

NOTICE OF TIMBER SALE

(R)

SALE NAME/NO.: Bottoms Up 341-02-31

AUCTION DATE/TIME: October 15, 2001, starting at 2:00 p.m.

AUCTION LOCATION: Oregon Department of Forestry
Klamath-Lake District
3200 DeLap Road
Klamath Falls, Oregon 97601
(541) 883-5681 FAX (541) 883-5555

DISTRICT/UNIT: Oregon Department of Forestry
OFFICE (MAILING): Klamath-Lake District
ADDRESS FOR BIDS): 3200 DeLap Road
Klamath Falls, Oregon 97601
(541) 883-5681 FAX (541) 883-5555

HARVEST TYPE: 323-acre selection cut.

SALE LOCATION: Portions of Sections 33 and 34, T32S, R7½E, W.M., Klamath County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: From Klamath Falls, go north on Highway 97 to Highway 62 Junction. Take Highway 62 north to the Highway 232 Junction. Take Highway 232 north past Kimball State Park to the 3 Road. Follow the signs to the timber sale area.

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	
White Fir	17"	122																		122
Pond. Pine	16"	2,487																		2,487
Lodgepole Pine	12"	414																		414
Sale Total		3,023																		

MINIMUM BID: BID SPECIES Ponderosa pine \$199.92 per MBF
 NO-BID SPECIES Lodgepole pine \$134.02 per MBF
 White fir and other conifers \$188.54 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 \$32,025 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 (\$33,000), whichever is greater. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: September 30, 2003 BID METHOD: Sealed Bids

BID DEPOSIT: \$54,300 SALE TYPE: Recovery/BOF – 100%

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

HARVEST METHOD: Tractor yarding – mechanical feller-buncher is required.

PROJECTS: 1.6 miles of road improvement; road maintenance required; felling, yarding, and piling of submerchantable material; slashing of reprod.; lopping of slash (approximately 147 acres); piling of slash (approximately 50 acres).

FEES: None.

THREATENED AND
ENDANGERED SPECIES
INFORMATION:

THIS STATE TIMBER SALE CONTRACT REQUIRES THAT PURCHASER COMPLY WITH ALL LAWS, INCLUDING THE ENDANGERED SPECIES ACT (ESA). IN ACCORDANCE WITH THE EASTERN OREGON LONG-RANGE MANAGEMENT PLAN, THE DEPARTMENT OF FORESTRY (ODF) CONDUCTED MONITORING SURVEYS FOR NORTHERN SPOTTED OWLS IN SUNPASS STATE FOREST IN 1999 AND 2000. RESULTS OF THE SURVEYS ARE ON FILE WITH ODF, AND ARE AVAILABLE FOR INSPECTION UPON REQUEST. NORTHERN SPOTTED OWLS WERE NOT DETECTED IN SURVEY AREAS WITHIN OR ADJACENT TO THIS SALE. HOWEVER, ODF IS ENGAGED IN AN ACTIVE THREATENED OR ENDANGERED SPECIES SURVEY PROCESS AND DOES NOT GUARANTEE THAT A THREATENED OR ENDANGERED SPECIES WILL NOT BE FOUND AS A RESULT OF THOSE SURVEYS OR THE SURVEYS OF OTHERS THAT MIGHT IMPACT THIS SALE. ODF MAY TAKE STEPS, INCLUDING CONTRACT ALTERATION OR TERMINATION AS PROVIDED IN SECTION 32 OF THE CONTRACT, IF ODF BELIEVES THOSE STEPS ARE NECESSARY TO PROTECT THE INTERESTS OF STATE. PURCHASER SHOULD TAKE APPROPRIATE STEPS TO BE CERTAIN THAT NO ESA VIOLATIONS OCCUR.

PROSPECTIVE PURCHASERS ARE ENCOURAGED TO CONTACT THE ODF WILDLIFE INFORMATION COORDINATOR (503-945-7374) 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.

Acres were determined with the use of a Global Positioning System.

Any conifer log having a gross scaling diameter of less than 8.0 inches shall be pencil bucked for the purpose of determining volume.

SALE OBJECTIVES:

To Create a healthy, insect and disease-resistant stand by reducing stocking levels in all size and age classes and by favoring ponderosa pine as a residual species.

See inside front cover of Auction Schedule booklet for disclaimer regarding all governmental regulatory actions.

SALE NAME: Bottoms Up
COUNTY: Klamath
CONTRACT NO.: 341-02-31

TIMBER SALE NAME: **Bottoms Up**

TIMBER SALE NO.: **341-02-31**

OPENING DATE: **October 15, 2001**

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:

ON THE BASIS OF PRICE PER THOUSAND BOARD FEET FOR:

Bid Species:

Ponderosa pine, 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:

Lodgepole pine..... **\$134.02** per MBF.
White fir and other conifers..... **\$188.54** per MBF.

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$54,300**, payable to the State Forester.

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 notification of high bid; 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 he fails 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 company or individual)

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.
- (f) **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.]

Memorandum

Subject: Biological Survey of Bottoms Up
Timber Sale Number 341-02-31

To: Potential Bidders

From: Marcia Humes, Wildlife Biologist

Date: August 30, 2001

PROSPECTIVE PURCHASERS OF STATE TIMBER SALES NEED TO BE AWARE THAT THE DEPARTMENT OF FORESTRY IS ENGAGED IN AN ACTIVE THREATENED AND ENDANGERED SPECIES SURVEY PROGRAM. AS PART OF THAT PROGRAM, ODF SURVEYS ITS LANDS ON A CONTINUING BASIS FOR LAND MANAGEMENT, SPECIES PROTECTION, RESEARCH, AND OTHER REASONS. PROSPECTIVE PURCHASERS ARE REMINDED THAT ODF SURVEYING EFFORTS MAY TAKE PLACE DURING THE LIFE OF ANY TIMBER SALE CONTRACT, AND THAT THE DISCOVERY OF A THREATENED OR ENDANGERED SPECIES IN THE VICINITY OF A TIMBER SALE MAY AFFECT OPERATIONS CONTEMPLATED UNDER THE CONTRACT. THIS INCLUDES TIMBER SALES THAT HAVE BEEN DETERMINED TO BE UNSUITABLE HABITAT OR NOT DETRIMENTAL TO HABITAT. PLEASE REFER TO SECTIONS 30, 32, AND 33 OF YOUR CONTRACT PROSPECTUS, OR CONTACT OUR WILDLIFE INFORMATION COORDINATOR AT (503) 945-7374 FOR FURTHER INFORMATION.

The Sun Pass State Forest, in which the sale is located, was surveyed for northern spotted owls from 1992 – 1994 and again in 1999 and 2000 using standards that met or exceeded protocols approved by the U.S. Fish and Wildlife Service. These surveys were done as monitoring surveys under ODF's Eastern Oregon Long-Range Management Plan. There were no responses to any surveys in 1999 and 2000. This sale is not affected by any known northern spotted owl activity centers.

There are no known bald eagle nests affecting this sale.

There are no seasonal restrictions associated with threatened or endangered species for this sale.

cc: Klamath-Lake District