

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

SALE NAME/NO.: Mill Creek Bridge No. 2 341-09-39

AUCTION DATE/TIME: August 20, 2008, 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 OFFICE (MAILING ADDRESS FOR BIDS): Oregon Department of Forestry
Coos District
63612 Fifth Road
Coos Bay, Oregon 97420
(541) 267-4136 FAX (541) 269-2027

HARVEST TYPE: Regeneration harvest containing approximately 109 net acres of 45-year-old, third growth Douglas-fir/hemlock/hardwood mix.

SALE LOCATION: The timber sale area is located in portions of Section 2, T23S, R10W, W.M., Douglas County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: From Reedsport, take Highway 38 upriver 13.2 miles to the Loon Lake Road. Turn onto the Loon Lake Road and proceed approximately 6.9 miles to BLM Road No. 23-10-2.3 (Sock Creek Road). Continue up the Sock Creek Road for approximately 0.10 mile to the timber sale area.

APPRAISED VOLUMES AND QUALITY:

SPECIES	AVG DBH	TOTAL MBF	GRADES BY MBF																
			1P	2P	3P	P	SM	1S	2S	3S	3S+	4S	SC	UT	CR	WRM	PLP		
Douglas-fir	13"	1,439							259	950		230							
W Hem. / fir	14"	354							53	237		64							
									SIZE CLASS BY MBF										
									12"+	10"-11"	8"-9"	6"-7"							
Red Alder	12"	171							46	27	19	79							
Sale Total		1,964																	

MINIMUM BID: BID SPECIES Douglas-fir \$185.64 per MBF

NO-BID SPECIES Western hemlock and other conifers \$ 66.67 per MBF
 Western redcedar..... \$752.14 per MBF
 Red alder..... \$340.64 per MBF
 Bigleaf maple and other hardwoods \$204.22 per MBF
 Conifer/hardwood pulp..... \$ 25.00 per load
 Conifer/hardwood biomass \$ 1.50 per load

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 \$115,356 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 (\$116,000), whichever is greater. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: October 1, 2011 BID METHOD: Sealed Bids

BID DEPOSIT: \$23,300 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: 90% cable yarding with full and single-end suspension. 10% ground-yarding.

PROJECTS: Road and landing construction, truck turnaround preparation, road surfacing.

FEES: BLM road maintenance fee for 1.2 miles of paved Sock Creek Road at \$.53 per MBF per mile and a \$5,000 performance bond.

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 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.

SPECIAL REMARKS: **NO PERSONAL OR COMPANY CHECKS WILL BE ACCEPTED FOR THE BID DEPOSIT.**

SEASONAL RESTRICTIONS APPLY - SEE SECTION 2455.

Acreage was determined by electronic digitizing using 2005 digital orthophotography and ArcView GIS software program. Existing interior road acreage was deducted.

Western half of timber sale area is situated within a Scenic Production area. Green tree retention is designed to mitigate visual impacts from Loon Lake County Road.

Purchaser will be required to enter into a License Agreement with BLM for use of paved Sock Creek Road (Section 2120).

The timber sale area is seasonally restricted due to proximity to suitable marbled murrelet habitat. Southeastern portion of timber sale area is seasonally restricted due to proximity to Northern Spotted Owl. Southeastern portion also may potentially be impacted by 0.50 mile line of sight distance to Bald Eagle nest if eagles are present and nesting as determined yearly by STATE (Section 2455).

Sections: 1010, "Definition of Terms"; 1740, "Log Prices"; 2015, "Log Accountability"; 2020, "Log Measurement", 2030, "Log Branding and Painting"; and Exhibit C, contain special language for pulp and biomass removal. PURCHASER is not contractually obligated to remove pulp or biomass debris from the timber sale area and will not be held liable by STATE if said material is not removed.

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: Mill Creek Bridge No. 2
COUNTY: Douglas
CONTRACT NO.: 341-09-39

TIMBER SALE NAME: **Mill Creek Bridge No. 2**

TIMBER SALE NO.: **341-09-39**

OPENING DATE: **August 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	\$ 66.67 per MBF.
Western redcedar	\$752.14 per MBF.
Red alder	\$340.64 per MBF.
Bigleaf maple and other hardwoods	\$204.22 per MBF.
Conifer/hardwood pulp.....	\$ 25.00 per load.
Conifer/hardwood biomass.....	\$ 1.50 per load.

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$23,300**, 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: Mill Creek Bridge No. 2

Date: June 29, 2007

To: Norma Kline

CC: Jim Young, District Sale File

From: Marcia Humes

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

There is no potential habitat for marbled murrelets within the sale area. However, the sale area is adjacent to potential habitat for marbled murrelets.

Survey Results

A survey waiver for marbled murrelets has been issued for this sale.

Known T&E Resources

There are no Marbled Murrelet Management Areas affecting this sale.

There is a northern spotted owl activity center within 0.25 miles of the sale. In addition, there is a bald eagle nest site within ½ mile line-of-sight of this sale.

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. Operations may be allowed from 2 hours after sunrise until 2 hours before sunset from August 6 through September 15, annually. Trees with suitable platforms outside of the sale area should not be selected for tailholds or yarder guy line supports.

Seasonal operating restrictions from April 1 through September 15 also will be in effect for the use of explosives associated with rock quarries in or within 1.0 miles of potential marbled murrelet habitat and the use of explosives associated with road construction in or within 0.25 miles potential marbled murrelet habitat.

Additional seasonal operating restrictions may be required from January 1 through August 31 if bald eagles are found to be nesting within ½ mile line of site of the sale area. Adjustments to these restrictions may be made by the Area Biologist depending upon when nesting is initiated and when juveniles have fledged.

Additional seasonal operating restrictions from March 1 to July 7 are required for portions of the sale area within 0.25 miles of a nesting pair of northern spotted owls. Seasonal restrictions may be waived if the owls are determined to be non-nesting.

Future Survey Plans

ODF has no plans for further survey of this sale.