

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

SALE NAME/NO.: Mill Bound 341-15-34

AUCTION DATE/TIME: September 16, 2014, starting at 10:00 a.m.

AUCTION LOCATION: Oregon Department of Forestry  
Tillamook District Headquarters  
5005 Third Street  
Tillamook, Oregon 97141  
(503) 842-2545 FAX (503) 842-3143

DISTRICT/UNIT OFFICE (MAILING ADDRESS FOR BIDS): Oregon Department of Forestry  
Tillamook District Headquarters  
5005 Third Street  
Tillamook, Oregon 97141  
(503) 842-2545 FAX (503) 842-3143

HARVEST TYPE: Area 1 is 110 acres of modified clearcut, Area 2 is 113 acres of modified clearcut, and Area 3 is 69 acres of required partial cut. Approximate age: 53 years.

SALE LOCATION: Portions of Sections 32, 33, and 34, T2S, R 7W and Sections 3, 4, and 5, T3S, R7W, W.M., Tillamook County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: From Tillamook travel east on Highway 6 approximately 2½ miles to Olson Road. At the 4 way stop continue straight where the road turns into Trask River Road. Follow Trask River Road for 13.1 miles where it turns to gravel. Travel straight on the gravel South Fork Road for 0.5 mile, turn left onto the East Fork Road. Follow the East Fork Road approximately 7 miles to the junction with Miller Road. Turn right onto Miller Road, and Area 1 is approximately 2 miles. To access Areas 2 and 3, keep following Miller Road to the junction of Boundary Road. Travel East on Boundary Road approximately 1 mile, Areas 2 and 3 will be to the North of Boundary Road.

**APPRAISED VOLUMES AND QUALITY:**

SPECIES	AVG DBH	TOTAL MBF	GRADES BY MBF						
			6-7	8-9	10-11	12=	2S	3S	4S
Douglas-fir	16"	4,298					1,587	2,126	585
W Hem. / fir	25"	11					11		
Maple	14"	31	23	8					
Red Alder	13"	680	274	232	113	61			
Sale Total		5,020							

MINIMUM BID:	BID SPECIES	Douglas-fir .....	\$297.13 per MBF
	NO-BID SPECIES	Red alder and other hardwoods .....	\$225.96 per MBF
		Bigleaf maple .....	\$142.50 per MBF
		Western hemlock and other conifers .....	\$198.14 per MBF
		Western redcedar and other cedars .....	\$750.00 per MBF

In order to compensate PURCHASER for Project Work, ODF will credit PURCHASER's timber account in the amount of \$414,780 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 (\$415,000) whichever is greater, not to exceed \$500,000. Actual bond amount will be rounded up to an even \$1,000 unit.

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

BID DEPOSIT: \$102,200 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: 9% Ground, 91% Cable.

PROJECTS: Project No. 1 – Construct 1.6 miles of road, Improve 10.9 miles of road, and construct landings.  
 Project No. 2 – Crush and spread rock according to specifications in Exhibit E.  
 Project No. 3 – Seed and mulch.  
 Project No. 4 – Roadside brushing 11.5 miles of road, see Exhibit A & D.  
 Project No. 5 – Crush and stockpile 1,000 CY of 1 ½" rock according to Exhibits A and E.  
 Project No. 6 – Rock Quarry Test Drilling  
 Project No. 7 – Culvert Removal

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 required by the USFWS survey protocol. 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 Tillamook District at (503) 842-2545 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.**  
**POTENTIAL THREATENED & ENDANGERED SPECIES LAWSUIT:** Be advised that a Notice of Intent to Sue the State of Oregon has been filed for this timber sale for alleged violation of Sections 4(d) and 9 of the federal Endangered Species Act, pertaining to federally listed Oregon Coast Coho Salmon on the Tillamook and Clatsop State Forests.  
**WEB Address for Notice of Intent to Sue document:**  
[http://www.oregon.gov/odf/STATE\\_FORESTS/TIMBER\\_SALES/docs/Coho\\_Notice\\_Letter\\_February\\_13\\_2014.pdf](http://www.oregon.gov/odf/STATE_FORESTS/TIMBER_SALES/docs/Coho_Notice_Letter_February_13_2014.pdf)  
 Pulp removal is not allowed (Section 2045).  
 Sale acreage was determined using GIS.  
 Section 2015, "Log Accountability"; 2020, "Log Measurement"; 2030, "log Branding and Painting"; and Exhibit C contain special language for pulp removal.  
 Snag Creation (Section 2335).  
**Stream Enhancement Projects (Section 2370).**

