

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

SALE NAME/NO.: Leaning Towers of Baber 341-14-07

AUCTION DATE/TIME: September 19, 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: A modified clear cut containing 41 net acres in one sale area. The operation area contains approximately 89-year-old Douglas-fir.

SALE LOCATION: Portions of Section 9, T11S, R9W, W.M., Lincoln County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: From the Philomath office, travel north on Hwy. 34 to Hwy. 20. Go west on Hwy. 20 for approximately 25.8 miles to Deer Creek Road. Turn south on Deer Creek Road and travel southerly for approximately 2.2 miles until Baber Ridge Road (this road follows the BPA power lines). Travel westerly on Baber Ridge Road for approximately 3.7 miles until reaching the junction of Updike County Road and the WOW Road. Turn right onto the WOW Road, go through the gate, and travel approximately 1.8 miles until reaching the summit. Turn right onto the Baber Corridor Road and travel approximately 1.5 miles to the Timber Sale Area.

**APPRAISED VOLUMES AND QUALITY:**

SPECIES	AVG DBH	TOTAL MBF	GRADES BY MBF																
			1P	2P	3P	P	SM	1 S	2S	3S	4S	5S	6S	SEL	SC	UT	CR	WRM	PLP
Douglas-fir	27"	2,365							1,904	427	34								
Sale Total		2,365																	

MINIMUM BID: BID SPECIES Douglas-fir ..... \$311.25 per MBF

NO-BID SPECIES Western hemlock and other conifers ..... \$200.00 per MBF  
Western redcedar and other cedars ..... \$670.00 per MBF  
Red alder and other hardwoods ..... \$170.00 per MBF

In order to compensate PURCHASER for Project Work, ODF will credit PURCHASER's timber account in the amount of \$36,449 after the project work is completed and accepted, as described in Section 2630, "[Credit for Project Work](#)."

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 (unknown). Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: September 30, 2015

BID METHOD: Sealed Bids

BID DEPOSIT: \$69,900

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 is 41% cable and 59% ground based.

PROJECTS: New construction: 0.2 mile; road maintenance: 4 miles.

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 KEY IS REQUIRED TO ACCESS THE SALE AREA ALONG WOW ROAD NEAR POINT A ON EXHIBIT A. IT MAY BE CHECKED OUT AT THE WEST OREGON DISTRICT HEADQUARTERS IN PHILOMATH.**

- Acreage was determined using a combination of GPS and the ODF-GIS system utilizing orthographic imagery and LiDAR data.
- **All timber felling shall be completed prior to March 15, 2015 (Sections 2310 and 2455).**
- PURCHASER shall ensure all ground-based yarding, earth disturbing, road construction, and road maintenance equipment moved onto State Forest Land or between State Forest Land sites are free of soil, seeds, vegetative matter, or other debris that could contain, or hold, seeds (Section 2416); **41** trees will be topped for snag creation (Section 2335).
- **41** trees will be felled for down wood recruitment (Section 2340).
- **41** trees will be topped for Snag Creation (Section 2335).
- Firewood sorting is required on all landings (Section 2365).
- **54** hours of machine slash processing is required on portions of the Sale Area (Section 2560).
- 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 wet periods when damage to the road or stream turbidity from road runoff might occur.

- **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:** Leaning Towers of Baber  
**COUNTY:** Lincoln  
**CONTRACT NO.:** 341-14-07

TIMBER SALE NAME: **Leaning Towers of Baber**

TIMBER SALE NO.: **341-14-07**

OPENING DATE: **September 19, 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:

Western hemlock and other hardwoods ..... \$200.00 per MBF.  
Western redcedar and other cedars ..... \$670.00 per MBF.  
Red alder and other hardwoods ..... \$170.00 per MBF.

Enclosed is a bid deposit as required, consisting of a \_\_\_\_\_ in the amount of **\$69,900**, 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**

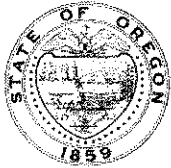
- (a) Are not currently in default status under any timber sale contract sold by the State Forester.
- (b) Has not, within a 3-year period preceding this bid, had one or more Federal, State, or local timber sales terminated for cause or default.
- (c) If (b) above is Yes, has submitted an explanation, 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:** Leaning Towers of Baber  
**Date:** July 24, 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 2011 and 2012, using a protocol developed by the Pacific Seabird Group<sup>1</sup>. Marbled murrelets were not detected during these surveys.

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>2,3</sup>. Northern spotted owls were not observed during these surveys.

<sup>1</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.

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

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

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

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

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.

## Table 1. Northern Spotted Owl Surveys of Leaning Towers of Baber

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Table 2. Marbled Murrelet Surveys of Leaning Towers of Baber

Survey Area	Site	Station	Date	# Detections
LEANING TOWERS OF BABER	1	1	05/17/2011	0
LEANING TOWERS OF BABER	1	2	06/11/2011	0
LEANING TOWERS OF BABER	1	3	06/18/2011	0
LEANING TOWERS OF BABER	1	1	07/05/2011	0
LEANING TOWERS OF BABER	1	2	07/17/2011	0
LEANING TOWERS OF BABER	1	1	05/09/2012	0
LEANING TOWERS OF BABER	1	2	05/25/2012	0
LEANING TOWERS OF BABER	1	3	06/12/2012	0
LEANING TOWERS OF BABER	1	1	07/02/2012	0
LEANING TOWERS OF BABER	1	2	07/15/2012	0