

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

SALE NAME/NO.: Aire Apparent

AUCTION DATE/TIME: May 18, 2017, 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: Oregon Department of Forestry
OFFICE (MAILING): West Oregon District Headquarters
ADDRESS FOR BIDS: 24533 Alsea Highway
Philomath, Oregon 97370-9112
(541) 929-3266 FAX (541) 929-5549

341-17-72

HARVEST TYPE: Area 1: Approximately 9 net acres of modified clearcut harvest of 41-year-old Douglas-fir.
Area 2: Approximately 99 net acres of partial cut harvest of 30- to 37-year-old Douglas-fir.
Area 3: Approximately 30 net acres of partial cut harvest of 33-year-old Douglas-fir.
Area 4: Approximately 39 net acres of partial cut harvest of 34-year-old Douglas-fir.

SALE LOCATION: Portions of Sections 35 and 36, T11S, R9W, W.M., Lincoln County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: Travel west on Highway 20 from Philomath. Make a left onto Salmon Creek Road, just west of MP 27. Travel approximately 3 miles and turn right onto Wolf Creek Road. Travel approximately 2 miles and turn right onto a spur road and through the yellow gate. Follow the road approximately 1 mile to Areas 1, 2, and 3. To reach Area 4, stay on Wolf Creek Road approximately 0.6 mile past the turn-off to Areas 1-3.

APPRAISED VOLUMES AND QUALITY:

SPECIES	AVG DBH	TOTAL MBF	GRADES BY MBF											
			3P	P	SM	2S	3S	4S	5S	6S	SC	UT	CR	PLP
Douglas-fir	12"	1,709				111	1,130	468						
Sale Total		1,709												

MINIMUM BID: BID SPECIES Douglas-fir..... \$322.18 per MBF

NO-BID SPECIES Western hemlock and other conifers At Douglas-fir bid price
Western redcedar and other cedars \$914.39 per MBF
Red alder and other hardwoods \$231.73 per MBF

In order to compensate PURCHASER for Project Work, ODF will credit PURCHASER's timber account in the amount of \$23,405 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 (\$24,000) whichever is greater, not to exceed \$500,000. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: September 30, 2019 BID METHOD: Sealed Bids

BID DEPOSIT: \$52,700 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: 18% cable and 82% ground lead logging.

PROJECTS: Project No. 1: Approximately 0.06 mile of sale access road construction.
Project No. 2: Approximately 4.5 miles of sale access road 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 * ODF District at * 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.

A key is required for access through the gate on the road into Areas 1-3, and may be checked out at the Philomath office.

Log hauling on Salmon Creek Road is not allowed from December 1 through March 31 (Sections 2130 and 2455).

Felling in Area 1 and portions of Areas 2 and 3 within the NSO Felling Restriction Areas as shown on Exhibit A shall be completed prior to March 15, 2019 (Sections 2310 and 2455).

Construction of road segment I22 to I23 and the road realignment on Wolf Creek Road will be done under the King Wolf timber sale and is to be completed by October 31, 2017.

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

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

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, seed (Section 2416).

Machine slash piling is required in Area 1(Section 2560).

Surfaced roads are suitable for limited 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: Aire Apparent
COUNTY: Lincoln
CONTRACT NO.: 341-17-72

TIMBER SALE NAME: **Aire Apparent**

TIMBER SALE NO.: **341-17-72**

OPENING DATE: **May 18, 2017**

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 **At Douglas-fir bid price**
Western redcedar and other cedars **\$914.39** per MBF.
Red alder and other hardwoods **\$231.73** per MBF.

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$52,700**, 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 that is not a STATE's approved location.
- (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

Kate Brown, 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"

Revised Biological Survey Report

Project: Aire Apparent
Date: February 21, 2017
To: Evelyn Hukari
CC: Mike Totey, District Sale File
From:

Habitat Suitability

This sale contains potentially suitable habitat for northern spotted owls in area 1 and portions of areas 2 & 3 and marbled murrelets adjacent to areas 2 and 4.

Survey Results

Suitable northern spotted owl habitat in sale areas 1-3 was surveyed for northern spotted owls in 2015 and 2016 using a protocol endorsed by the U.S. Fish and Wildlife Service^{1,2}. Northern spotted owls were not observed during these surveys.

Surveys for marbled murrelets adjacent to areas 2 and 4 were conducted in 2014 and 2015, using a protocol developed by the Pacific Seabird Group³. Marbled murrelets were detected as present in site one on multiple occasions in 2014. However, behavior indicating occupancy were

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.

not observed. Marbled murrelets were detected as present in site two on one occasion in 2015. However, behavior indicating occupancy were not observed.

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 for suitable habitat in areas 1-3 are valid until March 15, 2019.

All timber that is considered suitable spotted owl habitat in areas 1-3 should be felled by March 15, 2019.

All timber in areas 2 and 4 should be felled by April 1 2021,

Future Survey Plans

Spotted owl spot check surveys for spotted owl habitat in areas 1-3 of this timber sale will be required in 2017 and 2018. In addition, ODF has an active northern spotted owl survey program and spot checks and surveys for other planned operations will be conducted within 3 miles of this sale during the life of the contract.