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: Mill Bound**  
**COUNTY: Tillamook**  
**CONTRACT NO.: 341-15-34**

TIMBER SALE NAME: **Mill Bound**

TIMBER SALE NO.: **341-15-34**

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.

Minimum grades and volumes for bid species are stated in the timber sale prospectus.

No-bid species will remain as shown:

**Red alder and other hardwoods**..... **\$225.96** per MBF.  
**Bigleaf maple**..... **\$142.50** per MBF.  
**Western hemlock/fir and other conifers**..... **\$198.14** per MBF.  
**Western redcedar and other cedars** ..... **\$750.00** per MBF.

Enclosed is a bid deposit as required, consisting of a \_\_\_\_\_ in the amount of **\$102,200**, 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:** Mill Bound  
**Date:** July 29, 2014  
**To:** Joe Travers  
**CC:** Kate Skinner, District Sale File  
**From:** Matt Gostin

### Habitat Suitability

This sale contains potentially suitable habitat for northern spotted owls. It 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<sup>1,2</sup>. Surveys are ongoing in 2014. A northern spotted owl was observed on one occasion in 2014 outside of the provincial radius of a known activity center. The resident status of this observation will be determined at the end of the survey season.

Surveys for marbled murrelets are not necessary for this sale.

### Known T&E Resources

This sale is within 1.5 miles of one northern spotted owl activity center. A Biological Assessment of the sale's impact on the activity center has been conducted. It

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

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

concludes the Mill Bound sale, as currently proposed, is expected to have a low risk of negatively affecting the persistence and productivity of the spotted owl site.

There are no Marbled Murrelet Management Areas affecting this sale.

### **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.

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 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 and activity center monitoring may be conducted within 3 miles of this sale during the life of the contract.



## Survey Results Summary

Table 1. Northern Spotted Owl Surveys of Mill Bound (surveyed as Bandsaw/Stretch the Boundary)

Survey Area Year	Visit #1 Date	Visit #2 Date	Visit #3 Date	Visit #4 Date	Visit #5 Date	Visit #6 Date
Bandsaw/Stretch the Boundary  2012	4/16-17 4/18 4/18-19 4/20 4/22	5/15 5/15-16	6/7-8 6/9 6/9-10	7/3-4 7/4-5 7/5 7/5-6	7/26 7/26-27	8/15 8/15-16 8/16-17
	NR	NR	NR	NR	NR	NR
Bandsaw/Stretch the Boundary  2013	4/17 4/17-18 4/18-19 4/20 4/20-21	5/14 5/14-15 5/15 5/15-16	6/9 6/9-10 6/10 6/10-11	7/6 7/6-7 7/7 7/7-8 7/8 7/8-9	7/26 7/26-27 7/27 7/27-28 7/28 7/28-29	8/14 8/14-15 8/15 8/15-16
	NR	NR STVA	NR	NR STVA	NR STVA	NR STVA
Bandsaw/Stretch the Boundary  2014	4/10 4/10-11 4/12 4/12-13 4/13-14 4/14-15 4/15-16	5/7 5/7-8 5/10 5/10-11	6/2 6/2-3 6/3 6/3-4	6/25-26 6/26 6/26-27 6/27 6/27-28 6/28-29	7/17-18 7/18 7/18-19	TBA
	NR STVA	⊗ (5/7-8) STVA	NR STVA	NR STVA	NR STVA	
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 STVA – barred owl      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)						