

**NOTICE OF TIMBER SALE**

(Recovery – Scaled Sale)

SALE NAME/NO.: Rackheap Falls 341-07-22

AUCTION DATE/TIME: July 18, 2006, starting at 10:00 a.m.

AUCTION LOCATION: Oregon Department of Forestry  
Tillamook District Headquarters  
5005 Third Street  
Tillamook, Oregon 97141  
(503) 842-2545 FAX (503) 842-3143

DISTRICT/UNIT OFFICE (MAILING ADDRESS FOR BIDS): Oregon Department of Forestry  
Tillamook District Headquarters  
5005 Third Street  
Tillamook, Oregon 97141  
(503) 842-2545 FAX (503) 842-3143

HARVEST TYPE: Partial cut: 309 acres.  
Approximate age: 65 years.

SALE LOCATION: Portions of Sections 10, 14, 15, 16, and 23, T3N, R9W, W.M., Tillamook County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: Highway 101 north to Highway 53, then north to Gods Valley County Road; turn right at Milepost 1.5 onto Hansen Road, then take Fall Creek Ridge Road to the 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	20"	4,631					396		2,504	1,479	252								
W Hem. / fir	16"	3,857					24		695	2,529	609								
Sitka Spruce	12"	60								46	14								
Red Alder	16"	394								148	246								
Sale Total		8,942																	

MINIMUM BID: BID SPECIES Douglas-fir ..... \$370.04 per MBF  
Western hemlock..... \$143.42 per MBF

NO-BID SPECIES Sitka spruce ..... \$123.47 per MBF  
Red alder ..... \$315.56 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 \$313,950 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 (\$314,000), whichever is greater. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: June 30, 2009 BID METHOD: Sealed Bids

BID DEPOSIT: \$208,400 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: 75% cable; 25% ground.

PROJECTS: 8.3 miles of road improvement.  
0.9 mile of road construction.  
Culvert removal.  
Rock stockpile construction.

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 Tillamook ODF District at 503-842-2545 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 2455.**  
Acreage was calculated from a GIS digital orthophoto.  
See "Logging Plan" in Cruise Report for acres expected to be harvested.  
Snag creation is required (see Section 2335).  
**Felling operations, except for project work, shall not start prior to September 1, 2006.**  
**All felling shall be completed by March 15, 2009.**

SALE OBJECTIVES: Partial cut Douglas-fir, western hemlock, and alder to develop a multi-layered stand.

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 Timber Sale Schedule handbook for disclaimer regarding all governmental regulatory actions.**

SALE NAME: Rackheap Falls  
COUNTY: Tillamook  
CONTRACT NO.: 341-07-22

TIMBER SALE NAME: Rackheap Falls

TIMBER SALE NO.: 341-07-22

OPENING DATE: July 18, 2006

### 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, 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:

Sitka spruce..... \$123.47 per MBF.  
Red alder..... \$315.56 per MBF.

Enclosed is a bid deposit as required, consisting of a \_\_\_\_\_ in the amount of \$208,400, 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 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. If the undersigned fails to qualify within the thirty-day period, STATE may disqualify the undersigned from submitting another bid on this timber sale.

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.]



# Oregon

Theodore R. Kulongoski, Governor

## Department of Forestry

State Forester's Office

2600 State Street

Salem, OR 97310

(503) 945-7200

FAX (503) 945-7212

TTY (503) 945-7213 / 800-437-4490

<http://www.odf.state.or.us>



"STEWARDSHIP IN FORESTRY"

## Biological Survey Report

**Project:** Rackheap Falls  
**Date:** May 30, 2006  
**To:** Barbara Moore  
**CC:** Ross Holloway, District Sale File  
**From:** Marcia Humes *Marcia*

---

### Habitat Suitability

This sale contains suitable habitat for northern spotted owls and potential habitat for marbled murrelets.

### Survey Results

This sale was surveyed for northern spotted owls in 2004 and 2005, using a protocol endorsed by the U.S. Fish and Wildlife Service<sup>1</sup>. A northern spotted owl was observed once in 2004. A juvenile and an adult unknown *Strix* species owl were heard during visits in 2004. Additional surveys in 2004 and 2005 resulted in no further detections of northern spotted owls. The presence of spotted owls in the area could not be confirmed beyond the one observation, so that observation was determined to be a non-territorial single (or "floater") owl. Barred owls were detected in the vicinity of the sale. Surveys will be conducted again in 2006.

Surveys for marbled murrelets were conducted in 2004 and 2005, using a protocol developed by the Pacific Seabird Group<sup>2</sup>. There were several observations of marbled murrelets during these surveys, including subcanopy observations indicating

---

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

<sup>2</sup> 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.

occupancy. The Area Biologist has granted a survey waiver for Area 3 due to the low quality of the potential habitat within this Area compared to the adjacent Marbled Murrelet Management Area (MMMA), the low anticipated impact of the harvest prescription on the potential habitat, and application of seasonal operational restrictions. Subcanopy behaviors in potential habitat in Area 3 observed during earlier surveys were attributed to the Rackheap Creek MMMA.

