

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

SALE NAME/NO.: Mistleoad 341-14-80

AUCTION DATE/TIME: June 16, 2014 , starting at 2:00 p.m.

AUCTION LOCATION: Oregon Department of Forestry
Klamath-Lake District
3200 Delap Road
Klamath Falls, OR 97601
(541) 883-5681 FAX (541)883-5555

DISTRICT/UNIT OFFICE (MAILING ADDRESS FOR BIDS): Oregon Department of Forestry
Klamath-Lake District
3200 Delap Road
Klamath Falls, OR 97601
(541) 883-5681 FAX (541)883-5555

HARVEST TYPE: 395 Acre Selection Harvest.

SALE LOCATION: Portions of Sections 2, 3, 11, 12, 13, and 14, T33S, R7.5E, W.M., Klamath County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: From Klamath Falls, proceed North on Highway 97 to the Highway 62 junction. Proceed North on Highway 62 to the Sun Mountain Road, to the Timber Sale Area.

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
White fir	16"	1,245															1,246		
Sugar Pine	17"	95															95		
Pond. Pine	13"	618															617		
Lodge, Pine and other species	12"	45															46		
Sale Total		2,003																	

MINIMUM BID: BID SPECIES White fir \$263.84 per MBF

NO-BID SPECIES Ponderosa pine \$150.45 per MBF

Sugar pine \$175.50 per MBF

Lodgepole pine and other species \$155.13 per MBF

In order to compensate PURCHASER for Project Work, ODF will credit PURCHASER's timber account in the amount of \$25,760 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), not to exceed \$500,000. Bond amount will be rounded up to an even \$1,000 unit.

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

BID DEPOSIT: \$41,900 SALE TYPE: Recovery/BOF -100%

10% of the net appraised value, not to exceed \$500,000. Bond amount will be rounded down to an even \$100 unit.

INSURANCE: \$2,000,000 Commercial General Liability; \$2,000,000 Automobile Liability; \$2,000,000 Logger's Broad Form.

HARVEST METHOD: 100% tractor logging, a mechanical feller-buncher with a lateral reaching boom is required for all mechanical felling.

PROJECTS:

Road Improvement/Road Construction.
Fell, Yarding and Piling of Submerchantable Material.
Shovel Piling.
Spot Rocking.

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. Also, legal challenges and other litigation regarding ODF threatened and endangered species related processes may occur and may affect operations contemplated under the contract. In the event a threatened or endangered species is found within or near this sale, or efforts are required to respond to legal issues, 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 Klamath-Lake District at 3200 Delap Road 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.

Pulp removal is not allowed.

Seasonal Restrictions apply when operating above the Klamath Outdoor Science School (Section 2455).

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: Mistletoad
COUNTY: Klamath
CONTRACT NO.: 341-14-80

TIMBER SALE NAME: **Mistletoad**

TIMBER SALE NO.: **341-14-80**

OPENING DATE: **June 16, 2014**

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:

White 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:

Ponderosa pine **\$150.45** per MBF.
Sugar pine..... **\$175.50** per MBF.
Lodgepole pine..... **\$155.13** per MBF.

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$41,900**, 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)

EMPLOYER _____
IDENTIFICATION _____
NUMBER (EIN) _____

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

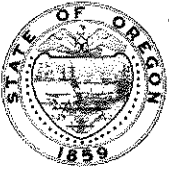
- (a) Are not currently in default status under any timber sale contract sold by the State Forester.
- (b) Has not, within a 3-year period preceding this bid, had one or more Federal, State, or local timber sales terminated for cause or default.
- (c) If (b) above is Yes, has submitted an explanation, 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: Mistletoad
Date: April 14, 2014
To: John Pellissier
CC: Greg Pittman, District Sale File
From: Matt Gostin

Habitat Suitability

This sale is located in the Sun Pass State Forest (SPSF), near the edge of the range of the northern spotted owl.

Survey Results

Northern spotted owl surveys are conducted as a component of the Forest Management Plan for SPSF. SPSF was surveyed for northern spotted owls in 1999/2000, 2005/2006, and 2012/2013 using a protocol endorsed by the U.S. Fish and Wildlife Service^{1,2}. were no responses from northern spotted owls during any year of survey.

Known T&E Resources

This sale is not affected by any known northern spotted owl activity centers or bald eagle sites.

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

² Oregon Department of Forestry, June 1, 2010. Policy bulletin SFB – 10-03, Northern Spotted Owl Policy Update - Northern Spotted Owl Survey Protocol.

Operational Considerations

There are no operational restrictions for T&E species at this time.

Future Survey Plans

ODF may conduct northern goshawk and woodpecker surveys in the vicinity of the sale during the life of the contract.