

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

SALE NAME/NO.: Xantippe 341-05-26

AUCTION DATE/TIME: September 24, 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: Oregon Department of Forestry
OFFICE (MAILING: Forest Grove District Headquarters
ADDRESS FOR BIDS): 801 Gales Creek Road
Forest Grove, Oregon 97116-1199
(503) 357-2191 FAX (503) 357-4548

HARVEST TYPE: Area I is a 53 acre clearcut that consists of 65-year-old Douglas-fir. Area II is a Green Tree Retention area consisting of 3 acres.

SALE LOCATION: Portions of Section 2, T5N, R3W, W.M., and portions of Section 35, T6N, R3W, W.M., Columbia County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: West on Highway 26 to Highway 47, then north on Highway 47 to Apiary Road. East and north on Apiary Road to Longview Fibre's Little Clatskanie River Road. Southeast on the Little Clatskanie River Road for approximately 1.6 miles to the timber sale area. SEE SPECIAL REMARKS.

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	20"	2,382					28		1,584	621	149								
Hemlock and other conifers	13"	316							103	154	59								
Red Alder	16"	3															3		
Sale Total		2,701																	

MINIMUM BID: BID SPECIES Douglas-fir \$418.00 per MBF

NO-BID SPECIES Western hemlock and other conifers \$182.59 per MBF

Red alder and other hardwoods..... \$237.08 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 \$6,484 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 (\$7,000), whichever is greater. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: October 1, 2006 BID METHOD: Sealed Bids

BID DEPOSIT: \$104,700 SALE TYPE: Recovery/BOF - 100%

INSURANCE: \$2,000,000 Commercial General Liability; \$2,000,000 Automobile Liability;
\$2,000,000 Logger's Broad Form

HARVEST METHOD: Area I: Ground-based 100%; maximum yarding distance of 500 feet.

PROJECTS: Project No. 1: Construct 0.5 mile of road for sale access and improve 0.04 mile of road. Project No. 2: Grass seed and fertilize areas of disturbed soil.

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.****ALL FELLING ON AREA I MUST BE COMPLETED BY MARCH 15, 2006.****THERE IS A LOCKED GATE ON THE LITTLE CLATSKANIE RIVER ROAD. A KEY MAY BE CHECKED OUT FROM THE ODF OFFICE IN FOREST GROVE.**

Access to the truck turnaround is subject to a permit, which PURCHASER shall complete with Longview Fibre Co. STATE shall provide PURCHASER with a sample form of the permit. No fees are required.

Top 106 trees for snag creation.

Acres were determined using a planimeter and orthographic photos.

Elevation is 1,200 feet.

16 hours of shovel time to block and waterbar skid roads.

5 hours of equipment time to rip dirt spur road.

50 acres of slash piling.

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: Xantippe
COUNTY: Columbia
CONTRACT NO.: 341-05-26

TIMBER SALE NAME: **Xantippe**

TIMBER SALE NO.: **341-05-26**

OPENING DATE: **September 24, 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)

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

No-bid species will remain as shown:

Western hemlock and other conifers **\$182.59** per MBF.
Red alder and other hardwoods **\$237.08** per MBF.

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$104,700**, 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 notice of intent to award; 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: Xantippe
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 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 2001 and 2002, 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 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 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.

Current northern spotted owl survey results are valid until March 15, 2006. Marbled murrelet survey results are valid until April 1, 2008. All timber should be felled by March 15, 2006.

ODF has no plans for further survey of this sale.

Table 1. Northern Spotted Owl Surveys of Xantippe

Table 2. Marbled Murrelet Surveys of Xantippe (originally surveyed as Xylotto)

Survey Area	Site	Station	Date	# Detections
XYLOTTO	1	1	6/1/01	0
XYLOTTO	1	2	6/19/01	0
XYLOTTO	1	3	7/4/01	0
XYLOTTO	1	4	7/27/01	0
XANTIPPIE	1	1	5/14/02	0
XANTIPPIE	1	4	6/4/02	0
XANTIPPIE	1	2	6/29/02	0
XANTIPPIE	1	3	7/17/02	0