

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

SALE NAME/NO.: Biker Baber 341-09-02

AUCTION DATE/TIME: November 20, 2008, starting at 10:00 a.m.

AUCTION LOCATION: Oregon Department of Forestry
West Oregon District Headquarters
24533 Alsea Highway
Philomath, Oregon 97370-9112
(541) 929-3266 FAX (541) 929-5549

DISTRICT/UNIT OFFICE (MAILING ADDRESS FOR BIDS): Oregon Department of Forestry
West Oregon District Headquarters
24533 Alsea Highway
Philomath, Oregon 97370-9112
(541) 929-3266 FAX (541) 929-5549

HARVEST TYPE: Modified clearcut harvest containing 55 net acres of 79-year-old Douglas-fir and mixed hardwoods in one sale area.

SALE LOCATION: Portions of Section 16, T11S, R9W, W.M., Lincoln County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: From Philomath, take Highway 20 west approximately 26 miles to the W.O.W. Road. Turn left and proceed 2.1 miles to Baber Butte Road. Turn left and travel approximately 1.7 miles to arrive at the sale location.

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	29"	2,465					17		2,133	222	93								
Red Alder	21"	147															147		
Sale Total		2,612																	

MINIMUM BID: BID SPECIES Douglas-fir \$318.50 per MBF

NO-BID SPECIES Western hemlock and other conifers \$ 80.00 per MBF

Red alder and other hardwoods..... \$466.81 per MBF

Western redcedar..... \$807.00 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 \$83,311 after the project work is completed and accepted, as described in Section 2630, "[Credit for Project Work](#)."

The timber sale area contains 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 (\$84,000), whichever is greater. Actual bond amount will be rounded up to an even \$1,000 unit

EXPIRATION DATE: December 31, 2010 BID METHOD: Sealed Bids

BID DEPOSIT: \$77,000 SALE TYPE: Recovery/BOF - 18%
CSL - 82%

INSURANCE: \$2,000,000 Commercial General Liability; \$1,000,000 Automobile Liability;
\$1,000,000 Logger's Broad Form

HARVEST METHOD: Harvesting will require 100% cable yarding.

PROJECTS: Road improvement and bridge construction/installation.

FEES: There will be a \$545 application fee, a \$1,000 administrative fee, and a \$500 per month license fee required by Union Pacific Railroad Company (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 West Oregon District 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: **NO PERSONAL OR COMPANY CHECKS WILL BE ACCEPTED FOR THE BID DEPOSIT.**

SEASONAL RESTRICTIONS APPLY - SEE SECTION 2455.

- Net and gross acreage for the timber sale area was determined using digital orthophotos and GIS.
- A minimum of 40 percent of the estimated bid value shall be paid on or before November 1, 2009 (Section 1750).
- Fire trail construction is required.
- 4 hours of firewood sorting required on landing.
- A permanent inventory plot is located within the Timber Sale Area that will require leaving the square aluminum tags attached to all trees at the base, for both reserved and harvested timber.
- **Timber felling, Yarding, and log hauling shall not be allowed from April 1 through September 15.**
- 28 trees will be topped to create snags (Section 2335); and 55 trees will be felled for downed wood (Section 2340).

The information shown on the Exhibit A maps 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: Biker Baber
COUNTY: Lincoln
CONTRACT NO.: 341-09-02

TIMBER SALE NAME: **Biker Baber**

TIMBER SALE NO.: **341-09-02**

OPENING DATE: **November 20, 2008**

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 **\$ 80.00** per MBF.
Red alder and other hardwoods **\$466.81** per MBF.
Western redcedar **\$807.00** per MBF.

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$77,000**, 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: Biker Baber
Date: August 29, 2008
To: Dan Borg
CC: Steve Laam, 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 2007 and 2008, using a protocol endorsed by the U.S. Fish and Wildlife Service¹. Northern spotted owls were not observed during these surveys.

A survey waiver has been issued for unsurveyed potential marbled murrelet habitat north of the timber sale boundary. For suitable habitat in the remainder of the sale area, surveys for marbled murrelets were conducted in 2007 and 2008, using a protocol developed by the Pacific Seabird Group². Murrelets were not detected during these surveys.

Known T&E Resources

There are no northern spotted owl activity centers within 1.5 miles or Marbled Murrelet Management Areas within 0.25 miles of this sale.

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. 2003. Methods for surveying marbled murrelets in forests: an revised protocol for land management and research. Unpublished report for the Pacific Seabird Group Marbled Murrelet Technical Committee. 76 pp.

Operational Considerations

Seasonal operating restrictions will be in effect from April 1 through September 15, annually for sale areas within 330 feet of potential marbled murrelet habitat north of the sale as per the survey waiver.

Current northern spotted owl survey results are valid until March 15, 2011. Marbled murrelet survey results are valid until April 1, 2014. All timber should be felled by March 15, 2011.

Future Survey Plans

ODF has no plans for further survey of this sale.

Survey Results Summary

Table 1. Northern Spotted Owl Surveys of Biker Baber (surveyed as South Baber and Biker Baber)

Year	Visit #1	Visit #2	Visit #3	Visit #4	Visit #5	Visit #6
Survey Area	Date	Date	Date	Date	Date	Date
South Baber	4/10-11 4/14-15	6/9-10	8/3-4			
2007	NR	NR	NR			
Biker Baber	4/3-4	6/10-11	7/11-12			
2008	NR	NR	NR			
R - 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 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 Biker Baber (surveyed as South Baber)

Survey Area	Site	Station	Date	# Detections
SOUTH BABER	1	1	05/02/2007	0
SOUTH BABER	1	2	05/23/2007	0
SOUTH BABER	1	3	06/13/2007	0
SOUTH BABER	1	4	07/03/2007	0
SOUTH BABER	1	5	07/18/2007	0
SOUTH BABER	1	1	05/05/2008	0
SOUTH BABER	1	2	05/26/2008	0
SOUTH BABER	1	3	06/12/2008	0
SOUTH BABER	1	4	07/03/2008	0
SOUTH BABER	1	5	07/11/2008	0