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

There are no known northern spotted owl activity centers within 1.5 miles of this sale.

As a result of subcanopy behaviors observed during surveys, additional acreage has been added to an existing MMMA and a new MMMA has been created within 0.25 miles of the sale. This sale has been modified to exclude portions of the original planned sale that have been incorporated into the existing MMMA's. Previous surveys in this vicinity resulted in the establishment of the Rackheap Creek MMMA adjacent to this sale area.

### **Operational Considerations**

Seasonal operating restrictions, other than those specified below, will be in effect from April 1 through September 15, annually for sale areas within 330 feet of likely nesting habitat within a Marbled Murrelet Management Area. Operations may be allowed from 2 hours after sunrise until 2 hours before sunset from August 6 through September 15, annually.

Seasonal operating restrictions for the use of explosives associated with road construction will be in effect from April 1 through September 15, within ¼ mile of suitable nesting habitat within Marbled Murrelet Management Area. Restrictions may be modified or waived by the Area Biologist.

Seasonal operating restrictions for the use of explosives associated with quarry operations will be in effect from April 1 through September 15, within 1 mile of suitable nesting habitat within Marbled Murrelet Management Area. Restrictions may be modified or waived by the Area Biologist.

In addition to the above restrictions, no felling, except for felling associated with project work, shall be allowed from March 15, 2006 until August 31, 2006, or until the completion of the 2006 northern spotted surveys indicating no resident spotted owls.

Current northern spotted owl survey results are valid until March 15, 2008. After the 2006 surveys are completed, the survey results will be valid until March 15, 2009. Marbled murrelet survey results are valid until April 1, 2011. All timber should be felled by March 15, 2009.

## Future Survey Plans

ODF plans to conduct spotted owl surveys in 2006 to extend the duration of the sale contract. In addition, ODF has an active survey program and northern spotted owl surveys will be conducted at other sites within 3 miles of this sale during the life of the contract.

## Survey Results Summary

**Table 1. Northern Spotted Owl Surveys of Rackheap Falls**

Year	Survey Area	Visit #1 Date	Visit #2 Date	Visit #3 Date	Visit #4 Date	Visit #5 Date	Visit #6 Date
2004	Rackheap Falls	4/27-28 4/28-29 5/3	6/3-4 6/8 6/8-9 6/9-10	7/13-14 7/14 7/14-15	8/10-11		
		♀, A (4/27-28)	⊗ Juvie Begging (unk STRIX)	Unk STRIX (7/13-14)	NR		
2005	Rackheap Falls	4/18-19 4/19-20 4/20 4/20-21	6/6-7 6/7-8 6/8 6/8-9	7/13-14 7/14 7/14-15 7/17-18			
		NR	NR	NR			

  

NR - no response	j - juvenile	M <sub>0</sub> - mouse refused	M <sub>4</sub> - 4 mice taken
V - visual response	jj - 2 juveniles	M <sub>1</sub> - 1 mice taken	M <sub>5</sub> - 5 mice taken
bb - new bird banded	■ - last visit to site	M <sub>2</sub> - 2 mice taken	M <sub>6</sub> - 6 mice taken
		M <sub>3</sub> - 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 Rackheap Falls**

Survey Area	Site	Station	Date	# Detections
RACKHEAP FALLS	1	4	05/11/2004	0
RACKHEAP FALLS	1	4	05/18/2004	0
RACKHEAP FALLS	1	5	05/27/2004	0
RACKHEAP FALLS	1	1	06/09/2004	0
RACKHEAP FALLS	1	2	06/22/2004	0
RACKHEAP FALLS	1	3	07/05/2004	2
RACKHEAP FALLS	1	5	07/14/2004	0
RACKHEAP FALLS	1	1	07/23/2004	0
RACKHEAP FALLS	1	4	07/30/2004	1
RACKHEAP FALLS	1	1	05/09/2005	0
RACKHEAP FALLS	1	2	05/20/2005	9
RACKHEAP FALLS	1	2	05/26/2005	1
RACKHEAP FALLS	1	2	05/26/2005	0
RACKHEAP FALLS	1	3	06/01/2005	4
RACKHEAP FALLS	1	2	06/02/2005	2
RACKHEAP FALLS	1	3	06/02/2005	24
RACKHEAP FALLS	1	4	06/14/2005	0
RACKHEAP FALLS	1	5	06/30/2005	2
RACKHEAP FALLS	1	4	07/08/2005	4
RACKHEAP FALLS	1	6	07/16/2005	0
RACKHEAP FALLS	1	4	07/25/2005	0
RACKHEAP FALLS	1	5	08/02/2005	0
RACKHEAP FALLS	2	1	05/12/2004	0
RACKHEAP FALLS	2	3	05/19/2004	0
RACKHEAP FALLS	2	4	05/27/2004	0
RACKHEAP FALLS	2	2	06/10/2004	0
RACKHEAP FALLS	2	5	06/23/2004	0
RACKHEAP FALLS	2	2	07/05/2004	25
RACKHEAP FALLS	2	1	07/15/2004	20
RACKHEAP FALLS	2	7	07/20/2004	11
RACKHEAP FALLS	2	6	07/24/2004	0
RACKHEAP FALLS	2	3	07/26/2004	0
RACKHEAP FALLS	2	4	07/28/2004	0
RACKHEAP FALLS	2	5	07/30/2004	2
RACKHEAP FALLS	2	6	08/01/2004	5
RACKHEAP FALLS	3	4	05/08/2004	0
RACKHEAP FALLS	3	2	05/25/2004	0
RACKHEAP FALLS	3	3	05/31/2004	0
RACKHEAP FALLS	3	1	06/14/2004	0
RACKHEAP FALLS	3	4	06/29/2004	0

