

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

SALE NAME/NO.: Mystree Thin 341-07-20

AUCTION DATE/TIME: July 21, 2006, 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: Moderate partial cut of 175 acres, consisting primarily of 60-year-old Douglas-fir, with an additional 5 acres of road construction right-of-way.

SALE LOCATION: Portions of Sections 20, 28, and 29, T3N, R6W, W.M., Tillamook County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: West on Highway 26 (Sunset Hwy.) to Salmonberry Road; southwest on Salmonberry Road for approximately 5.8 miles to the Area 1 sale boundary.

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	19"	2,755							1,885	709	161								
Sale Total		2,755																	

MINIMUM BID: BID SPECIES Douglas-fir \$462.35 per MBF

NO-BID SPECIES Western red cedar \$765.00 per MBF
Hemlock and other conifers \$205.00 per MBF
Red alder and other hardwoods \$430.00 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 \$68,010 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 (\$69,000), 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: \$120,500 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:

AREA	GROUND BASED	MAXIMUM YARDING DISTANCE	CABLE	MAXIMUM YARDING DISTANCE
1	15%	500 feet	85%	1,200 feet
2	80%	500 feet	20%	400 feet
3	75%	800 feet	25%	900 feet

PROJECTS:

Project No. 1: Construct 1.3 miles of road and improve 1.2 miles of existing road for sale access.

Project No. 2: Surface roads with 5,627 cubic yards of rock.

Project No. 3: 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 2455.

Elevation is 1,300 to 2,100 feet.

Felling must be completed by March 15, 2008.

16 hours of shovel time to block skid roads and stack woody debris for firewood.

Top 175 Douglas-fir trees for snag creation.

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

SALE NAME: Mystree Thin
COUNTY: Tillamook
CONTRACT NO.: 341-07-20

TIMBER SALE NAME: **Mystree Thin**

TIMBER SALE NO.: **341-07-20**

OPENING DATE: **July 21, 2006**

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 red cedar **\$765.00** per MBF.
Hemlock and other conifers **\$205.00** per MBF.
Red alder and other hardwoods **\$430.00** per MBF.

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$120,500**, 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. **If the undersigned fails to qualify within the thirty-day period, STATE may disqualify the undersigned from submitting another bid on this timber sale.**

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

**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.]



Oregon

Theodore R. Kulongoski, Governor

Department of Forestry

State Forester's Office

2600 State Street

Salem, OR 97310

503-945-7200

FAX 503-945-7212

TTY 503-945-7213 / 800-437-4490

<http://www.odf.state.or.us>



Biological Survey Report

Project: Mystree Thin
Date: February 21, 2006
To: Erik Marcy
CC: Dave Johnson, District Sale File
From: Marcia Humes *Marcia*

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 2004 and 2005, using a protocol endorsed by the U.S. Fish and Wildlife Service¹. There were 2 responses by a northern spotted owl in 2004. There were no owl responses during surveys in 2005. Previous surveys for northern spotted owls in the vicinity in 2003 had resulted in one response from a northern spotted owl. A resident single activity center was designated based on these spotted owl responses.

Surveys for marbled murrelets are not necessary for this sale.

Known T&E Resources

This sale is within 1.5 mile of the a resident single northern spotted owl activity center. A biological assessment of the sale's impact has been conducted. This assessment concluded that the biological risk of this sale on the spotted owl site was low. The U.S. Fish and Wildlife Service reviewed this assessment and agreed that the Mystree Thin timber sale was not likely to result in incidental take of northern spotted owls.

There are no 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.

Operational Considerations

The northern spotted owl activity center affected by this sale is greater than 0.25 miles from the sale. If owls move to within 0.25 miles of the sale area and establish a nest, seasonal restrictions would be necessary during the nesting season (i.e. March 1 through September 30).

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

Future Survey Plans

The northern spotted owl activity center near this sale will be surveyed during the life of the contract. Additional owl surveys will also be conducted in suitable habitat within 3 miles of the sale.

Marbled murrelet surveys are not scheduled to be conducted within 0.25 miles of the sale at this time.

Survey Results Summary

Table 1. Northern Spotted Owl Surveys of Mystree Thin.

Year	Survey Area	Visit #1	Visit #2	Visit #3	Visit #4	Visit #5	Visit #6
		Date	Date	Date	Date	Date	Date
2004	Mystree Thin	5/5-6 5/6-7	6/17-18	7/22-23 7/26-27	8/10-11	8/16-17	8/27-28
		NR	NR	♀	⊗	NR	NR
2005	Mystree Thin	5/11-12 5/12-13	6/17-18 6/20-21	8/1-2 8/2-3	8/15-16	8/23-24	8/29-30
		NR	NR	NR	NR	NR	NR

NR - no response

V - visual response

bb - new bird banded

j - juvenile

jj - 2 juveniles

■ - last visit to site

M₀ - mouse refused

M₁ - 1mice taken

M₂ - 2 mice taken

M₃ - 3 mice taken

♀ ⊗ ♀ - Female (day, night, early morning)

♂ ⊗ ♂ - Male (day, night, early morning)

M₄ - 4 mice taken

M₅ - 5 mice taken

M₆ - 6 mice taken

♀ ♂ ♀ - Pair (day, night, early morning)

♂ ♂ ♂ - Male (day, night, early morning)

♀ ⊗ ♀ - Female (day, night, early morning)

♂ ⊗ ♂ - Sex Unkn (day, night, early morning)