

NOTICE OF TIMBER SALE

(Recovery – Scaled Sale)

SALE NAME/NO.: Northwest Windy 341-10-46

AUCTION DATE/TIME: August 17, 2009 starting at 2:00 p.m.

AUCTION LOCATION: Oregon Department of Forestry
 Southwest District/Grants Pass Unit
 5375 Monument Drive
 Grants Pass, Oregon 97526
 (541) 474-3152 FAX (541) 474-3158

DISTRICT/UNIT OFFICE (MAILING ADDRESS FOR BIDS): Oregon Department of Forestry
 Southwest District/Grants Pass Unit
 5375 Monument Drive
 Grants Pass, Oregon 97526
 (541) 474-3152 FAX (541) 474-3158

HARVEST TYPE: Area I is a clearcut. Area II and III are thinning units with take trees marked in blue paint. The conifer is 60 to- 80-year-old second-growth timber. Cable yarding of conifer logs (20% skidder ground).

SALE LOCATION: Portions of Section 6, T32S, R5W, and portions of Section 31, T31S, R5W, W.M., Douglas County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: The sale is approximately 6 miles northeast of Glendale. From the high school, take Windy Creek Road north to the end of the pavement. Follow the main gravel road to the rock pit. The lower portion of the sale is accessed at this point. The upper landings are further up Windy Creek Road at the top of the ridge to the west. See the vicinity map.

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 | WRM | PLP |
| Douglas-fir | 14" | 748 | | | | | | | 235 | 399 | 114 | | | | | | | | |
| Grand Fir | 17" | 145 | | | | | | | 58 | 73 | 14 | | | | | | | | |
| Incense Cedar | 19" | 11 | | | | | | | | 7 | 4 | | | | | | | | |
| Western Hemlock | 12" | 81 | | | | | | | | 63 | 18 | | | | | | | | |
| Sugar Pine | 27" | 4 | | | | | | | 3 | 1 | | | | | | | | | |
| Sale Total | | 989 | | | | | | | | | | | | | | | | | |

MINIMUM BID: BID SPECIES Douglas-fir \$ 89.07 per MBF

NO-BID SPECIES Incense cedar \$ 216.82 per MBF
 Sugar pine \$ 60.98 per MBF
 Grand fir and other conifers \$ 52.64 per MBF
 Western hemlock \$ 43.39 per MBF

In order to compensate PURCHASER for the project work, ODF will credit PURCHASER's timber account in the amount of \$17,898.95 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 (\$18,000), 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: \$6,200 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: 80% cable yarding, 20% skidder yarding.

PROJECTS: Road construction and road improvement

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, Grants Pass office at (541) 474-3152 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.

Acres were determined using orthophotography and ArcGIS software.

All felling on the timber sale area shall be completed by March 15, 2012.

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: Northwest Windy
COUNTY: Douglas
CONTRACT NO.: 341-10-46**

TIMBER SALE NAME: **Northwest Windy**

TIMBER SALE NO.: **341-10-46**

OPENING DATE: **August 17, 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:

- Incense cedar** \$ **216.82** per MBF.
- Sugar pine**..... \$ **60.98** per MBF.
- Grand fir and other conifers**..... \$ **52.64** per MBF.
- Western hemlock**..... \$ **43.39** per MBF.

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$6,200**, 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: Northwest Windy
Date: June 31, 2009
To: Chris Rudd
CC: Dan Thorpe, District Sale File
From: Jennifer Weikel

Habitat Suitability

This sale contains suitable habitat for northern spotted owls. The sale is greater than 50 miles from the ocean, beyond the inland range of the marbled murrelet in southwest Oregon.

Survey Results

This sale was surveyed for northern spotted owls in 2007 and 2008, using a protocol endorsed by the U.S. Fish and Wildlife Service¹. Northern spotted owls were not observed during these surveys. Surveys are ongoing in 2009.

Known T&E Resources

There are no northern spotted owl activity centers affecting this sale.

Operational Considerations

No felling, except for felling associated with project work, shall be allowed prior to the completion of the 2009 northern spotted owl surveys indicating no resident spotted owls.

¹ USDI Fish and Wildlife Service. 1991, revised 1992. Protocol for surveying proposed management activities that may impact northern spotted owls. 15pp.

Current northern spotted owl survey results are valid until March 15, 2011. After the 2009 surveys are completed, the survey results will be valid until March 15, 2012.

All timber should be felled by March 15, 2012.

Future Survey Plans

ODF plans to conduct spotted owl surveys in 2009 to extend the duration of the sale contract. In addition, ODF has an active survey program and northern spotted owl surveys will be conducted within 3 miles of this sale during the life of the contract.

Survey Results Summary of Northwest Windy Thin

| Year | Visit #1 | Visit #2 | Visit #3 | Visit #4 | Visit #5 | Visit #6 |
|-------------------------|-------------------|-------------------------------|----------|----------|----------|----------|
| Survey Area | Date | Date | Date | Date | Date | Date |
| Northwest Windy 2007 | 4/02-03 | 6/12-13 | 7/09-10 | | | |
| | NR | NR | NR | | | |
| Northwest Windy 2008 | 3/31-4/1 4/1-2 | 5/26-27 5/27-28 5/28-29 | 6/28-29 | | | |
| | NR | NR | NR | | | |
| Northwest Windy 2009 | 3-4/31-01 | 6/08-09 6/10-11 | TBA | | | |
| | NR | NR | | | | |

| | | | |
|------------------------------------|------------------------|--|-------------------------------|
| NR - no response | j - juvenile | M ₀ - mouse refused | M ₄ - 4 mice taken |
| V - visual response | jj - 2 juveniles | M ₁ - 1 mice 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) | |