

NOTICE OF TIMBER SALE**(Recovery – Scaled Sale)**

SALE NAME/NO.: Buster Brown 341-13-25

AUCTION DATE/TIME: September 18, 2012, starting at 2:00 p.m.

AUCTION LOCATION: Oregon Department of Forestry
Astoria District Headquarters
92219 Highway 202
Astoria, Oregon 97103
(503) 325-5451 FAX (503) 325-2756
(4 miles SE of Astoria on highway 202)

DISTRICT/UNIT: Oregon Department of Forestry
OFFICE (MAILING): Astoria District Headquarters
ADDRESS FOR BIDS: 92219 Highway 202
Astoria, Oregon 97103
(503) 325-5451 FAX (503) 325-2756

HARVEST TYPE: **Areas 1 and 2:** 53 acres of partial cut of approximately 35-year-old Douglas-fir with scattered western hemlock. Volume to be removed in Areas 1 and 2 is approximately 9.2 MBF/acre.
Area 3: 71 acres of modified clearcut of approximately 69-year-old Douglas-fir and red alder with scattered western hemlock. Volume to be removed in Area 3 is approximately 59.6 MBF/acre.
Area 4 (R/W): There are 2 acres of in-sale R/W similar to the timber description of Area 3. Volume to be removed in Area 4 is approximately 64.1 MBF/acre.

SALE LOCATION: Areas 1 through 4 are located in portions of Sections 19, 21, 22, and 27, T5N, R6W, W.M., Clatsop County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: All areas can be accessed from Astoria or Vernonia via Highway 202. Turn south onto Wage Road (county) near Milepost 30. Proceed south approximately 3.0 miles on Wage Road to Wageland Road. Turn east onto Wageland Road and proceed for approximately ½ mile to the western boundary of Area 3.

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	CR	WRM	PLP
Douglas-fir	20"	4,649							3,459	1,043	147								
W Hem. / fir	18"	94							18	59	17								
Sitka spruce	18"	2								2									
Red Alder	19"	219															219		
Sale Total		4,964																	

MINIMUM BID: BID SPECIES Douglas-fir \$327.47 per MBF

NO-BID SPECIES Western hemlock and other conifers \$176.56 per MBF
Western redcedar and other cedars..... \$755.54 per MBF
Red alder and other hardwoods..... \$290.78 per MBF

In order to compensate PURCHASER for Project Work, ODF will credit PURCHASER's timber account in the amount of \$221,851 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 (\$222,000) whichever is greater. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: October 31, 2014 BID METHOD: Sealed Bids

BID DEPOSIT: \$138,100 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:

Area 1: 100% ground-based yarding.

Area 2: 100% ground-based yarding.

Area 3: 59% cable yarding and 41% ground-based yarding.

Area 4 (R/W): 100% ground-based yarding.

PROJECTS:

Project No. 1: Approximately 0.2 mile of sale access road construction.

Project No. 2: Approximately 5.0 miles of sale access road improvement.

Project No. 3: A Type F stream structure upgrade of a tributary to Buster Creek.

Project No. 3: Stream Enhancement of five sites along 1,500 feet of Buster Creek.

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. In some cases, ODF may require that initiation of operations be delayed to allow for completion of spot check surveys, as required by the USFWS survey protocol. 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 Astoria District at 503-325-5451 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.**

Seasonal hauling restrictions apply to Area 2 – See Sections 2130.

Project Nos. 1, 2, and 3 must be completed by October 31, 2013.

Project No. 4 must be completed by September 1, 2014.

This contract requires machine washing to prevent the spread of noxious weeds (Section 2416).

Snag Creation, Section 2335 – Snag creation is required in Area 3.

Timber sale acreage's were determined by using aerial photos and GIS.

Hardwood pulp removal is optional. Conifer pulp removal is not allowed.

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: Buster Brown
COUNTY: Clatsop
CONTRACT NO.: 341-13-25

TIMBER SALE NAME: **Buster Brown**

TIMBER SALE NO.: **341-13-25**

OPENING DATE: **September 18, 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/other conifers **\$176.56** per MBF.
Western redcedar and other cedars **\$755.54** per MBF.
Red alder and other hardwoods **\$290.78** per MBF.

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$138,100**, 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: Buster Brown
Date: June 5, 2012
To: Ty Williams
CC: Tom Savage, District Sale File
From: Matt Gostin

Habitat Suitability

This sale contains potentially suitable habitat for northern spotted owls in sale area 3 only. This sale is located in the Marbled Murrelet Systematic Survey Zone. By ODF policy, operational marbled murrelet surveys are not required.

Survey Results

Sale area 3 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 are ongoing in 2012 with no observations of northern spotted owls to date.

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

No felling, except for felling associated with project work, shall be allowed prior to the completion of the 2012 northern spotted owl surveys indicating no resident spotted owls.

Current northern spotted owl survey results are valid until March 15, 2014. After the 2012 surveys are completed, the survey results will be valid until March 15, 2015.

All timber should be felled by March 15, 2015.

Future Survey Plans

ODF plans to conduct spotted owl surveys in 2012 to extend the duration of the sale contract. In addition, ODF has an active survey program and northern spotted owl surveys and activity center monitoring 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 Buster Brown

Survey Area Year	Visit #1 Date	Visit #2 Date	Visit #3 Date	Visit #4 Date	Visit #5 Date	Visit #6 Date
Buster Brown	3/23 3/23-24 3/24-25 3/26-27	4/22 4/22-23 4/23-24 4/24-25	5/18 5/18-19	6/11 6/11-12 6/12-13 6/13-14	6/30 6/30-7/1 7/2 7/2-3 7/5-6	7/27 7/27-28 7/28-29
2010	NR	NR	NR	NR	NR	NR
Buster Brown	3/23 3/23-24 3/24-25 3/26-27	4/22 4/22-23 4/23-24 4/24-25	5/18 5/18-19	6/11 6/11-12 6/12-13 6/13-14	6/30 6/30-7/1 7/2 7/2-3 7/5-6	7/27 7/27-28 7/28-29
2011	NR	NR	NR	NR	NR	NR
Buster Brown	3/24 3/24-25 3/28-29 3/30 3/30-31	4/23-24 4/24 4/24-25 4/27	5/19 5/19-20 5/20 5/20-21 5/23 5/23-24	TBA	TBA	TBA
2012	NR	NR	NR			
<div> <div>NR - no response</div> <div>V - visual response</div> <div>bb - new bird banded</div> <div> <div>♂</div> <div>♀</div> <div>♂</div> </div> <div> <div>♂</div> <div>♀</div> <div>♂</div> </div> </div> <div> <div>j - juvenile</div> <div>jj - 2 juveniles</div> <div>■ - last visit to site</div> </div> <div> <div>M₀ - mouse refused</div> <div>M₁ - 1mice taken</div> <div>M₂ - 2 mice taken</div> <div>M₃ - 3 mice taken</div> </div> <div> <div>M₄ - 4 mice taken</div> <div>M₅ - 5 mice taken</div> <div>M₆ - 6 mice taken</div> </div> <div> <div>♀</div> <div>♀</div> <div>♀</div> </div> <div> <div>♀</div> <div>♀</div> <div>♀</div> </div> <div> <div>♂</div> <div>♂</div> <div>♂</div> </div> <div> <div>♂</div> <div>♂</div> <div>♂</div> </div>						
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