelets. Area 5a of the sale contains approximately 11 acres of potentially suitable habitat for northern spotted owls.

### **Survey Results**

Survey for marbled murrelet surveys are not necessary for this sale. No surveys for northern spotted owls were conducted for this sale, based on an initial assessment that the sale area lacked suitable habitat for northern spotted owls.

### **Known T&E Resources**

Areas 5 and 6 of this sale are within 1.5 miles of a known northern spotted owl activity center. Clint Smith completed a biological assessment for this sale which concludes that harvest of the sale is in compliance with the Agreement for the Conservation of Northern Spotted Owls.<sup>1</sup>

Areas 1, 2, 6 and portions of Areas 4 and 5 are within 0.25 miles of Marbled Murrelet Management Areas.

### **Operational Considerations**

Seasonal operating restrictions will apply from April 1 through September 15, annually, on Areas 1, 2, 4b, 5b, and 6 to avoid disturbance to nesting murrelets. A culvert replacement on Stuart Creek Road may occur between August

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<sup>1</sup> Agreement for the Conservation of Northern Spotted Owls, between the Oregon Department of Forestry and the USDI Fish and Wildlife Service. 2001.

6 and September 15 as long as the work occurs between 2 hours after sunrise and 2 hours before sunset.

### **Future Survey Plans**

There are no future survey plans for this sale. However, ODF will be conducting northern spotted owl surveys within 3 miles of this sale, as part of its survey of future planned management activities.