

**NOTICE OF TIMBER SALE**

(Recovery - Scaled Sale)

SALE NAME/NO.: Leo's Landing 341-04-35  
 AUCTION DATE/TIME: November 17, 2003, 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: Approximately 317-acre selection cut.  
 SALE LOCATION: Portions of Sections 16, 17, 21, 27, 34, and 35, T32S, R7½E, W.M., Klamath County, Oregon.  
 DIRECTIONS TO TIMBER SALE AREA: From Klamath Falls, north on Highway 97 to the Highway 62 junction; Highway 62 north to the Highway 232 junction; Highway 232 north past Kimball State Park to the 3 road intersection. Follow the signs to the timber sale areas.

**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"	52																		52
White Fir	17"	4,280																		4,280
Shasta Red Fir	22"	182																		182
Sugar Pine	22"	253																		253
Pond. Pine	14"	604																		604
Sale Total		5,371																		

MINIMUM BID: BID SPECIES White fir and Shasta red fir ..... \$132.28 per MBF  
 Ponderosa pine ..... \$123.11 per MBF  
 NO-BID SPECIES Sugar pine ..... \$235.61 per MBF  
 Douglas-fir and other conifers ..... \$189.01 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 \$32,285 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, 2006 BID METHOD: Sealed Bids

BID DEPOSIT: \$70,100 SALE TYPE: Recovery/BOF - 100%

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

**HARVEST METHOD:** Areas 1, 2, 3, 4, 6, and 10: Ground-based system. A mechanical feller-buncher with a lateral reaching boom is required.  
 Areas 7, 8, and 9: 45% ground-based system and 55% cable yarding.  
 Area 5: Contains designated timber that is optional removal by ground-based system. Long skidding distances and steep slope limit access.

**PROJECTS:** Road maintenance, 16 miles of road improvement, 1.5 miles of road construction, felling, yarding, piling of submerchantable material, and road closures.

**FEES:** USFS Access Agreement: \$.14/MBF/mile (approximately 325 MBF for 1 mile and 375 MBF for .3 mile). Private road use fee of \$50.00.

**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 Klamath-Lake ODF District at (541) 883-5681 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 by use of a Global Positioning System.  
 (1) Any ponderosa pine or sugar pine having a gross scaling diameter of less than 8 inches shall be pencil bucked for the purpose of determining the volume of the log.  
 (2) All other conifers having a gross scaling diameter of less than 6 inches shall be pencil bucked for the purpose of determining the volume of the log.

**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.

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 Auction Schedule booklet for disclaimer regarding all governmental regulatory actions.**

**SALE NAME:** Leo's Landing  
**COUNTY:** Klamath  
**CONTRACT NO.:** 341-04-35

TIMBER SALE NAME: **Leo's Landing**

TIMBER SALE NO.: **341-04-35**

OPENING DATE: **November 17, 2003**

**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:

**White fir and Shasta red fir**, sawmill grade or better, \_\_\_\_\_  
\_\_\_\_\_ Dollars (\$) \_\_\_\_\_) per MBF.

**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:

**Sugar pine**..... **\$235.61** per MBF.  
**Douglas-fir and other conifers** ..... **\$189.01** per MBF.

Enclosed is a bid deposit as required, consisting of a \_\_\_\_\_ in the amount of **\$70,100**, 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:** Leo's Landing  
**Date:** May 15, 2003  
**To:** Ed DeBlander  
**CC:** Bill Hunt, District Sale File  
**From:** Marcia Humes

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### **Habitat Suitability**

This sale is located in SunPass State Forest, near the eastern edge of the range of the northern spotted owl.

### **Survey Results**

The Sun Pass State Forest 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.<sup>1</sup> 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. Periodic owl surveys will begin again in March of 2005.

### **Known T&E Resources**

This sale is within 1.2 miles of a known northern spotted owl activity center. A Biological Assessment of the sale has been conducted that concludes that the sale will have a low risk of negatively affecting the owl occupancy and reproduction at the activity center, and that harvest of the sale is in compliance with the rescinded incidental take guidelines.<sup>2</sup>

There are no bald eagle nesting sites affecting this sale.

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<sup>1</sup> 1 USDI Fish and Wildlife Service. 1991, revised 1992. Protocol for surveying proposed management activities that may impact northern spotted owls. 15pp.

<sup>2</sup> U.S. Fish & Wildlife Service. 1990. Procedures leading to endangered species compliance for the northern spotted owl. U.S. Fish and Wildlife Service, Region 1, July 1990. 15 pp.

### **Operational Considerations**

There are no seasonal restrictions associated with threatened or endangered species for this sale. However, if northern spotted owls are found within 0.25 miles of the sale area during a particular year, seasonal operating restrictions will be applied from March 15 through September 30 of that year, or until surveys determine that the owls are not nesting.

### **Future Survey Plans**

ODF periodically surveys the Sun Pass State Forest for northern spotted owls. Surveys will occur during the life of the contract, in 2005. Surveys may also be conducted for the owl site within 1.2 miles of the sale, during any given year.