

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

SALE NAME/NO.: Eleven Creek No. 3 341-15-42

AUCTION DATE/TIME: December 17, 2014, starting at 2:00 p.m.

AUCTION LOCATION: Oregon Departments of Forestry  
Coos District – CFPA Crewhouse  
63612 Fifth Road  
Coos Bay, Oregon 97420  
(541) 267-4136 FAX (541) 269-2027

DISTRICT/UNIT OFFICE (MAILING ADDRESS FOR BIDS): Oregon Department of Forestry  
Coos District  
63612 Fifth Road  
Coos Bay, Oregon 97420  
(541) 267-4136 FAX (541) 269-2027

HARVEST TYPE: Regeneration harvest of 41 acres of 50- to 62-year-old Douglas-fir with minor amounts of western hemlock and red alder.

SALE LOCATION: The Timber Sale Area is located in portions of Section 11 of T24S, R11W, W.M., Coos County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: From Coos Bay take Coos River Highway approximately 15 miles to Marlow (1000) Road. Travel approximately 8 miles up the 1000 Road to Project Point A, at the junction of the 1000 and 1400 Roads.

**APPRAISED VOLUMES AND QUALITY:**

SPECIES	AVG DBH	TOTAL MBF	GRADES BY MBF																
			1 P	2P	3P	P	SM	1S	2S	3S	4S	5S	3S (12" +)	SEL	SC	UT	CR	WRM	PLP
Douglas-fir	17"	591							342	208	41								
W Hem. / fir	18"	111							64	41	6								
Size Class By MBF																			
									(12"+)	(10-11")	(8-9")	(5-7")							
Red Alder	14"	31							15	2	1	13							
Sale Total		733																	

MINIMUM BID: BID SPECIES Douglas-fir ..... \$321.49 per MBF

NO-BID SPECIES Western hemlock and other conifers..... \$219.16 per MBF

Red alder and other hardwoods..... \$221.51 per MBF

Western redcedar and other cedars..... \$650.96 per MBF

In order to compensate PURCHASER for Project Work, ODF will credit PURCHASER's timber account in the amount of \$17,360 after the project work is completed and accepted, as described in Section 2630, "Credit for Project Work."

The Timber Sale Area contains 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. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: October 15, 2016 BID METHOD: Sealed Bids

BID DEPOSIT: \$20,300 SALE TYPE: Recovery/CSL - 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: 91 percent uphill cable yarding with full and single-end suspension and 9 percent ground-based yarding.

PROJECTS: Project 1: Road and Landing Construction.  
Project 2: Road and Landing Improvement.

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 Coos District at (541) 267-4136 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.**

**Pulp removal is required if yarded to landing.**

Acreage was determined by electronic digitizing using the Arcmap 10.2 GIS program and 2008 Lidar (Light Detection and Ranging) imagery.

Spotted Owl density surveys of the Elliott State Forest will be conducted during the life of this contract (Section 1520).

Log truck and rock truck traffic, including empties, on mile 0.0 to 5.0 of the 1000 Road (Marlow Creek) is not allowed from October 15 through May 15 (Section 2130).

Cable Yarding Operations including locating of tailholds or stringing of cables shall not be allowed within any Logging Restricted Area or any Marbled Murrelet Management Area – Occupied Habitat (Section 2350).

Cable Yarding Operations and non-Project Roads and Landing Construction shall not be allowed from April 1 to August 5 within any Marbled Murrelet Management Area – Buffer. Furthermore, daily timing restrictions shall be in effect from August 6 to September 15 within any Marbled Murrelet Management Area – Buffer during which cable yarding and non-Project Roads and Landing Construction may be allowed from no earlier than two hours after sunrise until no later than two hours before sunset (Sections 2350, 2360).

If ground-based yarding equipment is selected for harvest operations, Purchaser shall wash equipment associated with ground operations for invasive plants and noxious weeds before operations begin (Section 2416).

