

NOTICE OF TIMBER SALE

(Recovery – Scaled Sale)

SALE NAME/NO.: Bull Music Combination 341-04-49

AUCTION DATE/TIME: May 18, 2004, 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: Areas 1, 4, 5, and 6: 215 acres of clearcut of 50- to 70-year-old, good quality red alder, Douglas-fir, and western hemlock. Volume to be removed is approximately 24.2 MBF/acre. Areas 2 and 3: 150 acres of “automark” partial cut commercial thinning of good quality, 50- to 70-year-old Douglas-fir and western hemlock, and, in Area 2 only (49 acres), good quality, 50- to 70-year-old red alder. Volume to be removed in Area 2 is approximately 14.5 MBF/acre. Volume to be removed in Area 3 is approximately 19.2 MBF/acre. Area 7 (in-sale R/W): There are 10 acres of in-sale R/W consisting primarily of Douglas-fir, western hemlock, and red alder. Volume to be removed in Area 7 is approximately 37.3 MBF/acre. All areas contain small amounts of true firs, western redcedar, Sitka spruce, and bigleaf maple.

SALE LOCATION: Sale areas are located in portions of Sections 10, 11, 12, and 15, T6N, R7W, W.M, Clatsop County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: Sale areas can be accessed via Highway 202. Beginning at the District Office, proceed east to Milepost 29; turn north on the Beneke Creek County Road. Proceed 5.2 miles to the Music Road Junction. Proceed 1.5 miles to the Beneke Creek Bridge. You are at the eastern sale boundary of Area 5.

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	19"	2,551							1,776	672	103								
Red Alder	13"	1,635										1,021	614						
Western hemlock	16"	4,009							1,660	2,056	293								
Noble fir	26"	25							24		1								
Sitka Spruce	25"	1									1								
Sale Total		8,221																	

MINIMUM BID: BID SPECIES Douglas-fir \$393.64 per MBF
Red alder and other hardwoods..... \$362.71 per MBF
Western hemlock and other conifers \$179.12 per MBF

NO-BID SPECIES Western redcedar..... \$797.54 per MBF
Sitka spruce \$172.54 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 \$343,304 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 (\$344,000), whichever is greater. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: October 31, 2006 BID METHOD: Sealed Bids

BID DEPOSIT: \$197,600 SALE TYPE: Recovery/BOF - 100%

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

HARVEST METHOD: Area 1: 93% cable yarding and 7% ground-based yarding.
Area 2: 94% cable yarding and 6% ground-based yarding.
Area 3: 93% cable yarding and 7% ground-based yarding.
Area 4: 94% cable yarding and 6% ground-based yarding.
Area 5: 93% cable yarding and 7% ground-based yarding.
Area 6: 81% cable yarding and 19% ground-based yarding.
Area 7: 100% ground-based yarding (in-sale right-of-way).

PROJECTS: Project No. 1: Approximately 1.78 miles of new road construction and 3.84 miles of road improvement.
Project No. 2: 1.54 miles of road vacating.
Project No. 3: 14.89 miles of roadside brushing.
Project No. 4: Fish Passable Culvert Installation.

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.

All felling must be completed by March 15, 2006 (See Section 57). Project No. 1 must be completed prior to October 31, 2005. Project No. 2 must be completed prior to September 1, 2005. Project Nos. 3 and 4 must be completed prior to September 30, 2005.

A minimum of 50 percent of the estimated bid value shall be paid on or before December 1, 2005 (see Section 42).

Timber sale acreage was determined by mapping sale areas on an ortho photograph and using ArcView to calculate acres.

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: Bull Music Combination
COUNTY: Clatsop
CONTRACT NO.: 341-04-49

TIMBER SALE NAME: **Bull Music Combination**

TIMBER SALE NO.: **341-04-49**

OPENING DATE: **May 18, 2004**

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:

Bid Species:

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

Red alder and other hardwoods, sawmill grade or better, _____
_____ Dollars (\$) (per MBF)

Western hemlock and other conifers, 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:

Western redcedar **\$797.54** per MBF.
Sitka spruce **\$172.54** per MBF.

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$197,600**, 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)

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: Bull Music Combination
Date: February 27, 2004
To: Ty Williams
CC: Tom Savage, District Sale File
From: Marcia Humes

Habitat Suitability

This sale contains suitable habitat for northern spotted owls and potential habitat for marbled murrelets.

Survey Results

This sale was surveyed for northern spotted owls in 2002 and 2003, 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.

This sale was surveyed for marbled murrelets in 2002 and 2003, using a protocol developed by the Pacific Seabird Group². There were no detections 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 the sale area. However, a portion of one sale area and 511 feet of road construction intersect the home range of a northern spotted owl site as identified during a telemetry study. A biological assessment has been completed by ODF which concludes that harvest of the sale area is in compliance with the Agreement for the Conservation of Northern

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, revised 2003. 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. 76 pp.

Table 1. Marbled Murrelet Surveys of Bull Music

Survey Area	Site	Station	Date	# Detections
BULL MUSIC COMBINATION	1	3	5/19/02	0
BULL MUSIC COMBINATION	1	2	6/14/02	0
BULL MUSIC COMBINATION	1	3	7/8/02	0
BULL MUSIC COMBINATION	1	1	7/22/02	0
BULL MUSIC COMBINATION	1	2	5/7/03	0
BULL MUSIC COMBINATION	1	3	5/21/03	0
BULL MUSIC COMBINATION	1	1	6/19/03	0
BULL MUSIC COMBINATION	1	2	7/2/03	0
BULL MUSIC COMBINATION	1	3	7/12/03	0
BULL MUSIC COMBINATION	2	2	5/14/02	0
BULL MUSIC COMBINATION	2	3	6/10/02	0
BULL MUSIC COMBINATION	2	1	7/6/02	0
BULL MUSIC COMBINATION	2	1	8/2/02	0
BULL MUSIC COMBINATION	2	2	5/7/03	0
BULL MUSIC COMBINATION	2	1	5/21/03	0
BULL MUSIC COMBINATION	2	3	6/20/03	0
BULL MUSIC COMBINATION	2	2	7/2/03	0
BULL MUSIC COMBINATION	2	1	7/12/03	0
BULL MUSIC COMBINATION	3	3	5/10/02	0
BULL MUSIC COMBINATION	3	3	6/7/02	0
BULL MUSIC COMBINATION	3	2	7/6/02	0
BULL MUSIC COMBINATION	3	1	8/1/02	0
BULL MUSIC COMBINATION	3	1	5/7/03	0
BULL MUSIC COMBINATION	3	2	5/21/03	0
BULL MUSIC COMBINATION	3	3	6/21/03	0
BULL MUSIC COMBINATION	3	1	7/2/03	0
BULL MUSIC COMBINATION	3	2	7/12/03	0