

NOTICE OF TIMBER SALE

(Recovery – Scaled Sale)

SALE NAME/NO.: Panther Bowl 341-09-53

AUCTION DATE/TIME: May 20, 2009, starting at 2:00 p.m.

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

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

HARVEST TYPE: The timber sale is 69 acres of a moderately stocked single age stand that is predominantly second-growth Douglas-fir. It is composed of approximately 115-year-old Douglas-fir of good quality with a minor component of red alder and western hemlock. Conifers range from 80 to 198 feet tall (average height is 125 feet) while hardwoods are about 76 feet in height.

SALE LOCATION: The timber sale area is located in portions of Section 17, T23S, R10W, W.M. Coos County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: From Coos Bay travel north on Highway 101 to the town of Reedsport and proceed east on Highway 38 for approximately 13 miles to the Loon Lake Road junction. From there proceed for approximately 10 miles to Elk Ridge Road (1000 Line). Proceed on the 1000 line for 5.5 miles to the 8000 Road junction, and then proceed approximately 0.25 mile to the 8800 Road junction and proceed 0.7 mile up the 8800 Road to the 8820 Road junction. This road is the upper road on the west side of the timber sale.

APPRAISED VOLUMES AND QUALITY:

SPECIES	AVG DBH	TOTAL MBF	GRADES BY MBF															
			2P	3P	SM	1S	2S	3S	4S	5S	6S	SEL	SC	UT	C R	WRM	PLP	
Douglas-fir	23"	3,773		42	460		2,871	400										
W Hem. / fir	26"	53					22	24	7									
Red Alder	19"	18																
Sale Total		3,844																

MINIMUM BID: BID SPECIES Douglas-fir \$305.72 per MBF

NO-BID SPECIES Western hemlock and other conifers \$ 77.94 per MBF
Red alder and other hardwoods..... \$200.62 per MBF
Western redcedar..... \$510.00 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 \$58,634 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 (\$59,000),

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: \$110,200 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 cable yarding
PROJECTS: Project 1: Road and landing construction.
Project 2: Road and landing improvement.
Project 3: Rock stockpile.
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 ODF Coos 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 ACCEPTED FOR THE BID DEPOSIT. SEASONAL RESTRICTIONS APPLY - SEE SECTION 2455.**
The sale area is designed to be logged during the dry season. Purchaser shall comply with the "Winter and Wet Weather Option" if operations are conducted in the wet season (Section 2610).
Create 35 snags by topping 18 trees and girdling 17 trees.
This sale includes fish log placement (Section 2350).

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: Panther Bowl
COUNTY: Coos
CONTRACT NO.: 341-09-53

TIMBER SALE NAME: **Panther Bowl**

TIMBER SALE NO.: **341-09-53**

OPENING DATE: **May 20, 2009**

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 \$ **77.94** per MBF.
Western redcedar \$ **510.00** per MBF.
Red alders and other hardwoods \$ **200.62** per MBF.

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$110,200**, 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: Panther Bowl
Date: September 15, 2008
To: Norma Kline
CC: Jim Young, District Sale File
From: Marcia Humes *Marcia*

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 2007 and 2008, using a protocol developed by the Pacific Seabird Group¹. Murrelets were detected as present at Site 1 during a single survey visit in 2007. Murrelets were detected as present at Site 2 during a single survey visit in 2008. However, behaviors indicating murrelet occupancy were not observed.

Known T&E Resources

This sale is within 0.25 miles of a Marbled Murrelet Management Area.

¹ 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 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.

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

Current marbled murrelet survey results are valid until April 1, 2014. All timber should be felled by April 1, 2014.

Future Survey Plans

ODF has no plans for further survey of this sale at this time.

Survey Results Summary

Table 1. Marbled Murrelet Surveys of Panther Bowl

Survey Area	Site	Station	Date	# Detections
PANTHER BOWL	1	2	05/09/2007	0
PANTHER BOWL	1	4	05/23/2007	0
PANTHER BOWL	1	1	06/05/2007	1
PANTHER BOWL	1	3	06/16/2007	0
PANTHER BOWL	1	2	06/22/2007	0
PANTHER BOWL	1	1	07/08/2007	0
PANTHER BOWL	1	4	07/16/2007	0
PANTHER BOWL	1	3	07/24/2007	0
PANTHER BOWL	1	1	07/31/2007	0
PANTHER BOWL	2	1	05/08/2007	0
PANTHER BOWL	2	6	05/22/2007	0
PANTHER BOWL	2	3	05/30/2007	0
PANTHER BOWL	2	5	06/07/2007	0
PANTHER BOWL	2	4	06/19/2007	0
PANTHER BOWL	2	2	07/03/2007	0
PANTHER BOWL	2	5	07/12/2007	0
PANTHER BOWL	2	1	07/19/2007	0
PANTHER BOWL	2	2	07/26/2007	0
PANTHER BOWL	1	3	05/15/2008	0
PANTHER BOWL	1	2	05/25/2008	0
PANTHER BOWL	1	1	06/02/2008	0

Survey Area	Site	Station	Date	# Detections
PANTHER BOWL	1	4	06/12/2008	0
PANTHER BOWL	1	3	06/19/2008	0
PANTHER BOWL	1	2	07/01/2008	0
PANTHER BOWL	1	1	07/08/2008	0
PANTHER BOWL	1	4	07/17/2008	0
PANTHER BOWL	1	3	07/29/2008	0
PANTHER BOWL	2	2	05/16/2008	0
PANTHER BOWL	2	4	05/26/2008	0
PANTHER BOWL	2	1	06/03/2008	0
PANTHER BOWL	2	3	06/13/2008	0
PANTHER BOWL	2	6	06/21/2008	0
PANTHER BOWL	2	5	07/05/2008	0
PANTHER BOWL	2	2	07/12/2008	6
PANTHER BOWL	2	1	07/19/2008	0
PANTHER BOWL	2	5	07/26/2008	0