

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

SALE NAME/NO.: Miami Fire 341-14-84

AUCTION DATE/TIME: June 17, 2014, starting at 10:00 a.m.

AUCTION LOCATION: Oregon Department of Forestry  
Tillamook District Headquarters  
5005 Third Street  
Tillamook, Oregon 97141  
(503) 842-2545 FAX (503) 842-3143

DISTRICT/UNIT OFFICE (MAILING ADDRESS FOR BIDS): Oregon Department of Forestry  
Tillamook District Headquarters  
5005 Third Street  
Tillamook, Oregon 97141  
(503) 842-2545 FAX (503) 842-3143

HARVEST TYPE: Area 1 is 97 acres of modified clearcut and Area 2 is 88 acres of modified clearcut.  
Approximate age: 60 years.

SALE LOCATION: Portions of Section 10, 11, 14, and 15, T2N, R9W, W.M., Tillamook County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: From Tillamook, travel north on Highway 101 approximately 9 miles, turn right onto the Miami Foley Road. Travel 10 miles, turn right onto the East Foley Ridge Road (gravel). Travel 7.5 miles to the 5-way junction (Firebreak 3, Moot Point, and Miami Forest Road, East Foley), the timber sale is located to the southwest of this 5-way junction.

**APPRAISED VOLUMES AND QUALITY:**

SPECIES	AVG DBH	TOTAL MBF	GRADES BY MBF													
			6-7	8-9	10-11	12+	1S	2S	3S	4S	SEL	SC	UT	CR	WRM	PLP
Douglas-fir	16"	2,097						955	804	338						
W Hem. / fir	17"	185						121	61	3						
Sitka Spruce	13"	21						11		10						
Red Alder	13"	498	463	12	23											
Sale Total		2,801														

MINIMUM BID: BID SPECIES Douglas-fir ..... \$243.56 per MBF

NO-BID SPECIES Red alder and other hardwoods ..... \$157.96 per MBF  
Western hemlock/fir and other conifers ..... \$179.68 per MBF  
Western redcedar and other cedars ..... \$825.00 per MBF  
Sitka spruce ..... \$150.20 per MBF

In order to compensate PURCHASER for Project Work, ODF will credit PURCHASER's timber account in the amount of \$186,530 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 (\$187,000) whichever is greater. Actual bond amount will be rounded up to an even \$1,000 unit.

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

BID DEPOSIT: \$43,900 SALE TYPE: Recovery/BOF - 100%

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

HARVEST METHOD: 10% Ground, 90% Cable.

PROJECTS:

Project No. 1 – Construct 1.1 miles of road, Improve 9.8 miles of road, and construct landings

Project No. 2 – Crush and spread rock according to specifications in Exhibit E.

Project No. 3 – Crush and stockpile 1,000 CY of 2½”-0” rock according to specifications in Exhibit E at location shown on Exhibit A.

Project No. 4 – Place riprap according to the specifications in Exhibits D and E and H.

Project No. 5 – Vacate 0.4 mile of road (segment M to N) as specified in Exhibits D, I, M, N, O, and R.

Project No. 6 – Seed all areas of disturbed soil associated with all projects according to the specifications in Exhibit M. Mulch all ditchouts and areas within 100 feet of culverts and live streams according to the specifications in Exhibit N.

Project No. 7 – Clear roadside vegetation along approximately 16.9 miles of forest roads, designated on Exhibit A, according to the "Road Brushing Specifications" in Exhibit D.

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 Tillamook District at 503-842-2545 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.**

**POTENTIAL THREATENED & ENDANGERED SPECIES LAWSUIT:** Be advised that a Notice of Intent to Sue the State of Oregon has been filed for this timber sale for alleged violation of Sections 4(d) and 9 of the federal Endangered Species Act, pertaining to federally listed Oregon Coast Coho Salmon on the Tillamook and Clatsop State Forests.

**WEB Address for Notice of Intent to Sue document:**

[http://www.oregon.gov/odf/STATE\\_FORESTS/TIMBER\\_SALES/docs/Coho\\_Notice\\_Letter\\_February\\_13\\_2014.pdf](http://www.oregon.gov/odf/STATE_FORESTS/TIMBER_SALES/docs/Coho_Notice_Letter_February_13_2014.pdf)

Pulp removal is required in Area 1 and not allowed in Area 2 if yarded to landing - See Section 2045.

