

## NOTICE OF TIMBER SALE

(Recovery – Scaled Sale)

SALE NAME/NO.: Lost Fry 341-14-41

AUCTION DATE/TIME: September 17, 2013, starting at 2:00 p.m.

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

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

HARVEST TYPE: Areas 1, 2, 5, and 6: Approximately 161 acres of modified clearcut, removing approximately 32 MBF/acre of Western hemlock, Douglas-fir, red alder and Sitka spruce.  
Area 3: Approximately 58 acres of "Auto-Mark" thinning, removing approximately 10 MBF/acre of Douglas-fir, western hemlock, and other conifers.  
Area 4: Approximately 19 Acres of "Auto-Mark" thinning, removing approximately 19 MBF/acre of Western hemlock and other conifers.  
Area 7: Approximately 11 acres of right-of-way removing approximately 37 MBF/acre. An additional 4 acres of right-of-way is included in Area 7 with negligible volume removal.

SALE LOCATION: Timber Sale Areas are located in portions of Sections 29, 30, 31, and 32, T4N, R8W, and portions of Section 36, T4N, R9W, W.M., Clatsop County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: Timber Sale Areas can be accessed via Highway 53 near Milepost 9 to the North Fork Nehalem Road, and then stay right and travel through the gate on North Fork Road. Travel approximately 4½ miles and turn right onto Sweethome Creek Road. Travel approximately 0.5 mile to Fry Creek Road, Area 1 is 1 mile up Fry Creek Road. Continue up Fry Creek Road to Areas 2, 3, 4, and 5, Area 6 is accessible via foot through Area 3.

### APPRAISED VOLUMES AND QUALITY:

SPECIES	AVG DBH	TOTAL MBF	GRADES BY MBF											
			1P	3P	P	SM	1S	2S	3S	4S	12"+	10"-11"	8"-9"	6"-7"
Douglas-fir	15"	1,034						542	401	91				
W Hem. / fir	15"	4,298						1,937	1,925	436				
Red alder and other hardwoods	12"	724									40	90	183	411
W Red Cedar	25"	3						2	1					
Sitka Spruce	28"	507						50	51	8				
Sale Total		6,566												

MINIMUM BID:	BID SPECIES	Western hemlock .....	\$282.95 per MBF
	NO-BID SPECIES	Douglas-fir .....	\$413.55 per MBF
		Red alder and other hardwoods .....	\$331.56 per MBF
		Western redcedar and other cedars .....	\$724.84 per MBF
		Sitka spruce and other conifers .....	\$ 78.12 per MBF

In order to compensate PURCHASER for Project Work, ODF will credit PURCHASER's timber account in the amount of \$401,002 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 (\$401,002) whichever is greater. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: October 31, 2016 BID METHOD: Sealed Bids

BID DEPOSIT: \$152,400 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: 37% ground-based yarding and 63% cable yarding.  
Area 2: 77% ground-based yarding and 23% cable yarding.  
Area 3: 91% ground-based yarding and 9% cable yarding.  
Area 4: 100% ground-based yarding.  
Area 5: 81% ground-based yarding and 19% cable yarding.  
Area 6: 15% ground-based yarding and 85% cable yarding.  
Area 7 R/W: 100% ground-based yarding.

PROJECTS: Project No. 1: Approximately 3.0 miles of sale access road construction.  
Project No. 2: Approximately 4.9 miles of road improvement.  
Project No. 3: Approximately 0.9 mile of road vacating.

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 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.**  
**All felling must be completed by March 15, 2016 (Sections 2310, 2350, and 2355).**  
**All projects must be completed by October 31, 2014 (Section 2620).**  
**Pulp removal is required if yarded to landing.**

**North Fork Road is gated, a key is required for access and is available at the Astoria District Headquarters.**

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.**

<b>SALE NAME:</b>	<b>Lost Fry</b>
<b>COUNTY:</b>	<b>Clatsop</b>
<b>CONTRACT NO.:</b>	<b>341-14-41</b>

TIMBER SALE NAME: **Lost Fry**

TIMBER SALE NO.: **341-14-41**

OPENING DATE: **September 17, 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:

**Western hemlock**, 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:

Douglas-fir ..... **\$413.55** per MBF.  
Red alder and other hardwoods ..... **\$331.56** per MBF.  
Western redcedar and other cedars..... **\$724.84** per MBF.  
Sitka spruce and other conifers ..... **\$ 78.12** per MBF.

