

# NOTICE OF TIMBER SALE

(Recovery – Scaled Sale)

SALE NAME/NO.: Two's Company 341-13-74

AUCTION DATE/TIME: May 21, 2013, starting at 10:00 am

AUCTION LOCATION: Oregon Department of Forestry  
Tillamook District Headquarters  
5005 Third Street  
Tillamook, Oregon 97141  
(503) 842-2545 FAX (503) 842-3143

DISTRICT/UNIT: Oregon Department of Forestry  
OFFICE (MAILING: Tillamook District Headquarters  
ADDRESS FOR BIDS): 5005 Third Street  
Tillamook, Oregon 97141  
(503) 842-2545 FAX (503) 842-3143

HARVEST TYPE: Area 1 is 40 net acres of partial cut; Area 2 is 108 net acres of modified clearcut; Area 3 is 101 net acres of modified clearcut. Approximate age: 42.

SALE LOCATION: Portions of Sections 35 and 36, T2N, R9W, and portions of Sections 1 and 2, T1N, R9W, W.M., Tillamook County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: From Tillamook go North on Highway 101 to Kilchis River Road turn left. Follow Kilchis River Road approximately 2 miles to the Kilchis Forest Road. Follow Kilchis Forest Road approximately 9.5 miles to Company Creek Road (Area 1 access).

## APPRAISED VOLUMES AND QUALITY:

SPECIES	AVG DBH	TOTAL MBF	GRADES BY MBF															
			1P	2P	3P	P	SM	1S	2S	3S	4S	8-9	10-11	12+	SC	UT	CR	WRM
Douglas-fir	14"	2,399							353	1,376	670							
W Hem. / fir	14"	24								18	6							
Sitka Spruce	14"	17								17								
Red Alder	14"	545										458	67	20				
Sale Total		2,985																

MINIMUM BID:	BID SPECIES	Douglas-fir .....	\$221.23 per MBF
	NO-BID SPECIES	Red alder and other hardwoods .....	\$170.91 per MBF
		Western hemlock	\$125.34 per MBF
		Sitka Spruce and other conifers .....	\$125.34 per MBF
		Western redcedar and other cedars .....	\$780.00 per MBF

In order to compensate PURCHASER for Project Work, ODF will credit PURCHASER's timber account in the amount of \$176,720 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 (\$176,720) whichever is greater. Actual bond amount will be rounded up to an even \$1,000 unit. 20% of bid value. Bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: June 30, 2015      BID METHOD: Sealed Bids

BID DEPOSIT: \$45,200      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: 18% Ground Logging, 82% Cable Logging.

PROJECTS: Project No. 1 - Construct 0.24 mile of road, improve 4.8 miles, reconstruct .06 mile of road reconstruction.  
Project No. 2 - Crush and spread 6,545 CY 3"-0", 100 CY 3"-1".  
Project No. 3 - Place 480 CY of riprap.  
Project No. 4 - Seed and fertilize.  
Project No. 5 - Clear roadside trees.

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 recommended by the USFWS survey protocol and required by ODF policy. 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.**

**Pulp removal in Area 1 and 2 is required.**

Areas 2 and 3 Felling and Yarding of un-merchantable material required (Section 2055).

**Felling must be completed by March 15, 2015 (Section 2310).**

Log hauling is restricted to 4 loads per day from the timber sale November 1 to April 30 (Section 2035).

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: Two's Company**  
**COUNTY: Tillamook**  
**CONTRACT NO.: 341-13-74**

TIMBER SALE NAME: **Two's Company**

TIMBER SALE NO.: **341-13-74**

OPENING DATE: **May 21, 2013**

**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**..... **\$170.91** per MBF.  
**Western hemlock**..... **\$125.34** per MBF.  
**Sitka Spruce and other conifers** ..... **\$125.34** per MBF.  
**Western redcedar and other cedars** ..... **\$780.00** per MBF.

Enclosed is a bid deposit as required, consisting of a \_\_\_\_\_ in the amount of **\$45,200**, 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:** Two's Company  
**Date:** February 14, 2013  
**To:** Joe Travers  
**CC:** Dan Goody, District Sale File  
**From:** Matt Gostin

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### Habitat Suitability

This sale contains potentially suitable habitat for northern spotted owls in all sale areas and marbled murrelets in and adjacent to sale areas 1 and 2.

### Survey Results

This sale was surveyed for northern spotted owls in 2011 and 2012, 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.

Surveys for marbled murrelets were conducted in 2011 and 2012, using a protocol developed by the Pacific Seabird Group<sup>3</sup>. Marbled murrelets were not detected during these surveys.

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<sup>1</sup> USDI Fish and Wildlife Service. 2012. Protocol for surveying proposed management activities that may impact northern spotted owls. 42pp.

<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**

Felling restrictions for spotted owl spot check surveys are not required for this sale at this time.

Current northern spotted owl survey results are valid until March 15, 2015. Marbled murrelet survey results are valid until April 1, 2018.

All timber should be felled by March 15, 2015.

### **Future Survey Plans**

Spotted owl spot check surveys for this timber sale will be required in 2013 and 2014. 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. Also, marbled murrelet surveys will be conducted within 1/4 mile of this sale during the life of the contract.

## Survey Results Summary

Table 1. Northern Spotted Owl Surveys of Two's Company (surveyed as Peg and Raker)

Survey Area	Visit #1	Visit #2	Visit #3	Visit #4	Visit #5	Visit #6
Year	Date	Date	Date	Date	Date	Date
Peg and Raker	4/9	5/3	5/29	6/23	7/20	8/10
	4/11	5/3-4	5/29-30	6/23-24	7/20-21	8/10-11
	4/11-12		5/30-31 6/1 6/1-2	6/24	7/21 7/21-22 7/22-23	8/14 8/14-15
2011	NR	NR	NR	NR	NR	NR
Peg and Raker	4/10	5/8	5/31	6/26	7/19	8/8
	4/10-11	5/8-9	5/31-6/1	6/26-27	7/19-20	8/8-9
	4/12-13	5/10	6/3	6/27	7/21	8/13
	4/13	5/10-11	6/3-4	6/27-28	7/23	8/13-14
	4/13-14	5/11	6/5-6	6/28	7/23-24	8/14
	14	5/11-12	6/6	6/28-29	7/24	8/14-15
	4/14-15	5/12-13		7/2 7/2-3	7/24-25 7/25-26	
2012	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> - 1 mice 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 Unk (day, night, early morning)						

Table 2. Marbled Murrelet Surveys of Two's Company (surveyed as Peg and Raker)

Survey Area	Site	Station	Date	# Detections
PEG AND RAKER	1	2	05/12/2011	0
PEG AND RAKER	1	3	06/10/2011	0
PEG AND RAKER	1	1	06/22/2011	0
PEG AND RAKER	1	4	07/02/2011	0
PEG AND RAKER	1	1	07/09/2011	0
PEG AND RAKER	1	2	05/04/2012	0
PEG AND RAKER	1	1	05/31/2012	0
PEG AND RAKER	1	3	06/13/2012	0
PEG AND RAKER	1	5	07/04/2012	0
PEG AND RAKER	1	4	07/12/2012	0