

## NOTICE OF TIMBER SALE

(Recovery – Scaled Sale)

SALE NAME/NO.: West Creek Combination 341-03-91

AUCTION DATE/TIME: June 17, 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: Approximately 6 acres of clearcut in 1 unit, a 40-year-old alder dominated stand. Approximately 131 acres of conifer partial cut in 4 units. Approximately 122 acres of first entry commercial thinning in 4 units. Approximately 2 acres of road right-of-way timber.

SALE LOCATION: Sale areas are located in portions of Sections 1, 11, 12, and 14, T7N, R6W, W.M., Clatsop County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: All timber sale areas can be accessed via the West Creek/West Creek Ridge Road system off Highway 30. Area 1 is approximately 2 miles from Highway 30 at Westport, and Area 9 is approximately 4.5 miles from the highway. Other sale units are located in between these units.

### 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	16"	3,516			20		146		1,463	1,622	265								
W. Hemlock/fir	13"	1,627					15		509	922	181								
Alder/other hardwoods	16"	92															92		
Western red cedar	12"	22							1	19	2								
Sale Total		5,257																	

MINIMUM BID: BID SPECIES Douglas-fir ..... \$342.06 per MBF

NO-BID SPECIES Hemlock and other conifers..... \$136.73 per MBF  
Red cedar ..... \$923.84 per MBF  
Alder and other hardwoods ..... \$273.43 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 \$113,879 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 (\$114,000), 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: \$135,600 SALE TYPE: Recovery/BOF-100%

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

**HARVEST METHOD:** Cable yarding will be required on approximately 61 percent of the timber sale area. The other 39 percent is suitable for ground-based yarding systems. Cable yarding machine requirements range from small machines in Areas 5, 8, and 9, to large machines in Areas 2 and 3.

**PROJECTS:** Road construction – 0.83 miles; road improvement – 5.43 miles; roadside brushing – 11.2 miles; road vacating – 0.1 miles.

**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.

Due to surveying activities for spotted owls, no felling activities are permitted on Areas 1 through 4 and 6 through 8 prior to September 1, 2003.

Certain activities are limited to the period from May 1 to September 30 on certain sale areas which are located within a community watershed area.

Acreage for sale areas was determined by GIS.

**SALE OBJECTIVES:** This timber sale is aligned with the objectives of the NWO Forest Management Plan. The Plan presents guiding principles, a forest vision, and resource management goals. This sale has specific objectives of advancing several of the timber sale areas toward more complex structures, of increasing wood growth on residual trees, and for Area 1, of converting this stand to a thrifty plantation.

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:** West Creek Combination  
**COUNTY:** Clatsop  
**CONTRACT NO.:** 341-03-91

TIMBER SALE NAME: **West Creek Combination**

TIMBER SALE NO.: **341-03-91**

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 and other conifers** ..... **\$136.73** per MBF.

**Red cedar** ..... **\$923.84** per MBF.

**Alder and other hardwoods** ..... **\$273.43** per MBF.

Enclosed is a bid deposit as required, consisting of a \_\_\_\_\_ in the amount of **\$135,600**, 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

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**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:** West Creek Combination 341-03-91

**Date:** April 3, 2003

**To:** Tom Scoggins

**CC:** Tom Savage, District Sale File

**From:** Marcia Humes

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### **Habitat Suitability**

Areas 1-4 and 6-8 of this sale contain potentially suitable habitat for northern spotted owls and marbled murrelets. Areas 5 and 9 do not contain suitable habitat for northern spotted owls or 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 Service<sup>1</sup>. There was one response from a northern spotted owl during one survey in 2002. Additional surveys yielded no further observations, and the response was determined to be a non-territorial single 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 Group<sup>2</sup>. 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.

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

<sup>2</sup> 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.

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.

## Future Survey Plans

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

**Table 1. Northern Spotted Owl Surveys of West Creek Combination**

<sup>3</sup> Determined to be a non-territorial single.

**Table 2. Marbled Murrelet Surveys of West Creek Combination**

<b>Survey Area</b>	<b>Site</b>	<b>Station</b>	<b>Date</b>	<b># Detections</b>
WEST CREEK COMB.	1	1	5/9/01	0
WEST CREEK COMB.	1	1	5/30/01	0
WEST CREEK COMB.	1	1	6/28/01	0
WEST CREEK COMB.	1	1	7/17/01	0
WEST CREEK COMB.	1	1	5/8/02	0
WEST CREEK COMB.	1	1	5/31/02	0
WEST CREEK COMB.	1	1	6/26/02	0
WEST CREEK COMB.	1	1	7/20/02	0
WEST CREEK COMB.	2	1	5/10/01	0
WEST CREEK COMB.	2	2	5/31/01	0
WEST CREEK COMB.	2	1	6/29/01	0
WEST CREEK COMB.	2	2	7/20/01	0
WEST CREEK COMB.	2	2	5/21/02	0
WEST CREEK COMB.	2	2	6/17/02	0
WEST CREEK COMB.	2	1	7/11/02	0
WEST CREEK COMB.	2	2	7/29/02	0