

NOTICE OF TIMBER SALE

(Recovery – Scaled Sale)

SALE NAME/NO.: Foss Alder 341-04-56

AUCTION DATE/TIME: April 20, 2004, 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 – 72 acres; Partial cut – 68 acres; Approximate age – 60 years.

SALE LOCATION: Portions of Sections 17, 18, and 20, T3N, R8W, W.M., Tillamook County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: Access to the timber sale area from Tillamook is as follows: Highway 101, Miami Foley County Road, Foss County Road, and Sibley 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	16"	339							231	92	16								
W Hem. / fir	14"	694							420	228	46								
Red Alder	15"	747																	747
Sale Total		1,780																	

MINIMUM BID: BID SPECIES Red alder..... \$210,676.41 TOTAL PRICE

NO BID SPECIES Douglas-fir..... \$ 292.31 per MBF

Hemlock \$ 114.49 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 \$106,645 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 (\$107,000), 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: \$28,200 SALE TYPE: Cash & Recovery/BOF – 100%

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

HARVEST METHOD: 80% cable; 20% ground.

PROJECTS: 0.7 mile of road construction, 0.5 mile of road improvement, and 0.3 mile of road

vacating.

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 from a GIS digital orthophoto.

Felling on Areas 3A and 3B shall be completed by March 31, 2005, and felling on Areas 1, 2, 4, and 5 shall be completed by March 15, 2006.

The first payment for hardwoods is required prior to removal of hardwoods; full payment for hardwoods shall be paid on or before April 30, 2006 (Section 42).

SALE OBJECTIVES:

Areas 1, 4, and 5: Harvest alder and reserve larger conifer to create a regeneration structure.

Areas 2 and 3: Partial cut to develop future layered and older forest structure stands.

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: Foss Alder
COUNTY: Tillamook
CONTRACT NO.: 341-04-56

TIMBER SALE NAME: **Foss Alder**

TIMBER SALE NO.: **341-04-56**

OPENING DATE: **April 20, 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:

ON THE BASIS OF PRICE PER THOUSAND BOARD FEET FOR:

Bid Species:

Red alder, sawmill grade or better, _____

_____ Dollars (\$ _____) TOTAL PRICE.

Minimum grades and volumes for bid species are stated in the timber sale prospectus.

No-bid species will remain as shown:

Douglas-fir **\$292.31 per MBF.**

Hemlock **\$114.49 per MBF.**

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$28,200**, 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: Foss Alder
Date: November 10, 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 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 2 observations of a male spotted owl within 1.5 miles of the sale area in 2003. These responses were associated with a known activity center greater than 1.5 miles from the sale area.

Surveys for marbled murrelets were conducted in potentially suitable habitat in Area 3 in 1998 and 1999, using a protocol developed by the Pacific Seabird Group². Potentially suitable habitat in Areas 2 and 4 was surveyed in 2002 and 2003, using an updated version of the protocol³. There were no observations of 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.

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

² Ralph, C. J., S. K. Nelson, M. M. Shaughnessy, S. L. Miller and T. E. Hamer. 1994. Methods for surveying marbled murrelets in forests: a protocol for land management and research. Pacific Seabird Group, Marbled Murrelet Technical Committee. 51 pp.

³ 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.

Operational Considerations

Current northern spotted owl survey results are valid until March 15, 2006. Marbled murrelet surveys are valid until April 1, 2005 on Area 3, and until April 1, 2009 on Areas 2 and 4.

All timber should be felled by March 31, 2005 on Area 3, and by March 15, 2006 on Areas 1, 2, 4, and 5.

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, as part of surveys for other planned timber sales and monitoring of owl activity centers.

Survey Results Summary

Table 1. Northern Spotted Owl Surveys of Foss Alder

Year	Visit #1	Visit #2	Visit #3	Visit #4	Visit #5	Visit #6
Survey Area	Date	Date	Date	Date	Date	Date
2002	4/24-25	6/3-4	7/15-16			
	4/25-26		7/17-18			
	NR	NR	NR			
2003	4/30-5/1	6/4-5	7/9-10			
	5/5-6	6/5-6	7/10-11			
	5/6 +day hike		7/14-15			
	♂ ⁴	NR	♂ ³			
NR - no response		j - juvenile		M ₀ - mouse refused		M ₄ - 4 mice taken
V - visual response		jj - 2 juveniles		M ₁ - 1mice taken		M ₅ - 5 mice taken
bb - new bird banded		■ - last visit to site		M ₂ - 2 mice taken		M ₆ - 6 mice taken
				M ₃ - 3 mice taken		
♀ ♀ ♀ - Pair (day, night, early morning)				♀ ♀ ♀ - Female (day, night, early morning)		
♂ ♂ ♂ - Male (day, night, early morning)				○ ♂ ♂ - Sex Unkn (day, night, early morning)		

⁴ Responses associated with a known activity center greater than 1.5 miles from the sale area.

Table 2. Marbled Murrelet Surveys of Foss Alder (Surveys in Area 3 were originally conducted as Blue Ribbon, Site 1)

Survey Area	Site	Station	Date	# Detections
BLUE RIBBON	1	1	5/13/98	0
BLUE RIBBON	1	2	6/5/98	0
BLUE RIBBON	1	3	6/20/98	0
BLUE RIBBON	1	4	7/14/98	0
BLUE RIBBON	1	1	7/22/98	0
BLUE RIBBON	1	1	5/14/99	0
BLUE RIBBON	1	2	5/25/99	0
BLUE RIBBON	1	3	6/17/99	0
BLUE RIBBON	1	4	7/8/99	0
BLUE RIBBON	1	1	7/16/99	0
FOSS ALDER	1	1	5/3/02	0
FOSS ALDER	1	2	5/15/02	0
FOSS ALDER	1	1	6/12/02	0
FOSS ALDER	1	2	7/5/02	0
FOSS ALDER	1	1	8/1/02	0
FOSS ALDER	1	1	5/6/03	0
FOSS ALDER	1	2	5/14/03	0
FOSS ALDER	1	1	6/12/03	0
FOSS ALDER	1	2	7/10/03	0
FOSS ALDER	1	1	7/18/03	0
FOSS ALDER	2	1	6/8/02	0
FOSS ALDER	2	1	6/15/02	0
FOSS ALDER	2	1	7/13/02	0
FOSS ALDER	2	1	7/22/02	0
FOSS ALDER	2	1	7/30/02	0
FOSS ALDER	2	1	5/6/03	0
FOSS ALDER	2	1	5/14/03	0
FOSS ALDER	2	1	6/12/03	0
FOSS ALDER	2	1	7/10/03	0
FOSS ALDER	2	1	7/18/03	0