

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

SALE NAME/NO.: Millicoma Cougar 341-10-29

AUCTION DATE/TIME: January 20, 2010, starting at 2 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 of one unit containing approximately 89 acres of predominately 83- to 146-year-old mature second growth Douglas-fir saw-timber and a small component of red alder and western hemlock.

SALE LOCATION: The timber sale area is located in portions of Section 8, T23S, R10W, W.M., Coos County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: From Coos Bay, proceed north on Highway 101 to Lakeside, turn east and follow North Lake Road to the 4000 Road (Benson Ridge). Follow the 4000 Road east to the 4900 and proceed south on the 2000 Road for approximately one half mile to the 8000. Proceed 7.5 miles up the 8000 to the 8000/7600 junction.

APPRAISED VOLUMES AND QUALITY:

SPECIES	AVG DBH	TOTAL MBF	GRADES BY MBF													
			2P	3P	SM	1S	2S	3S	BIG 3S	4S	5S	6S	SE	SC	UT	WRM
Douglas-fir	23	5,647		339	847		3,275	791	395							
W Hem. / fir	16	112					17	95								
			SIZE CLASS BY MBF													
							12"+	11"-10"	9"-8"	7"-6"						
Red Alder	17	58						47		11						
Sale Total		5,817														

MINIMUM BID: BID SPECIES Douglas-fir \$260.87 per MBF

NO-BID SPECIES Western hemlock and other conifers \$ 98.80 per MBF

Western redcedar \$542.00 per MBF

Red alder and other hardwoods \$263.94 per MBF

In order to compensate Purchaser for the project work, ODF will credit PURCHASER's timber account in the amount of \$142,098 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 (\$143,000) whichever is greater. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: October 1, 2012 BID METHOD: Sealed Bids

BID DEPOSIT: \$135,700 SALE TYPE: Recovery/CSL – 100%

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

HARVEST METHOD: 77% percent uphill cable yarding, 15% ground based, 8% downhill cable yarding.

PROJECTS: Project 1: Road and Landing Construction
Project 2: Road Improvement
Project 3: Install Culverts
Project 4: Spread Road Rock

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. 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 ACCEPTED FOR THIS BID DEPOSIT.**
SEASONAL RESTRICTIONS APPLY – SEE SECTION 2455.

Acreage was determined by electronic digitizing using 2005 digital orthophotography, 2008 Lidar and ArcMap 9.3 GIS software program.

Spotted Owl density surveys of the Elliott State Forest will be conducted during 2010 (Section 1520).

The 7400 and 7600 Roads are purchaser maintained. Log hauling on these roads may require additional rock as specified by State (Section 2050).

Create 45 snags by topping 23 trees and girdling 22 trees (Section 2335).

A fish log stockpile shall be created consistent with the specifications described in Exhibit I. Volume for the stockpile is estimated at 56 MBF (Section 2350).

All logging equipment used in Ground-Based operations shall be cleaned to prevent the spread of invasive and noxious weeds (Section 2416).

Due to the Marbled Murrelet Management Area (MMMA) adjacent to the timber sale, seasonal restrictions will be in place and haul will be prohibited through the MMMA from April 1 through September 15 annually. In order to complete operations during the summer, a one-day move-in allowance will be in place from August 6 through September 15 with daily timing restrictions to move equipment through the MMMA and into the sale area. To accomplish the move in within the one-day period equipment may need to be staged at the bottom of the 7610 prior to the one-day allowance.

From August 6 until September 15, logging may occur in the sale area while following seasonal restrictions, but log truck traffic will not be allowed through the MMMA. After September 15, seasonal restrictions will be lifted and log truck traffic is permitted through the MMMA (Section 2455).

The sale area is designed to be logged during both the wet and dry seasons. Purchaser must comply with Winter and Wet Weather option if operations on Spurs E to C, B to K, M to N, and M to O are conducted in the wet season (Section 2610).

Road layouts and logging plans must give priority to scattered green tree retention pods and protection of stream buffers. Logging plans must be approved by State before work can begin.

