

NOTICE OF TIMBER SALE

(Recovery – Scaled Sale)

SALE NAME/NO.: Haynes Head 341-05-81

AUCTION DATE/TIME: March 17, 2005, starting at 2:00 p.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 79 acres of modified clearcut, 121 acres of medium thinning, and 5 acres of R/W within the thinning in 65- to 70-year-old Douglas-fir.

SALE LOCATION: Portions of Section 8, T17S, R7W, W.M., Lane County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: From Veneta, head west on Highway 126 and proceed 14.1 miles to Nelson Mountain Road; turn north and travel 5 miles to Knapp Road; then go 1.3 miles on Knapp Road to Area I.

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	17"	3,901							1,995	1,773	133												
Red Alder	17"	55																					55
Sale Total		3,956																					

MINIMUM BID: BID SPECIES Douglas-fir \$ 308.49 per MBF

NO-BID SPECIES Redcedar \$ 800.00 per MBF

Hemlock and other conifers \$ 250.00 per MBF

Alder and other hardwoods \$17,711.10 TOTAL PRICE

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 \$255,531 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 (\$256,000), whichever is greater. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: June 30, 2007 BID METHOD: Sealed Bids

BID DEPOSIT: \$96,500 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 potential for ground skidding in portions of Areas I and III.

PROJECTS: 2.8 miles of road construction.

FEES: Payment for Bureau of Land Management (BLM) right-of-way timber (see Section 2120).

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 (Veneta) 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 determined by a combination of rough traversing and plotting on 20-foot contour topography maps.
- **A gate key is available at the Western Lane Headquarters for the west end of the Nelson Divide Road.**
- The total purchase price for hardwoods must be paid prior to June 30, 2005.
- Timber felling within Areas I, II, III, and IV must be completed by March 15, 2007.
- Snag creation is required on Areas II, III, and VII (see Section 2335).

SALE OBJECTIVES: Increase forest diversity in the landscape and produce state and local revenues.

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: Haynes Head
COUNTY: Lane
CONTRACT NO.: 341-05-81

TIMBER SALE NAME: **Haynes Head**

TIMBER SALE NO.: **341-05-81**

OPENING DATE: **March 17, 2005**

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:

Redcedar \$ **800.00** per MBF.
Hemlock and other conifers \$ **250.00** per MBF.
Alder and other hardwoods..... **\$17,711.10** TOTAL PRICE

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$96,500**, 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.]

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Biological Survey Report

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Project: Haynes Head
Date: January 31, 2005
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 potential habitat for marbled murrelets.

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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 was one observation of a northern spotted owl in 2003. Additional visits in 2003 and 2004 resulted in no further observations of northern spotted owls, and the response from 2003 was determined to be a non-territorial (or "floater") owl.

Surveys for marbled murrelets were conducted in 2001 and 2002, using a protocol developed by the Pacific Seabird Group². Murrelets were not detected during these surveys.

Known T&E Resources

The Nelson Creek spotted owl site is approximately 0.9 miles from the proposed Haynes Head timber sale. A Biological Assessment of the sale's impact on the activity centers has been conducted. It concludes that Haynes Head sale as currently planned will have a low risk of negatively affecting the occupancy and

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

² 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.

productivity of the Nelson Creek spotted owl site. The U.S. Fish and Wildlife Service reviewed a preliminary version of this biological assessment and concurred that the sale is not likely to result in incidental take of spotted owls.

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There are no Marbled Murrelet Management Areas within 0.25 miles of this sale.

Operational Considerations

Current northern spotted owl survey results are valid until March 15, 2007. Marbled murrelet survey results are valid until April 1, 2008. All timber should be felled by March 15, 2007.

Deleted: Approximately 181 acres of the sale are within 1.5 miles of the activity center. This sale does not affect the 0.7 mile circle. The Nelson Creek owl activity center is on ODF land. Federally managed land makes up 50% of the area within 1.5 miles of the spotted owl activity center, 29% is managed by ODF and 21% is managed by other landowners. The preliminary habitat analysis of this site indicates that the ITG will be met within 1.5 miles of the activity center after harvest of the sale area. ¶

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. and ODF will continue to monitor the Nelson Creek owl site. Additionally, marbled murrelet surveys will be conducted within 0.25 miles of the sale.

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Survey Results Summary

Table 1. Northern Spotted Owl Surveys of Haynes Head

Year	Survey Area	Visit #1	Visit #2	Visit #3	Visit #4	Visit #5	Visit #6
		Date	Date	Date	Date	Date	Date
	Haynes Head	4/22-23 4/24-25	6/05-06	7/28-29	8/12-13	8/18-19	8/27-28
2003		NR	NR	♂ ⁷	NR	NR	NR
	Haynes Head	4/12-13 4/14-15 4/15-16	5/23-24 5/24-25 5/25-26	7/05-06 7/07-08			
2004		STVA	STVA	NR			
NR - no response		j - juvenile		M ₀ - mouse refused		M ₄ - 4 mice taken	
V - visual response		jj - 2 juveniles		M ₁ - 1mice taken		M ₅ - 5 mice taken	
bb - new bird banded		■ - last visit to site		M ₂ - 2 mice taken		M ₆ - 6 mice taken	
<u>STVA - Barred owl</u>				M ₃ - 3 mice taken			
♂ ♀ ♂ ♀ ♀ ♀ - Pair (day, night, early morning)				♀ ♀ ♀ - Female (day, night, early morning)			
♂ ♂ ♂ - Male (day, night, early morning)				○ ⊗ ⊙ - Sex Unkn (day, night, early morning)			

Table 2. Marbled Murrelet Surveys of Haynes Head

Survey Area	Site	Station	Date	# Detections
HAYNES HEAD	1	1	5/17/2001	0
HAYNES HEAD	1	2	5/25/2001	0
HAYNES HEAD	1	3	6/13/2001	0
HAYNES HEAD	1	4	6/27/2001	0
HAYNES HEAD	1	5	7/11/2001	0
HAYNES HEAD A	1	1	5/14/2002	0
HAYNES HEAD A	1	3	6/7/2002	0
HAYNES HEAD A	1	2	6/17/2002	0
HAYNES HEAD A	1	4	7/4/2002	0
HAYNES HEAD A	1	5	7/24/2002	0
HAYNES HEAD	2	4	5/18/2001	0
HAYNES HEAD	2	2	6/14/2001	0
HAYNES HEAD	2	3	6/28/2001	0
HAYNES HEAD	2	1	7/12/2001	0
HAYNES HEAD B	2	3	5/15/2002	0
HAYNES HEAD B	2	5	6/10/2002	0
HAYNES HEAD B	2	2	7/6/2002	0
HAYNES HEAD B	2	1	7/26/2002	0
HAYNES HEAD B	2	4	8/3/2002	0
HAYNES HEAD	3	1	5/21/2001	0
HAYNES HEAD	3	2	6/15/2001	0
HAYNES HEAD	3	3	6/29/2001	0
HAYNES HEAD	3	3	7/13/2001	0
HAYNES HEAD C	3	2	5/16/2002	0
HAYNES HEAD C	3	1	6/11/2002	0
HAYNES HEAD C	3	3	7/9/2002	0
HAYNES HEAD C	3	4	7/23/2002	0