

**NOTICE OF TIMBER SALE**

(Recovery - Scaled Sale)

SALE NAME/NO.: Smokestack 341-04-91

AUCTION DATE/TIME: June 14, 2004, 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 OFFICE (MAILING ADDRESS FOR BIDS): Oregon Department of Forestry  
Klamath-Lake District  
3200 DeLap Road  
Klamath Falls, Oregon 97601  
(541) 883-5681 FAX (541) 883-5555

HARVEST TYPE: 486-acre selection cut.

SALE LOCATION: Portions of Sections 4, 5, 8, and 9, T41S, R7E, W.M., Klamath County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: From Klamath Falls, go west on Highway 66 to the Topsy Road. Follow Topsy Road south to the BLM Road No. 40-7E-19. Follow 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	
Douglas-fir	14.5"	425																		425
Pond. Pine	14.3"	2,077																		2,077
Incense Cedar	35"	9																		9
Sale Total		2,511																		

MINIMUM BID: BID SPECIES Ponderosa pine ..... \$199.94 per MBF

NO-BID SPECIES Douglas-fir and other conifers..... \$276.03 per MBF

Incense cedar..... \$345.52 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 \$20,903.48 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). Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: September 29, 2006 BID METHOD: Sealed Bids

BID DEPOSIT: \$51,400 SALE TYPE: Recovery/BOF - 100%

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

HARVEST METHOD: 100% tractor logging. A mechanical feller-buncher with a lateral reaching boom is required for all mechanical felling.

PROJECTS: 3,255 feet of new construction; 5.45 miles of road improvement; felling, yarding, and piling of submerchantable material; slash piling within the sale area (approximately

24 acres) - slash will be piled with an excavator; and approximately 1.6 miles of road closures.

**FEES:**

Temporary water use permit: \$100.00

BLM rock wear fee: \$.39/MBF/mile (approximately 2.4 miles)

Boise Cascade road use fee: \$3.47/MBF

**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 with the use of a Global Positioning System and GIS data.

Any ponderosa pine log having a gross scaling diameter of less than 8 inches shall be pencil bucked for the purpose of determining volume.

Other conifer logs having a gross scaling diameter of less than 6 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 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: Smokestack**  
**COUNTY: Klamath**  
**CONTRACT NO.: 341-04-91**

TIMBER SALE NAME: **Smokestack**

TIMBER SALE NO.: **341-04-91**

OPENING DATE: **June 14, 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:

**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:

**Douglas-fir and other conifers** ..... **\$276.03** per MBF.  
**Incense cedar** ..... **\$345.52** per MBF.

Enclosed is a bid deposit as required, consisting of a \_\_\_\_\_ in the amount of **\$51,400**, 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:** Smokestack  
**Date:** March 4, 2004  
**To:** Ed DeBlander  
**CC:** Bill Hunt, District Sale File  
**From:** Marcia Humes

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### **Habitat Suitability**

This sale is located outside of the range of the northern spotted owl.

### **Survey Results**

T&E surveys are not necessary for this sale.

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

This sale is not affected by any known threatened or endangered species sites.

### **Operational Considerations**

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

### **Future Survey Plans**

ODF has no survey plans for this sale.