

NOTICE OF TIMBER SALE

(Recovery – Scaled Sale)

SALE NAME/NO.: California Elk 341-10-08

AUCTION DATE/TIME: February 16, 2010 starting at 2:00 p.m.

AUCTION LOCATION: Oregon Department of Forestry
Astoria District Headquarters
92219 Highway 202
Astoria, Oregon 97103
(503) 325-5451 FAX (503) 325-2756
(4 miles SE of Astoria on Highway 202)

DISTRICT/UNIT: Oregon Department of Forestry
OFFICE (MAILING): Astoria District Headquarters
ADDRESS FOR BIDS): 92219 Highway 202
Astoria, Oregon 97103
(503) 325-5451 FAX (503) 325-2756

HARVEST TYPE: **Area 1:** Approximately 27 net acres of first entry “Auto-Mark” partial cut of 60- to 70-year-old western hemlock and Douglas-fir stand with some sitka spruce and red alder. Volume to be removed is approximately 22 MBF/acre.

Areas 2 and 3: Approximately 114 acres of modified clearcut, harvesting approximately 57 MBF/acre of 70- to 80-year-old western hemlock and Douglas-fir with some sitka spruce and red alder.

Area 4 (R/W): There is also approximately 2 acres of right-of-way in partial cut Area 1 to be removed with approximately 50 MBF/acre.

SALE LOCATION: Timber Sale Areas are located in portions of Sections 25, 26, and 36, T7N, R8W, W.M., Clatsop County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: The Timber Sale Areas can be accessed via Highway 202, located approximately 15.5 miles east of Astoria. A key is required to enter the Simmons Field Road. Follow the Simmons Field Road to Area 1, approximately 1 mile from the gate. To access Areas 2 and 3, continue on Highway 202 to the California Barrel Road at Milepost 17 and turn left onto California Barrel Road. Travel approximately 2.25 miles and turn left onto Spur 30. Travel approximately 1.25 miles and turn left on Middle Fork Road. Travel to the fork in the road for Areas 2 and 3.

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	WR M	PLP	
Hemlock/fir	18"	4,327							2,739	1,402	186									
Douglas-fir	24"	1,184							963	203	18									
Sitka Spruce	20"	925							638	268	19									
W Red Cedar																				
Red Alder	16"	617																		617
Sale Total		7,053																		

MINIMUM BID:	BID SPECIES	Western hemlock/fir.....	\$128.66 per MBF
		Douglas-fir	\$229.79 per MBF
	NO-BID SPECIES	Cedar	\$618.48 per MBF
		Sitka spruce and other conifers.....	\$116.70 per MBF
		Red alder and other hardwoods	\$307.43 per MBF

In order to compensate Purchaser for the project work, ODF will credit PURCHASER's timber account in the amount of \$164,578 after the project work is completed and accepted, as described in the Section 2630 titled, "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 (\$165,000), whichever is greater. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: October 31, 2012 BID METHOD: Sealed Bids

BID DEPOSIT: \$96,100 SALE TYPE: Recovery/ BOF – 100%

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

HARVEST METHOD: Area 1: 66% ground-based yarding and 34% cable yarding.
Area 2: 63% ground-based yarding and 37% cable yarding.
Area 3: 4% ground-based yarding and 96% cable yarding.
Area 7: R/W: 100% ground-based yarding.

PROJECTS: Project 1: Approximately 0.6 mile of sale access road construction.
Project 2: Approximately 6.8 miles of road improvement.
Project 3: Two fish passable culverts to replace in one fill.
Project 4: Approximately 11 miles of roadside brushing.

FEES: A road use fee for the use on Simmons Field Road. A payment of \$3,000 will be made to Northstar Timber, LLC. prior to commencement of operations (See Section 120).

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 "Astoria ODF District at Astoria 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.**

Timber sale acreage's were determined by using aerial photos and GIS.

COMPLETION OF FELLING OPERATIONS: All felling operations as described in Sections 2310, "Felling," Section 2350, must be completed by March 15, 2012.

Seasonal Log Haul restriction on road Segments I1 to I2, 1A to 1B, 1C to 1D, 1E to 1F, and 2A to 2B between October 1 and April 30 annually (Sections 2120, 2130, and 2455).

**Project Nos. 3 and 4 must be completed by October 31, 2010 (Section 2620).
All other projects must be completed by October 31, 2011.**

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 Auction Schedule booklet for disclaimer regarding all governmental regulatory actions.

