

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

SALE NAME/NO.: Back Eddy 341-13-92

AUCTION DATE/TIME: May 23, 2013, starting at 10:00 a.m.

AUCTION LOCATION: Oregon Department of Forestry
West Oregon District Headquarters
24533 Alsea Highway
Philomath, Oregon 97370-9112
(541) 929-3266 FAX (541) 929-5549

DISTRICT/UNIT: Oregon Department of Forestry
OFFICE (MAILING: West Oregon District Headquarters
ADDRESS FOR BIDS): 24533 Alsea Highway
Philomath, Oregon 97370-9112
(541) 929-3266 FAX (541) 929-5549

HARVEST TYPE: Modified Clearcut containing 60 net acres in two sale areas. The operation area contains approximately 65-year-old Douglas-fir and red alder.

SALE LOCATION: Portions of Section 21, T11S, R9W, W.M., Lincoln County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: From Philomath travel west on Highway 20 to Deer Creek Road (MP24). Travel southerly on Deer Creek Road to ridge top. Follow Baber Ridge Road westerly to Beaver Line Road. Follow Beaver Line Road south to Timber Sale Area. Distance from Highway 20 to Timber Sale Area is approximately 4.7 miles.

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	24"	1,438							1,179	216	43								
Red Alder	14"	283															283		
Sale Total		1,721																	

MINIMUM BID: BID SPECIES Douglas-fir \$348.68 per MBF

NO-BID SPECIES Red alder and other hardwoods \$253.04 per MBF
Western hemlock and other conifers \$202.00 per MBF
Western redcedar and other cedars \$722.00 per MBF

In order to compensate PURCHASER for Project Work, ODF will credit PURCHASER's timber account in the amount of \$59,473.00 after the project work is completed and accepted, as described in Section 2630, "Credit for Project Work."

The Timber Sale Areas contains negligible volumes of other logs to be paid for at the prices in Section 1740.

PERFORMANCE SECURITY: 20% of bid value (unknown). Actual bond amount will be rounded up to an even \$1,000 unit.

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

BID DEPOSIT: \$51,300 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 I will require use of a cable-yarding system. Area II is ground-operable during the dry season.

PROJECTS: Road Improvement (5.6 miles), Mechanical brushing (3.5 miles), slash piling, and firewood sorting.

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 West Oregon 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.

- A portion of Area I has seasonal restrictions due to its proximity to potential suitable habitat.
- Acreage was determined using a combination of GPS and the ODF-GIS system utilizing orthographic imagery and LiDAR data.
- **32** hours of machine slash processing is required on portions of the Timber Sale Area (Section 2560).
- **60** trees will be topped for Snag Creation (Section 2335).
- **60** will be Felling for Down Wood recruitment (Section 2340).
- Firewood sorting is required on four Landings (Section 2365).
- 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.
- **Pulp removal is optional.**
- **Portions of haul route are a shared use with Baber Mountain ATV Club. Safety of riders must be considered. – SEE SECTION 2425.**

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: Back Eddy
COUNTY: Lincoln
CONTRACT NO.: 341-13-92

TIMBER SALE NAME: **Back Eddy**

TIMBER SALE NO.: **341-13-92**

OPENING DATE: **May 23, 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..... **\$253.04** per MBF.
Western hemlock and other conifers **\$202.00** per MBF.
Western redcedar and other cedars **\$722.00** per MBF.

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$51,300**, 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: Back Eddy
Date: April 8, 2013
To: Chris Humcke
CC: Mike Totey, District Sale File
From: Matt Gostin

Habitat Suitability

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

Survey Results

Surveys for marbled murrelets were conducted in 2010 and 2011, using a protocol developed by the Pacific Seabird Group¹. Murrelets were not detected during these surveys.

A survey waiver for marbled murrelets has been issued for this sale.