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:** Eleven Creek No. 3  
**COUNTY:** Coos  
**CONTRACT NO.:** 341-15-42

TIMBER SALE NAME: **Eleven Creek No. 3**

TIMBER SALE NO.: **341-15-42**

OPENING DATE: **December 17, 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 and other conifers ..... **\$219.16** per MBF.  
Red alder and other hardwoods ..... **\$221.51** per MBF.  
Western redcedar and other cedars ..... **\$650.96** per MBF.

Enclosed is a bid deposit as required, consisting of a \_\_\_\_\_ in the amount of **\$20,300**, 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:** Eleven Creek No. 3  
**Date:** September 23, 2014  
**To:** Dax Strubb  
**CC:** Ryan Greco, Norma Kline, District Sale File  
**From:** Matt Gostin

### Habitat Suitability

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

### Survey Results

This sale is in an area covered by northern spotted owl density surveys in 2013 and 2014. The density surveys were conducted using a modified survey approach incorporating aspects of both the density survey protocol (Forsman 1995) and the USFWS-endorsed survey protocol for spotted owls (USFWS 2012)<sup>1,2</sup>. Northern spotted owls were observed on three occasions in 2013 within 1.5 miles of the timber sale. All observations were attributed to known activity centers greater than 1.5 miles of the timber sale.

### Known T&E Resources

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

<sup>1</sup> Forsman, E. D. 1995. Spotted Owl Monitoring Protocols for Demographic Studies. U.S. Department of Agriculture. Pacific Northwest Research Station. Corvallis, OR. 11 pp

<sup>2</sup> USDI Fish and Wildlife Service. 2012. Protocol for surveying proposed management activities that may impact northern spotted owls. 42pp.

This sale is within ¼ mile of an occupied marbled murrelet survey site.

### **Operational Considerations**

Cable Yarding Operations including the establishment of tailholds, guyline anchors, or stringing of cables shall not be allowed within any Logging Restricted Area or any Marbled Murrelet Management Area (MMMA).

Cable Yarding Operations shall not be allowed from April 1 through August 5 in any MMMA buffer. Furthermore, daily timing restrictions shall be in effect from August 6 through September 15 within any MMMA buffer during which cable yarding operations may be allowed from no earlier than two hours after sunrise until no later than two hours before sunset.

Non-Project Road and Landing Operations shall not be allowed from April 1 through August 5 within any MMMA buffer. Additionally, daily timing restrictions shall be in effect from August 6 to September 15 within any MMMA buffer during which Non-Project Road and Landing Operations may be allowed from no earlier than two hours after sunrise until no later than two hours before sunset.

All timber should be felled by March 15, 2017.

### **Future Survey Plans**

ODF plans to continue spotted owl density surveys on the Elliot State Forest in vicinity of this sale. The continuing density survey coverage will be utilized in lieu of the spot check survey requirement. In the future, ODF will conduct density, operational, and/or activity center monitoring surveys for northern spotted owls within 3 miles of this sale during the duration of the contract.

## Survey Results Summary

Table 1. Northern spotted owl survey compartment results. Three observations were made within 1.5 miles of the timber sale.

