

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

SALE NAME/NO.: New Moon 341-03-67

AUCTION DATE/TIME: May 20, 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: Approximately 36 net acres of regeneration clearcut harvesting in 37-year-old Douglas-fir with severe symptoms of Swiss Needle Cast.

SALE LOCATION: Portions of the north half of Section 16, T3S, R8W, W.M., Tillamook County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: Approximately 15 miles south of Tillamook via Highway 101; proceed east on Nestucca River Road approximately 8 miles, then 1 mile north on Moon Creek County Road, and then approximately 3 miles on Moon 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	14"	286								266	20								
Red Alder	14"	10															10		
Sale Total		296																	

MINIMUM BID: BID SPECIES Douglas-fir \$ 274.34 per MBF

NO-BID SPECIES Alder and other hardwoods \$2,438.80 TOTAL PRICE

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

PERFORMANCE SECURITY: 20% of bid value. Bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: October 31, 2004 BID METHOD: Sealed Bids

BID DEPOSIT: \$8,000 SALE TYPE: Recovery/BOF – 100%

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

HARVEST METHOD: 100% tractor.

PROJECTS: None.

FEES: See "Special Remarks."

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 determined using ortho photographs and GIS.

Purchaser's use of BLM's Moon Creek Road, #3-8-20, requires a license agreement requiring a \$5,500 performance bond, road maintenance, and seasonal restrictions. This agreement also covers optional use of other BLM roads in the area.

The total price for hardwoods shall be paid prior to log hauling.

SALE OBJECTIVES:

Harvest Douglas-fir with severe symptoms of Swiss Needle Cast to prepare for planting with other native conifer species.

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: New Moon
COUNTY: Tillamook
CONTRACT NO.: 341-03-67

TIMBER SALE NAME: **New Moon**

TIMBER SALE NO.: **341-03-67**

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:

Alder and other hardwoods\$2,438.80 TOTAL PRICE.

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$8,000**, 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: New Moon 341-03-67
Date: January 13, 2003
To: Bob Gustavson
CC: Mark Labhart, District Sale File
From: Marcia Humes

Habitat Suitability

This sale is comprised of young alder and Douglas fir that is severely infected with Swiss Needle Cast disease. It does not contain potentially suitable habitat for northern spotted owls or marbled murrelets. There is suitable marbled murrelet habitat contiguous to the sale area.

Survey Results

Northern spotted owl surveys were not required for this sale. However, northern spotted owl surveys for other planned management activities confirmed the presence of a spotted owl activity center within 1.5 miles of the sale area.

Surveys for marbled murrelets were conducted in 2001 and 2002, using a protocol developed by the Pacific Seabird Group¹. Murrelets were observed displaying behaviors indicating occupancy of the habitat contiguous to the sale area.

Known T&E Resources

This sale is within 1.5 miles of a northern spotted owl pair activity center. A Biological Assessment by Clint Smith concludes that harvest of the sale is in compliance with the "Agreement for the Conservation of Northern Spotted Owls"².

¹ 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.

² U.S. Fish and Wildlife Service and the Oregon Department of Forestry. 2001. Agreement for the Conservation of Northern Spotted Owls.

A Marbled Murrelet Management Area (MMMA) has been established adjacent to the sale area. Harvest of the sale will not alter the MMMA.

Operational Considerations

Seasonal operating restrictions are in effect from April 1 through September 15, annually, due to the adjacent MMMA. However, operations may be allowed from the period of two hours after sunrise until two hours before sunset, from August 6 through September 15.

Future Survey Plans

There are no future survey plans for this sale. However, northern spotted owl and marbled murrelet surveys may take place around the sale area, due to the presence of the MMMA and as part of ODF survey of future planned operations.

Survey Results Summary

Table 1. Marbled Murrelet Surveys of New Moon

Survey Area	Site	Station	Date	# Detections
NEW MOON	1	1	5/18/01	0
NEW MOON	1	2	5/30/01	0
NEW MOON	1	1	6/12/01	2
NEW MOON	1	4	7/5/01	0
NEW MOON	1	3	7/24/01	2
NEW MOON	1	3	5/3/02	0
NEW MOON	1	2	5/17/02	0
NEW MOON	1	1	5/27/02	0
NEW MOON	1	3	6/3/02	0
NEW MOON	1	4	6/10/02	0
NEW MOON	1	2	6/24/02	0
NEW MOON	1	1	7/1/02	2
NEW MOON	1	4	7/15/02	5
NEW MOON	1	3	7/22/02	0
NEW MOON	1	2	7/29/02	0