

NOTICE OF TIMBER SALE

(Recovery – Scaled Sale)

SALE NAME/NO.: Forlorn Folley 341-12-30

AUCTION DATE/TIME: October 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: Oregon Department of Forestry
OFFICE (MAILING): Coos District – CFPA Crewhouse
ADDRESS FOR BIDS): 63612 Fifth Road
Coos Bay, OR 97420

HARVEST TYPE: Regeneration harvest of four units containing approximately 96 acres of predominately 60- to 100-year-old mature second growth Douglas-fir saw-timber with a small component of red alder, western redcedar and western hemlock. A right-of-way of under one acre on adjacent private land will be felled and decked.

SALE LOCATION: Portions of Section 36, T21S, R7W, W.M., Douglas County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: From Coos Bay, proceed north on Highway 101 for 27 miles to Reedsport, turn onto Highway 38 and proceed eastbound for approximately 40 miles to Milepost 40 just past the highway tunnel east of Elkton. At Milepost 40 turn north onto to graveled Tom Folley Creek Road, then proceed 6 miles to Project Point J.

APPRAISED VOLUMES AND QUALITY:

SPECIES	AVG DBH	TOTAL MBF	GRADES BY MBF																				
			1P	2P	3P	P	SM	1S	2S	3S	4S	5S	3S (12"+)	SEL	SC	UT	CR	WRM	PLP				
Douglas-fir	16"	3,037					121			1,822	669	243			182								
W Hem. / fir	21"	128									128												
Sale Total		3,165																					

MINIMUM BID: BID SPECIES Douglas-fir..... \$ 320.90 per MBF

NO-BID SPECIES Western hemlock and other conifer \$251.99 per MBF
Western redcedar and other cedars \$767.00 per MBF
Red alder and other hardwood \$342.00 per MBF

In order to compensate PURCHASER for Project Work, ODF will credit PURCHASER's timber account in the amount of \$41,293.00 after the project work is completed and accepted, as described in Section 2630, "Credit for Project Work."

The timber sale area contains negligible volumes of other logs to be paid for at the prices in Section 1740.

PERFORMANCE SECURITY: 20% of bid value (unknown). Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: April 1, 2014 BID METHOD: Sealed Bids

BID DEPOSIT: \$96,500 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: 90 percent uphill cable yarding with full and single-end suspension and 10 percent ground-based yarding.

PROJECTS: Improvement of 4,265 feet of road, construction of 4 landings and 3,645 feet of road, replacement of a culvert, and vacancy of 755 feet of road.

FEES: To the Bureau of Land Management (Roseburg District): Performance Bond of \$10,000.
To Seneca Jones Timber Company: Road Use Fees of \$6.75/MBF and Rock wear and road maintenance fees of \$1.61/Mile/MBF.

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.

Sections: 1010, "Definition of Terms," 1740, "Log Prices," 2015, "Log Accountability," 2020, "Log Measurement," 2030, "Log Branding and Painting," and Exhibit C, contain special language for pulp removal. PURCHASER is not contractually obligated to remove pulp from the timber sale area and will not be held liable by STATE if said material is not removed.

Acreage was determined by electronic digitizing using 2009 digital orthophotography and ArcMap 10 GIS software program.

All felling on Areas I-V must be completed by March 15, 2014 (Section 2310).

The use of roads other than STATE, are subject to access road easements specified in Section 2120.

If ground-based yarding equipment is selected for harvest operations, Purchaser shall wash equipment associated with ground operations for invasive plants and noxious weeds before operations begin (Section 2416).

Place fish log structures in Big Tom Folley Creek where cables cross the buffer according to specifications in Exhibit K. Volume for log placement is estimated at 17 MBF (Section 2350).

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).

Northern Spotted Owl surveys will be conducted during the duration of the contract (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: Forlorn Folley
COUNTY: Douglas
CONTRACT NO.: 341-12-30

TIMBER SALE NAME: **Forlorn Folley**

TIMBER SALE NO.: **341-12-30**

OPENING DATE: **October 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 \$251.99 per MBF.
Western redcedar and other cedars \$767.00 per MBF.
Red alder and other hardwoods \$342.00 per MBF.

