

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

SALE NAME/NO.: Tower of Power 341-15-72

AUCTION DATE/TIME: February 19, 2015, 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: A 47-net-acre modified clearcut containing one sale area. Approximately 14 acres is 77- to 81-year-old Douglas-fir, 23 acres is 77- to 81-year-old red alder, and 10 acres is 120-year-old Douglas-fir with 77- to 81-year-old red alder.

SALE LOCATION: Portions of Sections 14, 22, and 23, T11S, R8W, W.M., Lincoln County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: From Philomath travel west on Highway 20 for 18 miles, and turn left onto Cline Hill Loop. Proceed 0.2 mile on Cline Hill Loop, and turn left onto Highway 20 Cutoff. Travel 0.4 mile on Highway 20 Cutoff, and continue straight onto Tower of Power Road. Proceed 1 mile on Tower of Power Road, and turn left onto a gravel spur. Proceed less than 0.1 mile to the timber sale boundary.

APPRAISED VOLUMES AND QUALITY:

SPECIES	AVG DBH	TOTAL MBF	GRADES BY MBF																
			1P	2P	3P	P	SM	1S	2S	3S	3S 12"+	4S	6S	SEL	SC	UT	CR	WRM	PLP
Douglas-fir	22"	1,216							864	170	158	24							
Red Alder	17"	415															415		
Sale Total		1,631																	

MINIMUM BID: BID SPECIES Douglas-fir \$334.52 per MBF
Red alder and other hardwoods \$289.64 per MBF

NO-BID SPECIES Western hemlock and other conifers..... \$218.76 per MBF
Western redcedar and other cedars..... \$858.76 per MBF

In order to compensate PURCHASER for Project Work, ODF will credit PURCHASER's timber account in the amount of \$38,680 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, not to exceed \$500,000. Bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: September 30, 2016 BID METHOD: Sealed Bids

BID DEPOSIT: \$48,800 SALE TYPE: Recovery/BOF – 45.62%
CSL – 54.38%

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

HARVEST METHOD: 87% cable and 13% ground lead.

PROJECTS: Road Construction (0.1 mile), Road Improvement and maintenance (2.3 miles), 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 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 West Oregon District at (541) 929-3266 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.

Acreage was determined using a combination of GPS and the ODF-GIs system utilizing orthographic imagery and Lidar data.

YUM Yarding is required on a portion of the timber sale area (Section 2350).

Firewood sorting is required along surfaced roads and Landings (Section 2365).

Protect Domestic water intake and Type D stream (Section 2415 and FPA Written Plan).

Protect tributary to Tumtum River, a Type F stream (Section 2415 and FPA Written Plan).

PURCHASER shall ensure all ground-based yarding, earth disturbing, road construction, and road maintenance equipment moved onto State Forest Land and between State Forest Land sites are free of soil, seeds, vegetative matter, or other debris that could contain, or hold, seeds (Section 2416).

10 hours of machine slash processing is required (Section 2560 and Exhibit E).

Surfaced roads are suitable for wet weather haul, however, wet weather yarding will require exclusive use of cable logging systems. Hauling may be suspended during periods when damage to the road subgrade or stream turbidity from road runoff may occur due to weather.

Pulp removal is optional.

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: Tower of Power
COUNTY: Lincoln
CONTRACT NO.: 341-15-72

TIMBER SALE NAME: **Tower of Power**

TIMBER SALE NO.: **341-15-72**

OPENING DATE: **February 19, 2015**

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.

Red alder and other hardwoods, _____
_____ 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 **\$218.76** per MBF.

Western redcedar and other cedars **\$858.76** per MBF.

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$48,800**, 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: Tower Of Power
Date: December 8, 2014
To: Chris Humcke
CC: Mike Totey, District Sale File
From: Matt Gostin

Habitat Suitability

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

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 any of these surveys.

Surveys for marbled murrelets were conducted in 2012 and 2013, using 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.

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

Marbled murrelet survey results are valid until April 1, 2019.

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 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 Tower of Power


Survey Area Year	Visit #1 Date	Visit #2 Date	Visit #3 Date	Visit #4 Date	Visit #5 Date	Visit #6 Date
Tower of Power	3/21-22	4/9-10	5/20-21	6/25-26	7/17-18	8/8-9
	3/25-26	4/10-11	5/22-23	6/26-27	7/18-19	
2013	3/26-27					
	NR	NR	NR	NR	NR STVA	NR STVA
Tower of Power	3/25-26	4/7-8	5/21-22	6/12-13	7/7-8	7/23-24
	3/27-28	4/8-7	5/22-23	6/13-14		
2014	NR STVA	NR	NR STVA	NR	NR STVA	NR
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 Tower Of Power

Survey Area	Site	Station	Date	# Detections
TOWER OF POWER	1	1	05/08/2012	0
TOWER OF POWER	1	2	05/24/2012	0
TOWER OF POWER	1	3	06/22/2012	0
TOWER OF POWER	1	4	07/04/2012	0
TOWER OF POWER	1	5	07/12/2012	0
TOWER OF POWER	1	1	05/13/2013	0
TOWER OF POWER	1	2	06/05/2013	0
TOWER OF POWER	1	3	06/23/2013	0
TOWER OF POWER	1	4	07/06/2013	0
TOWER OF POWER	1	5	07/16/2013	0