

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

SALE NAME/NO.: Harry Otter 341-15-43

AUCTION DATE/TIME: October 22, 2014, starting at 2:00 p.m.

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

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

HARVEST TYPE: Regeneration harvest of approximately 37 acres of moderately stocked 51-year-old Douglas-fir sawtimber.

SALE LOCATION: The Timber Sale Area is located in portions of Sections 10 and 11, T23S, R11W, W.M., Coos County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: (All miles approximate). To access the Timber Sale Area from Lakeside take North Lake Road 4.3 miles to the 4000 Road. Proceed east on the 4000 Road for 7.6 miles to the junction of the 4000, 2000, and 2560 Roads. Proceed ¼ mile on 2560 Road into the sale area.

APPRAISED VOLUMES AND QUALITY:

SPECIES	AVG DBH	TOTAL MBF	GRADES BY MBF													SEL	SC	UT	CR	WRM
			1P	2P	3P	P	SM	1S	2S	3S	4S	5S	3S (12"+)							
Douglas-fir	18"	727						392	324	11										
W. Hemlock	24"	38						14	19	5										
Size Class By MBF																				
								(12"+)	(10-11")	(8-9")	(5-7")									
Red Alder	16"	29						13	0	5	11									
Sale Total		794																		

MINIMUM BID: BID SPECIES Douglas-fir \$292.36 per MBF

NO-BID SPECIES Western hemlock and other conifers..... \$194.35 per MBF

Western redcedar and other cedars..... \$628.96 per MBF

Red alder and other hardwoods..... \$199.20 per MBF

In order to compensate PURCHASER for Project Work, ODF will credit PURCHASER's timber account in the amount of \$4,639 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). Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: October 1, 2016

BID METHOD: Sealed Bids

BID DEPOSIT: \$22,100

SALE TYPE: Recovery/CSL - 100%

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

HARVEST METHOD: 100 percent uphill cable yarding with full and single-end suspension.

PROJECTS: Project 1: 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 or manufactured on landing.

Acreage was determined by electronic digitizing using 2009 LIDAR imagery and ArcMap 10.2 GIS software program.

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

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

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

The Purchaser Option Area of approximately three acres shown on Exhibit A may be excluded from felling if Operations Plan for harvest does not adequately protect the Otter Creek Marbled Murrelet Management Area – Occupied Habitat (Section 2310).

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: Harry Otter
COUNTY: Coos
CONTRACT NO.: 341-15-43

TIMBER SALE NAME: **Harry Otter**

TIMBER SALE NO.: **341-15-43**

OPENING DATE: **October 22, 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 **\$194.35** per MBF.
Western redcedar and other cedars **\$628.96** per MBF
Red alder and other hardwoods..... **\$199.20** per MBF.

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$22,100**, 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: Harry Otter
Date: September 16, 2014
To: Dax Strubb
CC: Ryan Greco, Norma Kline, District Sale File
From: Matt Gostin

Habitat Suitability

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

Survey Results

Surveys for northern spotted owls and marbled murrelets are not necessary for this sale.

Known T&E Resources

A portions of this sale is within 1.5 miles of the Upper Millicoma northern spotted owl activity center. A Biological Assessment of the sale's impact on the activity center has been conducted. It concludes that the Harry Otter sale, as currently proposed, is expected to have a low risk of negatively affecting the occupancy and productivity of the spotted owl site.

This sale is within ¼ mile of the Otter Creek Marbled Murrelet Management Area. Seasonal operating restrictions are required for this sale.

Operational Considerations

Cable yarding operations shall not be allowed from April 1 through August 5 in the Seasonally Restricted Area and Otter Creek Marbled Murrelet Management Area buffer. Additionally, daily timing restrictions shall be in effect from August 6 through September 15 within the seasonally restricted area or Otter Creek Marbled Murrelet Management Area 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.

Cable yarding operations, including the establishment of tailholds or stringing of cables, shall not be allowed at any time within the logging restricted area or Otter Creek Marbled Murrelet Management Area.

Non-project road and landing operations shall not be allowed from October 15 through May 15 unless otherwise approved in writing by STATE. Additionally, non-project road and landing operations shall not be allowed from April 1 through August 5 in the seasonally restricted area or Marbled Murrelet Management Area buffer. Additionally, daily timing restrictions shall be in effect from August 6 through September 15 within the seasonally restricted area or Otter Creek Marbled Murrelet Management Area 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.

There are no early felling dates in regards to T&E surveys.

Future Survey Plans

ODF plans to continue spotted owl density surveys on the Elliot State Forest in vicinity of this sale. 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.