

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

SALE NAME/NO.: Rock 'n' Windy 341-14-81

AUCTION DATE/TIME: April 14, 2014, starting at 2:00 p.m.

AUCTION LOCATION: Oregon Department of Forestry
Southwest District/Grants Pass Unit
5375 Monument Drive
Grants Pass, Oregon 97526
(541) 474-3152 FAX (541) 474-3158

DISTRICT/UNIT OFFICE (MAILING ADDRESS FOR BIDS): Oregon Department of Forestry
Southwest District/Grants Pass Unit
5375 Monument Drive
Grants Pass, Oregon 97526
(541) 474-3152 FAX (541) 474-3158

HARVEST TYPE: This sale is a combination of two clearcut units totaling 39 acres and four thinning units totaling 200 acres. The timber is 48- to 71-year-old Douglas-fir and mixed conifer. The sale is 30% tractor loggable and 70% cable logging with some road building and haul route grading. The maximum yarding distances are 1,500 feet.

SALE LOCATION: Portions of Sections 6, 7, and 18, T32S, R5W, W. M., in the Windy Creek drainage outside of Glendale in Douglas County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: Take Glendale Valley Road off of Interstate 5 (Exit 80) heading towards the Swanson Lumber Mill. Turn right on Azalea Glen Road. After 0.3 mile bear right onto Old Pacific Hwy (0.3 mile) and then turn left onto Windy Creek Road. Stay on Windy Creek for approximately 4.5 miles to the beginning of State Forest Land in the Windy Creek drainage. See Vicinity Map for the access roads to individual Timber Sale Areas.

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	14"	1,500							307	873	320								
W Hem. / fir	15"	99							24	62	13								
Sugar Pine	32"	47									37	9	1						
Grand Fir	16"	290							121	145	24								
Sale Total		1,936																	

MINIMUM BID:	BID SPECIES	Douglas fir	\$311.84 per MBF
	NO-BID SPECIES	Western hemlock/fir.....	\$214.05 per MBF
		Grand fir and other conifers.....	\$214.05 per MBF
		Sugar pine and other pines	\$148.96 per MBF
		Incense cedar and other cedars.....	\$300.00 per MBF
		Madrone and other hardwoods	\$ 40.00 per MBF

In order to compensate PURCHASER for Project Work, ODF will credit PURCHASER's timber account in the amount of \$22,540.19 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). Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: October 31, 2016

BID METHOD: Sealed Bids

BID DEPOSIT: \$53,500

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: 74% cable logging, 26% ground-based logging.

PROJECTS: Road construction and road improvement, one culvert installation.

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 Southwest Oregon District at (541) 474-3152 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.

Winter hauling is optional for areas totaling 74 acres using the ODF haul route with requirements for rock surfacing and maintenance at Purchaser's expense, or along the Lone Rock Timber road under a license agreement and the associated terms and conditions.

All felling must be completed prior to March 15, 2016 (Section 2310).

Pulp removal is optional.

Hardwoods are not being sold on this contract. A price is provided for incidental removal in logging roads, or road right-of-way. Removal is not required.

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: Rock 'n' Windy
COUNTY: Douglas
CONTRACT NO.: 341-14-81

TIMBER SALE NAME: **Rock 'n' Windy**

TIMBER SALE NO.: **341-14-81**

OPENING DATE: **April 14, 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:

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/fir **\$214.05** per MBF.
Grand fir and other conifers **\$214.05** per MBF.
Incense cedar and other cedars **\$300.00** per MBF.
Sugar pine and other pines **\$148.96** per MBF
Madrone and other hardwoods **\$ 40.00** per MBF

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$53,500**, 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

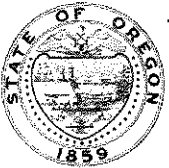
- (a) Are not currently in default status under any timber sale contract sold by the State Forester.
- (b) Has not, within a 3-year period preceding this bid, had one or more Federal, State, or local timber sales terminated for cause or default.
- (c) If (b) above is Yes, has submitted an explanation, 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: Rock 'n' Windy
Date: March 5, 2014
To: Chris Rudd
CC: Dan Thorpe, District Sale File
From: Matt Gostin

Habitat Suitability

This sale contains potentially suitable habitat for northern spotted owls.

Survey Results

This sale was surveyed for northern spotted owls in 2012 and 2013 using a protocol endorsed by the U.S. Fish and Wildlife Service^{1,2}. Northern spotted owls were observed both years of survey. In 2012, there were 4 observations of northern spotted owls. Three observations were attributed to known activity centers less than 1.3 miles of the timber sale. One observation was attributed to a known activity center greater than 1.3 miles of the timber sale. In 2013, there were four observations of northern spotted owls. Two observations were attributed to known activity centers less than 1.3 miles of the timber sale. Two observations were attributed to a known activity center greater than 1.3 miles of the timber sale.

