

NOTICE OF TIMBER SALE

(Recovery – Scaled Sale)

SALE NAME/NO.: North Baber 341-04-23

AUCTION DATE/TIME: March 18, 2004, 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: Clearcut harvest containing approximately 32 net acres of 84-year-old Douglas-fir timber.

SALE LOCATION: Portions of Section 9, T11S, R9W, W.M., Lincoln County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: From Philomath travel west on Highway 20 approximately 25 miles to Eddyville. About 0.2 mile west of Eddyville, turn left and go across the bridge onto the W.O.W. Road. Proceed west approximately 2 miles to Point B. Turn left and drive southeast about a mile to Point A1 and 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
Douglas-fir	27"	801					48		584	160	9								
Red Alder	16"	8															8		
Sale Total		809																	

MINIMUM BID: BID SPECIES Douglas-fir \$426.75 per MBF

NO-BID SPECIES Red alder and other hardwoods \$418.91 per MBF

Western hemlock and other conifers \$100.00 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 \$94,536 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 (\$95,000), whichever is greater. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: December 31, 2004 BID METHOD: Sealed Bids

BID DEPOSIT: \$25,000 SALE TYPE: Recovery/BOF - 100%

INSURANCE: \$2,000,000 Commercial General Liability; \$1,000,000 Automobile Liability;
\$1,000,000 Logger's Broad Form

HARVEST METHOD: Primarily ground-based yarding (approximately 90%) and cable yarding (about 10%) by volume.

PROJECTS: Project No. 1 – Landing construction.
Project No. 2 – Road Improvement (13.1 miles).
Project No. 3 – Roadside Brushing (9.2 miles).
Project No. 4 – Culvert Replacement.
Project No. 5 – Post-Harvest Activities.

FEES: There will be a \$1,000 administrative fee and a \$500 per month license fee required by Union Pacific Railroad Company (Section 53).

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 Philomath 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 39.**
Net and gross acres for the timber sale areas were determined using digital orthophotos and GIS.
Access to the timber sale areas is controlled with a locked gate. Keys are available from the West Oregon District Office at Philomath.
Top 15 trees to create snags after yarding is completed. Fell 45 trees to create down wood after yarding is completed. Whole tree yarding of hardwoods is required. Slash piling on 18 acres is required.

SALE OBJECTIVES: The purpose of the sale is to harvest a mature stand of timber which will generate revenue from Board of Forestry land. Reserve tree retention, snag creation, down wood creation, and replanting with a variety of tree species will move this area toward a more complex stand type in the future.

<p>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.</p>
--

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

SALE NAME: North Baber
COUNTY: Lincoln
CONTRACT NO.: 341-04-23

TIMBER SALE NAME: **North Baber**

TIMBER SALE NO.: **341-04-23**

OPENING DATE: **March 18, 2004**

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:

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 **\$418.91** per MBF.
Western hemlock and other conifers **\$100.00** per MBF.

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$25,000**, 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 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 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: North Baber
Date: December 22, 2003
To: Dan Borg
CC: Steve Laam, District Sale File
From: Marcia Humes

Habitat Suitability

This sale contains suitable habitat for northern spotted owls and marbled murrelets.

Survey Results

This sale was surveyed for northern spotted owls in 2001 and 2002, using a protocol endorsed by the U.S. Fish and Wildlife Service¹. There were no observations of northern spotted owls during any of these surveys.

Surveys for marbled murrelets were conducted in 2001 and 2002, using a protocol developed by the Pacific Seabird Group². There were no observations of marbled murrelets during any of these surveys.

Known T&E Resources

There are no known northern spotted owl activity centers within 1.5 miles or Marbled Murrelet Management Areas within 0.25 miles of this sale.

Operational Considerations

Northern spotted owl survey results are valid until March 15, 2005. Marbled murrelet survey results are valid until April 2008.

All timber should be felled by March 15, 2005.

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.

Future Survey Plans

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

Survey Results Summary

Table 1. Northern Spotted Owl Surveys of North Baber

Year		Visit #1	Visit #2	Visit #3	Visit #4	Visit #5	Visit #6
Survey Area		Date	Date	Date	Date	Date	Date
North Baber 2001		4/5-6	6/28-29	8/1-2			
		NR	NR	NR			
North Baber 2002		3/25-26	4/25-26	6/5-6			
		NR	NR	NR			
NR - no response j - juvenile				M ₀ - mouse refused	M ₄ - 4 mice taken		
V - visual response jj - 2 juveniles				M ₁ - 1mice taken	M ₅ - 5 mice taken		
bb - new bird banded ■■■■ - last visit to site				M ₂ - 2 mice taken	M ₆ - 6 mice taken		
				M ₃ - 3 mice taken			
- Pair (day, night, early morning)				- Female (day, night, early morning)			
- Male (day, night, early morning)				- Sex Unkn (day, night, early morning)			

Table 2. Marbled Murrelet Surveys of North Baber

Survey Area	Site	Station	Date	# Detections
NORTH BABER	1	1	5/15/01	0
NORTH BABER	1	2	6/5/01	0
NORTH BABER	1	4	7/2/01	0
NORTH BABER	1	3	7/27/01	0
NORTH BABER	1	2	5/6/02	0
NORTH BABER	1	1	5/22/02	0
NORTH BABER	1	3	6/12/02	0
NORTH BABER	1	2	7/1/02	0
NORTH BABER	1	4	7/15/02	0
NORTH BABER	1	1	7/24/02	0
NORTH BABER	2	1	6/5/01	0
NORTH BABER	2	2	6/15/01	0
NORTH BABER	2	4	7/4/01	0
NORTH BABER	2	3	7/27/01	0
NORTH BABER	2	1	5/3/02	0
NORTH BABER	2	2	5/20/02	0
NORTH BABER	2	3	6/10/02	0
NORTH BABER	2	4	6/27/02	0
NORTH BABER	2	1	7/7/02	0
NORTH BABER	2	2	7/30/02	0