

NOTICE OF TIMBER SALE

(Recovery – Scaled Sale)

SALE NAME/NO.: Flying Fish 341-11-51

AUCTION DATE/TIME: January 19, 2011, 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
63612 Fifth Road
Coos Bay, OR. 97420
(541) 267-4136 FAX (541) 269-2027

HARVEST TYPE: Regeneration harvest of four units containing 76 acres of predominately 100- to 146-year-old mature second growth Douglas-fir saw-timber with a small component of red alder, western hemlock and western redcedar.

SALE LOCATION: Portions of Section 1, T23S, R11W, and portions of Section 6, T23S, R10W, W.M., Coos County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: From Coos Bay travel North on Highway 101 for 28 miles to Reedsport. From Reedsport proceed East on highway 38 for 13 miles and turn right on Loon Lake road, (DCR 3). Continue on DCR 3 for approximately 2 miles and turn left onto Forest Road 7500. Take FR 7500 to FR 7000, approximately 5 miles and turn right onto FR 7000. Proceed on FR 7000 for about 1 mile to the 7300. Turn left on the 7300 and continue for about 1 mile to area one of the timber sale. Continue for another 1,700 feet and turn left on the 7308. Follow the 7308 (approx. 3,000 feet) to the end of the road and Areas 2, 3, and 4.

APPRAISED VOLUMES AND QUALITY:

SPECIES	AVG DBH	TOTAL MBF	GRADES BY MBF																	
			1P	2P	3P	P	SM	1S	2S(12"+)	3S(11"-10')	4S(9"-8')	5S(7"-6')	6S	SEL	SC	UT	CR	WRM	PLP	
Douglas-fir	28"	5,136			308		308			3,955	514	51								
W Hem. / fir	21"	110								77	30	3								
Red Alder	16"	125								56	14	32	23							
Sale Total		5,371																		

MINIMUM BID: BID SPECIES Douglas-fir..... \$269.47 per MBF

NO-BID SPECIES Western hemlock and other conifers \$204.42 per MBF
Western redcedar and other cedars \$657.83 per MBF
Red alder and other hardwoods \$297.15 per MBF

In order to compensate PURCHASER for Project Work, ODF will credit PURCHASER's timber account in the amount of \$154,235 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 \$155,000 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: \$128,900 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: Primarily uphill cable yarding with full and single-end suspension. There will be some opportunity for ground base yarding as well.

PROJECTS: Road and landing construction, road and landing improvement, post sale road and landing clean up and rock stock pile delivery.

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 2005 digital orthophotography, 2008 Lidar and ArcMap 9.3 GIS software program.

Create 38 snags by topping and girdling trees (Section 2335).

See Section 2310, Felling.

The sale area is designed to be logged during the dry season. Purchaser must comply with Winter and Wet Weather option if operations are conducted in the wet season (Section 2610).

Log placement into Knife Creek as specified in Exhibit I. Volume for log placement in stream is estimated at 17 MBF (Section 2350).

A fish log stockpile shall be created consistent with the specifications described in Exhibit I. Volume for the stockpile is estimated at 54 MBF (Section 2350).

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 Timber Sale Schedule handbook for disclaimer regarding all governmental regulatory actions.

SALE NAME: Flying Fish
COUNTY: Coos
CONTRACT NO.: 341-11-51

TIMBER SALE NAME: **Flying Fish**

TIMBER SALE NO.: **341-11-51**

OPENING DATE: **January 19, 2011**

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 **\$204.42** per MBF.
Western redcedar and other cedars **\$657.83** per MBF.
Red alder and other hardwoods **\$297.15** per MBF.

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$128,900** 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: Flying Fish
Date: October 5, 2010
To: Gloria Clary
CC: Norma Kline, Jim Young, District Sale File
From: Matt Gostin

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 2009 and 2010, using a protocol developed by the Pacific Seabird Group¹. Marbled murrelets were detected as present during one survey to site 2 in 2009. Marbled murrelets were detected as present during two surveys to site 3 and 1 survey to site 4 in 2010. However, behaviors indicating occupancy were not observed.

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

A portion of sale area 1 is within a MMMA. A Biological Assessment has been conducted and it concludes that the sale as currently designed poses a low risk to marbled murrelets within the MMMA. The sale area within the MMMA does not involve the removal of suitable habitat.

This sale is within 0.25 miles of three MMMA's.

