

# NOTICE OF TIMBER SALE

(Recovery – Scaled Sale)

SALE NAME/NO.: Kelly Slim Cougar 341-11-57

AUCTION DATE/TIME: March 23, 2011, 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 53 net acres of 125-year-old mature second-growth Douglas-fir sawtimber, 7 acres of Douglas-fir / hardwood mix, and 1 acre of road right-of-way.

SALE LOCATION: The timber sale area is located in portions of Sections 5, 6, 7, and 8, T23S, R10W, W.M., Coos County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: (All miles approximate.) From Lakeside, take North Lake Road for 4.2 miles to the 4000 Road (Benson Ridge Road). Follow the 4000 Road for 7.0 miles to the 4900 Road. Continue on the 4900 for a short distance to the 2000 Road. Follow the 2000 Road south for .5 mile to the 8000 Road. Follow the 8000 Road for 6.7 miles to the 7650 Road (Point M). Area 1 is located 1.4 miles up the 7650 Road. Continue on the 8000 Road for .9 mile to the 7600 Road. Proceed up the 7600 Road for 650 feet to the 7610 Road grade. Walk in the 7610 Road for .5 mile to Point Q. The right-of-way into Area 3 begins at Point Q. Continue on the 7610 Road for 300 feet to Point O. The right-of-way into Area 2 begins at Point O.

## 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	24"	3,251			195		163			2,243	650								
W Hem./fir	18"	107					16			29	62								
										SIZE CLASS BY MBF									
										2S 12"+	10" -11"	8" – 9"	6"- 7"						
Red Alder	19"	133								55	49	13	16						
Sale Total		3,491																	

MINIMUM BID: BID SPECIES Douglas-fir ..... \$328.16 per MBF

NO-BID SPECIES Western hemlock and other conifers ..... \$228.41 per MBF  
 Western redcedar and other cedars ..... \$757.94 per MBF  
 Red alder and other hardwoods ..... \$288.33 per MBF  
 Conifer peelable cull ..... \$ 90.00 per MBF  
 Conifer utility ..... \$ 90.00 per MBF

In order to compensate PURCHASER for Project Work, ODF will credit PURCHASER's timber account in the amount of \$188,112 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 (\$189,000), 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: \$94,100                                      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, and road surfacing.  
 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 BID DEPOSIT  
 SEASONAL RESTRICTIONS APPLY - SEE SECTION 2455.**

- **All felling of all timber shall be completed by December 31, 2011.**
- Acreage was determined by electronic digitizing using 2009 digital LIDAR imagery and ArcMap GIS software program. Existing interior road acreage was deducted.
- Top/girdle 30 trees for snag creation (Section 2335).
- Spotted Owl density surveys of the Elliott State Forest will be conducted during 2011 (Section 1520).
- Place 40 logs into Kelly Creek where cable yarding roads cross creek (Section 2350 and Exhibit I).
- Hauling on the 7400 road, the 7500 road, the 7600 road between Point N and Point J, and southbound on the 1000 road is not allowed between October 15 and May 15 (Section 2130).

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: Kelly Slim Cougar**  
**COUNTY: Coos**  
**CONTRACT NO.: 341-11-57**

TIMBER SALE NAME: **Kelly Slim Cougar**

TIMBER SALE NO.: **341-11-57**

OPENING DATE: **March 23, 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** ..... \$228.41 per MBF.  
**Western redcedar and other cedars** ..... \$757.94 per MBF.  
**Red alder and other hardwoods** ..... \$288.33 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 **\$94,100**, 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**

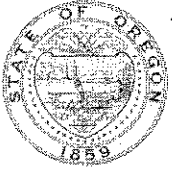
- (a) Are not currently in default status under any timber sale contract sold by the State Forester.
- (b) Has not, within a 3-year period preceding this bid, had one or more Federal, State, or local timber sales terminated for cause or default.
- (c) If (b) above is Yes, has submitted an explanation, 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:** Kelly Slim Cougar  
**Date:** November 30, 2010  
**To:** Ryan Greco  
**CC:** Norma Kline, Jim Young, District Sale File  
**From:** Matt Gostin

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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 in sale area 1 were conducted in 2009 and 2010, using a protocol developed by the Pacific Seabird Group<sup>1</sup>. Murrelets were detected as present during one survey in 2010. 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.

Surveys for marbled murrelets in sale areas 2 and 3 were conducted in 2007 and 2008. Murrelets were detected as present during one survey in site 1 in 2008. Murrelets were detected as present during one survey in site 2 in 2007. Murrelets were detected as present during two surveys in site 3 in 2007, and one survey in 2008. Murrelets were detected as present during one survey in site 8 in 2007. However, behaviors indicating occupancy were not observed in sites 1, 2, 3, and 8. During a survey in site 4 in 2007, multiple detections of subcanopy murrelets were observed indicating occupancy.

### **Known T&E Resources**

As a result of subcanopy behaviors observed during a survey in site 4, a Marbled Murrelet Management Area (MMMA) has been established within 0.25 miles of sale area 3. Sale area 1 is within 0.25 miles of a previously established MMMA. All sale areas are within 1 mile of a spotted owl activity center.

### **Operational Considerations**

Seasonal operating restrictions will be in effect from April 1 through September 15, annually 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 6<sup>th</sup> through September 15<sup>th</sup>, 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 360 feet of potential marbled murrelet habitat. For all aircraft, overflights must be greater than 500 above nesting habitat.

Seasonal operating restrictions for the use of explosives will be in effect from March 1 through July 7 (or until it has been determined that northern spotted owl pairs are non-nesting or the nest has failed) within 1.0 miles of a nest tree or activity center.

Seasonal operating restrictions for burning will be in effect from March 1 through July 7 (or until it has been determined that northern spotted owl pairs are non-nesting or the nest has failed) within 0.5 miles of a nest tree or activity center.

Marbled murrelet survey results for area 1 are valid until April 1, 2016.

Marbled murrelet survey results for areas 2 and 3 are valid until April 1, 2014.

All timber in area 1 should be felled by April 1, 2016.

All timber in areas 2 & 3 should be felled by April 1, 2014.

### Future Survey Plans

ODF has no plans for further survey of this sale. However, ODF may conduct operational, density, and/or activity center monitoring surveys for northern spotted owls within 3 miles of this sale during the duration of the contract.

### Survey Results Summary

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

Survey Area	Site	Station	Date	# Detections
KELLY SLIM	1	1	05/13/2009	0
KELLY SLIM	1	6	05/26/2009	0
KELLY SLIM	1	4	06/03/2009	0
KELLY SLIM	1	5	06/16/2009	0
KELLY SLIM	1	3	06/29/2009	0
KELLY SLIM	1	2	07/07/2009	0
KELLY SLIM	1	1	07/15/2009	0
KELLY SLIM	1	4	07/24/2009	0
KELLY SLIM	1	3	07/31/2009	0
KELLY SLIM	1	6	05/05/2010	0
KELLY SLIM	1	3	05/14/2010	1
KELLY SLIM	1	2	05/27/2010	0
KELLY SLIM	1	4	06/07/2010	0
KELLY SLIM	1	1	06/17/2010	0
KELLY SLIM	1	5	07/03/2010	0
KELLY SLIM	1	3	07/13/2010	0
KELLY SLIM	1	5	07/20/2010	0
KELLY SLIM	1	6	07/29/2010	0
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



Survey Area	Site	Station	Date	# Detections
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
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

Survey Area	Site	Station	Date	# Detections
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	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