

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

SALE NAME/NO.: Ellmaker Overlook 341-06-01

AUCTION DATE/TIME: October 20, 2005, starting at 10:00 a.m.

AUCTION LOCATION: Oregon Department of Forestry
West Oregon District Headquarters
24533 Alsea Highway
Philomath, Oregon 97370
(541) 929-3266 FAX (541) 929-5549

DISTRICT/UNIT OFFICE (MAILING ADDRESS FOR BIDS): Oregon Department of Forestry
West Oregon District Headquarters
24533 Alsea Highway
Philomath, Oregon 97370
(541) 929-3266 FAX (541) 929-5549

HARVEST TYPE: Autemark commercial thinning harvest containing 474 net acres of 28 to 70-year-old Douglas-fir timber.

SALE LOCATION: Portions of Sections 14, 15, 16, 21, 22, 23, 26, and 35; T11S, R8W, W.M., Lincoln County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: From Philomath, proceed west on Highway 20 for 16 miles to Harlan-Burnt Woods Road; turn left and proceed 2 miles to Burnt Woods Ridge Road; then turn right and enter Area IV of the timber sale.

A gate key is required to access Areas VI and XII, and can be checked out at the Philomath District Office.

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	15"	6,077							2,275	3,088	714								
Red Alder	19"	31															31		
Sale Total		6,108																	

MINIMUM BID: BID SPECIES Douglas-fir \$290.52 per MBF

NO-BID SPECIES Red alder and other hardwoods..... \$271.40 per MBF

Western hemlock and other conifers \$125.00 per MBF

Western red cedar..... \$650.00 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 \$246,761 after the project work is completed and accepted, as described in Section 2630, "Credit for Project Work."

The timber sale areas contain negligible volumes of other logs to be paid for at the prices in Section 1740.

PERFORMANCE SECURITY: 20% of bid value (unknown) **or** the total value of the project work (\$247,000), whichever is greater. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: December 31, 2007 BID METHOD: Sealed Bids

BID DEPOSIT: \$152,700 SALE TYPE: Recovery/BOF - 96%
CSL - 4%

INSURANCE: \$1,000,000 Commercial General Liability; \$1,000,000 Automobile Liability;

\$1,000,000 Logger's Broad Form

HARVEST METHOD: A combination of ground-based yarding (approximately 58%) and cable yarding (approximately 42%) by volume.

PROJECTS: Road construction (0.7 mile), road improvement (13.2 miles), roadside brushing (7.2 miles), culvert replacement, and post-harvest activities.

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 West Oregon ODF District at 541-929-3266 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 2455.**

- Net and gross acreage for all timber sale areas was determined by using digital orthophotos and GIS.
- Area I is a diameter-limit thinning.
- Areas II-XII are automark thinning units.
- Areas II, IV, and V contain patch-cuts within their boundaries.
- Fell 305 conifer trees for downed wood (20"-24") – see Section 2340.
- Top 305 conifer trees for snag creation (20"-24") – see Section 2335.
- 30 hours of slash piling is required – see Section 2560.

A gate key is required to access Area VI and Area XII, and can be checked out at the Philomath District Office.

Trees belonging to Gates Tree Farm, Inc. on road segment H to G1 are not designated timber, but shall be decked and left on site.

SALE OBJECTIVES: To reduce stand densities which will enhance and maintain growth of residual trees and to develop a Complex Forest Structure over a portion of the landscape.

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 Timber Sale Schedule handbook for disclaimer regarding all governmental regulatory actions.

SALE NAME: Ellmaker Overlook
COUNTY: Lincoln

CONTRACT NO.: 341-06-01

TIMBER SALE NAME: **ElImaker Overlook**

TIMBER SALE NO.: **341-06-01**

OPENING DATE: **October 20, 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 and other hardwoods **\$271.40** per MBF.
Western hemlock and other conifers **\$125.00** per MBF.
Western red cedar **\$650.00** per MBF.

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$152,700**, 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: Ellmaker Overlook
Date: April 21, 2005
To: Dan Borg
CC: Steve Laam, 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 2003 and 2004, using a protocol endorsed by the U.S. Fish and Wildlife Service¹. Northern spotted owls were not observed during these surveys. This sale will be surveyed again in 2005.

Surveys for marbled murrelets were conducted in 2003 and 2004, using a protocol developed by the Pacific Seabird Group². Murrelets were not detected during these surveys.

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.

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.

Operational Considerations

No felling, except for felling associated with project work, shall be allowed prior to the completion of the 2005 northern spotted owl surveys indicating no resident spotted owls.

Current northern spotted owl survey results are valid until March 15, 2007. After the 2005 surveys are completed, the survey results will be valid until March 15, 2008. Marbled murrelet survey results are valid until April 1, 2010.

All timber should be felled by March 15, 2008.

Future Survey Plans

ODF will survey this sale for northern spotted owls in 2005 to extend the duration of the contract. Additionally, ODF has an active survey program and northern spotted owl surveys will be conducted within 3 miles of this sale during the duration of the contract.

