

## NOTICE OF TIMBER SALE

(Recovery – Scaled Sale)

SALE NAME/NO.: Rutherford Road 341-12-76

AUCTION DATE/TIME: April 20, 2012, starting at 2:00 p.m.

AUCTION LOCATION: Oregon Department of Forestry  
Forest Grove District headquarters  
801 Gales Creek Road  
Forest Grove, OR 97116-1199  
(503) 357-2191 FAX (503) 357-4548

DISTRICT/UNIT OFFICE (MAILING ADDRESS FOR BIDS): Oregon Department of Forestry  
Forest Grove District headquarters  
801 Gales Creek Road  
Forest Grove, OR 97116-1199  
(503) 357-2191 FAX (503) 357-4548

HARVEST TYPE: The sale is a modified clear cut totaling 78 acres. The stand in the Timber Sale Area is approximately 50 years old and predominantly Douglas-fir.

SALE LOCATION: Portions of Sections 34 and 35, T2N, R6W, and portions of Sections 2 and 3, T1N, R6W, W.M., Tillamook County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: From Forest Grove, travel north on Highway 8 to its junction with Highway 6. Turn left and continue west approximately 10.5 miles to Rutherford Road. Turn left and proceed 1.1 miles to the Timber Sale Area.

### APPRAISED VOLUMES AND QUALITY:

SPECIES	AVG DBH	TOTAL MBF	GRADES BY MBF													
			1P	2P	3P	P	SM	1S	2S	3S	4S	5S	6S	SEL	SC	UT
Douglas-fir	14"	2,136							527	1,414	195					
Red Alder	17"	76														76
Sale Total		2,212														

MINIMUM BID: BID SPECIES Douglas-fir ..... \$294.88 per MBF

NO-BID SPECIES Western hemlock and other conifers ..... \$218.85 per MBF  
Western redcedar and other cedars ..... \$603.85 per MBF  
Red alder and other hardwoods ..... \$330.83 per MBF

In order to compensate PURCHASER for Project Work, ODF will credit PURCHASER's timber account in the amount of \$57,700.00 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: October 31, 2014 BID METHOD: Sealed Bids

BID DEPOSIT: \$59,700 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: The Sale Area is 100% cable-based yarding.

PROJECTS: Project 1: 3.28 miles of road construction/improvement, costing \$25,206.40.  
Project 2: Road surfacing costing, \$28,810.38.  
Move-In and Equipment Cleaning, \$3,591.25.

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 Forest Grove District at (503) 357-2191 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.**

Acres were determined by using ESRI ArcMap GIS software.

Elevations range from 1,600' to 2,000'.

Equipment cleaning is required (Section 2416).

Early Felling date is March 15, 2014 (Sections 2310 and 2455).

Slopes range from 40% to 80%.

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.
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**See inside front cover of Timber Sale Schedule handbook for disclaimer regarding all governmental regulatory actions.**

**SALE NAME:** Rutherford Road  
**COUNTY:** Tillamook  
**CONTRACT NO.:** 341-12-76

TIMBER SALE NAME: **Rutherford Road**

TIMBER SALE NO.: **341-12-76**

OPENING DATE: **April 20, 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:

**Western hemlock and other conifers** ..... \$218.85 per MBF.  
**Western redcedar and other cedars** ..... \$603.85 per MBF.  
**Red alder and other hardwoods**..... \$330.83 per MBF.

Enclosed is a bid deposit as required, consisting of a \_\_\_\_\_ in the amount of \$59,700, 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**

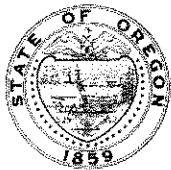
- (a) Are not currently in default status under any timber sale contract sold by the State Forester.
- (b) Has not, within a 3-year period preceding this bid, had one or more Federal, State, or local timber sales terminated for cause or default.
- (c) If (b) above is Yes, has submitted an explanation, 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:** Rutherford Road  
**Date:** December 13, 2011  
**To:** Erik Marcy  
**CC:** Andy White, District Sale File  
**From:** Matt Gostin

### Habitat Suitability

This sale contains potentially suitable habitat for northern spotted owls. This sale is located in the Marbled Murrelet Systematic Survey Zone. By policy, operational marbled murrelet surveys are not required.

### 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<sup>1,2</sup>. The surveys deviated slightly from the protocol spacing guidelines on visits 1 & 2 in 2010 due to the late addition of the sale to the survey roster. 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.

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

<sup>2</sup> 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 Rutherford Road

Survey Area	Visit #1	Visit #2	Visit #3	Visit #4	Visit #5	Visit #6
Year	Date	Date	Date	Date	Date	Date
Rutherford Road	3/24-25 3/26-27 3/27-28 3/30-31 4/1	4/21-22 4/22-23 4/25-26 4/28 4/28-29	5/12-13 5/16-17 5/17 5/17-18	6/6-7 6/8 6/11-12 6/12-13 6/13-14	6/29-30 6/30 6/30-7/1 7/1-2	7/27-28 7/28-29 7/29-30 7/31-8/1 8/1
2010	NR*	NR*	NR	NR	NR	NR
Rutherford Road	4/16-17 4/17-18	5/2-3 5/3-4 5/4-5	5/16-17 5/17-18 5/18-19	6/13-14 6/15-16 6/16-17	7/27-28 7/28-29 8/2-3	8/15-16
2011	NR	NR	NR	NR	NR	NR

NR - no response	j - juvenile	M <sub>0</sub> - mouse refused	M <sub>4</sub> - 4 mice taken
V - visual response	jj - 2 juveniles	M <sub>1</sub> - 1mice taken	M <sub>5</sub> - 5 mice taken
bb - new bird banded	 - last visit to site	M <sub>2</sub> - 2 mice taken	M <sub>6</sub> - 6 mice taken
		M <sub>3</sub> - 3 mice taken	
   - Pair (day, night, early morning)		   - Female (day, night, early morning)	
   - Male (day, night, early morning)		   - Sex Unkn (day, night, early morning)	

\*Rutherford Road sale added on April 28<sup>th</sup>, this is the reason for >7days to complete surveys