

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

SALE NAME/NO.: Cougar Monster 341-03-75

AUCTION DATE/TIME: June 30, 2003, starting at 2:00 p.m.

AUCTION LOCATION: Oregon Department of Forestry
Astoria District Headquarters
92219 Highway 202
Astoria, Oregon 97103
(503) 325-5451 FAX (503) 325-2756
(4 miles SE of Astoria on Highway 202)

DISTRICT/UNIT OFFICE (MAILING ADDRESS FOR BIDS): Oregon Department of Forestry
Astoria District Headquarters
92219 Highway 202
Astoria, Oregon 97103
(503) 325-5451 FAX (503) 325-2756

HARVEST TYPE: Commercial thinning: Areas 1, 2, 6a, 6b, and 7 – approximately 261 acres, averaging about 14 MBF per acre removal; Regeneration harvest: Areas 3, 4, and 5 – approximately 166 acres, averaging about 20 MBF per acre removal; and approximately 12 acres of right-of-way.

SALE LOCATION: Sale areas are located in Sections 10, 11, 13, 14, and 15, T4N, R8W, W.M., Clatsop County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: From Highway 26 at its junction with Highway 53 (Necanicum Junction), turn south and go about ¾ mile on Highway 53; turn southeast on Hamlet County Road; follow this road about 6 miles, and turn north on Cougar Mountain Forest Road, crossing a bridge and going through a gate. Enter sale Area 1 about 3 miles up the Cougar Mountain Road, after going through another gate. **Contact Astoria District office to obtain a gate key.**

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
Douglas-fir	20"	2,142							1,221	801	120							
Hemlock	14"	2,041							929	778	334							
Spruce	15"	699							319	288	92							
Alder	14"	2,305								1,640	665							
Sale Total		7,187																

MINIMUM BID: BID SPECIES Douglas-fir \$324.97 per MBF
Red alder and other hardwoods..... \$323.16 per MBF

NO-BID SPECIES Hemlock \$ 99.54 per MBF
Western red cedar..... \$958.52 per MBF
Spruce and other conifers..... \$106.08 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 \$713,756 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 (\$714,000), whichever is greater. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: September 30, 2005 BID METHOD: Sealed Bids

BID DEPOSIT: \$100,400 SALE TYPE: Recovery/BOF – 82%
CSL – 18%

INSURANCE: \$1,000,000 Commercial General Liability; \$1,000,000 Automobile Liability;
\$1,000,000 Logger's Broad Form

HARVEST METHOD: Area 1: 43% cable yarding and 57% ground-based yarding.
Area 2: 64% cable yarding and 36% ground-based yarding.
Area 3: 92% cable yarding and 8% ground-based yarding.
Area 4: 40% cable yarding and 60% ground-based yarding.
Area 5: 47% cable yarding and 53% ground-based yarding.
Area 6a: 45% cable yarding and 55% ground-based yarding.
Area 6b: 45% cable yarding and 55% ground-based yarding.
Area 7: 46% cable yarding and 54% ground-based yarding.

PROJECTS: New road construction for sale access – 4.7 miles
Road improvement – 5.3 miles
Road vacating – 0.8 mile
Rock quarry development
Rock crushing and stockpiling – 20,522 cubic yards

FEES: \$1,000 payment to Longview Fibre Company for road use agreement
#314.04800 to access portions of Area 2.

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.**

Timber sale area acreages were determined by a combination of closed traverse with

compass and tape (Areas 1, 3, and 7) or with GPS (Areas 4, 5, 6a, and 6b), and orthophotography interpretation linked with GIS (Area 2). Road right-of-way Area 8 was determined by road design calculations.

A GATE KEY MAY BE OBTAINED FROM THE ASTORIA DISTRICT OFFICE FOR SALE ACCESS.

Completion of Felling Operations:

All felling operations in Areas 3, 4, 5, 6a, and 6b must be completed by April 1, 2004.

All felling operations in Areas 1, 2, and 7 must be completed by March 15, 2005.

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.