Survey Area	Site	Station	Date	# Detections
RACKHEAP FALLS	3	2	07/09/2004	0
RACKHEAP FALLS	3	3	07/22/2004	0
RACKHEAP FALLS	3	1	07/28/2004	0
RACKHEAP FALLS	3	4	08/03/2004	0
RACKHEAP FALLS	3	1	05/04/2005	0
RACKHEAP FALLS	3	2	05/11/2005	0
RACKHEAP FALLS	3	3	05/23/2005	0
RACKHEAP FALLS	3	4	06/02/2005	0
RACKHEAP FALLS	3	1	06/16/2005	0
RACKHEAP FALLS	3	2	07/04/2005	0
RACKHEAP FALLS	3	3	07/11/2005	0
RACKHEAP FALLS	3	4	07/18/2005	0
RACKHEAP FALLS	3	3	07/27/2005	0
RACKHEAP FALLS	4	1	05/03/2004	0
RACKHEAP FALLS	4	2	05/17/2004	0
RACKHEAP FALLS	4	3	05/26/2004	0
RACKHEAP FALLS	4	4	06/07/2004	0
RACKHEAP FALLS	4	1	06/22/2004	0
RACKHEAP FALLS	4	2	07/05/2004	0
RACKHEAP FALLS	4	3	07/15/2004	0
RACKHEAP FALLS	4	4	07/24/2004	0
RACKHEAP FALLS	4	1	07/30/2004	0
RACKHEAP FALLS	4	1	05/02/2005	0
RACKHEAP FALLS	4	2	05/09/2005	0
RACKHEAP FALLS	4	3	05/20/2005	0
RACKHEAP FALLS	4	4	06/01/2005	0
RACKHEAP FALLS	4	1	06/14/2005	0
RACKHEAP FALLS	4	4	07/01/2005	0
RACKHEAP FALLS	4	2	07/08/2005	0
RACKHEAP FALLS	4	3	07/16/2005	0
RACKHEAP FALLS	4	1	07/25/2005	0
RACKHEAP FALLS	5	1	05/13/2004	0
RACKHEAP FALLS	5	2	05/21/2004	0
RACKHEAP FALLS	5	4	05/30/2004	0
RACKHEAP FALLS	5	3	06/12/2004	0
RACKHEAP FALLS	5	1	06/28/2004	0
RACKHEAP FALLS	5	2	07/09/2004	0
RACKHEAP FALLS	5	4	07/19/2004	0
RACKHEAP FALLS	5	3	07/27/2004	0
RACKHEAP FALLS	5	1	08/02/2004	0
RACKHEAP FALLS	5	1	05/02/2005	0
RACKHEAP FALLS	5	2	05/12/2005	0

Survey Area	Site	Station	Date	# Detections
RACKHEAP FALLS	5	3	05/24/2005	0
RACKHEAP FALLS	5	4	06/08/2005	0
RACKHEAP FALLS	5	1	06/20/2005	0
RACKHEAP FALLS	5	2	07/05/2005	0
RACKHEAP FALLS	5	3	07/12/2005	0
RACKHEAP FALLS	5	4	07/20/2005	0
RACKHEAP FALLS	5	2	07/28/2005	0
RACKHEAP FALLS	6	5	05/10/2004	0
RACKHEAP FALLS	6	4	05/19/2004	0
RACKHEAP FALLS	6	2	05/27/2004	0
RACKHEAP FALLS	6	3	06/08/2004	0
RACKHEAP FALLS	6	1	06/24/2004	0
RACKHEAP FALLS	6	6	07/09/2004	0
RACKHEAP FALLS	6	5	07/17/2004	0
RACKHEAP FALLS	6	2	07/26/2004	0
RACKHEAP FALLS	6	4	08/01/2004	0
RACKHEAP FALLS	6	3	05/04/2005	2
RACKHEAP FALLS	6	1	05/12/2005	0
RACKHEAP FALLS	6	2	05/24/2005	0
RACKHEAP FALLS	6	4	06/08/2005	0
RACKHEAP FALLS	6	5	06/20/2005	0
RACKHEAP FALLS	6	6	07/05/2005	0
RACKHEAP FALLS	6	1	07/12/2005	0
RACKHEAP FALLS	6	2	07/20/2005	0
RACKHEAP FALLS	6	4	07/28/2005	0