This sale was surveyed for northern spotted owls in 2010, 2011, and 2012 using a protocol endorsed by the U.S. Fish and Wildlife Service^{2,3}. Northern spotted owls were not observed during these surveys.

¹ 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.

² USDI Fish and Wildlife Service. 2012. Protocol for surveying proposed management activities that may impact northern spotted owls. 42pp.

³ Oregon Department of Forestry, June 1, 2010. Policy bulletin SFB – 10-03, Northern Spotted Owl Policy Update - Northern Spotted Owl Survey Protocol.

Known T&E Resources

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

Operational Considerations

As per the survey waiver, felling, project work, operations, log loading, and slash piling, within the seasonally restricted buffer (within 300 feet of potential suitable habitat), shall not be allowed from October 1 through August 5, or from August 6 through September 15 between two hours before sunset and two hours after sunrise, unless otherwise approved in writing by STATE.

As per the survey waiver, if it is determined that tailholds and guylines will be used, operator must avoid placing tailholds on suitable nest trees in the potential suitable habitat area. The Area Biologist will inspect the area where guylines and tailholds may be needed and assist with the selection of trees to be used. No tailholds or guylines will be placed in the potential suitable habitat area without the approval of the Area Biologist.

Current northern spotted owl survey results are valid until March 15, 2015. Marbled murrelet survey results are valid until April 1, 2017.

All timber should be felled by March 15, 2015.

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 Back Eddy

Survey Area		Visit #1	Visit #2	Visit #3	Visit #4	Visit #5	Visit #6
Year		Date	Date	Date	Date	Date	Date
Back Eddy 2010		3/18-19	4/3-4	4/14-15	5/24-25	6/21-22	7/27-28
		NR	NR	NR	NR	NR	NR
Back Eddy 2011		3/28-29	4/12-13	4/27-28	6/3-4	6/26-27	7/26-27 7/27-28
		NR	NR	NR	NR	NR	NR
Back Eddy 2012		4/6-7 4/7-8	4/23-24	5/29-30 5/30-31	6/20-21 6/26-27	7/17-18	8/9-10
		NR	NR	NR	NR	NR	NR

NR - no response	j - juvenile	M ₀ - mouse refused	M ₄ - 4 mice taken
V - visual response	jj - 2 juveniles	M ₁ - 1mice taken	M ₅ - 5 mice taken
bb - new bird banded	■ - last visit to site	M ₂ - 2 mice taken	M ₆ - 6 mice taken
		M ₃ - 3 mice taken	

♂ ♂ ♂	♀ ♀ ♀	⊙ ⊙ ⊙
♂ ♂ ♂ - Pair (day, night, early morning)	♀ ♀ ♀ - Female (day, night, early morning)	⊙ ⊙ ⊙ - Sex Unk (day, night, early morning)

Table 2. Marbled Murrelet Surveys of Back Eddy

Survey Area	Site	Station	Date	# Detections
BACK EDDY	1	1	05/04/2010	0
BACK EDDY	1	2	05/28/2010	0
BACK EDDY	1	3	06/23/2010	0
BACK EDDY	1	4	07/07/2010	0
BACK EDDY	1	5	07/16/2010	0
BACK EDDY	1	1	05/12/2011	0
BACK EDDY	1	2	06/10/2011	0
BACK EDDY	1	3	06/27/2011	0
BACK EDDY	1	4	07/05/2011	0
BACK EDDY	1	5	07/14/2011	0
BACK EDDY	2	1	05/11/2010	0
BACK EDDY	2	2	06/08/2010	0
BACK EDDY	2	1	06/26/2010	0
BACK EDDY	2	3	07/07/2010	0
BACK EDDY	2	1	07/16/2010	0
BACK EDDY	2	1	05/17/2011	0
BACK EDDY	2	2	06/13/2011	0
BACK EDDY	2	3	06/28/2011	0
BACK EDDY	2	1	07/06/2011	0
BACK EDDY	2	3	07/13/2011	0