

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

SALE NAME/NO.: Southwest Kerby 341-17-99

AUCTION DATE/TIME: May 15, 2017, starting at 2:00 p.m.

AUCTION LOCATION: Oregon Department of Forestry  
Southwest District/Grants Pass Unit  
5375 Monument Drive  
Grants Pass, Oregon 97526  
PHONE (541) 474-3152 FAX (541) 474-3158

DISTRICT/UNIT OFFICE (MAILING ADDRESS FOR BIDS): Oregon Department of Forestry  
Southwest District/Grants Pass Unit  
5375 Monument Drive  
Grants Pass, Oregon 97526  
PHONE (541) 474-3152 FAX (541) 474-3158

HARVEST TYPE: This sale consists of two clear-cut units for a total of 39.6 acres.

SALE LOCATION: Portions of Section 36, T38S, R7W, W.M., Josephine County, Oregon (near Selma, Oregon).

DIRECTIONS TO TIMBER SALE AREA: East on Redwood Highway, Exit left on Deer Creek at the intersection near the Selma store, continue 8.5 miles then turn right on White Creek road, continue 2.4 miles then veer right onto spur road 38-7-25.3, continue 1.5 miles until the road splits, Area I is approximately 1 mile up the left fork; Area II is approximately 1 mile up the right fork.

**APPRAISED VOLUMES AND QUALITY:**

SPECIES	AVG DBH	TOTAL MBF	GRADES BY MBF																
			1P	2P	3P	P	SM	1S	2S	3S	4S	5S	6S	SEL	SC	UT	CR	WRM	PLP
Douglas-fir	17	514							181	254	79								
Sugar Pine	25	4										4							
Sale Total		518																	

MINIMUM BID:	BID SPECIES	Douglas-fir .....	\$310.32 per MBF
	NO-BID SPECIES	Sugar pine and other pines .....	\$111.93 per MBF
		Incense cedar and other cedars.....	\$325.00 per MBF
		Grand fir and other conifers .....	\$211.53 per MBF
		Madrone and other hardwoods .....	\$ 40.00 per MBF

In order to compensate PURCHASER for Project Work, ODF will credit PURCHASER's timber account in the amount of \$ 5,244 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**) or the total value of the Project Work (\$7,800) whichever is greater, not to exceed \$500,000. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: October 31, 2018 BID METHOD: Sealed Bids

BID DEPOSIT: \$15,400 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:	This is a summer sale, (100%) cable yarding harvest, consisting of two clear-cut units for a total of 39.6 acres.
PROJECTS:	Road improvements in both Areas I and II. No new road construction needed for this sale.
FEES:	BLM road maintenance and rockwear fee of 1,770.04 dollars. Purchaser shall obtain a <b><u>\$2,000 dollar Performance Bond</u></b> from the <b>BLM</b> for road usage/maintenance. This bond is refundable after the sale is complete.
ENDANGERED SPECIES ACT COMPLIANCE STATEMENT:	<p>The Oregon Department of Forestry (ODF) is engaged in an active threatened and endangered (T&amp;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&amp;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&amp;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.</p> <p>Prospective purchasers are encouraged to contact the Southwest Oregon District, Grants Pass Unit at 541-474-3152 for further information or questions relative to threatened or endangered species surveys, future planned survey information, or other threatened or endangered species information.</p>
SPECIAL REMARKS:	<p><b>NO PERSONAL OR COMPANY CHECKS ACCEPTED FOR THE BID DEPOSIT.</b></p> <p><b>SEASONAL RESTRICTIONS APPLY - SEE SECTION 2455.</b></p> <p><b>Pulp removal is not allowed.</b></p> <p><b>Felling Deadline – October 31, 2018 (Sections 2310 and 2455).</b></p> <p><b>No winter hauling option.</b></p> <p><b>Area II: downhill cable logging, upon approval of from STATE, a portion (20%) of the unit could potentially be ground based logging.</b></p> <p><b>Purchaser shall obtain a <u>\$2,000 dollar Performance Bond</u> in favor of the BLM for road usage/maintenance. This bond is refundable after the sale is complete.</b></p>

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:** Southwest Kerby  
**COUNTY:** Josephine  
**CONTRACT NO.:** 341-17-099

TIMBER SALE NAME: **Southwest Kerby**

TIMBER SALE NO.: **341-17-99**

OPENING DATE: **May 15, 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:

**Sugar pine and other pines** ..... **\$111.93** per MBF  
**Incense cedar and other cedars** ..... **\$325.00** per MBF  
**Grand fir and other conifers** ..... **\$211.53** per MBF  
**Madrone and other hardwoods** ..... **\$ 40.00** per MBF

Enclosed is a bid deposit as required, consisting of a \_\_\_\_\_ in the amount of **\$15,400**, 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: Southwest Kerby  
Date: February 21, 2017  
To: Chris Rudd  
CC: Dave Larson, District Sale File  
From:

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### Habitat Suitability

This sale contains potentially suitable habitat for northern spotted owls in area 2.

### Survey Results

Area 2 was surveyed for northern spotted owls in 2015 and 2016 using a protocol endorsed by the U.S. Fish and Wildlife Service<sup>1,2</sup>. Northern spotted owls were observed multiple times during both years at known activity centers within 1.3 miles of the sale.

### Known T&E Resources

This sale is within 1.3 miles of two northern spotted owl activity centers. A Biological Assessment of the sale's impact on the activity centers has been conducted. It concludes that the Southwest Kerby timber sale, as currently planned, poses low risk of negatively affecting these northern spotted owl sites.

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<sup>1</sup> USDI Fish and Wildlife Service. 2011. Protocol for surveying proposed management activities that may impact northern spotted owls. 38pp.

<sup>2</sup> Oregon Department of Forestry, June 1, 2010. Policy bulletin SFB – 10-03, Northern Spotted Owl Policy Update - Northern Spotted Owl Survey Protocol.

## **Operational Considerations**

If an additional year of northern spotted owl surveys is conducted in 2017, no felling, except for felling associated with project work, shall be allowed prior to completion of the 2017 northern spotted owl surveys in area 2 indicating no new resident spotted owls.

If felling operations are not initiated by February 1, felling may not occur until April 15 of each year on area 2, or until northern spotted owl spot checks surveys are completed, whichever is first.

Current northern spotted owl survey results for area 2 are valid until March 15, 2019.

Northern spotted owl survey results of area 2 will be valid until March 15, 2020 upon the completion of 2017 surveys.

## **Future Survey Plans**

Spotted owl spot check surveys for this timber sale will be required in 2017 and 2018 if operational surveys are not conducted in 2017. If operational surveys are conducted in 2017, spotted owl spot check surveys for this timber sale will be required in 2018 and 2019. In addition, ODF has an active northern spotted owl survey program and activity center monitoring may be conducted within 3 miles of this sale during the life of the contract.