

**NOTICE OF TIMBER SALE**

**(Recovery – Scaled Sale)**

SALE NAME/NO.: McPherson 341-04-65

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: Modified clearcut – 160 acres; Retention cut – 16 acres; Approximate age – 35 to 40 years.

SALE LOCATION: Portions of Sections 25, 26, 35, and 36, T3N, R9W, W.M., Tillamook County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: Access to the sale areas from Tillamook is via Highway 101, Miami Foley County Road, Foss County Road, Cook Creek Road, and McPherson 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  | 11"     | 2,063     |               |    |    |   |    |    | 54 | 1,399 | 610 |    |    |     |    |    |    |     |     |
| W Hem. / fir | 13"     | 24        |               |    |    |   |    |    |    | 24    |     |    |    |     |    |    |    |     |     |
| Red Alder    | 13"     | 310       |               |    |    |   |    |    |    |       |     |    |    |     |    |    |    |     | 310 |
| Sale Total   |         | 2,397     |               |    |    |   |    |    |    |       |     |    |    |     |    |    |    |     |     |

MINIMUM BID: BID SPECIES Douglas-fir ..... \$ 157.34 per MBF

NO BID SPECIES Hemlock ..... \$ 106.03 per MBF

Red alder ..... \$80,395.40 TOTAL PRICE

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 \$80,225 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 (\$81,000), 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: \$32,700 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: 3.4 miles of road improvement; 0.1 mile of road construction.

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.  
**All felling on Areas 1 and 2 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 and 2: Harvest Douglas-fir with severe Swiss needle cast.

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: McPherson**  
**COUNTY: Tillamook**  
**CONTRACT NO.: 341-04-65**

TIMBER SALE NAME: **McPherson**

TIMBER SALE NO.: **341-04-65**

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:

**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** ..... \$ **106.03 per MBF.**  
**Red alder** ..... **\$80,395.40 TOTAL PRICE.**

Enclosed is a bid deposit as required, consisting of a \_\_\_\_\_ in the amount of **\$32,700**, 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:** McPherson  
**Date:** November 10, 2003  
**To:** Barbara Moore  
**CC:** Mark Labhart, District Sale File  
**From:** Marcia Humes

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### **Habitat Suitability**

This sale contains suitable habitat for northern spotted owls. It does not contain potentially suitable 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 Service<sup>1</sup>. There were no observations of northern spotted owls during any of these survey visits.

### **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**

Northern spotted owl survey results are valid until March 15, 2006. All timber should be felled by March 15, 2006.

### **Future Survey Plans**

ODF has no plans for further survey of this sale. However, surveys for northern spotted owls will take place within 3 miles of this sale during the life of the contract, as part of ODF's survey of other planned operations.

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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.

## Survey Results Summary

**Table 1. Northern Spotted Owl Surveys of McPherson**

| Year        | Visit #1 | Visit #2 | Visit #3 | Visit #4 | Visit #5 | Visit #6 |
|-------------|----------|----------|----------|----------|----------|----------|
| Survey Area | Date     | Date     | Date     | Date     | Date     | Date     |
| McPherson   | 4/25-26  | 6/3-4    | 7/17-18  |          |          |          |
| 2002        | NR       | NR       | NR       |          |          |          |
| McPherson   | 4/30-5/1 | 6/4-5    | 7/9-10   |          |          |          |
| 2003        | NR       | NR       | NR       |          |          |          |

  

|  |                        |  |                               |
|--|------------------------|--|-------------------------------|
| NR - no response                       | j - juvenile           | M <sub>0</sub> - mouse refused               | M <sub>4</sub> - 4 mice taken |
| V - visual response                    | jj - 2 juveniles       | M <sub>1</sub> - 1 mice taken                | M <sub>5</sub> - 5 mice taken |
| bb - new bird banded                   | ■ - last visit to site | M <sub>2</sub> - 2 mice taken                | M <sub>6</sub> - 6 mice taken |
|  |                        | M <sub>3</sub> - 3 mice taken                |                               |
| ♀ ♂ - Pair (day, night, early morning) |                        | ♀ ♂ - Female (day, night, early morning)     |                               |
| ♂ ♂ - Male (day, night, early morning) |                        | ○ ⊗ ⊙ - Sex Unkn (day, night, early morning) |                               |