

NOTICE OF TIMBER SALE

(Recovery – Scaled Sale)

SALE NAME/NO.: Clayberry 341-12-65

AUCTION DATE/TIME: April 17, 2012, starting at 10:00 a.m.

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 119 net acres of modified clearcut; Area 2 is 22 net acres (approximately 5 miles) of roadside daylighting. Approximate age: 70 years.

SALE LOCATION: Portions of Sections 25 and 36 T3N, R8W; and portions of Sections 28, 29, 31, 32, and 33, T3N, R7W; and portions of Section 6, T2N, R7W, W.M., Tillamook County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: From Tillamook take Hwy. 101 to the Miami-Foley Road, follow the Miami-Foley Road to Foss Road, turn right on Foss Road and go approximately 13.5 miles to Buck Mountain Road, turn right, take Buck Mountain Road approximately 5.5 miles to North Side Road follow for 2 miles to Salmonberry Creek Road follow for 2.5 miles to Point A. Project work occurring at Points E, F, G and H may not be accessible traveling from Tillamook. The bridge over the Salmonberry River along Foss Road is scheduled to be open to traffic in the Spring of 2012. If the bridge is not open, access to those project points will be from the North. From Highway 26 go south on Lower Nehalem Road for approximately 11.5 miles to Point F.

APPRAISED VOLUMES AND QUALITY:

SPECIES	AVG DBH	TOTAL MBF	GRADES BY MBF										
			1P	2P	3P	P	SM	1S	2S	3S	4S	10"-11"	8"-9"
Douglas-fir	18"	2,939							1,664	1,030	245		
Red Alder	15"	421										194	227
Sale Total		3,360											

MINIMUM BID:	BID SPECIES	Douglas-fir.....	\$140.55 per MBF
	NO-BID SPECIES	Red alder and other hardwoods.....	\$250.25 per MBF
		Western hemlock and other conifers	\$200.00 per MBF
		Western red cedar and other cedars	\$550.00 per MBF

In order to compensate PURCHASER for Project Work, ODF will credit PURCHASER's timber account in the amount of \$45,390 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. Bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: June 30, 2014 BID METHOD: Sealed Bids

BID DEPOSIT: \$47,300 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: 16% roadside daylighting, 84% cable yarding.

PROJECTS: Project 1—Construct 0.31 mile of road, Improve 0.66 mile of road.
Project 2—Develop and spread Pit-run road rock.
Project 3—Spread crushed rock.
Project 4—Seed and mulch.

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 determined using GIS
If pulp is yarded to the landing, removal is required.
Section 2015, "Log Accountability", Section 2020, "Log Measurement"; Section 2030, "Log Branding and Painting"; and Exhibit C contains special language for pulp removal.
Snag Creation (Section 2335).
All felling on the Timber Sale Area must be completed by March 15, 2014.
Access is restricted - a combination for the locked gate is available at the Tillamook office.

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: Clayberry
COUNTY: Tillamook
CONTRACT NO.: 341-12-65

TIMBER SALE NAME: **Clayberry**

TIMBER SALE NO.: **341-12-65**

OPENING DATE: **April 17, 2012**

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:

Red alder and other hardwoods..... **\$250.25** per MBF.
Western hemlock and other conifers **\$200.00** per MBF.
Western redcedar and other cedars **\$550.00** per MBF.

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$47,300**, 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

Project: Clayberry
Date: October 24, 2011
To: Eric Perkins
CC: Dan Goody, District Sale File
From: Matt Gostin

Habitat Suitability

This sale contains potentially suitable habitat for northern spotted owls. It does not contain potentially suitable habitat for marbled murrelets

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.

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.

Operational Considerations

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

All timber should be felled by March 15, 2014

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 Clayberry

Survey Area Year	Visit #1 Date	Visit #2 Date	Visit #3 Date	Visit #4 Date	Visit #5 Date	Visit #6 Date
Clayberry 2010	5/4	6/7	6/21-22	7/7	7/21	8/10
	5/4-5	6/7-8	6/24-25	7/7-8	7/21-22	8/10-11
	5/5-6	6/8	6/27	7/8-9	7/22-23	8/13
	5/8		6/27-28	7/11	7/24	8/13-14
	5/8-9			7/11-12		
	5/11					
	5/24					
	5/27					
	5/27-28					
	2010	NR*	NR	NR	NR	NR
Clayberry 2011	5/13	6/1	6/13	6/28	7/20	8/11
	5/13-14	6/1-2	6/13-14	6/28-29	7/20-21	8/11-12
	5/17		6/17-18		7/21-22	
	5/17-18					
2011	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 - 1 mice 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)
♂ ♂ ♂		♂ ♂ ♂		♂ ♂ ♂		- Male (day, night, early morning)
		♀ ♂ ♀		♀ ♂ ♀		- Female (day, night, early morning)
		♂ ♂ ♂		♂ ♂ ♂		- Sex Unkn (day, night, early morning)

*Surveys took longer than 7 days due to snow.