

NOTICE OF TIMBER SALE

(Recovery – Scaled Sale)

SALE NAME/NO.: Miami High 341-04-55

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: Clearcut: 81 net acres.
Partial Cut: 73 net acres.
Approximate ages: Areas 1 and 2 – 50 years old; Area 3 – 60 years old.

SALE LOCATION: Portions of Sections 11, 12, and 13, T2N, R9W, and Section 18, T2N, R8W, W.M.,
Tillamook County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: Access to the timber sale areas from Tillamook is as follows: Highway 101 North.
Miami-Foley County Road. After Milepost 9 take East Foley Ridge Road to
Firebreak 3 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"	1,277							353	781	143								
W. Hem.	11"	861							81	683	97								
Noble Fir	14"	43								43									
Red Alder	11"	90															90		
Sale Total		2,271																	

MINIMUM BID: BID SPECIES Douglas-fir \$176.76 per MBF

NO BID SPECIES Hemlock \$ 44.91 per MBF**
Noble Fir \$ 46.25 per MBF**
Alder and other hardwoods \$255.72 per MBF

****THE PRICES PER MBF FOR HEMLOCK AND NOBLE FIR NO-BID SPECIES SHALL BE DETERMINED BY MULTIPLYING THE MINIMUM PRICES FOR HEMLOCK AND NOBLE FIR NO-BID SPECIES BY A BID-UP FACTOR. THE BID-UP FACTOR SHALL BE DETERMINED BY DIVIDING THE BID PRICE FOR DOUGLAS FIR BID SPECIES BY THE MINIMUM PRICE FOR DOUGLAS FIR BID SPECIES. 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 \$95,348 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 (\$96,000), whichever is greater. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE:	June 30, 2006	BID METHOD:	Sealed Bids
BID DEPOSIT:	\$19,400	SALE TYPE:	Recovery/BOF – 100%%
INSURANCE:	\$500,000 Commercial General Liability; \$500,000 Automobile Liability; \$500,000 Logger's Broad Form		
HARVEST METHOD:	95% cable; 5% ground.		
PROJECTS:	1.2 miles road improvement. 0.5 mile road construction.		
FEES:	None.		
ENDANGERED SPECIES ACT COMPLIANCE STATEMENT:	<p>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.</p> <p>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.</p>		
SPECIAL REMARKS:	<p>SEASONAL RESTRICTIONS APPLY - SEE SECTION 39.</p> <p>Acreage was calculated using GIS digital orthophotos.</p> <p>See Logging Plan in the Cruise Report for acres expected to be thinned in Area 3.</p> <p>All felling on the timber sale area shall be completed by March 15, 2006.</p>		
SALE OBJECTIVES:	<p>Remove Douglas-fir with Swiss needle cast.</p> <p>In Areas 1 and 2 establish a windfirm, multi-species conifer stand.</p> <p>Partial cut to develop future layered and older forest structure stands in Area 3.</p>		

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:	Miami High
COUNTY:	Tillamook
CONTRACT NO.:	341-04-55

TIMBER SALE NAME: **Miami High**

TIMBER SALE NO.: **341-04-55**

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 PRICES FOR HEMLOCK AND NOBLE FIR (NO BID SPECIES) SHALL BE DETERMINED BY MULTIPLYING THE MINIMUM PRICES PER MBF FOR HEMLOCK AND NOBLE FIR (NO BID SPECIES) BY THE BID-UP FACTOR OF THE BID SPECIES. FIVE DECIMAL PLACES SHALL BE USED TO CALCULATE THE BID-UP FACTOR.

Other No-bid species will remain as shown:

Alder and other hardwoods \$255.72 per MBF.

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$19,400**, 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: Miami High
Date: August 18, 2003
To: Barbara Moore
CC: Mark Labhart, District Sale File
From: Marcia Humes

Habitat Suitability

This sale contains suitable habitat for northern spotted owls, and Areas 1 and 3 contain suitable habitat for marbled murrelets. A tree containing branches that could potentially provide nesting platforms for marbled murrelets was found late in the sale planning process on the edge of Area 2.