Operational Considerations

Seasonal operating restrictions will be in effect from April 1 through September 15, annually for sale areas within 300 feet of a Marbled Murrelet Management Area. Operations may be allowed from no earlier than two hours after sunrise until no later than two hours before sunset from August 6th through September 15th, 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, 2016.

All timber should be felled by April 1, 2016.

Future Survey Plans

ODF has no plans for further survey of this sale. However, ODF may conduct spotted owl density surveys on the Elliott State Forest in 2011.

Survey Results Summary

Table 1. Marbled Murrelet Surveys of Flying Fish

Survey Area	Site	Station	Date	# Detections
FLYING FISH	1	3	05/06/2009	0
FLYING FISH	1	5	05/20/2009	0
FLYING FISH	1	2	06/02/2009	0
FLYING FISH	1	6	06/10/2009	0

Survey Area	Site	Station	Date	# Detections
FLYING FISH	1	4	06/26/2009	0
FLYING FISH	1	1	07/04/2009	0
FLYING FISH	1	5	07/14/2009	0
FLYING FISH	1	3	07/22/2009	0
FLYING FISH	1	6	07/29/2009	0
FLYING FISH	1	1	05/12/2010	0
FLYING FISH	1	4	05/21/2010	0
FLYING FISH	1	6	06/02/2010	0
FLYING FISH	1	2	06/11/2010	0
FLYING FISH	1	3	06/28/2010	0
FLYING FISH	1	5	07/08/2010	0
FLYING FISH	1	1	07/16/2010	0
FLYING FISH	1	3	07/24/2010	0
FLYING FISH	1	5	08/02/2010	0
FLYING FISH	2	1	05/10/2009	0
FLYING FISH	2	2	05/19/2009	0
FLYING FISH	2	3	05/29/2009	0
FLYING FISH	2	5	06/09/2009	0
FLYING FISH	2	4	06/23/2009	0
FLYING FISH	2	2	07/03/2009	0
FLYING FISH	2	3	07/13/2009	0
FLYING FISH	2	1	07/21/2009	1
FLYING FISH	2	1	07/28/2009	0
FLYING FISH	2	1	05/05/2010	0
FLYING FISH	2	4	05/14/2010	0
FLYING FISH	2	5	05/25/2010	0
FLYING FISH	2	3	06/09/2010	0
FLYING FISH	2	2	06/21/2010	0
FLYING FISH	2	3	07/02/2010	0
FLYING FISH	2	2	07/10/2010	0
FLYING FISH	2	1	07/19/2010	0
FLYING FISH	2	5	07/27/2010	0
FLYING FISH	3	2	05/04/2009	0
FLYING FISH	3	1	05/18/2009	0
FLYING FISH	3	3	05/28/2009	0
FLYING FISH	3	5	06/08/2009	0
FLYING FISH	3	4	06/18/2009	0
FLYING FISH	3	5	07/02/2009	0
FLYING FISH	3	2	07/10/2009	0
FLYING FISH	3	1	07/20/2009	0
FLYING FISH	3	4	07/27/2009	0
FLYING FISH	3	4	05/05/2010	0

Survey Area	Site	Station	Date	# Detections
FLYING FISH	3	5	05/14/2010	0
FLYING FISH	3	3	05/25/2010	0
FLYING FISH	3	1	06/09/2010	1
FLYING FISH	3	2	06/21/2010	0
FLYING FISH	3	1	07/02/2010	0
FLYING FISH	3	2	07/10/2010	0
FLYING FISH	3	4	07/19/2010	2
FLYING FISH	3	5	07/27/2010	0
FLYING FISH	4	1	05/01/2009	0
FLYING FISH	4	2	05/15/2009	0
FLYING FISH	4	5	05/27/2009	0
FLYING FISH	4	3	06/04/2009	0
FLYING FISH	4	4A	06/17/2009	0
FLYING FISH	4	6	07/01/2009	0
FLYING FISH	4	2	07/09/2009	0
FLYING FISH	4	1	07/18/2009	0
FLYING FISH	4	4B	07/26/2009	0
FLYING FISH	4	6	05/07/2010	0
FLYING FISH	4	4	05/18/2010	0
FLYING FISH	4	3	05/27/2010	0
FLYING FISH	4	2	06/10/2010	0
FLYING FISH	4	1	06/23/2010	0
FLYING FISH	4	2	07/05/2010	1
FLYING FISH	4	1	07/14/2010	0
FLYING FISH	4	6	07/22/2010	0
FLYING FISH	4	3	07/30/2010	0