Survey Compartment	Visit #1	Visit #2	Visit #3	Visit #4	Visit #5	Visit #6
Year	Date	Date	Date	Date	Date	Date
Elkhorn Ridge	4/9-10	4/24-25	5/20-21	6/11-12	7/8-9	8/6-7
2013	NR	♂, ♀	NR	NR	NR	♂, ♀
Elkhorn Ridge	4/2-3 4/3-4	4/20-21	5/7-8	6/2-3	6/17-18	7/7-8
2014	NR	NR	NR	NR	NR STVA	♀ STVA
Marlow Creek	4/9-10	4/29-30 4/30-5/1	5/21-22 5/22-23 5/23-24 5/24-25	6/19-20 6/20-21	7/17-18 7/18-19	8/5-6 8/6-7
2013	NR	♂ (4/29-30)	♂ (5/21-22)	NR	♂ (7/18-19)	NR
Marlow Creek	4/7-8 4/8-9	4/22-23 4/25-26	5/13-14 5/14-15	6/3-4 6/4-5	6/18-19 6/19-20	7/8-9 7/9-10 7/10-11
2014	NR	♂ (4/25-26)	NR	NR	NR STVA	♂ (7/8-9)
Middle Marlow	4/9-10	4/24-25	5/24-25	6/18-19	7/19-20	8/8-9
2013	NR	NR	NR	NR	NR	NR
Middle Marlow	4/7-8	4/22-23	5/13-14	6/4-5	6/18-19	7/8-9
2014	NR STVA	NR	NR	NR STVA	NR	NR
Middle Millicoma	4/2-3	4/25-26 4/29-30 4/30-5/1	5/14-15	6/11-12	7/2-3 7/3-4	8/1-2 8/5-6
2013	NR	NR	NR	NR	NR	NR
Middle Millicoma	4/8-9	4/15-16	5/5-6 5/6-7	5/29-30 6/2-3	6/20-21	7/14-15
2014	NR STVA	NR	NR	NR STVA	NR STVA	NR STVA
Shake Creek	4/1-2	4/17-18 4/18-19	5/13-14 5/14-15	6/5-6 6/6-7	7/1-2 7/2-3	7/30-31
2013	NR	NR	NR	NR	NR	NR
Shake Creek	3/29-30	4/15-16	5/5-6	5/27-28 5/28-29	6/17-18	7/2-3 7/3-4
2014	NR	NR STVA	NR	NR STVA	NR STVA	NR

Survey Compartment	Visit #1	Visit #2	Visit #3	Visit #4	Visit #5	Visit #6
Year	Date	Date	Date	Date	Date	Date
Trail Butte	4/1 4/1-2 4/3-4 4/5-6	4/24-25 4/25 4/25-26	5/15 5/15-16 5/20-21	6/11 6/11-12 6/12-13 6/17-18	7/1 7/1-2 7/8-9	7/31 7/31-8/1
2013	NR	NR	♂ ♀ (5/20-21)	NR	NR	NR
Trail Butte	3/30 3/30-31 4/1-2	4/15 4/15-16 4/18-19	5/12 5/12-13 5/13-14	5/28 5/28-29 6/2-3	6/16 6/16-17 6/18-19 6/19-20	7/7 7/7-8 7/8-9
2014	NR	NR	NR STVA	♀ (5/28-29) ♂ (6/2-3)	♀ (6/16-17) ♂ (6/18-19) STVA	NR
Upper Elk Creek	4/8-9 4/9-10	4/23-24	5/19-20 5/20-21	6/12-13 6/13-14	7/17-18 7/18-19	8/6-7 8/7-8 8/8-9
2013	NR	NR	NR	NR	NR	NR
Upper Elk Creek	4/2-3	4/25-21	5/7-8 5/10-11	5/29-30 6/2-3	6/17-18 6/19-20	7/7-8 7/8-9
2014	NR	NR STVA	♀ (5/7-8)	NR	NR	NR STVA
Upper Marlow	4/9-10	4/25-26	5/22-23	6/17-18	7/19-20	8/8-9
2013	NR	NR	NR	NR	NR	NR
Upper Marlow	4/7-8 4/8-9	4/20-21	5/13-14	6/2-3	6/18-19	7/8-9
2014	NR	NR	NR STVA	NR	NR STVA	NR STVA
8100 Series	4/8-9	4/17-18	5/20-21	6/12-13	7/8-9	8/1-2
2013	NR	NR	NR	NR	NR	NR
8100 Series	4/1-2	4/18-19	5/6-7	5/29-30	6/12-13	7/3-4
2014	NR	NR	NR	NR	NR STVA	NR
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> - 1 mice 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)						