

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

SALE NAME/NO.: Nicolai 341-18-47

AUCTION DATE/TIME: November 14, 2017, starting at 2:00 p.m.

AUCTION LOCATION: Oregon Department of Forestry
Astoria District Office
92219 Highway 202
Astoria, Oregon 97103
(503) 325-5451 FAX (503) 352-2756
4 Miles SE of Astoria on Highway 202

DISTRICT/UNIT OFFICE (MAILING ADDRESS FOR BIDS): Oregon Department of Forestry
Astoria District Office
92219 Highway 202
Astoria, Oregon 97103
(503) 325-5451 FAX (503) 352-2756

HARVEST TYPE: Area 1 is Modified Clear-cut: Approximately 107 net acres, removing approximately 33 MBF/acre of Douglas-fir with some western hemlock, true fir and red alder.

SALE LOCATION: This timber sale is located in portions of Sections 16 and 21, T7N, R6W, W.M., Clatsop County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: Turn south off U.S. Highway 30 onto the Nicolai Mainline (at approximately Milepost 75) and travel 7.5 miles to Area 1 of the Nicolai Timber Sale on the east side of the road.

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	22	3,126							2,404	654	68								
W Hem. & other conifers	22	208							160	48									
W Red Cedar																			
Red Alder	14	195															195		
Sale Total		3,529																	

MINIMUM BID: BID SPECIES Douglas-fir \$ 440.58 per MBF

NO-BID SPECIES Western hemlock/true fir and other conifers \$ 335.55 per MBF

Red alder and other hardwoods \$ 415.51 per MBF

Western redcedar and other cedars \$1,275.00 per MBF

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, not to exceed \$500,000. Bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: October 31, 2019 BID METHOD: Sealed Bids

BID DEPOSIT: \$152,800 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: Area 1 is approximately 68% ground based logging and 32% cable logging.

PROJECTS: None.

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 Astoria District, John Tillotson, at (503) 325-5451 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.

FELLING: Operationally Restricted Area: If felling operations within the Operationally Restricted Area (as shown on Exhibit "A") is not initiated by February 1, felling may not occur until northern spotted owl spot check surveys are completed, but not later than June 30 of each year. This requirement may be waived by ODF if the delay in initiation of operations is not needed, as determined by STATE (Section 2310).

Pulp removal is required if yarded to landing (Section 2045 (c)).

Equipment Washing is required prior to entry upon state forest (Section 2416)

Restoration of Recreational Trails to original condition is required (Section 2425).

The elevational range for this sale is 1,500 to 2,000 feet.

Acres were determined using Arc 10,4,1 GIS (graphical information system).

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 Timber Sale Schedule handbook on line for disclaimer regarding all governmental regulatory actions. The handbook can be accessed online at:
<http://www.oregon.gov/ODF/Working/pages/TimberSales.aspx>

SALE NAME: Nicolai
COUNTY: Clatsop
CONTRACT NO.: 341-18-47

TIMBER SALE NAME: **Nicolai**

TIMBER SALE NO.: **341-18-47**

OPENING DATE: **November 14, 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/true fir and other conifers \$ **335.55 per MBF**
Red alder and other hardwoods..... \$ **415.51 per MBF**
Western redcedar and other cedars..... \$ **1,275.00 per MBF**

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$152,800**, 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 _____

BUSINESS EMAIL _____

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"

Biological Survey Report

Project: Nicolai
Date: July 20, 2017
To: John Tillotson
CC: Dan Goody, District Sale File

From: 

Habitat Suitability

This sale contains potentially suitable habitat for northern spotted owls in sale area 1. This sale is located in the Marbled Murrelet Systematic Survey Zone. By ODF policy, operational marbled murrelet surveys are not required.

Survey Results

This sale was surveyed for northern spotted owls in 2015 and 2016. Surveys have been conducted using a protocol endorsed by the U.S. Fish and Wildlife Service^{1,2}. Spotted owls were observed twice in 2015 and attributed a known activity center within 1.5 miles of this sale. There were no observations of spotted owls in 2016. Surveys are ongoing in 2017 to extend the contract felling date. To date, one spotted owl observation has been reported during surveys in 2017 and attributed a known activity center within 1.5 miles of this sale.

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.

Surveys for marbled murrelets are not necessary for this sale.

Known T&E Resources

There are no Marbled Murrelet Management Areas affecting this sale. This sale is within 1.5 miles of a known activity center. A Biological Assessment concluded that the Nicolai timber sale, as currently proposed, is expected to have a low risk to persistence and productivity of the spotted owl site.

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.

No felling, except for felling associated with project work, shall be allowed prior to the completion of the 2017 northern spotted owl surveys indicating no resident spotted owls.

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

All timber should be felled by March 15, 2020.

Future Survey Plans

Spotted owl spot check surveys for this timber sale will occur in 2018 and 2019. In addition, ODF has an active northern spotted owl survey program and surveys for other planned operations and activity center monitoring will be conducted within 3 miles of this sale during the life of the contract.