

NOTICE OF TIMBER SALE

(Recovery – Scaled Sale)

SALE NAME/NO.: Crymini 341-04-14

AUCTION DATE/TIME: November 18, 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: Partial cut: 69 acres.
Clearcut: 107 acres.
Age: 30-35 years.

SALE LOCATION: Portions of Sections 11, 14, and 15, T1N, R10W; Sections 13 and 24, T2N, R10W; and Sections 18 and 19, T2N, R9W, W.M., Tillamook County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: Access to the timber sale areas from Tillamook is via Highway 101, Miami Foley County Road. Area 1 is accessed via Crystal Creek Road. Area 2 is accessed via Minich 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"	1,252							80	982	190								
W Hem. / fir	12"	933							249	622	62								
Sale Total		2,185																	

MINIMUM BID: BID SPECIES Douglas-fir \$172.45 per MBF

NO-BID SPECIES Hemlock \$ 61.30 per MBF**

****THE PRICE PER MBF FOR HEMLOCK SHALL BE DETERMINED BY MULTIPLYING THE MINIMUM PRICE FOR HEMLOCK BY A BID-UP FACTOR. THE BID-UP FACTOR SHALL BE DETERMINED BY DIVIDING THE BID PRICE FOR DOUGLAS-FIR BY THE MINIMUM PRICE FOR DOUGLAS-FIR. FIVE DECIMAL PLACES SHALL BE USED TO CALCULATE THE BID-UP FACTOR.**

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 \$187,469 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 (\$188,000), 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: \$8,500 SALE TYPE: Recovery/BOF - 100%

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

HARVEST METHOD: 70% cable yarding. 30% ground yarding.

PROJECTS: 8.5 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 using digital ortho photographs in GIS. See Logging Plan in Cruise Report for acres expected to be partial cut.

Use of unmuffled engine brakes between Points E to F, Station 22+00 to 100+00, may be approved from August 6 through September 15, 2 hours after sunrise to 2 hours before sunset. ODF will have to conduct marbled murrelet surveys prior to approval. Written request must be received by July 15 to allow adequate time to complete the surveys. Approval will be contingent on negative results for presence.

All felling on Area 2b shall be completed by February 28, 2005.

SALE OBJECTIVES: Clearcut Douglas-fir with severe symptoms of Swiss needle cast and partial cut other conifers.

Partial cutting to promote opportunities to develop layered and OFS stand structures.

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: Crymini
COUNTY: Tillamook
CONTRACT NO.: 341-04-14

TIMBER SALE NAME: **Crymini**

TIMBER SALE NO.: **341-04-14**

OPENING DATE: **November 18, 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: THE CONTRACT PRICE FOR HEMLOCK SHALL BE DETERMINED BY MULTIPLYING THE MINIMUM PRICE PER MBF FOR HEMLOCK BY THE BID-UP FACTOR OF THE BID SPECIES. FIVE DECIMAL PLACES SHALL BE USED TO CALCULATE THE BID-UP FACTOR.

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$8,500**, payable to the Oregon Department of Forestry.

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 they fail 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 Individual or Company and Authorized Official)

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: Crymini 341-04-14
Date: March 13, 2003
To: Barbara Moore
CC: Mark Labhart, District Sale File
From: Marcia Humes

Habitat Suitability

Area 1 of this sale does not contain suitable habitat for northern spotted owls or marbled murrelets. There is potentially suitable habitat for marbled murrelets adjacent to Area 1. Area 2 of this sale does contain potentially suitable habitat for both northern spotted owls and marbled murrelets.

Survey Results

Area 2 of 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 no observations of northern spotted owls during any of these surveys. Area 2 and the potentially suitable habitat adjacent to Area 1 was surveyed for marbled murrelets in 2001 and 2002, using a protocol developed by the Pacific Seabird Group². 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 of this sale. There is a Marbled Murrelet Management Area within 0.25 miles of Area 1.

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.

Within 0.25 miles of the Marbled Murrelet Management Area, seasonal operating restrictions will apply from April 1 through September 15, annually, to avoid disturbance to nesting murrelets. Operations may be allowed from 2 hours after sunrise until 2 hours before sunset from August 6 through September 15, annually.

Future Survey Plans

Survey Results Summary

[illegible]

Table 2. Marbled Murrelet Surveys of Crymini (Surveyed in 2001 as Crimini-Crystal and Crimini-Minich)

Survey Area	Site	Station	Date	# Detections
CRIMINI-CRYSTAL	1	1	5/7/01	0
CRIMINI-CRYSTAL	1	2	5/25/01	0
CRIMINI-CRYSTAL	1	1	6/21/01	0
CRIMINI-CRYSTAL	1	3	7/11/01	0
CRIMINI-CRYSTAL	1	3	7/27/01	0
CRYMINI	1	1	5/7/02	0
CRYMINI	1	2	5/30/02	0
CRYMINI	1	3	6/19/02	0
CRYMINI	1	1	7/3/02	0
CRYMINI	1	2	7/20/02	0
CRIMINI-MINICH	2	1	5/22/01	0
CRIMINI-MINICH	2	2	6/7/01	0
CRIMINI-MINICH	2	1	6/19/01	0
CRIMINI-MINICH	2	3	7/7/01	0
CRIMINI-MINICH	2	2	8/1/01	0
CRYMINI	2	1	5/8/02	0
CRYMINI	2	2	5/31/02	0
CRYMINI	2	3	6/22/02	0
CRYMINI	2	2	7/6/02	0
CRYMINI	2	3	7/28/02	0