SALE OBJECTIVES:

The objectives of this timber sale are to provide revenue for the Common School Fund and to create a young-age class stand in accordance with balanced landscape approach to the Elliott State Forest Management Plan.

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: Millicoma Cougar
COUNTY: Coos
CONTRACT NO.: 341-10-29

TIMBER SALE NAME: **Millicoma Cougar**

TIMBER SALE NO.: **341-10-29**

OPENING DATE: **January 20, 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:

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 \$ **98.80** per MBF.
Western redcedar **\$542.00** per MBF.
Red alder and other hardwoods **\$263.94** per MBF.

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$135,700** 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 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 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.

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

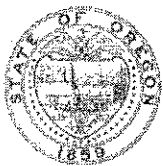
- (a) Are not currently in default status under any timber sale contract sold by the State Forester.
- (b) Has not, within a 3-year period preceding this bid, had one or more Federal, State, or local timber sales terminated for cause or default.
- (c) If (b) above is Yes, has submitted an explanation, 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"

Revised Biological Survey Report

Project: Millicoma Cougar
Date: November 23, 2009
To: Norma Kline
CC: Jim Young, District Sale File
From: Jennifer Weikel

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 potentially suitable 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. There were several observations of marbled murrelets during these surveys, including subcanopy observations indicating occupancy.

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.

Known T&E Resources

As a result of subcanopy behaviors observed during surveys, a Marbled Murrelet Management Area (MMMA) has been established within 0.25 miles of this sale. Additional acreage was added to an existing MMMA greater than 0.25 miles from the sale. Portions of the original planned sale area were incorporated into the MMMA's and removed from the final sale area.

There is a northern spotted owl activity center within 0.25 miles of the sale.

Operational Considerations

Seasonal operating restrictions will be in effect from April 1 through September 15, annually for the sale areas within 330 feet of a Marbled Murrelet Management Area. Operations within the Marbled Murrelet seasonally restricted area may be allowed from 2 hours after sunrise until 2 hours before sunset from August 6 through September 15 annually. A one day move in allowance will be allowed during the period of August 6 through September 15 in order to move equipment through the MMMA provided daily timing restrictions are followed. Log hauling will be prohibited through the Marbled Murrelet Management Area from April 1 through September 15 annually.

Seasonal operating restrictions for the use of explosives 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.

Seasonal operating restrictions for the use of large aircraft (including Type 1 helicopters) will be in effect from April 1 through September 15, annually, in or within 0.25 miles of potential marbled murrelet habitat. Seasonal operating restrictions for the use of small aircraft (including single engine airplanes and Type II and III helicopters) will be in effect from April 1 through September 15, annually, in or within 330 feet of potential marbled murrelet habitat. For all aircraft, over-flights must be greater than 500 feet above nesting habitat.

Seasonal operating restrictions for burning within 0.5 mile and for use of explosives within 1.0 mile from March 1 to July 7 are required for portions of the sale area near a nesting pair of northern spotted owls. Seasonal restrictions will be waived if the owls are determined to be non-nesting.

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. However, ODF will be conducting spotted owl activity center monitoring during the life of the contract. Additionally, spotted owl density surveys of the Elliott State Forest will be conducted during 2010.

Survey Results Summary

Table 1. Marbled Murrelet Surveys of Millicoma Cougar (surveyed as Kelly Cougar)

