

**NOTICE OF TIMBER SALE**

**(Recovery – Scaled Sale)**

SALE NAME/NO.: Pegleg Panther 341-10-78  
 AUCTION DATE/TIME: June 16, 2010, 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: Oregon Department of Forestry  
 OFFICE (MAILING): Coos District  
 ADDRESS FOR BIDS): 63612 Fifth Road  
 Coos Bay, Oregon 97420  
 (541) 267-4136 FAX (541) 269-2027  
 HARVEST TYPE: Regeneration harvest containing approximately 42 net acres of 117- to 119-year-old mature second-growth predominately Douglas-fir sawtimber.  
 SALE LOCATION: The timber sale area is located in portions of Sections 19 and 20, T23S, R10W, W.M., Coos County, Oregon.  
 DIRECTIONS TO TIMBER SALE AREA: (All miles approximate) From Coos Bay, take the Coos River Highway for 14.5 miles past Allegany to the 1000 road (Marlow Creek Road). Follow the 1000 road 15.3 miles to the 1800 road (Panther Elk Divide Road). Turn left on the 1800 and continue for .9 miles to the sale area.

**APPRAISED VOLUMES AND QUALITY:**

SPECIES	AVG DBH	TOTAL MBF	GRADES BY MBF															
			1P	2P	3P	P	SM	1S	2S	3S	4S	6S	SEL	SC	UT	CR	WRM	PLP
Douglas-fir	33"	1,890			94		208			1,360	208							
W Hem./fir	17"	52									52							
Red Alder	16"	9								5								4
Sale Total		1,951																

MINIMUM BID:	BID SPECIES	Douglas-fir .....	\$322.33 per MBF
	NO-BID SPECIES	Western hemlock and other conifers.....	\$184.46 per MBF
		Western redcedar.....	\$540.00 per MBF
		Red alder and other hardwoods.....	\$247.91 per MBF
		Conifer peelable cull.....	\$ 90.00 per MBF
		Conifer utility.....	\$ 90.00 per MBF

In order to compensate Purchaser for the project work, ODF will credit PURCHASER's timber account in the amount of \$80,610 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 (\$81,000), 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: \$54,000      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: 100% cable yarding with full and single-end suspension.

PROJECTS: Road and landing construction and improvement, road surfacing, 2 rock stockpile deliveries.

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 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 THE BID DEPOSIT. SEASONAL RESTRICTIONS APPLY - SEE SECTION 2455.**

- Acreage was determined by electronic digitizing using 2009 digital LIDAR imagery and ArcMap GIS software program. Existing interior road acreage was deducted.
- Top/girdle 21 trees for Snag Creation (Section 2335).
- Spotted Owl density surveys of the Elliott State Forest will be conducted during 2010 (Section 1520).

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: Pegleg Panther**  
**COUNTY: Coos**  
**CONTRACT NO.: 341-10-78**

TIMBER SALE NAME: **Pegleg Panther**

TIMBER SALE NO.: **341-10-78**

OPENING DATE: **June 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:

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** .....\$184.46 per MBF.  
**Red alder and other hardwoods** .....\$247.91 per MBF.  
**Western redcedar and other cedars** .....\$540.00 per MBF.  
**Conifer peelable cull** .....\$ 90.00 per MBF.  
**Conifer utility** .....\$ 90.00 per MBF.

Enclosed is a bid deposit as required, consisting of a \_\_\_\_\_ in the amount of \$54,000, 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

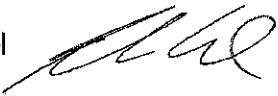
Theodore R. Kulongoski, Governor

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:** Pegleg Panther  
**Date:** February 3, 2010  
**To:** Norma Kline  
**CC:** Jim Young, District Sale File  
**From:** Jennifer Weikel 

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### 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 2008 and 2009, using a protocol developed by the Pacific Seabird Group<sup>1</sup>. Murrelets were detected as present at sites 1 and 2 during single surveys in 2008. Murrelets were detected as present during three surveys in site 1 in 2009. However, behaviors indicating occupancy were not observed.

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<sup>1</sup> 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**

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

### **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.

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, overflights must be greater than 500 above nesting habitat.

Marbled murrelet survey results are valid until April 1, 2015

All timber should be felled by April 1, 2015

### **Future Survey Plans**

ODF has no plans for further survey of this sale. However, ODF will be conducting spotted owl density surveys on the Elliott State Forest in 2010.

## Survey Results Summary

Table 1. Marbled Murrelet Surveys of Pegleg Panther

Survey Area	Site	Station	Date	# Detections
PEGLEG PANTHER	1	1	05/14/2008	0
PEGLEG PANTHER	1	5	05/27/2008	0
PEGLEG PANTHER	1	2	06/04/2008	0
PEGLEG PANTHER	1	4	06/16/2008	0
PEGLEG PANTHER	1	3	06/26/2008	0
PEGLEG PANTHER	1	2	07/04/2008	0
PEGLEG PANTHER	1	1	07/14/2008	0
PEGLEG PANTHER	1	5	07/22/2008	0
PEGLEG PANTHER	1	4	07/30/2008	2
PEGLEG PANTHER	1	1	05/08/2009	4
PEGLEG PANTHER	1	5	05/21/2009	2
PEGLEG PANTHER	1	3	06/02/2009	0
PEGLEG PANTHER	1	4	06/10/2009	0
PEGLEG PANTHER	1	2	06/24/2009	0
PEGLEG PANTHER	1	1	07/05/2009	0
PEGLEG PANTHER	1	5	07/15/2009	1
PEGLEG PANTHER	1	4	07/23/2009	0
PEGLEG PANTHER	1	2	08/01/2009	0
PEGLEG PANTHER	2	1	05/19/2008	0
PEGLEG PANTHER	2	5	05/28/2008	3
PEGLEG PANTHER	2	2	06/09/2008	0
PEGLEG PANTHER	2	4	06/18/2008	0
PEGLEG PANTHER	2	3	06/26/2008	0
PEGLEG PANTHER	2	6	07/07/2008	0
PEGLEG PANTHER	2	5	07/16/2008	0
PEGLEG PANTHER	2	1	07/23/2008	0
PEGLEG PANTHER	2	3	07/31/2008	0
PEGLEG PANTHER	2	1	05/12/2009	0
PEGLEG PANTHER	2	5	05/22/2009	0
PEGLEG PANTHER	2	3	06/03/2009	0
PEGLEG PANTHER	2	4	06/11/2009	0
PEGLEG PANTHER	2	6	06/25/2009	0
PEGLEG PANTHER	2	2	07/06/2009	0
PEGLEG PANTHER	2	1	07/16/2009	0
PEGLEG PANTHER	2	6	07/24/2009	0
PEGLEG PANTHER	2	2	08/02/2009	0