NOTICE OF TIMBER SALE (Recovery – Scaled Sale)

SALE NAME/NO.: Fire Whirl 341-12-66

AUCTION DATE/TIME: February 14, 2012, 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 572 acres of partial cut, Area 2 is 110 acres of modified clearcut, Area 3 is 15 acres (approximately 1.6 miles) of road daylighting. Approximate age: 54 years.

SALE LOCATION: Portions of Sections 35 and 36, T1S, R7W, and portions of Sections 1, 2, 3, 11, and 12, T2S, R7W, W.M., Tillamook County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: Travel west from Tillamook to Trask River County Road, turn left and go about 10 miles to North Fork Trask Road, turn left and go approximately 3.6 miles to Bark Shanty Road, turn right and go approximately 3.3 miles to Township Road, turn left and go approximately 2.3 miles to Area 1.

APPRAISED VOLUMES AND QUALITY:

<table>
<thead>
<tr>
<th>SPECIES</th>
<th>AVG DBH</th>
<th>TOTAL MBF</th>
<th>1P</th>
<th>2P</th>
<th>3P</th>
<th>P</th>
<th>SM</th>
<th>1S</th>
<th>2S</th>
<th>3S</th>
<th>4S</th>
<th>6-7</th>
<th>8-9</th>
<th>10-11</th>
<th>12+</th>
<th>UT</th>
<th>CR</th>
<th>WRM</th>
<th>PLP</th>
</tr>
</thead>
<tbody>
<tr>
<td>Douglas-fir</td>
<td>15&quot;</td>
<td>4,851</td>
<td>658</td>
<td>3,220</td>
<td>973</td>
<td>120</td>
<td>42</td>
<td>72</td>
<td>58</td>
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<tr>
<td>Red Alder</td>
<td>14&quot;</td>
<td>292</td>
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Sale Total 5,143

MINIMUM BID: BID SPECIES
Douglas-fir ........................................ $140.44 per MBF

NO-BID SPECIES
Red alder and other hardwoods ............... $245.10 per MBF
Western hemlock and other conifers .......... $130.00 per MBF
Western red cedar and other cedars ........ $500.00 per MBF

In order to compensate PURCHASER for Project Work, ODF will credit PURCHASER's timber account in the amount of $208,400 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 $209,000, whichever is greater. Actual bond amount will be rounded up to an even $1,000 unit.

EXPIRATION DATE: October 31, 2014
BID METHOD: Sealed Bids

BID DEPOSIT: $54,400
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: 34% cable logging, 66% ground logging.
PROJECTS:

Project No. 1 – Construct 1.8 miles of road, Improve 5.1 miles of road.
Project No. 2 – Crush and spread rock.
Project No. 3 – Construct 2000 cu/yd stockpile.
Project No. 4 – Seed and mulch.
Project No. 5 – Construct landings.
Project No. 6 – Stage rip-rap and crushed rock.

FEES:

This timber sale is subject to a Public Safety Road Use fee, payable directly to Tillamook County. Payment of this fee is not contingent on hauling on the Trask River County Road (Section 2110).

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 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 ACCEPTED FOR THE BID DEPOSIT.

SEASONAL RESTRICTIONS APPLY - SEE SECTION 2455.
Sale acreage was determined using GIS.
Section 2335 – Snag Creation.
Hauling on North Fork Road is not allowed between November 1 and April 30.

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: Fire Whirl
COUNTY: Tillamook
CONTRACT NO.: 341-12-66
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** ................................................................. $245.10 per MBF.
- **Western hemlock and other conifers** ................................................................. $130.00 per MBF.
- **Western red cedar and other cedars** ................................................................. $500.00 per MBF.

Enclosed is a bid deposit as required, consisting of a ___________________________ in the amount of $54,400, 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**

<table>
<thead>
<tr>
<th>Check</th>
<th>Incorporated in the State of</th>
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<tbody>
<tr>
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</table>

**President's Name**

______________________________

**Secretary's Name**

______________________________

**Purchaser is:**

<table>
<thead>
<tr>
<th>( ) a partnership</th>
<th>( ) an assumed (business) name</th>
<th>( ) company</th>
</tr>
</thead>
<tbody>
<tr>
<td>( ) an individual</td>
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</tbody>
</table>

**List names of all persons doing business under the partnership or assumed name:**

1. ________________________________  ________________________________
2. ________________________________  ________________________________
3. ________________________________  ________________________________

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 directly or indirectly export the unprocessed State timber as defined in OAR 629-031-0020 which is the subject of this transaction.

(b) Shall not engage in export of unprocessed timber originating from private lands in Oregon until such time as all interests in contracts for State timber held by the above have terminated, per OAR 629-031-0010(1)(d).

(c) 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.

(d) 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.

(e) 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.

(f) Have not directly or indirectly 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: Fire Whirl  
Date: October 24, 2011  
To: Eric Perkins  
CC: Dan Goody District Sale File  
From: Matt Gostin

Habitat Suitability

This sale is located within the historic Tillamook burn. By ODF policy, northern spotted owl surveys are not required. This sale is located in the Marbled Murrelet Systematic Survey Zone. By ODF policy, operational marbled murrelet 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 or Marbled Murrelet Management Areas affecting this sale.

Operational Considerations

There are no operational considerations for T&E wildlife species for this sale.

Future Survey Plans

ODF has no plans for further survey of this sale. However, ODF has an active survey program and northern spotted owl surveys will be conducted within 3 miles of this sale during the life of the contract.