Survey Results Summary

Table 1. Northern Spotted Owl Surveys of Ellmaker Overlook

[illegible]

Table 2. Marbled Murrelet Surveys of Ellmaker Overlook

Survey Area	Site	Station	Date	# Detections
ELLMAKER OVERLOOK	1	2	6/6/2003	0
ELLMAKER OVERLOOK	1	1	6/14/2003	0
ELLMAKER OVERLOOK	1	4	7/6/2003	0
ELLMAKER OVERLOOK	1	3	7/17/2003	0
ELLMAKER OVERLOOK	1	3	8/4/2003	0
ELLMAKER OVERLOOK	1	1	5/11/2004	0
ELLMAKER OVERLOOK	1	2	6/8/2004	0
ELLMAKER OVERLOOK	1	3	6/15/2004	0
ELLMAKER OVERLOOK	1	4	7/9/2004	0
ELLMAKER OVERLOOK	1	3	7/16/2004	0
ELLMAKER OVERLOOK	2	2	6/9/2003	0
ELLMAKER OVERLOOK	2	1	6/16/2003	0
ELLMAKER OVERLOOK	2	3	7/7/2003	0
ELLMAKER OVERLOOK	2	4	7/18/2003	0
ELLMAKER OVERLOOK	2	5	7/27/2003	0
ELLMAKER OVERLOOK	2	5	5/22/2004	0
ELLMAKER OVERLOOK	2	2	6/21/2004	0
ELLMAKER OVERLOOK	2	3	7/10/2004	0
ELLMAKER OVERLOOK	2	4	7/17/2004	0
ELLMAKER OVERLOOK	2	1	7/26/2004	0
ELLMAKER OVERLOOK	3	1	6/4/2003	0
ELLMAKER OVERLOOK	3	2	6/21/2003	0
ELLMAKER OVERLOOK	3	1	7/7/2003	0
ELLMAKER OVERLOOK	3	2	7/19/2003	0
ELLMAKER OVERLOOK	3	1	7/29/2003	0
ELLMAKER OVERLOOK	3	1	5/24/2004	0
ELLMAKER OVERLOOK	3	1	6/21/2004	0
ELLMAKER OVERLOOK	3	2	6/28/2004	0
ELLMAKER OVERLOOK	3	1	7/8/2004	0
ELLMAKER OVERLOOK	3	2	7/15/2004	0
ELLMAKER OVERLOOK	4	1	6/4/2003	0
ELLMAKER OVERLOOK	4	1	6/11/2003	0
ELLMAKER OVERLOOK	4	1	7/8/2003	0
ELLMAKER OVERLOOK	4	1	7/20/2003	0
ELLMAKER OVERLOOK	4	1	7/30/2003	0
ELLMAKER OVERLOOK	4	1	5/25/2004	0
ELLMAKER OVERLOOK	4	1	6/22/2004	0
ELLMAKER OVERLOOK	4	1	6/29/2004	0
ELLMAKER OVERLOOK	4	1	7/9/2004	0
ELLMAKER OVERLOOK	4	1	7/16/2004	0

ELLMAKER OVERLOOK	5	1	6/5/2003	0
ELLMAKER OVERLOOK	5	2	6/12/2003	0
ELLMAKER OVERLOOK	5	3	6/19/2003	0
ELLMAKER OVERLOOK	5	5	7/1/2003	0
ELLMAKER OVERLOOK	5	4	7/9/2003	0
ELLMAKER OVERLOOK	5	7	7/24/2003	0
ELLMAKER OVERLOOK	5	6	8/1/2003	0
ELLMAKER OVERLOOK	5	1	5/10/2004	0
ELLMAKER OVERLOOK	5	2	6/7/2004	0
ELLMAKER OVERLOOK	5	5	6/16/2004	0
ELLMAKER OVERLOOK	5	6	6/24/2004	0
ELLMAKER OVERLOOK	5	4	7/7/2004	0
ELLMAKER OVERLOOK	5	3	7/14/2004	0
ELLMAKER OVERLOOK	5	7	7/22/2004	0
ELLMAKER OVERLOOK	6	1	6/5/2003	0
ELLMAKER OVERLOOK	6	2	6/13/2003	0
ELLMAKER OVERLOOK	6	3	6/23/2003	0
ELLMAKER OVERLOOK	6	2	7/2/2003	0
ELLMAKER OVERLOOK	6	1	7/11/2003	0
ELLMAKER OVERLOOK	6	4	7/22/2003	0
ELLMAKER OVERLOOK	6	4	5/13/2004	0
ELLMAKER OVERLOOK	6	1	6/10/2004	0
ELLMAKER OVERLOOK	6	3	6/17/2004	0
ELLMAKER OVERLOOK	6	4	7/4/2004	0
ELLMAKER OVERLOOK	6	2	7/11/2004	0
ELLMAKER OVERLOOK	7	1	5/30/2003	0
ELLMAKER OVERLOOK	7	2	6/6/2003	0
ELLMAKER OVERLOOK	7	2	6/26/2003	0
ELLMAKER OVERLOOK	7	1	7/3/2003	0
ELLMAKER OVERLOOK	7	1	7/10/2003	0
ELLMAKER OVERLOOK	7	1	5/26/2004	0
ELLMAKER OVERLOOK	7	1	6/17/2004	0
ELLMAKER OVERLOOK	7	2	7/7/2004	0
ELLMAKER OVERLOOK	7	1	7/15/2004	0
ELLMAKER OVERLOOK	7	2	7/23/2004	0