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:	Cougar Monster
COUNTY:	Clatsop
CONTRACT NO.:	341-03-75

TIMBER SALE NAME: **Cougar Monster**

TIMBER SALE NO.: **341-03-75**

OPENING DATE: **June 30, 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.

Red alder and other hardwoods, 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 \$ **99.54** per MBF.
Western red cedar \$ **958.52** per MBF.
Spruce and other conifers \$ **106.08** per MBF.

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$100,400**, 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: Cougar Monster
Date: May 1, 2003
To: Tom Scoggins
CC: Tom Savage, 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 were several observations of northern spotted owls during these surveys. All of the observations were associated with the activity center discussed in the Biological Assessment (see below).

Surveys for marbled murrelets were conducted, using a protocol developed by the Pacific Seabird Group², during the following times: Areas 1 and 2, 1998 and 1999; Areas 3 – 6, 1997 and 1998; Area 7, 1999 and 2000. The 1999 surveys at Area 7 were all conducted in July, a departure from the recommended protocol survey schedule. However, these surveys were consistent with the protocol in that three of the surveys were conducted during the traditional “peak” of murrelet activity, with greater than 6 days between visits. There were no observations of marbled murrelets during any of the above surveys.

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.

Known T&E Resources

This sale is within 1.5 miles of a known northern spotted owl activity center. A Biological Assessment has been conducted by Clint Smith which concludes that the timber sale would not violate the rescinded federal incidental take guidelines.³

A portion of Area 2 is within 0.25 miles of a murrelet survey site where occupying behaviors were observed during surveys of other management activities. ODF is currently conducting additional surveys at this site, to determine where within the site murrelets may potentially be nesting.

Operational Considerations

Northern spotted owl survey results are valid until March 15, 2005. By ODF policy, marbled murrelet survey results are valid until April 1, 2004 for Areas 3-6, April 1, 2005 for Areas 1 and 2, and April 1, 2006 for Area 7. All timber on Areas 1, 2 and 7 should be felled by March 15, 2005. All timber on Areas 3, 4, 5 and 6 should be felled by April 1, 2004.

If a Marbled Murrelet Management Area (MMMA) is established within 0.25 miles of Area 2, seasonal operating restrictions will be in effect for those portions of Area 2 within 0.25 miles of the MMMA, from April 1 through September 15, annually.

Future Survey Plans

ODF has no plans for further survey of these sales. However, northern spotted owl surveys will be conducted within 3 miles of this sale, and marbled murrelet surveys will be conducted within 0.25 miles of the sale, during the life of the contract, as part of ODF's survey of planned management activities.

³ U. S. Fish and Wildlife Service. 1990. Procedures leading to endangered species compliance for the northern spotted owl. U. S. Fish and Wildlife Service, Region 1, July 1990. 15 pages.

Table 1. Northern Spotted Owl Surveys of Cougar Monster

⁴ Response from owl activity center addressed by the Biological Assessment.

Table 2. Marbled Murrelet Surveys of Cougar Monster (surveyed as Cougar Mountain No. 2 and Cougar Mountain No. 2 Combination)

