

## NOTICE OF TIMBER SALE

(Recovery – Scaled Sale)

SALE NAME/NO.: 28 Squared 341-13-63

AUCTION DATE/TIME: September 18, 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 44 net acres of modified clearcut; Area 2 is 1 net acre of modified clearcut.  
Approximate age Area 1: 80 years, Area 2: 40 years.

SALE LOCATION: Portions of Sections 28, T3S, R8W, W.M., Tillamook County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: From Tillamook go south on Highway 101 to Beaver (milepost 80). Turn left on Nestucca River Road and go 11.6 miles, turn left onto Clarence Creek Road; then go 1.0 mile turning right onto Forest Service Road 8376; then 2.1 miles turning left onto Forest Service Road 8376 spur 113 to the sale.

### 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	23"	1,233							980	218	35								
Red Alder	18"	55										15	12	9	19				
Sale Total		1,288																	

MINIMUM BID: BID SPECIES Douglas-fir ..... \$305.83 per MBF

NO-BID SPECIES Red alder and other hardwoods ..... \$357.54 per MBF  
Westen hemlock and other conifers ..... \$245.00 per MBF  
Western redcedar and other cedars ..... \$730.00 per MBF

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. Bond amount will be rounded up to an even \$1,000 unit.

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

BID DEPOSIT: \$39,600 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: 10% Cable Logging, 90% Ground Logging.

PROJECTS: None.

FEES: U.S. Forest Service Road Use Permit fee including road improvement prior to and following use and payment of \$0.675/ MBF-mile for volume removed in excess of 1,000 MBF plus estimated maintenance of \$1.44/ MBF-mile.

**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 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.

**Area 1: Pulp removal is not allowed.**

**Area 2: Pulp removal is required.**

Access (Section 2120). Forest Service Road Use Permit for access to the sale using roads 8376, 8376113, and 8376141. The Road Use Permit requires road improvement prior to and following use and payment of a \$0.675/ MBF-mile will be applied to volume removed in excess of 1,000 MBF plus an estimated \$1.44/ MBF-mile for maintenance.

Area 2: Falling and Yarding of un-merchantable material required (Section 2055).

Snag Creation, 90 snags (Section 2335).

Felling (Section 2310).

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: 28 Squared  
COUNTY: Tillamook  
CONTRACT NO.: 341-13-63**

TIMBER SALE NAME: **28 Squared**

TIMBER SALE NO.: **341-13-63**

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:

**Red alder and other hardwoods**..... **\$357.54** per MBF.  
**Western hemlock and other conifers** ..... **\$245.00** per MBF.  
**Western redcedar and other cedars** ..... **\$730.00** per MBF.

Enclosed is a bid deposit as required, consisting of a \_\_\_\_\_ in the amount of **\$39,600**, 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

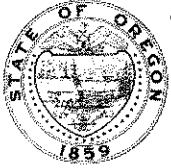
- (a) Are not currently in default status under any timber sale contract sold by the State Forester.
- (b) Has not, within a 3-year period preceding this bid, had one or more Federal, State, or local timber sales terminated for cause or default.
- (c) If (b) above is Yes, has submitted an explanation, 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:** 28 Squared  
**Date:** July 31, 2012  
**To:** Joe Travers  
**CC:** Dan Goody, District Sale File  
**From:** Matt Gostin

### Habitat Suitability

This sale contains potentially suitable habitat for northern spotted owls and marbled murrelets.

### Survey Results

This sale was surveyed for northern spotted owls in 2011, using a protocol endorsed by the U.S. Fish and Wildlife Service<sup>1,2</sup>. Northern spotted owls were not observed during these surveys. Northern spotted owl surveys are ongoing during 2012 with no observations to date.

Surveys for marbled murrelets were conducted in 2011, using a protocol developed by the Pacific Seabird Group<sup>3</sup>. Murrelets were detected as present during these surveys. However, behaviors indicating occupancy were not observed. Marbled murrelet surveys are ongoing in 2012 with no observations to date.

<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.

<sup>3</sup> Evans, D. M., W. P. Ritchie, S. K. Nelson, E. Kuo-Harrison, Peter Harrison, T. E. Hamer, eds. 2003. Methods for surveying marbled murrelets in forests: a revised protocol for land management and research. Unpublished report for the Pacific Seabird Group Marbled Murrelet Technical Committee. 76 pp.

### **Known T&E Resources**

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

### **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.

If felling operations are not initiated by February 1, felling may not occur until June 30 of each year, or until northern spotted owl spot check surveys are completed, whichever is first. This requirement may be waived by ODF if the delay in initiation of operations is not needed.

Northern spotted owl survey results will be valid until March 15, 2015, after the 2012 surveys have been completed. Marbled murrelet survey results will be valid until April 1, 2018, after the 2012 surveys have been completed.

All timber should be felled by March 15, 2015

### **Future Survey Plans**

Spotted owl spot check surveys are planned to occur during the life of this contract. In addition, 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.

## Table 1. Northern Spotted Owl Surveys of 28 Squared

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Table 2. Marbled Murrelet Surveys of 28 Squared

Survey Area	Site	Station	Date	# Detections
28 SQUARED	1	1	05/05/2011	2
28 SQUARED	1	2	05/13/2011	0
28 SQUARED	1	3	05/26/2011	0
28 SQUARED	1	4	06/08/2011	0
28 SQUARED	1	5	06/17/2011	0
28 SQUARED	1	1	07/05/2011	0
28 SQUARED	1	2	07/15/2011	0
28 SQUARED	1	3	07/22/2011	0
28 SQUARED	1	4	07/29/2011	0
28 SQUARED	1	5	05/07/2012	0
28 SQUARED	1	4	05/18/2012	0
28 SQUARED	1	3	05/29/2012	0
28 SQUARED	1	2	06/08/2012	0
28 SQUARED	1	1	06/25/2012	0
28 SQUARED	1	5	07/07/2012	0
28 SQUARED	1	Ongoing	Ongoing	NA
28 SQUARED	1	Ongoing	Ongoing	NA
28 SQUARED	1	Ongoing	Ongoing	NA