

NOTICE OF TIMBER SALE

(Recovery – Scaled Sale)

SALE NAME/NO.: Hammerhead 341-09-21

AUCTION DATE/TIME: November 17, 2008, 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: 559-acre selection harvest.

SALE LOCATION: Portions of Sections 16, 21, 22, and 28, T32S, R7½E, W.M., Klamath County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: From Klamath Falls travel north on Highway 97 to Highway 62. Follow Highway 62 until intersecting with the Sun Mountain Road. Go right on Sun Mountain Road until reaching the 3 Road at the end of the pavement (approximately 3 miles). Turn left and follow the 3 Road until reaching the 7 Road (approximately 2.5 miles). Turn right on the 7 Road and continue on the 7 Road approximately 1.2 miles until reaching the posted sale boundary. **Gate keys and permits are available at the Klamath-Lake District Office.**

APPRAISED VOLUMES AND QUALITY:

SPECIES	AVG DBH	TOTAL MBF	GRADES BY MBF																P L P
			1P	2P	3P	P	SM	1S	2S	3S	4S	5S	6S	SEL	SC	UT	CR	WRM	
Sugar Pine	15"	104															104		
Pond. Pine	13"	366															366		
White Fir	16"	3,643															3,643		
Lodgepole Pine	13"	26															26		
Sale Total		4,139																	

MINIMUM BID: BID SPECIES White fir \$171.42 per MBF

NO-BID SPECIES Sugar pine \$ 96.73 per MBF

Lodgepole pine..... \$104.72 per MBF

Ponderosa pine and other conifers..... \$127.66 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 \$31,243.16 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 (\$32,000), whichever is greater. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: October 31, 2011 BID METHOD: Sealed Bids

BID DEPOSIT: \$65,200 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: 100% tractor logging. A mechanical feller-buncher with a lateral reaching boom is required for all mechanical felling.

PROJECTS: 5 miles of road improvement (clear brush and open to traffic).
Shape and clear brush along the 10 Road, approximately 2 miles.
Fell, skid, and pile submerchantable material (Areas I, II, and III).
Close roads to vehicular access, approximately 2 miles.

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 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: **NO PERSONAL OR COMPANY CHECKS WILL BE ACCEPTED FOR THE BID DEPOSIT.**
Acreage was determined using GIS data.
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 (Section 2020).
The timber sale area is located behind a gate. This gate is to remain closed and locked from November 1 to June 30, annually. PURCHASER must make arrangements with the Klamath-Lake District Office if operations are active during this period.

Gate keys and permits are available at the Klamath-Lake District Office.

<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>
--

See inside front cover of Timber Sale Schedule handbook for disclaimer regarding all governmental regulatory actions.

SALE NAME: Hammerhead
COUNTY: Klamath
CONTRACT NO.: 341-09-21

TIMBER SALE NAME: **Hammerhead**

TIMBER SALE NO.: **341-09-21**

OPENING DATE: **November 17, 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:

White 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:

Sugar pine..... **\$ 96.73** per MBF.
Lodgepole pine..... **\$104.72** per MBF.
Ponderosa pine and other conifers **\$127.66** per MBF.

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$65,200** 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. **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: Hammer Head
Date: May 27, 2008
To: John Pellissier
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, 1999 - 2000, and 2005 - 2006 using standards that meet or exceed protocols approved by the U.S. Fish and Wildlife Service. These surveys are done as monitoring surveys under ODF's Eastern Oregon Long-Range Management Plan. There were no responses to any surveys in 1999, 2000, 2005 and 2006.

Known T&E Resources

There are no known northern spotted owl activity centers within 1.2 miles of this sale. There are no known bald eagle nest sites within 0.5 miles of this sale. There are bald eagle nests in vicinity of the currently planned haul route.

Operational Considerations

If nesting occurs within 0.25 miles or 0.5 miles line of sight hauling should be restricted during the nesting season (January 1 through August 1) or rerouted away from the nest. There are no other seasonal restrictions associated with threatened, endangered or sensitive species for this sale.

Future Survey Plans

Northern spotted owl monitoring surveys will be initiated in 2011 during the life of the contract.



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>

Biological Survey Report - Revised



"STEWARDSHIP IN FORESTRY"

Project: Hammerhead

Date: October 9, 2008

To: John Pellissier

CC: District Sale File

From: Marcia Humes

Marcia

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, 1999 - 2000, and 2005 - 2006 using standards that meet or exceed protocols approved by the U.S. Fish and Wildlife Service. These surveys are done as monitoring surveys under ODF's Eastern Oregon Long-Range Management Plan. There were no responses to any surveys in 1999, 2000, 2005 and 2006.

Known T&E Resources

This sale is within 1.2 miles of a northern spotted owl activity center. A biological assessment of the sale's impact on this owl site has been conducted. It concludes that the Hammerhead sale poses a low risk of negatively affecting the occupancy and productivity of the Sand Ridge spotted owl pair.

There are no known bald eagle nest sites within 0.5 miles of this sale. There are bald eagle nests in vicinity of the currently planned haul route.

Operational Considerations

If bald eagle nesting occurs within 0.25 miles or 0.5 miles line of sight, hauling should be restricted during the nesting season (January 1 through August 1) or rerouted away from the nest. There are no other seasonal restrictions associated with threatened, endangered or sensitive species for this sale.

Future Survey Plans

Northern spotted owl monitoring surveys will be initiated in 2011 during the life of the contract.