

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

SALE NAME/NO.: Lucas Creek Thin 341-05-09

AUCTION DATE/TIME: October 21, 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: Oregon Department of Forestry
OFFICE (MAILING): West Oregon District Headquarters
ADDRESS FOR BIDS: 24533 Alsea Highway
Philomath, Oregon 97370
(541) 929-3266 FAX (541) 929-5549

HARVEST TYPE: Automark commercial thinning harvest containing 159 net acres of 40- to 48-year-old Douglas-fir and western hemlock timber.

SALE LOCATION: Portions of Sections 28 and 29, T9S, R8W, W.M., Polk County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: From Philomath, proceed west on Highway 20 for 11 miles to Blodgett/Nashville Road; turn right and travel 7 miles to Nashville; turn right on Logsdon Road and go 3.1 miles to Green Mountain Road; turn right and proceed 6.7 miles to Knife Ridge Road; drive straight ahead for about 2.0 miles on Knife Ridge Road 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
Douglas-fir	14"	671							104	357	210					
W. Hem / fir	14"	1,055							84	735	236					
Sale Total		1,726														

MINIMUM BID: BID SPECIES Douglas-fir \$239.31 per MBF
Western hemlock and other conifers \$ 88.57 per MBF

NO-BID SPECIES Western red cedar..... \$600.00 per MBF
Red alder and other hardwoods..... \$225.00 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 \$66,542 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 (\$67,000), 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: \$18,700 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: A combination of cable yarding (approximately 66%) and ground-based yarding (approximately 34%) by volume.

PROJECTS: Road construction (0.15 mile), road improvement (12.1 miles), roadside brushing

(6.5 miles), fill removal, and post-harvest activities.

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.

- Net and gross acreage for all timber sale areas was determined by using digital orthophotos and GIS.
- All 4 sale areas are automark thinning units.
- Seasonal restrictions will be required when operating in Area I due to its close proximity to a Marbled Murrelet Management Area.
- Fell 151 conifer trees for downed wood.
- Work on Project No. 4 shall be completed between August 6 and September 15, 2006.

SALE OBJECTIVES:

To reduce stand densities, maintain growth of residual trees, and develop a complex forest structure over the landscape.

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: Lucas Creek Thin
COUNTY: Polk
CONTRACT NO.: 341-05-09

TIMBER SALE NAME: **Lucas Creek Thin**

TIMBER SALE NO.: **341-05-09**

OPENING DATE: **October 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.

Western hemlock and other conifers, 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 red cedar **\$600.00** per MBF.
Red alder and other hardwoods **\$225.00** per MBF.

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$18,700**, 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 notice of intent to award; 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: Lucas Creek Thin
Date: July 30, 2004
To: Dan Borg
CC: Steve Laam, District Sale File
From: Marcia Humes

Habitat Suitability

This sale contains suitable habitat for northern spotted owls. The sale does not contain potential habitat for marbled murrelets.

Survey Results

This sale was surveyed for northern spotted owls in 2003 and 2004, 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 are not necessary.

Known T&E Resources

There are no known northern spotted owl activity centers within 1.5 miles of this sale. Area 1 is within 0.25 miles of a Marbled Murrelet Management Area.

Operational Considerations

Seasonal restrictions will apply from April 1 through September 15, annually, for Area 1 of this sale. Operations may be allowed from 2 hours after sunrise until 2 hours before sunset from August 6 through September 15, annually.

Northern spotted owl survey results are valid until March 15, 2007. All timber should be felled by March 15, 2007.

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

ODF has no plans for further survey of this sale.

Table 1. Northern Spotted Owl Surveys of Lucas Creek Thin

[illegible]