

# NOTICE OF TIMBER SALE

(Recovery – Scaled Sale)

SALE NAME/NO.: North Nelson 341-04-90

AUCTION DATE/TIME: May 21, 2004, starting at 10:00 a.m.

AUCTION LOCATION: Oregon Department of Forestry  
Western Lane District Headquarters  
87950 Territorial Highway  
Veneta, Oregon 97487  
(541) 935-2283 FAX (541) 935-0731

DISTRICT/UNIT OFFICE (MAILING ADDRESS FOR BIDS): Oregon Department of Forestry  
Western Lane District Headquarters  
PO Box 157  
Veneta, Oregon 97487  
(541) 935-2283 FAX (541) 935-0731

HARVEST TYPE: Approximately 27 acres of modified clearcut in 45- to 65-year-old Douglas-fir, and approximately 174 acres of medium-density thinning in 45- to 65-year-old Douglas-fir.

SALE LOCATION: Portions of the SW¼ of Section 1, T17S, R8W and Section 6, T17S, R7W, W.M., Lane County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: From Veneta, head west on Hwy. 126 for 14.1 miles to the Nelson Mountain County Road. Go 8.2 miles to the Nelson Creek Road (17-8-14). Follow the Nelson Creek Road 2 miles to Area 1.

## 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	12"	3,490							520	2,562	408								
Sale Total		3,490																	

MINIMUM BID: BID SPECIES Douglas-fir..... \$ 289.68 per MBF

NO-BID SPECIES Western redcedar..... \$1,000.00 per MBF  
Hemlock and other conifers ..... \$ 200.00 per MBF  
Maple and other hardwoods ..... \$ 200.00 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 \$307,924 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 (\$308,000), whichever is greater. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: March 15, 2007 BID METHOD: Sealed Bids

BID DEPOSIT: \$70,300 SALE TYPE: Recovery/BOF - 100%

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

HARVEST METHOD: Cable, with minor amounts of tractor.

PROJECTS: 3 miles of road improvement and approximately 3.3 miles of new construction and

reconstruction.

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 Western Lane ODF District at 541-935-2283 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 calculated using a combination of aerial photographs; topographic maps; and rough, on-the-ground traversing.

No activity other than the Nelson Creek Road improvement is permitted until completion of the 2004 spotted owl surveys.

Snag creation is required (Section 60).

SALE OBJECTIVES:

Improve stand structure with the thinnings and add habitat diversity with the modified clearcut.

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:** North Nelson  
**COUNTY:** Lane  
**CONTRACT NO.:** 341-04-90

TIMBER SALE NAME: **North Nelson**

TIMBER SALE NO.: **341-04-90**

OPENING DATE: **May 21, 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:

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:

**Western redcedar** ..... **\$1,000.00** per MBF.  
**Hemlock and other conifers** ..... **\$ 200.00** per MBF.  
**Maple and other hardwoods**..... **\$ 200.00** per MBF.

Enclosed is a bid deposit as required, consisting of a \_\_\_\_\_ in the amount of **\$70,300**, 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 Nelson  
**Date:** January 15, 2004  
**To:** Art McCoy  
**CC:** Rick Rogers, 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 was one observation of northern spotted owls during 2003. This response was associated with a known northern spotted owl activity center.

This sale was surveyed for marbled murrelets, using a protocol developed by the Pacific Seabird Group<sup>2</sup>. There were no detections of marbled murrelets during any of these surveys.

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

There is a resident single northern spotted owl activity center within 1.5 miles of the sale area. A Biological Assessment (BA) completed by ODF concludes that the sale has a low risk of negatively affecting occupancy or productivity of the activity center. The U.S. Fish and Wildlife Service has reviewed the BA and concurred with the assessment.

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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, revised 2003. 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. 76 pp.

## Operational Considerations

Operations other than road improvement project work are restricted in 2004 from March 15 until the conclusion of northern spotted owl surveys, providing surveys do not result in new information that requires additional biological assessment.

Current northern spotted owl survey results are valid until March 15, 2006. After the completion of surveys in 2004, results will be valid until March 15, 2007. Marbled murrelet survey results are valid until April 1, 2009. All timber should be felled by March 15, 2007.

## Future Survey Plans

This sale will be surveyed again in 2004, and northern spotted owl surveys for other operations 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 North Nelson**

Year	Visit #1	Visit #2	Visit #3	Visit #4	Visit #5	Visit #6	
Survey Area	Date	Date	Date	Date	Date	Date	
North Nelson	04/01-02	5/13-14 5/14-15	7/01-02 7/02-03				
2002	NR	NR	NR				
North Nelson	4/22-23	6/05-06	7/28-29	8/05-06	8/11-12	8/18-19	
2003	NR	NR	♂ <sup>3</sup>	NR	NR	NR	
NR	- no response	j	- juvenile	M <sub>0</sub>	- mouse refused	M <sub>4</sub>	- 4 mice taken
V	- visual response	jj	- 2 juveniles	M <sub>1</sub>	- 1mice taken	M <sub>5</sub>	- 5 mice taken
bb	- new bird banded	■	- last visit to site	M <sub>2</sub>	- 2 mice taken	M <sub>6</sub>	- 6 mice taken
				M <sub>3</sub>	- 3 mice taken		
♀	♀	♀	- Pair (day, night, early morning)	♀	♀	♀	- Female (day, night, early morning)
♂	♂	♂	- Male (day, night, early morning)	○	⊗	⊙	- Sex Unkn (day, night, early morning)

<sup>3</sup> Response associated with a known activity center addressed in the Biological Assessment.

**Table 1. Marbled Murrelet Surveys of North Nelson<sup>4</sup>**

Survey Area	Site	Station	Date	# Detections
NORTH NELSON	1	1	5/26/00	0
NORTH NELSON	1	1	6/21/00	0
NORTH NELSON	1	1	7/18/00	0
NORTH NELSON	1	1	7/31/00	0
NORTH NELSON	1	1	6/11/01	0
NORTH NELSON	1	2	6/18/01	0
NORTH NELSON	1	3	7/9/01	0
NORTH NELSON	1	2	7/22/01	0
NORTH NELSON	1	1	5/17/02	0
NORTH NELSON	1	2	6/12/02	0
NORTH NELSON	1	3	7/2/02	0
NORTH NELSON	1	4	7/18/02	0
NORTH NELSON	1	5	7/31/02	0
NORTH NELSON	1	1	6/8/03	0
NORTH NELSON	1	2	6/16/03	0
NORTH NELSON	1	1	7/6/03	0
NORTH NELSON	1	2	7/13/03	0
NORTH NELSON	1	2	7/30/03	0
NORTH NELSON	2	1	5/21/02	0
NORTH NELSON	2	2	6/13/02	0
NORTH NELSON	2	3	7/3/02	0
NORTH NELSON	2	1	7/31/02	0
NORTH NELSON	2	1	5/12/03	0
NORTH NELSON	2	2	6/9/03	0
NORTH NELSON	2	3	6/16/03	0
NORTH NELSON	2	2	7/3/03	0
NORTH NELSON	2	1	7/10/03	0
NORTH NELSON	3	1	5/20/02	0
NORTH NELSON	3	2	6/14/02	0
NORTH NELSON	3	1	7/4/02	0
NORTH NELSON	3	2	7/24/02	0

<sup>4</sup> The number and size of survey sites were expanded in 2002. In 2003, changes to survey policy resulted in eliminating one survey site (Site 3) that did not contain potential habitat contiguous to the sale area.