

NOTICE OF TIMBER SALE

(Recovery – Scaled Sale)

SALE NAME/NO.: Spaur Phipps 341-12-35

AUCTION DATE/TIME: September 13, 2011, starting at 10:00 am

AUCTION LOCATION: Oregon Department of Forestry
Tillamook District Headquarters
5005 Third Street
Tillamook, Oregon 97141
(503) 842-2545 FAX (503) 842-3143

DISTRICT/UNIT OFFICE (MAILING ADDRESS FOR BIDS): Oregon Department of Forestry
Tillamook District Headquarters
5005 Third Street
Tillamook, Oregon 97141
(503) 842-2545 FAX (503) 842-3143

HARVEST TYPE: Area 1 is 104 net acres of modified clearcut. Approximate age: 50 years.

SALE LOCATION: Portions of Sections 35 and 36, T1N, R7W, and Sections 1 and 2, T1S, R7W, W.M., Tillamook County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: From Tillamook, travel east approximately 18 miles on Hwy. 6 to Jordan Creek Road, turn right and follow about 4.7 miles to Phipps Creek Road, turn right and go about 1.3 miles to Phipps Road, stay right and go about 2.9 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	6-7	8-9	10-11	12+	UT	CR	WRM	PLP
Douglas-fir	13"	986							227	355	404								
W Hem. / fir	13"	476								290	186								
Red Alder	12"	553										467	46	23	17				
Sale Total		2,015																	

MINIMUM BID: BID SPECIES Douglas-fir..... \$176.81 per MBF
Red alder and other hardwoods \$199.15 per MBF

NO-BID SPECIES Western hemlock and other conifers \$157.13 per MBF
Western red cedar and other cedars..... \$650.00 per MBF

In order to compensate PURCHASER for Project Work, ODF will credit PURCHASER's timber account in the amount of \$46,110 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: October 31, 2013 BID METHOD: Sealed Bids

BID DEPOSIT: \$31,300 SALE TYPE: Recovery/BOF - 100%

INSURANCE: \$2,000,000 Commercial General Liability; \$2,000,000 Automobile Liability; \$2,000,000 Logger's Broad Form.

HARVEST METHOD: 87% Cable Logging, 13% Ground Logging.

PROJECTS: Project No. 1 – Construct 765 feet of road, Improve .31 mile of road.
Project No. 2 – Sidecast Pullback.
Project No. 3 – Develop pit, spread rock.
Project No. 4 – Place rip-rap.
Project No. 5 – Seeding and mulching.

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 Tillamook District at (503) 842-2545 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.**

Sale acreage was determined using GIS.

Section 2015, "Log Accountability"; 2020, "Log Measurement"; 2030, "Log Branding and Painting"; and Exhibit "C", contain special language for pulp removal.

If pulp is yarded to the landing, removal is required.

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: Spaur Phipps
COUNTY: Tillamook
CONTRACT NO.: 341-12-35**

TIMBER SALE NAME: **Spaur Phipps**

TIMBER SALE NO.: **341-12-35**

OPENING DATE: **September 13, 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.

Red Alder, 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 **\$157.13** per MBF.
Western red cedar and other cedars **\$650.00** per MBF.

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$31,300**, 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: Spaur Phipps
Date: August 2, 2011
To: Eric Perkins
CC: Dan Goody, District Sale File
From: Matt Gostin

Survey Results

This sale was surveyed for northern spotted owls in 2010 and 2011, using a protocol endorsed by the U.S. Fish and Wildlife Service^{1,2}. Northern spotted owls were not observed during these surveys.

Surveys for marbled murrelets are not necessary for this sale.

Known T&E Resources

There are no northern spotted owl activity centers or Marbled Murrelet Management Areas affecting this sale.

Operational Considerations

Northern spotted owl survey results are valid until March 15, 2014.

All timber should be felled by March 15, 2014.

¹ USDI Fish and Wildlife Service. 2011. Protocol for surveying proposed management activities that may impact northern spotted owls. 38pp.

² Oregon Department of Forestry, June 1, 2010. Policy bulletin SFB – 10-03, Northern Spotted Owl Policy Update - Northern Spotted Owl Survey Protocol.

Future Survey Plans

ODF has no plans for further survey of this sale. However, 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

Table 1. Northern Spotted Owl Surveys of Spaur Phipps

Survey Area Year	Visit #1 Date	Visit #2 Date	Visit #3 Date	Visit #4 Date	Visit #5 Date	Visit #6 Date
Spaur Phipps 2010	4/7-8	4/30-5/1	5/18-19	6/7-8	7/8-9	7/25-26 7/26-27
NR	NR	NR	NR	NR	NR	NR
Spaur Phipps 2011	4/7-8	4/30-5/1	5/18-19	6/7-8	7/8-9	7/25-26 7/26-27
NR	NR	NR	NR	NR	NR	NR

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