

**NOTICE OF TIMBER SALE****(Recovery - Scaled Sale)**

SALE NAME/NO.: Buttermilk 341-04-37

AUCTION DATE/TIME: November 20, 2003, 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 61 net acres of 52- to 62-year-old conifer and hardwood timber. The older conifer timber within the unit has been marked for retention.

SALE LOCATION: Portions of Section 8, T11S, R8W, W.M., Lincoln County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: From Philomath, travel 22 miles west on Highway 20 to Milepost 27; turn right on Wakefield Road to Old Highway 20; turn right on Old Highway 20 and follow the road through the gate. The timber sale area is approximately 3 miles from the gate. **A key for the gate may be checked out at the Philomath Office.**

**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	18"	973							642	292	39								
Hardwoods	14"	209															209		
Sale Total		1,182																	

MINIMUM BID: BID SPECIES Douglas-fir ..... \$305.37 per MBF

NO-BID SPECIES Red alder and other hardwoods..... \$229.50 per MBF

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 \$7,912 after the project work is completed and accepted, as described in the section titled, "Credit for Project Work."

The timber sale area contains 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 (\$8,000), whichever is greater. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: September 30, 2005 BID METHOD: Sealed Bids

BID DEPOSIT: \$33,700 SALE TYPE: Recovery/CSL – 100%

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

HARVEST METHOD: Skyline cable yarding.

PROJECTS: Project No. 1 – 0.4 mile of road construction.  
Project No. 2 – 3.5 miles of road improvement.  
Project No. 3 – 0.4 mile of road closure (at completion of sale).  
Project No. 4 – Landing patch rock.

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 West Oregon ODF District 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.**  
Acreage for the timber sale area was determined by using transit traverse, digital orthographic photography, and the STATE Geographic Information System (GIS).  
Top 70 trees to create snags after yarding is completed (Section 59).  
Fell 162 trees to create downed wood after yarding is completed (Section 60).  
Whole-tree yarding of hardwoods is required.  
**Access to the timber sale area is controlled with a locked gate. Keys are available from the West Oregon District Office at the address listed on page 1 of this notice.**

SALE OBJECTIVES: The purpose of this timber sale is to harvest a mature stand of timber to generate revenue for the Common School Trust Fund. Reserved trees, snag creation, downed wood creation, and replanting with a variety of conifer species will move this area toward a more complex structure in the future.

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:** Buttermilk  
**COUNTY:** Lincoln  
**CONTRACT NO.:** 341-04-37

TIMBER SALE NAME: **Buttermilk**

TIMBER SALE NO.: **341-04-37**

OPENING DATE: **November 20, 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:

**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** ..... **\$229.50 per MBF.**  
**Other conifers** ..... **\$100.00 per MBF.**

Enclosed is a bid deposit as required, consisting of a \_\_\_\_\_ in the amount of **\$33,700**, 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

**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 -- Revised**

**Project:** Buttermilk  
**Date:** October 8, 2003  
**To:** Dan Borg  
**CC:** Steve Laam, District Sale File  
**From:** Marcia Humes

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### **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 2002 and 2003, using a protocol endorsed by the U.S. Fish and Wildlife Service<sup>1</sup>. 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 Group<sup>2</sup>. 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**

Current northern spotted owl survey results are valid until March 15, 2006. All timber should be felled by March 15, 2006.

Marbled murrelet survey results are valid until April 2008.

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

<sup>2</sup> 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 northern spotted owl surveys will be conducted within 3 miles of this sale during the life of the contract.

## Survey Results Summary

**Table 1. Northern Spotted Owl Surveys of Buttermilk**

[illegible]

### Table 2. Marbled Murrelet Surveys of Buttermilk

Survey Area	Site	Station	Date	# Detections
BUTTERMILK	1	1	5/11/01	0
BUTTERMILK	1	4	6/4/01	0
BUTTERMILK	1	3	6/25/01	0
BUTTERMILK	1	2	7/18/01	0
BUTTERMILK	1	1	5/15/02	0
BUTTERMILK	1	4	6/14/02	0
BUTTERMILK	1	2	7/5/02	0
BUTTERMILK	1	3	7/26/02	0