

NOTICE OF TIMBER SALE

(Recovery – Scaled Sale)

SALE NAME/NO.: Three P 341-05-10

AUCTION DATE/TIME: July 19, 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: 436-acre selection cut.

SALE LOCATION: Portions of Sections 20, 21, 28, 29, and 33, T32S, R7½E, W.M., Klamath County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: From Klamath Falls, go north on Highway 97 to the junction with Highway 62. Take Highway 62 north to the junction of Highway 232. Take Highway 232 north past Kimball State Park to the 3 Road. Follow the 3 Road approximately 2.5 miles to the southeast corner of 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	
Pond. Pine	12"	650																		650
Sugar Pine	16"	315																		315
White Fir	17"	151																		151
Lodgepole Pine	10"	46																		46
Sale Total		1,162																		

MINIMUM BID: BID SPECIES Ponderosa pine \$152.93 per MBF
Sugar pine \$305.94 per MBF

NO-BID SPECIES White fir \$150.55 per MBF
Lodgepole pine..... \$ 87.03 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 \$8,530 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). Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: September 30, 2006 BID METHOD: Sealed Bids

BID DEPOSIT: \$21,300 SALE TYPE: Recovery/BOF – 100%

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

HARVEST METHOD: Tractor yarding, stage logging, and a mechanical feller-buncher with a lateral reaching capability of at least 20 feet is required.

PROJECTS: Felling, yarding, and piling of submerchantable trees; road closures; and tractor piling/scarification.

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 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.**
Acreage was determined using a global positioning system.
Any conifer log 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: 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 tree 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: Three P
COUNTY: Klamath
CONTRACT NO.: 341-05-10

TIMBER SALE NAME: **Three P**

TIMBER SALE NO.: **341-05-10**

OPENING DATE: **July 19, 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

Sugar 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:

White fir..... **\$150.55** per MBF.
Lodgepole pine..... **\$ 87.03** per MBF.

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$21,300**, 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: Three P
Date: March 31, 2004
To: Ed DeBlander
CC: Bill Hunt, District Sale File
From: Marcia Humes

Habitat Suitability

This sale is located in the Sun Pass State Forest, near the 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 a protocol endorsed by the U.S. Fish and Wildlife Service¹. 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.

Periodic northern goshawk surveys on the Sun Pass State Forest were conducted in 2003 and will be conducted again in 2004.

Known T&E Resources

There are no known northern spotted owl activity centers within 1.2 miles of this sale. This sale are no known bald eagle nesting sites affecting this sale.

Operational Considerations

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

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

Future Survey Plans

Northern spotted owl surveys will be conducted during the life of the contract, in 2005 and 2006. Surveys for northern goshawks will be conducted across the Sun Pass State Forest in 2004.