

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

SALE NAME/NO.: Music Creek 341-15-31

AUCTION DATE/TIME: September 16, 2014, starting at 2:00 pm

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

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

HARVEST TYPE: Areas 1, 2, and 3: Approximately 101 acres of modified clearcut, removing approximately 70 MBF/acre of Douglas-fir, and western hemlock.
Area 4 R/W: Approximately 3 acres of R/W, removing approximately 73 MBF/acre of Douglas-fir and western hemlock

SALE LOCATION: Timber Sale Areas are located in portions of Sections 10, 14, and 15, T6N, R7W, W.M., Clatsop County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: Sale can be accessed by traveling east on Highway 202 from Astoria to approximately milepost 28, turn north onto Beneke Creek Road and travel approximately 5 miles. Turn northwest onto Music Creek Road and travel approximately 3 miles where you will find the eastern half of Area 2 and Point 3A/I2.

APPRAISED VOLUMES AND QUALITY:

SPECIES	AVG DBH	TOTAL MBF	GRADES BY MBF																
			1P	2P	3P	P	SM	1S	2S	3S	4S	5S	6 S	SEL	SC	UT	CR	WRM	PLP
Douglas-fir	27	4,347							3,646	677	24								
W Hem. / fir	18	2,957							1,784	999	174								
Red Alder	19	17															17		
Sale Total		7,321																	

MINIMUM BID:	BID SPECIES	Douglas-fir	\$432.28 per MBF
		Western hemlock/fir.....	\$281.83 per MBF
	NO-BID SPECIES	Western redcedar and other cedars.....	\$849.73 per MBF
		Red alder and other hardwoods.....	\$367.42 per MBF
		Sitka spruce and other conifers.....	\$281.83 per MBF

In order to compensate PURCHASER for Project Work, ODF will credit PURCHASER's timber account in the amount of \$173,945 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, not to exceed \$500,000.

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

BID DEPOSIT: \$254,400 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: Area 1: 100% ground-based yarding.
Area 2: 35% ground-based yarding and 65% cable-based yarding.
Area 3: 52% ground-based yarding and 48% cable-based yarding.
Area 4 R/W: 100% ground-based yarding.

PROJECTS: Project No. 1: Approximately 1 mile of new construction.
Project No. 2: Approximately 3.6 miles of road improvement.
Project No. 3: Rock quarry development and crushing (4,631 Cu. Yd.) at Trailover Quarry.

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 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.
Project Nos. 1, 2, and 3 must be completed prior to October 31, 2015 (Section 2620).
This contract requires machine washing to prevent the spread of Noxious Weeds
Pulp removal is required if yarded to landing.
Timber sale acreages were determined by using ortho photos and GIS.

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: Music Creek
COUNTY: Clatsop
CONTRACT NO.: 341-15-31

TIMBER SALE NAME: **Music Creek**

TIMBER SALE NO.: **341-15-31**

OPENING DATE: **September 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:

Douglas-fir, sawmill grade or better, _____
_____ Dollars \$ _____ per MBF.

Western hemlock/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 redcedar and other cedars \$849.73 per MBF.
Red alder and other hardwoods..... \$367.42 per MBF.
Sitka spruce and other conifers..... \$281.83 per MBF.

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$254,400** 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)

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

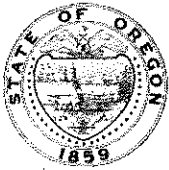
- (a) Are not currently in default status under any timber sale contract sold by the State Forester.
- (b) Has not, within a 3-year period preceding this bid, had one or more Federal, State, or local timber sales terminated for cause or default.
- (c) If (b) above is Yes, has submitted an explanation, 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: Music Creek
Date: July 23, 2014
To: John Tillotson
CC: Dan Goody, District Sale File
From: Matt Gostin

Habitat Suitability

This sale contains potentially suitable habitat for northern spotted owls in all sale areas. This sale does not contain potentially suitable habitat for marbled murrelets.

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}. An unknown sex northern spotted owl was observed on one occasion in 2013 by a marbled murrelet surveyor with extensive northern spotted owl survey experience. In addition, an unknown *Strix* species owl was observed one time in 2012. Northern spotted owls were not observed in 2012. Surveys are ongoing in 2014.

Known T&E Resources

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

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

No felling, except for felling associated with project work, shall be allowed prior to the completion of the 2014 northern spotted owl surveys indicating no resident spotted owls.

Due to the presence of barred owls, felling restrictions for spotted owl spot check surveys are not required for this sale at this time.

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 are ongoing in 2014 to extend the contract felling date. Spotted owl spot check surveys for this timber sale will be required in 2015 and 2016. 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.

Survey Results Summary

Table 1. Northern Spotted Owl Surveys of Music Creek

Survey Area Year	Visit #1 Date	Visit #2 Date	Visit #3 Date	Visit #4 Date	Visit #5 Date	Visit #6 Date
Music Creek 2012	3/23-24 3/24-25 3/28-29 3/30-31	4/23-24 4/24-25	5/19-20 5/20-21	6/14-15 6/15-16	7/9-10 7/10-11	7/30-31 7/31-8/1
	NR	NR	NR	NR	NR	Unk Strix (7/31-8/1)
Music Creek 2012 continued	8/9-10 NR (area of response searched) STVA	8/16-17 NR (area of response searched)				
Music Creek 2013	3/23 3/23-24 3/24-25 3/25-26	4/24 4/24-25 4/25 4/25-26	5/20 5/20-21 5/24-25	6/12 6/12-13 6/16-17 6/17-18	7/14 7/14-15 7/15-16	7/31 7/31-8/1 8/2-3
	NR STVA	NR STVA	NR STVA	NR STVA	⊗ 7/23*	NR STVA
Music Creek 2013 continued	8/16-17 NR (area of response searched)					
Music Creek 2014	3/23-24 3/24 3/24-25	4/21 4/21-22 4/24-25	5/15 5/15-16	6/9 6/9-10 6/10-11 6/11 6/11-12	7/1 7/1-2 7/2 7/2-3	TBA
	NR STVA	NR STVA	NR STVA	NR STVA	NR STVA	
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 STVA - barred owl M ₃ - 3 mice taken Unk Strix - Unidentified Strix species ♀ ♀ ♀ - Pair (day, night, early morning) ♀ ⊗ ⊗ - Female (day, night, early morning) ♂ ♂ ♂ - Male (day, night, early morning) ○ ⊗ ⊗ - Sex Unk (day, night, early morning)						

*Observation reported by marbled murrelet surveyor