

NOTICE OF TIMBER SALE**(Recovery – Scaled Sale)**

SALE NAME/NO.: Five Peaks 341-05-15

AUCTION DATE/TIME: July 23, 2004, starting at 2:00 p.m.

AUCTION LOCATION: Oregon Department of Forestry
Forest Grove District Headquarters
801 Gales Creek Road
Forest Grove, Oregon 97116-1199
(503) 357-2191 FAX (503) 357-4548

DISTRICT/UNIT OFFICE (MAILING ADDRESS FOR BIDS): Oregon Department of Forestry
Forest Grove District Headquarters
801 Gales Creek Road
Forest Grove, Oregon 97116-1199
(503) 357-2191 FAX (503) 357-4548

HARVEST TYPE: 63 acres of modified clearcut in 52-year-old timber.

SALE LOCATION: Portions of Section 1, T2N, R6W; Section 6, T2N, R5W; Section 36, T3N, R6W; and Section 31, T3N, R5W, W.M., Washington Co., Oregon.

DIRECTIONS TO TIMBER SALE AREA: From Forest Grove, 9 miles northwest on Highways 8 and 6 to Timber Road, then 5 miles north to Cochran Road, then 3.25 miles west to Round Top Road, then 3 miles up the Round Top and Bell Camp Roads to Round Belly Spur, then 1.5 miles to timber sale area.

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"	1,586							655	852	79								
W Hem. / fir	13"	4								4									
Red Alder	13"	216							25	40	151								
Sale Total		1,806																	

MINIMUM BID: BID SPECIES Douglas-fir \$ 413.66 per MBF
Red alder \$70,130.88 TOTAL PRICE

NO-BID SPECIES Hemlock and other conifers \$ 196.38 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 \$28,260 after the project work is completed and accepted, as described in the section titled, "Credit for Project Work."

The timber sale area contains 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 (\$29,000), whichever is greater. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: March 15, 2006 BID METHOD: Sealed Bids

BID DEPOSIT: \$69,800 SALE TYPE: Recovery/BOF – 100%

INSURANCE: \$1,000,000 Commercial General Liability; \$1,000,000 Automobile Liability;
\$1,000,000 Logger's Broad Form

HARVEST METHOD: 50 percent cable and 50 percent ground.

PROJECTS: 0.5 mile of road construction, 0.5 mile of road surfacing, and grass seeding.

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 Forest Grove ODF District at (503) 357-2191 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.**

Gross acres were determined by GIS. Net acres were determined by subtracting buffer zone areas. Sale elevation is 2000 feet. Other work includes snag creation on 126 trees and site preparation/slash piling on 20 acres. **No exceptions will be allowed for the ground yarding seasonal restriction.**

Payment for hardwoods will be in 3 installments. The first installment for hardwoods shall be paid before log hauling. The full purchase price for hardwoods shall be paid on or before December 15, 2005.

SALE OBJECTIVES: The purpose of this sale is to: 1) Meet future stand type targets by converting closed single canopy and understory stand types to a regeneration stand type; and 2) Meet harvest objectives in the implementation plan and Fiscal Year 2004 Annual Operations Plan that provides logs for mills and revenue to the county and local taxing districts.

<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.</p>
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See inside front cover of Auction Schedule booklet for disclaimer regarding all governmental regulatory actions.

SALE NAME: Five Peaks
COUNTY: Washington
CONTRACT NO.: 341-05-15

TIMBER SALE NAME: **Five Peaks**

TIMBER SALE NO.: **341-05-15**

OPENING DATE: **July 23, 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, 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:

Hemlock and other conifers **\$196.38** per MBF.

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$69,800**, 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: Five Peaks
Date: March 31, 2004
To: Erik Marcy
CC: Dave Johnson, District Sale File
From: Marcia Humes

Habitat Suitability

This sale contains suitable habitat for northern spotted owls. This sale does not contain 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.

Surveys for marbled murrelets are not necessary.

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 prior to this date.

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.

¹ 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 Five Peaks

Year Survey Area	Visit #1 Date	Visit #2 Date	Visit #3 Date	Visit #4 Date	Visit #5 Date	Visit #6 Date
Five Peaks 2002	5/6-7 5/7-8 5/9-10	6/4-5	7/8-9 7/9-10			
	NR	NR	NR			
Five Peaks 2003	5/13-14 5/14-15	6/17-18 6/18-19	7/22-23			
	NR	NR	NR			
<div> <div>NR - no response</div> <div>V - visual response</div> <div>bb - new bird banded</div> <div> <div>♀</div> <div>♀</div> <div>♀</div> </div> <div> <div>♂</div> <div>♂</div> <div>♂</div> </div> <div> <div>♀</div> <div>♀</div> <div>♀</div> </div> <div> <div>♂</div> <div>♂</div> <div>♂</div> </div> <div>- Pair (day, night, early morning)</div> <div>- Male (day, night, early morning)</div> </div> <div> <div>j - juvenile</div> <div>jj - 2 juveniles</div> <div>■ - last visit to site</div> </div> <div> <div>M₀ - mouse refused</div> <div>M₁ - 1 mice taken</div> <div>M₂ - 2 mice taken</div> <div>M₃ - 3 mice taken</div> <div> <div>♀</div> <div>♀</div> <div>♀</div> </div> <div> <div>♂</div> <div>♂</div> <div>♂</div> </div> <div> <div>♀</div> <div>♀</div> <div>♀</div> </div> <div> <div>♂</div> <div>♂</div> <div>♂</div> </div> <div>- Female (day, night, early morning)</div> <div>- Sex Unkn (day, night, early morning)</div> </div> <div> <div>M₄ - 4 mice taken</div> <div>M₅ - 5 mice taken</div> <div>M₆ - 6 mice taken</div> </div>						