

NOTICE OF TIMBER SALE

(Recovery – Scaled Sale)

SALE NAME/NO.: Mary's Butte 341-09-49

AUCTION DATE/TIME: January 20, 2009, 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: Area 1 is 21 net acres of modified clearcut; Area 2 is 14 net acres of modified clearcut; Area 3 is 225 net acres of partial cut; Area 4 is 99 net acres of partial cut; Area 5 is 11 net acres of partial cut.

Approximate age: 50 years

SALE LOCATION: Portions of Sections 4, 5, 6, 7, 8, and 9, T1N, R7W, W.M., Tillamook County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: From Tillamook go east on Highway 6 approximately 22 miles to the North Fork Road. To Areas 1 and 3 turn left on Cedar Creek Road; to Areas 2, 4, and 5 continue on North Fork Road to Diamond Mill 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	U T	CR	WRM	PLP
Douglas-fir	16"	4,589							818	2,992	779								
Red Alder	14"	244								46	198								
Sale Total		4,833																	

MINIMUM BID: BID SPECIES Douglas-fir \$122.21 per MBF

NO-BID SPECIES Red alder \$132.64 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 \$236,100 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 (\$237,000), whichever is greater. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: October 31, 2011 BID METHOD: Sealed Bids

BID DEPOSIT: \$35,700 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: 85% cable, 15% ground.

PROJECTS: Project No. 1 – Construct 1.7 miles of road; improve 1.4 miles of road; re-construct 1.7 miles of road.

Project No. 2 – Crush rock and surface roads (5,860 CY of 4" minus, 3,630 CY of pit-run).

Project No. 4 – Stream enhancement work along Jones Creek.

Project No. 5 – Process and compact road segment U to V.

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 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: **NO PERSONAL OR COMPANY CHECKS WILL BE ACCEPTED FOR THE BID DEPOSIT.**

SEASONAL RESTRICTIONS APPLY - SEE SECTION 2455.

Due to proximity to Tillamook Forest Center and Jones Creek Campground, this contract contains operating restrictions for Saturday, Sunday, and holidays from May 15 through September 15.

Decking of private timber removed along right-of-way in Areas 2 and 5 is required.

Purchaser shall create 60 snags in accordance with Section 2335.

Sale acreage was determined using GIS.

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: Mary's Butte
COUNTY: Tillamook
CONTRACT NO.: 341-09-49

TIMBER SALE NAME: **Mary's Butte**

TIMBER SALE NO.: **341-09-49**

OPENING DATE: **January 20, 2009**

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 **\$132.64** per MBF.

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$35,700**, 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. **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

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.]



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>



"STEWARDSHIP IN FORESTRY"

Biological Survey Report

Project: Mary's Butte\Lower Jones\Jones Flat

Date: September 2, 2008

To: Tim Lieske

CC: Andy White, District Sale File

From: Marcia Humes

Marcia

Habitat Suitability

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

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.

Future Survey Plans

ODF has no plans for further survey of this sale. However, ODF will be conducting spotted owl surveys in and around this sale, as part of an investigation into the presence or absence of spotted owl use of the Tillamook Burn.