Survey Area	Site	Station	Date	#
COUGAR MOUNTAIN NO.2	1	3	5/13/97	0
COUGAR MOUNTAIN NO.2	1	4	5/21/97	0
COUGAR MOUNTAIN NO.2	1	2	6/4/97	0
COUGAR MOUNTAIN NO.2	1	1	6/15/97	0
COUGAR MOUNTAIN NO.2	1	7	6/16/97	0
COUGAR MOUNTAIN NO.2	1	1	6/27/97	0
COUGAR MOUNTAIN NO.2	1	5	7/18/97	0
COUGAR MOUNTAIN NO.2	1	6	7/27/97	0
COUGAR MOUNTAIN NO.2	1	5	5/7/98	0
COUGAR MOUNTAIN NO.2	1	2	5/19/98	0
COUGAR MOUNTAIN NO.2	1	1	6/1/98	0
COUGAR MOUNTAIN NO.2	1	3	6/10/98	0
COUGAR MOUNTAIN NO.2	1	4	6/24/98	0
COUGAR MOUNTAIN NO.2	1	6	7/4/98	0
COUGAR MOUNTAIN NO.2	1	7	7/27/98	0
COUGAR MOUNTAIN NO.2	2	1	5/13/97	0
COUGAR MOUNTAIN NO.2	2	2	5/21/97	0
COUGAR MOUNTAIN NO.2	2	3	6/4/97	0
COUGAR MOUNTAIN NO.2	2	5	6/26/97	0
COUGAR MOUNTAIN NO.2	2	4	7/11/97	0
COUGAR MOUNTAIN NO.2	2	6	7/18/97	0
COUGAR MOUNTAIN NO.2	2	7	7/27/97	0
COUGAR MOUNTAIN NO.2	2	1	5/8/98	0
COUGAR MOUNTAIN NO.2	2	2	5/20/98	0
COUGAR MOUNTAIN NO.2	2	7	6/2/98	0
COUGAR MOUNTAIN NO.2	2	3	6/11/98	0
COUGAR MOUNTAIN NO.2	2	6	7/1/98	0
COUGAR MOUNTAIN NO.2	2	5	7/15/98	0
COUGAR MOUNTAIN NO.2	2	4	7/30/98	0
COUGAR MOUNTAIN NO.2 COMBINATION	1	1	5/12/98	0
COUGAR MOUNTAIN NO.2 COMBINATION	1	2	5/21/98	0
COUGAR MOUNTAIN NO.2 COMBINATION	1	3	6/4/98	0
COUGAR MOUNTAIN NO.2 COMBINATION	1	4	6/12/98	0
COUGAR MOUNTAIN NO.2 COMBINATION	1	5	6/25/98	0
COUGAR MOUNTAIN NO.2 COMBINATION	1	6	7/3/98	0
COUGAR MOUNTAIN NO.2 COMBINATION	1	8	7/24/98	0
COUGAR MOUNTAIN NO.2 COMBINATION	1	7	7/31/98	0

Survey Area	Site	Station	Date	#
COUGAR MOUNTAIN NO.2 COMBINATION	1	1	5/9/99	0
COUGAR MOUNTAIN NO.2 COMBINATION	1	2	5/16/99	0
COUGAR MOUNTAIN NO.2 COMBINATION	1	3	5/29/99	0
COUGAR MOUNTAIN NO.2 COMBINATION	1	4	6/5/99	0
COUGAR MOUNTAIN NO.2 COMBINATION	1	5	7/2/99	0
COUGAR MOUNTAIN NO.2 COMBINATION	1	6	7/9/99	0
COUGAR MOUNTAIN NO.2 COMBINATION	1	7	7/30/99	0
COUGAR MOUNTAIN NO.2 COMBINATION	2	3	5/10/98	0
COUGAR MOUNTAIN NO.2 COMBINATION	2	2	5/23/98	0
COUGAR MOUNTAIN NO.2 COMBINATION	2	1	6/9/98	0
COUGAR MOUNTAIN NO.2 COMBINATION	2	4	6/26/98	0
COUGAR MOUNTAIN NO.2 COMBINATION	2	1	7/16/98	0
COUGAR MOUNTAIN NO.2 COMBINATION	2	1	5/22/99	0
COUGAR MOUNTAIN NO.2 COMBINATION	2	2	6/4/99	0
COUGAR MOUNTAIN NO.2 COMBINATION	2	3	6/10/99	0
COUGAR MOUNTAIN NO.2 COMBINATION	2	4	6/20/99	0
COUGAR MOUNTAIN NO.2 COMBINATION	2	3	7/10/99	0
COUGAR MOUNTAIN NO.2 COMBINATION	2	1	7/29/99	0
COUGAR MONSTER (ODF SURVEY)	1	1	7/1/99	0
COUGAR MONSTER (ODF SURVEY)	1	1	7/9/99	0
COUGAR MONSTER (ODF SURVEY)	1	1	7/22/99	0
COUGAR MONSTER (ODF SURVEY)	1	1	7/30/99	0
COUGAR MONSTER	1	1	5/18/00	0
COUGAR MONSTER	1	1	6/1/00	0
COUGAR MONSTER	1	1	6/29/00	0
COUGAR MONSTER	1	1	7/19/00	0