Sale acreage was determined using GIS.

Section 2015, "Log Accountability"; 2020, "Log Measurement"; 2030, "Log Branding and Painting"; and Exhibit C contain special language for pulp removal.

**Sale has a designated haul route for all log hauling activities (Section 2120).**

Snag Creation is required (Section 2335).

March 15, 2016 deadline for Felling (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.**

<b>SALE NAME:</b>	<b>Miami Fire</b>
<b>COUNTY:</b>	<b>Tillamook</b>
<b>CONTRACT NO.:</b>	<b>341-14-84</b>

TIMBER SALE NAME: **Miami Fire**

TIMBER SALE NO.: **341-14-84**

OPENING DATE: **June 17, 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:

Red alder and other hardwoods..... **\$157.96** per MBF.  
Western hemlock/fir and other conifers ..... **\$179.68** per MBF.  
Western redcedar and other cedars..... **\$825.00** per MBF.  
Sitka spruce ..... **\$150.20** per MBF.

Enclosed is a bid deposit as required, consisting of a \_\_\_\_\_ in the amount of **\$43,900**, 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:** Miami Fire  
**Date:** April 2, 2014  
**To:** Joe Travers  
**CC:** Dan Goody, District Sale File  
**From:** Matt Gostin

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### Habitat Suitability

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

### Survey Results

Surveys for marbled murrelets were conducted in 2010 and 2011, using a protocol developed by the Pacific Seabird Group<sup>1</sup>. Murrelets were not detected during these surveys.

This sale was surveyed for northern spotted owls in 2012 and 2013, using a protocol endorsed by the U.S. Fish and Wildlife Service<sup>2,3</sup>. A northern spotted owl was observed on one occasion in 2012. This observation was attributed to a known activity center greater than 1.5 miles of the timber sale. In addition, an unknown *Strix* species owl was observed on one occasion in 2012. Two unknown *Strix* species

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<sup>1</sup> 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.

<sup>2</sup> USDI Fish and Wildlife Service. 2012. Protocol for surveying proposed management activities that may impact northern spotted owls. 42pp.

<sup>3</sup> Oregon Department of Forestry, June 1, 2010. Policy bulletin SFB – 10-03, Northern Spotted Owl Policy Update - Northern Spotted Owl Survey Protocol.

owls were observed in 2013. However, there were no observations of northern spotted owls in 2013.

### **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, 2016. Marbled murrelet survey results are valid until April 1, 2017.

All timber should be felled by March 15, 2016.

### **Future Survey Plans**

Spotted owl spot check surveys for this timber sale will be required in 2014 and 2015. 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.



## Table 1. Northern Spotted Owl Surveys of Miami Fire

<sup>†</sup>Completion of these sales delayed due to snow.

Table 2. Marbled Murrelet Surveys of Miami Fire (surveyed as North Fork Miami/FB3)

Survey Area	Site	Station	Date	# Detections
NORTH FORK MIAMI/FB3	1	1	05/05/2010	0
NORTH FORK MIAMI/FB3	1	2	05/17/2010	0
NORTH FORK MIAMI/FB3	1	3	05/26/2010	0
NORTH FORK MIAMI/FB3	1	1	06/14/2010	0
NORTH FORK MIAMI/FB3	1	2	06/23/2010	0
NORTH FORK MIAMI/FB3	1	3	07/03/2010	0
NORTH FORK MIAMI/FB3	1	1	07/12/2010	0
NORTH FORK MIAMI/FB3	1	2	07/23/2010	0
NORTH FORK MIAMI/FB3	1	3	07/31/2010	0
NORTH FORK MIAMI/FB3	1	1	05/09/2011	0
NORTH FORK MIAMI/FB3	1	2	05/24/2011	0
NORTH FORK MIAMI/FB3	1	1	06/14/2011	0
NORTH FORK MIAMI/FB3	1	2	07/07/2011	0
NORTH FORK MIAMI/FB3	1	3	07/14/2011	0