

NOTICE OF TIMBER SALE

(Recovery – Scaled Sale)

SALE NAME/NO.: Benton Brigade 341-13-03

AUCTION DATE/TIME: August 23, 2012, starting at 10:00 a.m.

AUCTION LOCATION: West Oregon District
24533 Alsea Hwy
Philomath, Oregon 97370-9729
541-929-3266 FAX 541-929-5549

DISTRICT/UNIT: West Oregon District
OFFICE (MAILING): 24533 Alsea Hwy
ADDRESS FOR BIDS): Philomath, Oregon 97370-9729
541-929-3266 FAX 541-929-5549

HARVEST TYPE: A 110 net acre autemark thinning. Areas I, II, and III are 55- to 60-year-old Douglas-fir. Area IV is 27-year-old Douglas-fir.

SALE LOCATION: Located in the NE¼ Section 24, Township 10S, Range 7W, and the S½ Section 21, Township 11S, Range 7W, WM, Benton County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: From the West Oregon District Headquarters to Areas I, II, and III, travel 1.1 miles east on Hwy. 34 to Hwy. 20. Go 4.1 miles west on Hwy. 20 to Hwy. 223 (Kings Valley Hwy.). Travel 6.4 miles north on Hwy. 223 to Luckiamute Road. Go west on Luckiamute Road 1.8 miles to Hoskins Road. Go west on Hoskins Road 1.5 miles to Bonner Lake. Enter through gate and follow signing to sale area. From the West Oregon District Headquarters to Area IV, keep traveling west on Hwy. 20 another 5.8 miles to Shroyer Ridge Road (0.4 mile west of the Blodgett Store). Turn north and go through two gates (about a ¼ mile apart). Follow signing to sale area.

APPRAISED VOLUMES AND QUALITY:

SPECIES	AVG DBH	TOTAL MBF	GRADES BY MBF												
			SM	1S	2S	3S	4S	5S	6S	SEL	SC	UT	CR	WRM	PLP
Douglas-fir	18"	864			323	420	121								
Sale Total		864													

MINIMUM BID: BID SPECIES Douglas-fir \$266.76 per MBF.

NO-BID SPECIES Western hemlock and other conifer..... \$187.00 per MBF.
Western redcedar and other cedars..... \$702.00 per MBF.
Red alder and other hardwoods \$307.00 per MBF.

In order to compensate PURCHASER for Project Work, ODF will credit PURCHASER's timber account in the amount of \$39,454.00 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 (unknown) or the total value of the project work (\$40,000) whichever is greater. Actual bond amount will be rounded up to an even \$1,000 unit.

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

BID DEPOSIT: \$19,100.00 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: Harvesting will consist of approximately 57% cable and 43% ground-based yarding by area.

PROJECTS: Road maintenance and improvements (5.0 miles), and post harvest activities.

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 West Oregon District District at 541-929-3266 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.

- **There are three locked gates. One gate is on the road accessing Areas I, II, and III. The other two gates are on the road accessing Area IV. Key can be checked out at the Philomath ODF Office.**
- Net and gross acreage for this sale area were determined using digital orthophotos and the State Geographic Information System.
- PURCHASER shall ensure all ground-based yarding, earth disturbing, road constructing, and road maintenance equipment moved onto State Forest Land or between State Forest Land sites is free of soil, seeds, vegetative matter, or other debris that could contain, or hold, seeds (Section 2416).
- Snag Creation: **80** trees (Section 2335).
- Down Wood: **80** trees (Section 2340).
- Surfaced roads are suitable for wet weather haul. However, wet weather yarding will require exclusive use of cable logging systems. Hauling may be suspended during periods when damage to the road subgrade or stream turbidity from road runoff might occur because of weather.

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: Benton Brigade
COUNTY: Benton
CONTRACT NO.: 341-13-03

TIMBER SALE NAME: **Benton Brigade**

TIMBER SALE NO.: **341-13-03**

OPENING DATE: **August 23, 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 \$187.00 per MBF.
Western redcedar and other cedars \$702.00 per MBF.
Red alder and other hardwoods..... \$307.00 per MBF.

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$19,100**, 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 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

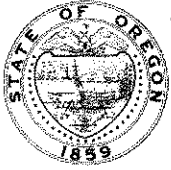
- (a) Are not currently in default status under any timber sale contract sold by the State Forester.
- (b) Has not, within a 3-year period preceding this bid, had one or more Federal, State, or local timber sales terminated for cause or default.
- (c) If (b) above is Yes, has submitted an explanation, 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: Benton Brigade
Date: June 28, 2012
To: Chris Humcke
CC: Mike Totey, District Sale File
From: Matt Gostin

Habitat Suitability

This sale contains potentially suitable habitat for northern spotted owls in areas I, II, and III. It does not contain potentially suitable habitat for murrelets.

Survey Results

Sale areas I, II, and III were 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

All timber should be felled by March 15, 2014.

Future Survey Plans

ODF has no plans for further survey of this sale.

Survey Results Summary

Table 1. Northern Spotted Owl Surveys of Benton Brigade

[illegible]