

## NOTICE OF TIMBER SALE

(Recovery – Scaled Sale)

SALE NAME/NO.: Otter Creek Overlook 341-06-04

AUCTION DATE/TIME: August 17, 2005, starting at 2:00 p.m.

AUCTION LOCATION: Oregon Department of Forestry  
Coos District – CFPA Crewhouse  
63612 Fifth Road  
Coos Bay, Oregon 97420  
(541) 267-4136 FAX (541) 269-2027

DISTRICT/UNIT: Oregon Department of Forestry  
OFFICE (MAILING: Coos District  
ADDRESS FOR BIDS): 63612 Fifth Road  
Coos Bay, Oregon 97420  
(541) 267-4136 FAX (541) 269-2027

HARVEST TYPE: Regeneration harvest of two units containing approximately 44 acres of predominately 141-year old mature, second growth Douglas-fir sawtimber with a large component of red alder and western hemlock, and 2 acres of 40-year-old Douglas-fir.

SALE LOCATION: The timber sale area is located in portions of Sections 10 and 11, T23S, R11W, W.M., Coos County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: The timber sale area is located approximately 33 miles northeast of Coos Bay via U.S. Highway 101, North Lake County Road, the 4000 Road and the 2560 Road.

### 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	31"	1,823			182		292		839	510									
W Hem./fir	23"	126							38	84	4								
Red Alder	18"	270							86	100	84								
Sale Total		2,219																	

MINIMUM BID: BID SPECIES Douglas-fir ..... \$570.05 per MBF

NO-BID SPECIES Western hemlock and other conifers ..... \$335.20 per MBF  
Western red cedar..... \$655.00 per MBF  
Red alder and other hardwoods..... \$443.58 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 \$18,234 after the project work is completed and accepted, as described in Section 2630, "Credit for Project Work."

The timber sale areas contain negligible volumes of other logs to be paid for at the prices in Section 1740.

PERFORMANCE SECURITY: 20% of bid value (unknown) **or** the total value of the project work (\$19,000), whichever is greater. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: October 1, 2007 BID METHOD: Sealed Bids

BID DEPOSIT: \$118,200 SALE TYPE: Recovery/CSL - 100%

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

HARVEST METHOD: 100 percent uphill cable yarding with full and single-end suspension.

PROJECTS:	Landing construction, landing, and road improvement.
FEES:	None.
ENDANGERED SPECIES ACT COMPLIANCE STATEMENT:	<p>The Oregon Department of Forestry (ODF) is engaged in an active threatened and endangered (T&amp;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&amp;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&amp;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.</p> <p>Prospective purchasers are encouraged to contact the Coos ODF District at 541-267-4136 for further information or questions relative to threatened or endangered species surveys, future planned survey information, or other threatened or endangered species information.</p>
SPECIAL REMARKS:	<p><b>SEASONAL RESTRICTIONS APPLY - SEE SECTION 2455.</b></p> <p>Acreage was determined by electronic digitizing using 2003 digital orthophotography and ArcView GIS software program.</p> <p>Create 25 snags by topping trees per Section 2335.</p> <p>Place fish log structures in Otter Creek where cables cross the buffer (Section 2350 and Exhibit H).</p> <p>This timber sale area is designed to be logged during the dry season. PURCHASER must comply with Winter and Wet Weather option (Section 2610) if operations are conducted in the wet season.</p>
SALE OBJECTIVES:	The objectives of this timber sale are to provide revenue for the Common School Fund and to create a young-age class stand in accordance with balanced landscape approach to the Elliott State Forest Management Plan.

<p>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.</p>
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**See inside front cover of Timber Sale Schedule handbook for disclaimer regarding all governmental regulatory actions.**

<b>SALE NAME:</b>	<b>Otter Creek Overlook</b>
<b>COUNTY:</b>	<b>Coos</b>
<b>CONTRACT NO.:</b>	<b>341-06-04</b>

TIMBER SALE NAME: **Otter Creek Overlook**

TIMBER SALE NO.: **341-06-04**

OPENING DATE: **August 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:

**Western hemlock and other conifers** ..... **\$335.20** per MBF.  
**Western red cedar** ..... **\$655.00** per MBF.  
**Red alder and other hardwoods** ..... **\$443.58** per MBF.

Enclosed is a bid deposit as required, consisting of a \_\_\_\_\_ in the amount of **\$118,200**, 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: Otter Creek Overlook  
Date: March 22, 2005  
To: Norma Kline  
CC: Jim Young, District Sale File  
From: Marcia Humes

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### **Habitat Conservation Plan Area**

This sale is within an area covered by a Habitat Conservation Plan (HCP) approved by the U. S. Fish and Wildlife Service. The Incidental Take Permit (ITP) for the HCP covers northern spotted owls. Under the provisions of this HCP, surveys are not required for northern spotted owls.

### **Habitat Suitability**

This sale contains potential habitat for marbled murrelets.

### **Survey Results**

Surveys for marbled murrelets were conducted in 2003 and 2004, using a protocol developed by the Pacific Seabird Group<sup>1</sup>. Murrelets were not detected during these surveys.

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

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

### **Operational Considerations**

Marbled murrelet survey results are valid until April 1, 2010. All timber should be felled prior to April 1, 2010.

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<sup>1</sup> Evans, D. M., W. P. Ritchie, S. K. Nelson, E. Kuo-Harrison, Peter Harrison, T. E. Hamer, eds. 2000. 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. 64 pp.

## Future Survey Plans

There are no future survey plans for this sale.

**Table 1. Marbled murrelet survey results for Otter Creek Overlook**

Survey Area	Site	Station	Date	# Detections
OTTER CREEK	1	1	5/5/2003	0
OTTER CREEK	1	2	5/16/2003	0
OTTER CREEK	1	5	5/26/2003	0
OTTER CREEK	1	4	6/7/2003	0
OTTER CREEK	1	3	6/16/2003	0
OTTER CREEK	1	6	7/3/2003	0
OTTER CREEK	1	2	7/11/2003	0
OTTER CREEK	1	4	7/22/2003	0
OTTER CREEK	1	3	7/29/2003	0
OTTER CREEK	1	1	5/10/2004	0
OTTER CREEK	1	2	5/19/2004	0
OTTER CREEK	1	6	6/8/2004	0
OTTER CREEK	1	5	7/7/2004	0
OTTER CREEK	1	4	7/15/2004	0
OTTER CREEK	1	3	7/23/2004	0