

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

SALE NAME/NO.: Arch Cape 341-05-65

AUCTION DATE/TIME: February 15, 2005, 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 of 285 acres in 3 areas. Retention cut of 316 acres in 3 areas.
Age: 45 years.

SALE LOCATION: Portions of Sections 6 and 7, T1N, R7W, and Sections 1 and 12, T1N, R8W, W.M.,
Tillamook County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: Access from Tillamook is via Highway 6 (Milepost 22), North Fork Wilson Road,
Cedar Creek Road, and Wolf Point 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"	6,451							130	4,450	1,871								
Red Alder	14"	903															903		
Sale Total		7,354																	

MINIMUM BID: BID SPECIES Douglas-fir \$279.51 per MBF

NO-BID SPECIES Red alder \$266.28 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 \$293,254 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 (\$294,000), whichever is greater. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: October 31, 2008 BID METHOD: Sealed Bids

BID DEPOSIT: \$175,000 SALE TYPE: Recovery/BOF - 100%

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

HARVEST METHOD: 53% cable; 47% ground.

PROJECTS: Road improvement, rock crushing, and stockpile rock.

FEES: None.

ENDANGERED SPECIES ACT COMPLIANCE The Oregon Department of Forestry (ODF) is engaged in an active threatened and endangered (T&E) species survey program. Surveys, determinations, and

STATEMENT:

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.**

Cedar Creek and Wolf Point Roads are scheduled to be improved with project work in timber sale No. 341-05-46, Spider Jones. Log hauling on the Arch Cape timber sale will not be allowed once the Spider Jones project work commences on these roads. Log hauling can be resumed after project work on Cedar Creek and Wolf Point Roads has been completed. This work is required to be completed by October 15, 2005.

Project work in this contract is required to be completed by October 15, 2005. PURCHASER will be expected to plan and schedule the project work to avoid conflicts with other STATE harvesting operations.

The Wilson River bridge, adjacent to Jones Creek Campground, is planned to be replaced between September 1, 2006 and January 31, 2007. Bridge access is expected to be closed during this period.

The sale acreage was calculated using ortho photographs and ArcView GIS.

SALE OBJECTIVES:

Harvest Douglas-fir with symptoms of Swiss needle cast and harvest red alder to prepare for replanting with other native conifer species.

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: Arch Cape
COUNTY: Tillamook
CONTRACT NO.: 341-05-65

TIMBER SALE NAME: **Arch Cape**

TIMBER SALE NO.: **341-05-65**

OPENING DATE: **February 15, 2005**

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:

Red alder **\$266.28** per MBF.

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$175,000**, 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: Arch Cape
Date: November 1, 2004
To: Bob Teran
CC: Ross Holloway, District Sale File
From: Marcia Humes

Habitat Suitability

This sale does not contain potential habitat for marbled murrelets. This sale is located within the historic Tillamook burn. By ODF policy northern spotted owl surveys are not required.

Survey Results

Surveys for northern spotted owls and marbled murrelets are not necessary for this sale.

Known T&E Resources

There are no northern spotted owl activity centers within 1.5 miles or Marbled Murrelet Management Areas within 0.25 miles of this sale.

Operational Considerations

There are no seasonal restrictions for marbled murrelets or spotted owls for this sale.

Future Survey Plans

ODF has no plans for further survey of this sale.