Enclosed is a bid deposit as required, consisting of a \_\_\_\_\_ in the amount of **\$152,400**, 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:** Lost Fry  
**Date:** July 30, 2013  
**To:** John Tillotson  
**CC:** Tom Savage, District Sale File  
**From:** Matt Gostin

### Habitat Suitability

This sale contains potentially suitable habitat for northern spotted owls in all sale areas and marbled murrelets in sale areas 1-6 and road segments 1, 3, and 4.

### 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. There was a slight deviation from protocol regarding survey station sequencing in site 4 in 2011. However, since the site was able to be adequately covered by a single station the intent of the protocol sequencing was achieved.

A survey waiver for marbled murrelets has been issued for road segment 4 project work.

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

<sup>1</sup> Evans, D. M., W. P. Ritchie, S. K. Nelson, E. Kuo-Harrison, Peter Harrison, T. E. Harner, 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.

observed during these surveys. Surveys are ongoing in 2013 and are expected to be completed by August 31.

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

There are no northern spotted owl activity centers affecting this sale.

Sale areas 4 & 5 are within ¼ of a Marbled Murrelet Management Area

### **Operational Considerations**

Operations including timber felling, ground based operations, cable yarding operations, road construction, road improvement, and road vacating shall not be allowed from April 1 through September 15 within seasonally restricted areas.

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

No felling, except for felling associated with project work, shall be allowed prior to the completion of the 2013 northern spotted owl surveys indicating no resident spotted owls.

Current northern spotted owl survey results are valid until March 15, 2015. After the 2013 surveys are completed, the survey results will be valid until March 15, 2016.

Marbled murrelet survey results are valid until April 1, 2018.

All timber should be felled by March 15, 2016.

### **Future Survey Plans**

ODF is currently surveying this sale for northern spotted owls. 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. Spotted owl spot check surveys for this timber sale will be required in 2014 and 2015.

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<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.

## Survey Results Summary

Table 1. Northern Spotted Owl Surveys of Lost Fry

Survey Area	Visit #1	Visit #2	Visit #3	Visit #4	Visit #5	Visit #6
Year	Date	Date	Date	Date	Date	Date
Lost Fry	3/31-4/1	4/26-27	5/23	6/18	7/12-13	8/6-7
	4/2	4/29-30	5/23-24	6/18-19	7/13	8/7
2011	4/2-3	4/30-5/1	5/24-25	6/20	7/13-14	8/7-8
	4/3-4			6/20-21	7/14	8/8
	4/6-7			6/21	7/14-15	8/8-9
				6/21-22		
	NR	NR	NR	NR	NR	NR
Lost Fry	4/5-6	5/2	5/25	6/21-22	7/16-17	8/3-4
	4/6	5/2-3	5/25-26	6/22	7/17	8/5
	4/6-7	5/4	5/27	6/22-23	7/17-18	8/5-6
	4/7-8	5/4-5	5/27-28	6/23	7/18-19	8/6-7
		5/5	5/28	6/23-24		
2012		5/5-6	5/28-29			
		5/29	5/29-30			
Lost Fry	3/29-30	4/30	5/26-27	6/20-21	7/17-18	TBA
	3/31-4/1	4/30-5/1	5/29	6/21	7/18	
	4/1	5/1	5/29-30	6/21-22	7/18-19	
	4/1-2	5/1-2	5/30	6/22	7/19	
			5/30-31	6/22-23	7/19-20	
2013				6/26		
				6/26-27		
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> - 1mice 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 Lost Fry

Survey Area	Site	Station	Date	# Detections
LOST FRY	1	1	05/04/2011	0
LOST FRY	1	3	05/16/2011	0
LOST FRY	1	4	05/24/2011	0
LOST FRY	1	2	06/08/2011	0
LOST FRY	1	1	06/23/2011	0
LOST FRY	1	2	07/05/2011	0