Survey Area	Site	Station	Date	# Detections
KELLY COUGAR	1	4	05/04/2007	0
KELLY COUGAR	1	2	05/26/2007	0
KELLY COUGAR	1	1	06/01/2007	0
KELLY COUGAR	1	3	06/12/2007	0
KELLY COUGAR	1	5	06/20/2007	0
KELLY COUGAR	1	2	07/04/2007	0
KELLY COUGAR	1	1	07/13/2007	0
KELLY COUGAR	1	3	07/20/2007	0
KELLY COUGAR	1	4	07/27/2007	0
KELLY COUGAR	1	5	05/15/2008	0
KELLY COUGAR	1	3	05/26/2008	0
KELLY COUGAR	1	1	06/04/2008	0
KELLY COUGAR	1	2	06/16/2008	0
KELLY COUGAR	1	4	06/24/2008	0
KELLY COUGAR	1	5	07/04/2008	1
KELLY COUGAR	1	2	07/12/2008	0
KELLY COUGAR	1	3	07/21/2008	0
KELLY COUGAR	1	1	07/29/2008	0
KELLY COUGAR	2	4	05/01/2007	0
KELLY COUGAR	2	1	05/16/2007	0
KELLY COUGAR	2	3	05/25/2007	0
KELLY COUGAR	2	2	06/04/2007	1
KELLY COUGAR	2	4	06/13/2007	0
KELLY COUGAR	2	1	07/01/2007	0
KELLY COUGAR	2	3	07/10/2007	0
KELLY COUGAR	2	2	07/17/2007	0
KELLY COUGAR	2	4	07/24/2007	0
KELLY COUGAR	2	2	05/16/2008	0
KELLY COUGAR	2	3	05/27/2008	0
KELLY COUGAR	2	1	06/05/2008	0
KELLY COUGAR	2	4	06/17/2008	0
KELLY COUGAR	2	2	06/25/2008	0
KELLY COUGAR	2	3	07/05/2008	0

Survey Area	Site	Station	Date	# Detections
KELLY COUGAR	2	1	07/14/2008	0
KELLY COUGAR	2	4	07/22/2008	0
KELLY COUGAR	2	3	07/30/2008	0
KELLY COUGAR	3	4	05/03/2007	3
KELLY COUGAR	3	2	05/19/2007	0
KELLY COUGAR	3	1	05/29/2007	0
KELLY COUGAR	3	3	06/06/2007	0
KELLY COUGAR	3	4	06/18/2007	0
KELLY COUGAR	3	2	07/02/2007	0
KELLY COUGAR	3	1	07/11/2007	0
KELLY COUGAR	3	3	07/18/2007	0
KELLY COUGAR	3	4	07/25/2007	1
KELLY COUGAR	3	3	05/19/2008	1
KELLY COUGAR	3	1	05/28/2008	0
KELLY COUGAR	3	2	06/09/2008	0
KELLY COUGAR	3	4	06/18/2008	0
KELLY COUGAR	3	3	06/26/2008	0
KELLY COUGAR	3	1	07/07/2008	0
KELLY COUGAR	3	2	07/15/2008	0
KELLY COUGAR	3	4	07/23/2008	0
KELLY COUGAR	3	3	07/31/2008	0
KELLY COUGAR	4	4	05/04/2007	0
KELLY COUGAR	4	3	05/21/2007	0
KELLY COUGAR	4	1	06/01/2007	0
KELLY COUGAR	4	2	06/12/2007	0
KELLY COUGAR	4	4	06/20/2007	0
KELLY COUGAR	4	3	07/04/2007	0
KELLY COUGAR	4	1	07/13/2007	6
KELLY COUGAR	4	2	07/21/2007	0
KELLY COUGAR	4	1	07/27/2007	0
KELLY COUGAR	4	2	05/20/2008	0
KELLY COUGAR	4	1	05/29/2008	0
KELLY COUGAR	4	3	06/10/2008	0
KELLY COUGAR	4	4	06/19/2008	0
KELLY COUGAR	4	2	06/27/2008	0
KELLY COUGAR	4	1	07/08/2008	0
KELLY COUGAR	4	3	07/16/2008	0
KELLY COUGAR	4	4	07/24/2008	0
KELLY COUGAR	4	1	08/01/2008	0
KELLY COUGAR	5	6	05/02/2007	0
KELLY COUGAR	5	1	05/17/2007	0
KELLY COUGAR	5	5	05/28/2007	0

