

SALE NAME/NO.: Sappington Creek 341-03-53

AUCTION DATE/TIME: May 23, 2003, starting at 2:00 p.m.

AUCTION LOCATION: Oregon Department of Forestry
Forest Grove District Headquarters
801 Gales Creek Road
Forest Grove, Oregon 97116-1199
(503) 357-2191 FAX (503) 357-4548

DISTRICT/UNIT
OFFICE (MAILING
ADDRESS FOR BIDS): Oregon Department of Forestry
Forest Grove District Headquarters
801 Gales Creek Road
Forest Grove, Oregon 97116-1199
(503) 357-2191 FAX (503) 357-4548

HARVEST TYPE: Area I is a 58-acre clearcut of 51- to 66-year-old hemlock and Douglas-fir. Area II is 177 acres, Area III is 49 acres, and Area IV is 74 acres of automark thinning. Area V is 4 acres of right-of-way. The thinning areas are mixed stands of 48- to 62-year-old Douglas-fir and hemlock.

SALE LOCATION: Portions of Section 6, T2N, R6W, Section 31, T3N, R6W, Sections 1, and 2, T2N, R7W, and Section 36, T3N, R7W, W.M., Tillamook and Washington Counties, Oregon.

DIRECTIONS TO TIMBER
SALE AREA: Wilson River Highway to Storey Burn Road to Standard Grade to Sappington 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	13"	2,725							163	2,267	295								
W Hem. / fir	13"	3,456							56	3,109	291								
Red Alder	13"	1																1	
Sale Total		6,182																	

MINIMUM BID: BID SPECIES Western hemlock \$ 83.54 per MBF
Douglas-fir \$267.52 per MBF

NO-BID SPECIES Noble fir and other conifers..... \$101.20 per MBF
Red alder and other hardwoods..... \$226.09 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 \$69,550 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 (\$70,000), whichever is greater. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: October 1, 2005 BID METHOD: Sealed Bids

BID DEPOSIT: \$94,800 SALE TYPE: Recovery/BOF – 100%

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

HARVEST METHOD: Area I – 70% ground-based yarding systems and 30% cable, Areas II, III, and IV – 100% skyline.

PROJECTS: Construct 0.6 miles of road, improve 2.0 miles of road, spread rock, and grass seed.

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.**

Felling on all timber sale areas, except within right-of-way associated with project work, shall not be allowed until September 1, 2003, OR until completion of the survey showing no resident northern spotted owls.

The timber sale area is behind a locked gate. The combination to the lock is available at the Forest Grove office.

Treat 40 acres of slash on Area I by creating planting spots with an excavator.

Expend 20 hours of shovel time for blocking skid roads.

Elevation is 1200 to 2900 feet in the timber sale area. The access roads are 2800 to 3500 feet.

A written plan has been prepared for working within 100 feet of Type F streams.

Top 120 trees.

Cable yarding up to 1,700 feet slope distance is required on portions of the timber sale area. Use of intermediate supports should be anticipated on some cable yarding roads.

Acres were determined using a planimeter and Ortho photos.

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 Principles (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 within a broader management context.

<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:	Sappington Creek
COUNTY:	Tillamook and Washington
CONTRACT NO.:	341-03-53

TIMBER SALE NAME: **Sappington Creek**

TIMBER SALE NO.: **341-03-53**

OPENING DATE: **May 23, 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:

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

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

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

No-bid species will remain as shown:

Noble fir and other conifers **\$101.20** per MBF.
Red alder and other hardwoods **\$226.09** per MBF.

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$94,800**, 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: Sappington Creek 341-03-53
Date: February 5, 2003
To: Erik Marcy
CC: Dave Johnson, District Sale File
From: Marcia Humes

Habitat Suitability

This sale contains potentially suitable habitat for northern spotted owls and 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 was one observation of a female northern spotted owl during one of these surveys. There were no further observations of spotted owls during follow-up surveys, and the owl was determined to be a non-territorial single, or “floater” owl. A third year of surveys will be conducted in 2003.

Surveys for marbled murrelets were conducted in 2001 and 2002, using a protocol developed by the Pacific Seabird Group². Surveys were expanded in 2002 to enhance the survey effort. There were no observations of marbled murrelets during any of these surveys.

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.

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

² Evans, D. M., W. P. Ritchie, S. K. Nelson, E. Kuo-Harrison, Peter Harrison, T. E. Hamer, eds. 2000. Methods for surveying marbled murrelets in forests: an update to the protocol for land management and research, by the Pacific Seabird Group Marbled Murrelet Technical Committee. 64 pp.

Operational Considerations

No harvesting operations will be allowed on the sale from March 15, 2003 until August 31, 2003, or until northern spotted owl surveys have been completed. After northern spotted owl surveys are completed in 2003, survey results will be valid until March 15, 2006. All timber should be felled by March 15, 2006.

By ODF policy, marbled murrelet survey results are valid until April 2008.

Future Survey Plans

The sale will be surveyed for northern spotted owls again in 2003. In addition, 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.

ODF has no plans for further survey for marbled murrelets of this sale or in the vicinity of this sale during the contract period.

Survey Results Summary

Table 1. Northern Spotted Owl Surveys of Sappington Creek

[illegible]

³ This observation was determined to be a non-territorial single, or “floater” owl, after follow-up surveys yielded no further observations.

Table 2. Marbled Murrelet Surveys of Sappington Creek

Survey Area	Site	Station	Date	# Detections
SAPPINGTON CREEK	1	1	6/6/01	0
SAPPINGTON CREEK	1	2	6/23/01	0
SAPPINGTON CREEK	1	3	7/7/01	0
SAPPINGTON CREEK	1	4	7/21/01	0
SAPPINGTON CREEK	1	5	7/28/01	0
SAPPINGTON CREEK	1	2	5/14/02	0
SAPPINGTON CREEK	1	1	6/6/02	0
SAPPINGTON CREEK	1	3	7/3/02	0
SAPPINGTON CREEK	1	1	7/25/02	0
SAPPINGTON CREEK	2	1	5/20/02	0
SAPPINGTON CREEK	2	4	6/17/02	0
SAPPINGTON CREEK	2	3	7/4/02	0
SAPPINGTON CREEK	2	2	7/24/02	0
SAPPINGTON CREEK	3	3	5/27/02	0
SAPPINGTON CREEK	3	1	6/21/02	0
SAPPINGTON CREEK	3	2	7/12/02	0
SAPPINGTON CREEK	3	4	8/1/02	0