Survey Area	Site	Station	Date	# Detections
LOST FRY	1	3	07/19/2011	0
LOST FRY	1	4	07/25/2011	0
LOST FRY	1	1	08/01/2011	0
LOST FRY	1	1	05/01/2012	0
LOST FRY	1	2	05/11/2012	0
LOST FRY	1	3	05/23/2012	0
LOST FRY	1	4	06/07/2012	0
LOST FRY	1	1	06/18/2012	0
LOST FRY	1	2	07/03/2012	0
LOST FRY	1	3	07/12/2012	0
LOST FRY	1	4	07/22/2012	0
LOST FRY	1	4	07/29/2012	0
LOST FRY	2	1	05/03/2011	0
LOST FRY	2	2	05/18/2011	0
LOST FRY	2	3	05/30/2011	0
LOST FRY	2	1	06/07/2011	0
LOST FRY	2	2	06/21/2011	0
LOST FRY	2	3	07/02/2011	0
LOST FRY	2	1	07/13/2011	0
LOST FRY	2	2	07/22/2011	0
LOST FRY	2	3	07/28/2011	0
LOST FRY	2	1	05/01/2012	0
LOST FRY	2	2	05/11/2012	0
LOST FRY	2	3	05/23/2012	0
LOST FRY	2	1	06/07/2012	0
LOST FRY	2	2	06/18/2012	0
LOST FRY	2	3	07/03/2012	0
LOST FRY	2	1	07/12/2012	0
LOST FRY	2	2	07/22/2012	0
LOST FRY	2	3	07/29/2012	0
LOST FRY	3	3	05/04/2011	0
LOST FRY	3	2	05/23/2011	0
LOST FRY	3	1	06/01/2011	0
LOST FRY	3	4	06/15/2011	0
LOST FRY	3	5	06/22/2011	0
LOST FRY	3	6	07/06/2011	0
LOST FRY	3	7	07/13/2011	0
LOST FRY	3	1	07/23/2011	0
LOST FRY	3	2	07/29/2011	0
LOST FRY	3	1	05/02/2012	0
LOST FRY	3	2	05/15/2012	0
LOST FRY	3	3	05/29/2012	0

Survey Area	Site	Station	Date	# Detections
LOST FRY	3	4	06/11/2012	0
LOST FRY	3	5	06/28/2012	0
LOST FRY	3	6	07/10/2012	0
LOST FRY	3	7	07/19/2012	0
LOST FRY	3	4	07/25/2012	0
LOST FRY	3	3	08/02/2012	0
LOST FRY	4	2	05/05/2011	0
LOST FRY	4	2	05/23/2011	0
LOST FRY	4	1	06/07/2011	0
LOST FRY	4	1	07/01/2011	0
LOST FRY	4	2	07/18/2011	0
LOST FRY	4	1	05/10/2012	0
LOST FRY	4	2	05/25/2012	0
LOST FRY	4	1	06/07/2012	0
LOST FRY	4	2	07/03/2012	0
LOST FRY	4	2	07/13/2012	0
LOST FRY	5	6	05/04/2011	0
LOST FRY	5	5	05/17/2011	0
LOST FRY	5	4	05/24/2011	0
LOST FRY	5	3	06/08/2011	0
LOST FRY	5	2	06/23/2011	0
LOST FRY	5	1	07/05/2011	0
LOST FRY	5	2	07/19/2011	0
LOST FRY	5	3	07/25/2011	0
LOST FRY	5	1	08/01/2011	0
LOST FRY	5	1	05/02/2012	0
LOST FRY	5	2	05/14/2012	0
LOST FRY	5	3	05/24/2012	0
LOST FRY	5	4	06/12/2012	0
LOST FRY	5	5	06/20/2012	0
LOST FRY	5	6	07/04/2012	0
LOST FRY	5	1	07/13/2012	0
LOST FRY	5	2	07/23/2012	0
LOST FRY	5	3	07/31/2012	0
LOST FRY	6	1	05/18/2011	0
LOST FRY	6	2	06/03/2011	0
LOST FRY	6	3	06/10/2011	0
LOST FRY	6	1	06/20/2011	0
LOST FRY	6	2	06/28/2011	0
LOST FRY	6	3	07/07/2011	0
LOST FRY	6	1	07/15/2011	0
LOST FRY	6	2	07/25/2011	0

<b>Survey Area</b>	<b>Site</b>	<b>Station</b>	<b>Date</b>	<b># Detections</b>
LOST FRY	6	3	08/01/2011	0
LOST FRY	6	1	05/02/2012	0
LOST FRY	6	2	05/14/2012	0
LOST FRY	6	3	05/24/2012	0
LOST FRY	6	1	06/12/2012	0
LOST FRY	6	2	06/20/2012	0
LOST FRY	6	3	07/04/2012	0
LOST FRY	6	1	07/13/2012	0
LOST FRY	6	2	07/23/2012	0
LOST FRY	6	3	07/30/2012	0