Surveys are ongoing in 2014 to extend the contract felling date if needed.

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.

Known T&E Resources

Portions of this sale are within 1.3 miles of three northern spotted owl activity centers. A Biological Assessment of the sale's impact on the activity centers has been conducted. It concludes the Rock 'n' Windy sale, as currently proposed, is expected to have a low risk of negatively affecting the occupancy and productivity of the spotted owl sites.

Operational Considerations

No felling, except for felling associated with project work, shall be allowed prior to the completion of the 2014 northern spotted owl operational surveys unless waived by STATE (see below). Completion of 2013 and 2014 operational surveys would provide a contract felling date of March 15, 2017 and spot check surveys would be required in 2015 and 2016.

In the event a purchaser would like to fell earlier than the completion of 2014 operational surveys, spotted owl spot check surveys will be required to be completed in early spring of 2014 to allow for this felling timing flexibility. This would lead to a contract felling date of March 15, 2016 and a spot check survey requirement in 2015. If felling operations are not initiated by February 1, felling may not occur until June 30 of each year, or until northern spotted owl spot check surveys are completed, whichever is first.

Seasonal operating restrictions will be in effect for known pair sites from March 1 through July 7, annually, for additional activities that do not modify habitat but that may cause disturbance to owls.

The following activities will be restricted for spotted owl pair sites:

- Burning within 0.5 miles.
- The use of explosives within 1.0 mile.

Current northern spotted owl survey results are valid until March 15, 2016. After the 2014 surveys are completed, the survey results will be valid until March 15, 2017.

All timber should be felled by March 15, 2017.

Future Survey Plans

Spotted owl surveys will be conducted in 2014 to extend the contract felling date. Spotted owl spot check surveys for this timber sale are slated to be conducted in 2014 - 2016 at this time. In addition, ODF has an active survey program and northern spotted owl surveys and activity center monitoring will be conducted within three miles of this sale during the life of the contract.

Survey Results Summary

Table 1. Northern Spotted Owl Surveys of Rock “n” Windy (surveyed as West of Windy Bear, Rock Pit, and Middle Windy Plus)

Survey Area Year	Visit #1 Date	Visit #2 Date	Visit #3 Date	Visit #4 Date	Visit #5 Date	Visit #6 Date
West of Windy Bear	4/5-6	5/1-2	5/15-16	6/6-7	6/26-27 6/27-28	7/16-17 7/17-18
2012	NR	♀	NR	NR	NR	NR
West of Windy Bear	AC Search 4/6 NR	AC Search 4/5 ♀, M4 Not Nesting				
2012 continued	4/5-6	5/1-2				
Rock Pit (West of Windy Bear)	4/1-2 4/2-3	5/6-7 5/7-8	5/20-21 5/21-22	6/18-19 6/19-20	7/2-3 7/3-4	8/12-13 8/13-14
2013	NR	♂	NR	NR	NR	NR
Middle Windy Plus	4/5-6	5-1-2	5/15-16	6/6-7	6/26-27 6/27-28	7/16-17 7/17-18
2012	NR	NR	♀	NR	NR	NR
Middle Windy Plus	AC Search 4/5 NR	AC Search 4/5 ♀, M4 Not Nesting	AC Search 4/10			
2012 continued	4/5-6	5-1-2	5/15-16			
Middle Windy Plus	4/1-2 4/2-3	5/6-7 5/7-8	5/20-21 5/21-22	6/18-19 6/19-20	7/2-3 7/3-4	8/12-13 8/13-14
2013	NR	♂ ♂	♂	NR	NR	NR
Rock 'n' Windy	TBA	TBA	TBA	TBA	TBA	TBA
2014						

NR - no response
V - visual response
bb - new bird banded

j - juvenile
jj - 2 juveniles
- last visit to site

M₀ - mouse refused
M₁ - 1mice taken
M₂ - 2 mice taken
M₃ - 3 mice taken

M₄ - 4 mice taken
M₅ - 5 mice taken
M₆ - 6 mice taken

♀ ♀ ♀ - Pair (day, night, early morning)
♂ ♂ ♂ - Male (day, night, early morning)

♀ ♀ ♀ - Female (day, night, early morning)
○ ⊗ ⊗ - Sex Unk (day, night, early morning)