

NOTICE OF TIMBER SALE

(Recovery – Scaled Sale)

SALE NAME/NO.: Mill Cat 341-15-52

AUCTION DATE/TIME: November 20, 2014, starting at 10:00 a.m.

AUCTION LOCATION: Oregon Department of Forestry
West Oregon District Headquarters
24533 Alsea Highway
Philomath, Oregon 97370-9112
(541) 929-3266 FAX (541) 929-5549

DISTRICT/UNIT OFFICE (MAILING ADDRESS FOR BIDS): Oregon Department of Forestry
West Oregon District Headquarters
24533 Alsea Highway
Philomath, Oregon 97370-9112
(541) 929-3266 FAX (541) 929-5549

HARVEST TYPE: Modified clearcut harvest containing 78 net acres of 43- to 102-year-old Douglas-fir timber in two sale areas.

SALE LOCATION: Portions of Sections 17, 18, 19, and 20, T11S, R8W and portions of Sections 34 and 35, T11S, R9W, W.M., Lincoln County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: To access Area 1 from Highway 20, turn south onto Cline Creek Road (approximately MP 29.4) and proceed approximately 1.5 miles to the junction with Burnt Woods Forest Road (a large "Y" junction). Continue west on Cline Creek Road approximately 1.0 mile to Point B, turn south and proceed 0.5 mile to Point B1. Walk into the sale area on the blue flag line (approximately 100' to the SE corner of Area 1).
To access Area 2, from Area 1 proceed back to Cline Creek Road and continue south approximately 0.5 mile to Burnt Woods Ridge Road. Proceed west on the Burnt Woods Ridge Road approximately 1.7 miles to the junction with Wolf Creek and Salmon Creek Roads. Proceed south on Wolf Creek Road to Baber Ridge Road (the next junction) and proceed west approximately 0.7 mile to Deer Creek Ridge Road. Proceed southwest on Deer Creek Ridge Road approximately 1.5 miles to Deer Swing Road. Proceed west on Deer Swing Road approximately 0.9 mile to Area 2.

APPRAISED VOLUMES AND QUALITY:

SPECIES	AVG DBH	TOTAL MBF	GRADES BY MBF													
			SM	2S	3S	4S	5S	6S	SEL	SC	UT	CR	WRM	PLP		
Douglas-fir	34"	4,066	22	3,228	762	54										
Red alder	15"	104														104
Sale Total		4,170														

MINIMUM BID: BID SPECIES: Douglas-fir..... \$335.32 per MBF

NO-BID SPECIES: Western hemlock and other conifers \$217.73 per MBF
Western redcedar and other cedars \$832.73 per MBF
Red alder and other hardwoods \$251.16 per MBF

In order to compensate PURCHASER for Project Work, ODF will credit PURCHASER's timber account in the amount of \$182,732.00 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 (\$183,000) whichever is greater, not to exceed \$500,000. Actual bond amount will be rounded up to an even \$1,000 unit.

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

BID DEPOSIT: \$120,600 SALE TYPE: Recovery/BOF - 72%
CSL - 28%

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

HARVEST METHOD: Harvesting will consist of approximately 100% cable by area.

PROJECTS: Road Construction (0.5 mile), Road Improvement (11.9 miles), Bridge Construction, and firewood sorting.

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 West Oregon District at 24533 Alesa Hwy, Philomath, OR 97370 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 not required.

- Acreage for the timber sale was determined using aerial photos, digital orthographic photos, and the State Geographic Information System.
- **All operations (timber felling, yarding, log hauling, snag creation, down wood creation, and slash piling) in Area 1 shall be completed prior to April 1, 2016 (Sections 2310, 2335, 2340, 2350, 2355, 2360, 2365, 2455, and 2560).**
- PURCHASER shall ensure all ground-based yarding, earth disturbing, road construction, and road maintenance equipment moved onto State Forest Land, between State Forest Land sites, or leaving Areas 1 and 2 are free of soil, seeds, vegetative matter, or other debris that could contain, or hold, seeds (Section 2416).
- Surfaced roads are suitable for wet weather haul for Area 1 only. Log hauling on unsurfaced roads and Salmon Creek Road (Pts. C to C1) shall not be allowed from October 1 through May 31 (Sections 2130).
- Hauling will be suspended during periods when damage to the road subgrade or stream turbidity from road run-off might occur (Section 2130).
- **56** hours of machine slash processing is required on portions of the Sale Areas (Section 2560).
- One single span bridge is to be constructed on Wolf Creek (Section 2610 and Exhibit E).
- **78** trees will be topped for snag creation (Section 2335).
- **78** will be felled for down wood recruitment (Section 2340).

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 Cat
COUNTY: Lincoln
CONTRACT NO.: 341-15-52

TIMBER SALE NAME: **Mill Cat**

TIMBER SALE NO.: **341-15-52**

OPENING DATE: **November 20, 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..... **\$217.73** per MBF.
Western redcedar and other cedars **\$832.73** per MBF.
Red alder and other hardwoods..... **\$251.16** per MBF.