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 several observations of northern spotted owls within 1.5 miles of the sale area during these surveys. All of these observations were associated with a known activity center greater than 1.5 miles from the sale area.

Surveys for marbled murrelets were conducted on Areas 1 and 3 in 2002 and 2003, using a protocol developed by the Pacific Seabird Group². There were no observations of marbled murrelets during any of these surveys.

The tree on the edge of Area 2 was searched on March 31, 2003, by a tree climber with experience in finding marbled murrelet nests. No evidence of nesting murrelets (past or present) was found.

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

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.

Operational Considerations

Current northern spotted owl survey results are valid until March 15, 2006. Marbled murrelet survey results are valid until April 2009.

All timber should be felled by March 15, 2006.

Future Survey Plans

ODF has no plans for further survey of this sale. However, ODF has an active survey program and northern spotted owl surveys will be conducted within 3 miles of this sale during the life of the contract.

Survey Results Summary

Table 1. Northern Spotted Owl Surveys of Miami High

Year	Visit #1	Visit #2	Visit #3	Visit #4	Visit #5	Visit #6
Survey Area	Date	Date	Date	Date	Date	Date
Miami High 2002	5/21-22 5/22-23	6/18-19 6/19-20	7/2-3	7/17-18 7/18-19	7/28-29	8/14-15
	NR	♀ ₃ NR	♀ ₃	NR	NR	NR
Miami High 2003	4/29-30	6/2-3 6/3-4	7/7-8 7/8-9			
	NR	♀ ₃	NR			

NR - no response j - juvenile M₀ - mouse refused M₄ - 4 mice taken
 V - visual response jj - 2 juveniles M₁ - 1mice taken M₅ - 5 mice taken
 bb - new bird banded ■ - last visit to site M₂ - 2 mice taken M₆ - 6 mice taken
 M₃ - 3 mice taken
 - Pair (day, night, early morning)
 - Male (day, night, early morning)
 - Female (day, night, early morning)
 - Sex Unkn (day, night, early morning)

³ Response associated with a known activity center greater than 1.5 miles from the sale.

Table 2. Marbled Murrelet Surveys of Miami High

Survey Area	Site⁴	Station	Date	# Detections
MIAMI HIGH	1	1	5/6/02	0
MIAMI HIGH	1	1	5/22/02	0
MIAMI HIGH	1	1	6/18/02	0
MIAMI HIGH	1	1	6/29/02	0
MIAMI HIGH	1	1	7/8/02	0
MIAMI HIGH	1	1	5/13/03	0
MIAMI HIGH	1	2	5/22/03	0
MIAMI HIGH	1	1	6/11/03	0
MIAMI HIGH	1	2	7/4/03	0
MIAMI HIGH	1	1	7/17/03	0
MIAMI HIGH	2	1	5/10/02	0
MIAMI HIGH	2	1	5/24/02	0
MIAMI HIGH	2	1	6/21/02	0
MIAMI HIGH	2	1	7/2/02	0
MIAMI HIGH	2	1	7/11/02	0
MIAMI HIGH	2	1	5/2/03	0
MIAMI HIGH	2	1	5/13/03	0
MIAMI HIGH	2	1	6/10/03	0
MIAMI HIGH	2	1	7/5/03	0
MIAMI HIGH	2	1	7/14/03	0
MIAMI HIGH	3	1	5/18/02	0
MIAMI HIGH	3	1	6/7/02	0
MIAMI HIGH	3	1	6/28/02	0
MIAMI HIGH	3	1	7/18/02	0
MIAMI HIGH	3	1	7/25/02	0

⁴ Sites 1 and 2 from the 2002 survey season were consolidated in 2003, due to the low number of stations in each site, and their proximity to one another. As a result, Sites 1 and 2 from 2000 were designated as Site 1 in 2003, and Site 3 from 2002 was designated as Site 2 in 2003.