

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

SALE NAME/NO.: Rocky Road 341-18-83

AUCTION DATE/TIME: February 13, 2018, starting at 10:00 a.m.

AUCTION LOCATION: Oregon Department of Forestry
Tillamook District Headquarters
5005 Third Street
Tillamook, Oregon 97141

DISTRICT/UNIT OFFICE (MAILING ADDRESS FOR BIDS): Oregon Department of Forestry
Tillamook District Headquarters
5005 Third Street
Tillamook, Oregon 97141

HARVEST TYPE: Areas 1, 2, 3, and 4 are 346 net acres of modified clearcut harvest. Approximate age 55 years.

SALE LOCATION: Portions of Sections 26, 27, 33, 34, and 35, T2S, R7W, and portions of Sections 1, 2, and 12, T3S, R7W, W.M., Tillamook County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: From Tillamook travel east on Highway 6 approximately 2½ miles turn south onto Olson Road. At the 4-way stop continue straight where the road turns into Trask River Road. Follow Trask River Road for 13.1 miles where it turns to gravel. Travel straight on the gravel South Fork Road for 0.5 mile, turn left onto the East Fork Trask Road. Follow the East Fork Trask Road approximately 9.5 miles to the junction with Rock Creek Grade. Turn left onto Rock Creek Grade and travel approximately 1.5 miles to the sale area.

APPRAISED VOLUMES AND QUALITY:

SPECIES	AVG DBH	TOTAL MBF	GRADES BY MBF												
			1P	2P	3P	P	SM	1S	2S	3S	4S	6-7	8-9	10-11	CR
Douglas-fir	19"	7,589							4,615	2,261	713				
Red Alder	16"	233										170	63		
Sale Total		7,822													

MINIMUM BID: BID SPECIES Douglas-fir and other conifers \$ 376.56 per MBF

NO-BID SPECIES Red alder and other hardwoods \$ 255.93 per MBF

Western redcedar and other cedars..... \$1,250.00 per MBF

In order to compensate PURCHASER for Project Work, ODF will credit PURCHASER's timber account in the amount of \$683,570 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 (\$683,570) 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, 2021 BID METHOD: Sealed Bids

BID DEPOSIT: \$223,300 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: 92% cable, 8% ground.

PROJECTS: Project No. 1 – Construct 2.6 miles of road, reconstruct 3.7 miles of road, improve 8.0 miles of road, and construct 21 landings.

Project No. 2 – Crushing and spreading rock, in accordance to Exhibit E.

Project No. 3 – Crush and stockpile 1,000 Cubic Yards of 1½” – 0” rock in accordance to Exhibit E.

Project No. 4 – Crush and stockpile 500 cubic yards of 3” – 1” drain rock in accordance to Exhibit E.

Project No. 5 – Rock Quarry Test Drilling.

Project No. 6 – Burn stumps and slash in Property Line Pit.

Project No. 7 – Move existing 1½” – 0” stockpile (2,500 cu yds) in Property Line Pit.

Project No. 8 – Seed all areas of disturbed soil associated with all projects according to specifications in Exhibit L.

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 ENDANGERED SPECIES ACT LAWSUIT: Be advised that the State of Oregon has received a Supplemental Notice of Intent to Sue for alleged violations 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. This Supplemental Notice of Intent to Sue specifically names Rocky Road timber sale, among others.

WEB Address for Notice of Intent to Sue document:

http://www.oregon.gov/ODF/Documents/WorkingForests/2017_04_05_Supp_Coho_NOI.pdf

Pulp removal is required if yarded to landing.

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

Sale acreage was determined using GIS.

T&E Survey: Areas 1, 2, and 3, will be surveyed for Northern Spotted Owl presence during 2018. No timber harvest operations are allowed, other than those associated with project work, prior to September 1, 2018.

Area 4: No beginning time restrictions.

Felling on All Areas must be completed by March 15, 2021 (Section 2310).

Snag Creation (Section 2335) is required.

Harvesting adjacent to Bonneville Power Administration (BPA) Powerlines – Section 2420.

A Combination to the gate for access to the sale areas can be obtained at the Tillamook District Office.

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. The handbook can be accessed online at:
<http://www.oregon.gov/ODF/Working/pages/TimberSales.aspx>

SALE NAME:	Rocky Road
COUNTY:	Tillamook
CONTRACT NO.:	341-18-083

TIMBER SALE NAME: **Rocky Road**

TIMBER SALE NO.: **341-18-083**

OPENING DATE: **February 13, 2018**

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..... **\$255.93** per MBF

Western redcedar and other cedars **\$1,250** per MBF

Enclosed is a bid deposit as required, consisting of a _____ in the amount of **\$223,300**, 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: Rocky Road
Date: March 28, 2017
To: Kate Skinner
CC: Joe Travers, District Sale File
From:  Matt Gostin
2017.10.31 10:00:30
-07'00'

Habitat Suitability

This sale contains potentially suitable habitat for northern spotted owls. Sale areas 1-4 do not contain suitable habitat for marbled murrelets. In addition, sale area 2 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 2016 and 2017. Surveys have been conducted using a protocol endorsed by the U.S. Fish and Wildlife Service^{1,2}. Northern spotted owls were not observed in 2016 or 2017. Surveys are ongoing in 2018 to extend the contract felling date.

Surveys for marbled murrelets are not required.

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.

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.

No felling, except for felling associated with project work, shall be allowed prior to the completion of the 2018 northern spotted owl surveys indicating no resident spotted owls.

Northern spotted owl survey results will be valid until March 15, 2021 upon the completion of 2018 surveys.

All timber should be felled by March 15, 2021.

Future Survey Plans

Spotted owl spot check surveys for this timber sale will be required in 2019 and 2020. In addition, ODF has an active survey program and northern spotted owl surveys may be conducted within 3 miles of this sale during the life of the contract.