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$96,500**, 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 directly or indirectly export the unprocessed State timber as defined in OAR 629-031-0020 which is the subject of this transaction.
- (b) Shall not engage in export of unprocessed timber originating from private lands in Oregon until such time as all interests in contracts for State timber held by the above have terminated, per OAR 629-031-0010(1)(d).
- (c) 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.
- (d) 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.
- (e) 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.
- (f) Have not directly or indirectly 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

John A. Kitzhaber, MD, 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 Update

Project: Forlorn Folley
Date: August 25, 2011
To: Ryan Greco
CC: Norma Kline, Jim Young, District Sale File
From: Matt Gostin

Survey Results

Surveys for northern spotted owls were conducted in 2007 - 2011 by the USFS PNW Research Station. Northern spotted owls were observed during the monitoring of known activity centers. Activity center monitoring will be ongoing during the life of the contract.

Surveys for marbled murrelets were conducted in 2007 and 2008, using a protocol developed by the Pacific Seabird Group¹. Murrelets were not detected during these surveys.

Known T&E Resources

The sale is within 1.5 miles of one northern spotted owl activity center. A Biological Assessment of the sale's impact on the activity center has been conducted. It concludes the Forlorn Folley sale, as currently proposed, is expected to have a low risk of negatively affecting the occupancy and productivity of the spotted owl site.

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.

There are no Marbled Murrelet Management Areas affecting this sale.

Operational Considerations

No activities are planned that would modify habitat within ¼ mile of known spotted owl activity centers. Seasonal operating restrictions will be in effect from March 1 through July 7, annually, for additional activities that do not modify habitat but that may cause disturbance to owls.

The following activities will be restricted for spotted owl pair sites:

- Burning within 0.5 miles.
- The use of explosives within 1.0 mile.

Current northern spotted owl survey results are valid until March 15, 2014. Marbled murrelet survey results are valid until April 1, 2014.

All timber should be felled by March 15, 2014.

Future Survey Plans

ODF has no plans for further survey of this sale. However, the USFS PNW Research Station has an active survey program in the area, and northern spotted owl activity center monitoring surveys will be conducted within 3 miles of this sale during the life of the contract.

Survey Results Summary

Table 1. Summary of site status for Northern Spotted Owls in the vicinity of Forlorn Folley (sites are surveyed by the USFS PNW Research Station).

Owl Name	2007	2008	2009	2010	2011
Big Tom	PAIR	PAIR	PAIR	PAIR	PAIR
West Indian	Abandoned	Abandoned	Abandoned	Abandoned	Non-territorial single (floater)

Table 2. Marbled Murrelet Surveys of Forlorn Folley (Surveyed as Folley Tract)

Survey Area	Site	Station	Date	# Detections
FOLLEY TRACT	1	7	05/04/2007	0
FOLLEY TRACT	1	3	05/17/2007	0
FOLLEY TRACT	1	5	05/29/2007	0
FOLLEY TRACT	1	6	06/19/2007	0
FOLLEY TRACT	1	4	07/08/2007	0
FOLLEY TRACT	1	2	07/17/2007	0
FOLLEY TRACT	1	1	07/25/2007	0
FOLLEY TRACT	1	1	05/09/2008	0
FOLLEY TRACT	1	2	05/22/2008	0
FOLLEY TRACT	1	4	06/04/2008	0
FOLLEY TRACT	1	7	06/18/2008	0
FOLLEY TRACT	1	6	07/01/2008	0
FOLLEY TRACT	1	3	07/08/2008	0
FOLLEY TRACT	1	5	07/17/2008	0
FOLLEY TRACT	2	5	05/08/2007	0
FOLLEY TRACT	2	1	05/28/2007	0
FOLLEY TRACT	2	2	06/18/2007	0
FOLLEY TRACT	2	4	07/06/2007	0
FOLLEY TRACT	2	3	07/16/2007	0
FOLLEY TRACT	2	4	05/06/2008	0
FOLLEY TRACT	2	3	06/02/2008	0
FOLLEY TRACT	2	1	06/17/2008	0
FOLLEY TRACT	2	5	07/07/2008	0
FOLLEY TRACT	2	2	07/14/2008	0
FOLLEY TRACT	3	4	05/07/2007	0
FOLLEY TRACT	3	6	05/25/2007	0

Survey Area	Site	Station	Date	# Detections
FOLLEY TRACT	3	3	06/13/2007	0
FOLLEY TRACT	3	5	07/05/2007	0
FOLLEY TRACT	3	1	07/13/2007	0
FOLLEY TRACT	3	2	07/24/2007	0
FOLLEY TRACT	3	3	05/05/2008	0
FOLLEY TRACT	3	2	05/29/2008	0
FOLLEY TRACT	3	6	06/16/2008	0
FOLLEY TRACT	3	5	07/02/2008	0
FOLLEY TRACT	3	1	07/09/2008	0
FOLLEY TRACT	3	4	07/22/2008	0