**SALE NAME: California Elk
COUNTY: Clatsop
CONTRACT NO.: 341-10-08**

TIMBER SALE NAME: **California Elk**

TIMBER SALE NO.: **341-10-08**

OPENING DATE: **February 16, 2010**

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:

ON THE BASIS OF PRICE PER THOUSAND BOARD FEET FOR:

Bid Species:

Western hemlock/fir, sawmill grade or better, _____
_____ Dollars (\$) _____) per MBF.

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:

Sitka spruce and other conifers\$116.70 per MBF.
Cedar.....\$618.48 per MBF.
Red alder and other hardwoods\$307.43 per MBF.

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$96,100.00**, payable to the State Forester.

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 notification of high bid; 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 he fails 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.

BIDDER _____
(Name of company or individual)

TAX ID NO. _____

ADDRESS _____

PHONE _____

BY _____

(Signature of Authorized Official & Title)

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: California Elk
Date: August 13, 2009
To: John Tillotson
CC: Tom Savage, District Sale File
From: Jennifer Weikel 

Habitat Suitability

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

Survey Results

This sale was surveyed for northern spotted owls in 2008 and 2009, using a protocol endorsed by the U.S. Fish and Wildlife Service¹. Northern spotted owls were not observed during these surveys.

Surveys for marbled murrelets were conducted in 2004 through 2008, using a protocol developed by the Pacific Seabird Group². During surveys in 2004 - 2007 marbled murrelets were not observed. In 2008 a single presence detection was observed in site 5. However, behaviors indicating murrelet occupancy were not observed.

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.

Known T&E Resources

There are no northern spotted owl activity centers or Marbled Murrelet Management Areas affecting this sale.

Operational Considerations

Current northern spotted owl survey results are valid until March 15, 2012. Marbled murrelet survey results are valid until April 1, 2014.

All timber should be felled by March 15, 2012.

Future Survey Plans

ODF has no plans for further survey of this sale.

Survey Results Summary

Table 1. Northern Spotted Owl Surveys of California Elk

Year	Survey Area	Visit #1	Visit #2	Visit #3	Visit #4	Visit #5	Visit #6
		Date	Date	Date	Date	Date	Date
2008	California Elk	3/27-28 3/31-4/1	5/25-26	6/29-30 7/1-2			
		NR	NR	NR			
2009	California Elk	5/1-2	6/15-16	7/30-31			
		NR	NR	NR			

NR - 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 California Elk

Survey Area	Site	Station	Date	# Detections
CALIFORNIA ELK AREAS 1&2	4	3	05/07/2007	0
CALIFORNIA ELK AREAS 1&2	4	4	05/23/2007	0
CALIFORNIA ELK AREAS 1&2	4	5	06/13/2007	0
CALIFORNIA ELK AREAS 1&2	4	1	07/04/2007	0
CALIFORNIA ELK AREAS 1&2	4	2	07/16/2007	0
CALIFORNIA ELK AREAS 1&2	4	1	05/14/2008	0
CALIFORNIA ELK AREAS 1&2	4	2	05/21/2008	0
CALIFORNIA ELK AREAS 1&2	4	3	06/13/2008	0
CALIFORNIA ELK AREAS 1&2	4	4	07/01/2008	0
CALIFORNIA ELK AREAS 1&2	4	5	07/13/2008	0
CALIFORNIA ELK AREA 1	5	1	05/10/2007	0
CALIFORNIA ELK AREA 1	5	2	05/21/2007	0
CALIFORNIA ELK AREA 1	5	3	05/31/2007	0
CALIFORNIA ELK AREA 1	5	4	06/11/2007	0
CALIFORNIA ELK AREA 1	5	1	06/20/2007	0
CALIFORNIA ELK AREA 1	5	2	07/03/2007	0
CALIFORNIA ELK AREA 1	5	3	07/11/2007	0
CALIFORNIA ELK AREA 1	5	4	07/19/2007	0
CALIFORNIA ELK AREA 1	5	1	07/27/2007	0
CALIFORNIA ELK AREA 1	5	1	05/13/2008	0
CALIFORNIA ELK AREA 1	5	2	05/26/2008	0
CALIFORNIA ELK AREA 1	5	3	06/01/2008	0
CALIFORNIA ELK AREA 1	5	4	06/15/2008	1
CALIFORNIA ELK AREA 1	5	1	06/24/2008	0
CALIFORNIA ELK AREA 1	5	2	07/06/2008	0
CALIFORNIA ELK AREA 1	5	3	07/14/2008	0
CALIFORNIA ELK AREA 1	5	4	07/21/2008	0
CALIFORNIA ELK AREA 1	5	1	07/28/2008	0