

NOTICE OF TIMBER SALE

Recovery Timber Sale

NAME/NO.: East Foley TL-341-2019-W00763-01

AUCTION DATE/TIME: April 16, 2019, starting at 10:00 AM

AUCTION LOCATION: Tillamook District
 5005 THIRD ST
 TILLAMOOK, OR 97141-2999
 (503) 842-2545 FAX: (503) 842-3143

DISTRICT/ OFFICE (MAILING ADDRESS FOR BIDS): Tillamook District
 5005 THIRD ST
 TILLAMOOK, OR 97141-2999
 (503) 842-2545 FAX: (503) 842-3143

HARVEST TYPE: Areas 1, 2, and 3 are 281 net acres of modified clearcut harvest.
 Approximate age: 60-80 years

LOCATION: Portions of Section(s) 5, 6, 7, 8, 10 of T2N R9W W.M., Tillamook Co., 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. All Sale Areas are located off of East Foley Ridge Road with Area 1 starting at 0.5 miles. Area 2 at 2.5 miles, and Area 3 at 5.8 miles up East Foley Ridge Road.

APPRAISED VOLUMES AND QUALITY:

Conifer/Hwd	Species Group	Species	Product	AVG DBH	Grade	Volume	UOM	Diam. From	Diam. To	Length From	Length To
Hardwood	Maple	Bigleaf Maple	Sawlog	15"	4 M	6	MBF				
Hardwood	Red Alder	Red Alder	Sawlog	15"	2 M	278	MBF				
Hardwood	Red Alder	Red Alder	Sawlog		3 M	1090	MBF				
Hardwood	Red Alder	Red Alder	Sawlog		4 M	606	MBF				
Conifers	Spruce	Sitka Spruce	Sawlog	18"	2 M	34	MBF				
Conifers	Spruce	Sitka Spruce	Sawlog		3 M	19	MBF				
Conifers	Hemlock	Western Hemlock	Sawlog	16"	2 M	2317	MBF				
Conifers	Hemlock	Western Hemlock	Sawlog		3 M	2324	MBF				
Conifers	Douglas Fir	Douglas Fir	Sawlog	19"	2 M	1219	MBF				
Conifers	Douglas Fir	Douglas Fir	Sawlog		3 M	699	MBF				
Sale Total:						8,592	MBF				

MINIMUM BID:

	Species Category	Species Group	Species	Product	Grade	Volume	Diameter From	Diameter To	Length From	Length To	Price	UOM
Bid	Conifers	Douglas Fir	Douglas Fir	Sawlog		1918					\$338.50	MBF
Bid	Conifers	Hemlock	Western Hemlock and other conifers	Sawlog		4641					\$199.88	MBF
Bid	Hardwood	Red Alder	Red Alder	Sawlog		1974					\$330.89	MBF
No-Bid	Conifers			Pulp		0					\$2.50	TON
No-Bid	Conifers	Cedar		Sawlog		0					\$857.14	MBF

No-Bid	Conifers	Cedar	Western Red Cedar	Sawlog		0				\$857.14	MBF
No-Bid	Conifers	Spruce	Sitka Spruce	Sawlog		53				\$138.91	MBF
No-Bid	Hardwood			Pulp		0				\$2.50	TON
No-Bid	Hardwood	Hardwoods (Other Hardwoods)		Sawlog		0				\$77.56	MBF
No-Bid	Hardwood	Maple	Bigleaf Maple	Sawlog		6				\$77.56	MBF

All Utility logs are set at price above, which means material will be charged at the highest rate for that species.

In order to compensate PURCHASER for Project Work, ODF will credit PURCHASER's timber account in the amount of \$349,160.00 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 \$364,340.00 whichever is greater, not to exceed \$500,000. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: 10/31/2021 BID METHOD: Sealed Bid

BID DEPOSIT: \$188,800.00 SALE TYPE: Recovery / BOF: 100.00%
CSL: 0.00%

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: 95% Cable; 5% Ground

PROJECTS:
1a - Construct 1.5 mi. of rocked spurs.
1c - Improve 0.3 mi. of existing roads.
1b - Construct 0.2 mi. of dirt spur.
2 - Seeding and Mulching
3 - Install State provided gate.
4 - Brush 32.4 miles of road.
5 - Move-In

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 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 ODF 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 - SECTION 2455.

Seasonal Restrictions apply -- see Section 2455.

Sale acreage was determined using GIS.

Pulp removal is required if yarded to landing in Area 1. Pulp removal in Areas 2 and 3 is not allowed.

Snag Creation is required (Section 2335)

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

No timber harvest operations are allowed unless associated with project work, prior to September 1, 2019 (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 government regulatory actions.

TIMBER SALE NAME: East Foley
TIMBER SALE NO.: TL-341-2019-W00763-01
OPENING DATE: 04/16/2019

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

Western Hemlock, and other conifer sawmill grade or better, _____
 _____ DOLLARS \$ _____ per MBF

Red Alder, sawmill grade or better, _____
 _____ DOLLARS \$ _____ per MBF

NO - BID SPECIES:

No-Bid	Conifers			Pulp		0				\$2.50	TON
No-Bid	Conifers	Cedar		Sawlog		0				\$857.14	MBF
No-Bid	Conifers	Cedar	Western Red Cedar	Sawlog		0				\$857.14	MBF
No-Bid	Conifers	Spruce	Sitka Spruce	Sawlog		53				\$138.91	MBF
No-Bid	Hardwood			Pulp		0				\$2.50	TON
No-Bid	Hardwood	Hardwoods (Other Hardwoods)		Sawlog		0				\$77.56	MBF
No-Bid	Hardwood	Maple	Bigleaf Maple	Sawlog		6				\$77.56	MBF

Enclosed is a bid deposit as required, consisting of a _____
 in the amount of \$188,800.00, 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. **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 INFORMATION
ON TEXT PAGE

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) name company
 an individual

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, 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: East Foley
Date: January 9, 2019
To: Kate Skinner
CC: Joe Travers, District Sale File
From: Dax Strubb

Digitally signed by Dax Strubb
Date: 2019.01.10 07:37:54
-08'00'

Habitat Suitability

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

Survey Results

This sale was surveyed for northern spotted owls in 2017 and 2018. Surveys have been conducted using a protocol endorsed by the U.S. Fish and Wildlife Service^{1,2}. There were no observations of northern spotted owls in 2018, but there was one observation of an unknown sex northern spotted owl in 2017. Surveys will continue in 2019.

Surveys for marbled murrelets were conducted in 2017 and 2018, using a protocol developed by the Pacific Seabird Group³. Marbled murrelets were not detected during these surveys.

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, November 1, 2017. 1.2, Northern Spotted Owl Policy

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.

Known T&E Resources

There are no northern spotted owl activity centers affecting this sale.

There are no 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 2019 northern spotted owl surveys indicating no resident spotted owls.

Northern spotted owl survey results will be valid until March 15, 2022 upon the completion of 2019 surveys.

Marbled murrelet surveys are valid until April 1, 2024.

All timber should be felled by March 15, 2022 following the completion of the 2019 survey season.

Future Survey Plans

Spotted owl operational surveys will be conducted in 2019. Spotted owl spot check surveys for this timber sale will be required in 2020 and 2021. 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.