Survey Area	Site	Station	Date	# Detections
KELLY COUGAR	5	4	06/11/2007	0
KELLY COUGAR	5	3	06/21/2007	0
KELLY COUGAR	5	2	07/05/2007	0
KELLY COUGAR	5	6	07/14/2007	0
KELLY COUGAR	5	5	07/21/2007	0
KELLY COUGAR	5	2	07/28/2007	0
KELLY COUGAR	5	2	05/15/2008	0
KELLY COUGAR	5	3	05/26/2008	20
KELLY COUGAR	5	4	06/04/2008	0
KELLY COUGAR	5	1	06/16/2008	0
KELLY COUGAR	5	5	06/24/2008	1
KELLY COUGAR	5	4	07/04/2008	0
KELLY COUGAR	5	6	07/11/2008	1
KELLY COUGAR	5	6	07/12/2008	0
KELLY COUGAR	5	6	07/18/2008	0
KELLY COUGAR	5	3	07/21/2008	0
KELLY COUGAR	5	6	07/25/2008	3
KELLY COUGAR	5	6	07/29/2008	2
KELLY COUGAR	6	4	05/01/2007	1
KELLY COUGAR	6	3	05/16/2007	0
KELLY COUGAR	6	1	05/25/2007	0
KELLY COUGAR	6	5	06/04/2007	0
KELLY COUGAR	6	2	06/13/2007	0
KELLY COUGAR	6	6	07/01/2007	0
KELLY COUGAR	6	4	07/10/2007	4
KELLY COUGAR	6	7	07/17/2007	1
KELLY COUGAR	6	6	07/24/2007	0
KELLY COUGAR	6	6	05/16/2008	0
KELLY COUGAR	6	2	05/27/2008	0
KELLY COUGAR	6	5	06/05/2008	1
KELLY COUGAR	6	1	06/17/2008	6
KELLY COUGAR	6	3	06/25/2008	2
KELLY COUGAR	6	7	07/05/2008	0
KELLY COUGAR	6	4	07/14/2008	0
KELLY COUGAR	6	5	07/22/2008	2
KELLY COUGAR	6	1	07/30/2008	7
KELLY COUGAR	7	4	05/03/2007	0
KELLY COUGAR	7	1	05/18/2007	0
KELLY COUGAR	7	2	05/29/2007	0
KELLY COUGAR	7	3	06/06/2007	0
KELLY COUGAR	7	4	06/18/2007	0
KELLY COUGAR	7	1	07/02/2007	0

Survey Area	Site	Station	Date	# Detections
KELLY COUGAR	7	2	07/11/2007	0
KELLY COUGAR	7	3	07/18/2007	0
KELLY COUGAR	7	4	07/25/2007	0
KELLY COUGAR	7	3	05/19/2008	1
KELLY COUGAR	7	2	05/28/2008	0
KELLY COUGAR	7	1	06/09/2008	0
KELLY COUGAR	7	4	06/18/2008	0
KELLY COUGAR	7	3	06/26/2008	0
KELLY COUGAR	7	2	07/07/2008	0
KELLY COUGAR	7	1	07/15/2008	0
KELLY COUGAR	7	4	07/23/2008	0
KELLY COUGAR	7	3	07/31/2008	5
KELLY COUGAR	8	1	05/02/2007	3
KELLY COUGAR	8	3	05/17/2007	0
KELLY COUGAR	8	4	06/03/2007	0
KELLY COUGAR	8	5	06/11/2007	0
KELLY COUGAR	8	2	06/21/2007	0
KELLY COUGAR	8	1	07/06/2007	0
KELLY COUGAR	8	3	07/14/2007	0
KELLY COUGAR	8	4	07/22/2007	0
KELLY COUGAR	8	2	07/28/2007	0
KELLY COUGAR	8	2	05/20/2008	0
KELLY COUGAR	8	5	05/29/2008	0
KELLY COUGAR	8	4	06/10/2008	0
KELLY COUGAR	8	1	06/19/2008	0
KELLY COUGAR	8	3	06/27/2008	0
KELLY COUGAR	8	4	07/08/2008	0
KELLY COUGAR	8	1	07/16/2008	0
KELLY COUGAR	8	3	07/24/2008	0
KELLY COUGAR	8	2	08/01/2008	0