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$120,600**, 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 Cat
Date: September 15, 2014
To: Mike Totey
CC: Chris Humcke, District Sale File
From: Matt Gostin

Habitat Suitability

This sale contains potentially suitable habitat for northern spotted owls and marbled murrelets in both sale areas.

Survey Results

This sale was surveyed for northern spotted owls in 2013, and 2014 using a protocol endorsed by the U.S. Fish and Wildlife Service^{1,2}. Northern spotted owls were not observed during these surveys.

Area 1 surveys for marbled murrelets were conducted in 2009 and 2010. Area 2 surveys for marbled murrelets were conducted in 2010, 2011, and 2012. Marbled murrelet surveys in both areas were conducted according to a protocol developed by the Pacific Seabird Group³. Murrelets were not detected during these surveys.

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.

³ Evans, D. M., W. P. Ritchie, S. K. Nelson, E. Kuo-Harrison, Peter Harrison, T. E. Hamer, eds. 2003. Methods for surveying marbled murrelets in forests: a revised protocol for land management and research. Unpublished report for the Pacific Seabird Group Marbled Murrelet Technical Committee. 76 pp.

Known T&E Resources

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

Operational Considerations

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

Northern spotted owl survey results are valid until March 15, 2017.

Marbled murrelet survey results for area 1 are valid until April 1, 2016.

Marbled murrelet survey results for area 2 are valid until April 1, 2017.

All timber should be felled in Area 1 by April 1, 2016.

All timber should be felled in Area 2 by April 1, 2017

Future Survey Plans

Spotted owl spot check surveys for this timber sale will be required in 2015 and 2016 if timber felling has not been completed. 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 Mill Cat.

Survey Area Year	Visit #1 Date	Visit #2 Date	Visit #3 Date	Visit #4 Date	Visit #5 Date	Visit #6 Date
2013 Mill Cat	3/22-23 3/26 3/25-26 3/26-27 3/28-29	4/9-10 4/10-11 4/11 4/11-12	5/20-21 5/22-23	6/25-26 6/26-27 6/27-28	7/16-17 7/17-18 7/18-19	8/8-9 8/9-10
	NR STVA	NR STVA	NR	NR STVA	NR STVA	NR STVA
2014 Mill Cat	3/24-25 3/25-26 3/27-28	4/7-8 4/8-9 4/9-10	5/21-22 5/22-23	6/12-13 6/13-14 6/16-17	7/7-8 7/8-9	7/23-24 7/24-25
	NR STVA	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 ♀ ♀ ♀ - Pair (day, night, early morning) ♀ ⊗ ⊗ - Female (day, night, early morning) ♂ ⊗ ⊗ - Male (day, night, early morning) ○ ⊗ ⊗ - Sex Unk (day, night, early morning)						

Table 2. Marbled Murrelet Surveys of Mill Cat. Area 1 was surveyed as Miller Time in 2009 and 2010. Area 2 was surveyed as Catapult in 2010–2012.

Survey Area	Site	Station	Date	# Detections
Miller Time	1	1	05/13/2009	0
Miller Time	1	2	05/30/2009	0
Miller Time	1	3	06/24/2009	0
Miller Time	1	4	07/06/2009	0
Miller Time	1	1	07/17/2009	0
Miller Time	1	1	05/05/2010	0
Miller Time	1	2	06/02/2010	0
Miller Time	1	3	06/23/2010	0
Miller Time	1	4	07/02/2010	0
Miller Time	1	1	07/15/2010	0
Miller Time	2	1	05/14/2009	0
Miller Time	2	2	05/29/2009	0
Miller Time	2	4	06/12/2009	0
Miller Time	2	5	06/23/2009	0
Miller Time	2	6	07/02/2009	0
Miller Time	2	3	07/10/2009	0
Miller Time	2	1	05/14/2010	0
Miller Time	2	2	06/01/2010	0
Miller Time	2	4	06/25/2010	0
Miller Time	2	5	07/04/2010	0
Miller Time	2	6	07/14/2010	0
Miller Time	2	3	07/26/2010	0
Catapult	1	1	05/06/2010	0
Catapult	1	2	05/28/2010	0
Catapult	1	3	06/24/2010	0
Catapult	1	4	07/05/2010	0
Catapult	1	5	07/15/2010	0
Catapult	1	6	07/26/2010	0
Catapult	1	1	05/06/2011	0
Catapult	1	2	05/19/2011	0
Catapult	1	3	05/27/2011	0
Catapult	1	4	06/04/2011	0
Catapult	1	5	06/20/2011	0
Catapult	1	6	07/02/2011	0
Catapult	1	1	07/11/2011	0
Catapult	1	2	07/21/2011	0
Catapult	1	6	07/29/2011	0
Catapult	1	1	05/01/2012	0
Catapult	1	2	05/11/2012	0

Survey Area	Site	Station	Date	# Detections
Catapult	1	3	06/01/2012	0
Catapult	1	4	06/11/2012	0
Catapult	1	5	06/21/2012	0
Catapult	1	6	07/12/2012	0
Catapult	1	1	07/19/2012	0
Catapult	1	2	7/26/2012	0
Catapult	1	6	08/03/2012	0