NOTICE OF TIMBER SALE

Recovery Timber Sale

Upper Nelson NAME/NO.: WL-341-2020-W00336-01

AUCTION DATE/TIME: May 22, 2020, starting at 10:00 AM

AUCTION LOCATION: Western Lane

87950 TERRITORIAL HWY VENETA, OR 97487-0157

(541) 935-2283 FAX: (541) 935-0731

DISTRICT/ Western Lane

OFFICE (MAILING 87950 TERRITORIAL HWY ADDRESS FOR BIDS): VENETA, OR 97487-0157

> FAX: (541) 935-0731 (541) 935-2283

HARVEST TYPE: Area 1: 48-Acres of modified clearcut, removing approximately 47MBF/acre

of 83-year-old timber.

LOCATION: Portions of Section(s) 8 of T17S R7W W.M., Lane Co., Oregon

DIRECTIONS TO

Heading west from Veneta continue along OR-126 for approximately 9 **TIMBER** SALE AREA: miles. Then turn right onto the IP Deeded Rd. (17-7-22). Follow this for

approximately 4.7 miles and then turn left onto Nelson Ridge rd. This will be

the start of project work area.

APPRAISED VOLUMES AND QUALITY:

| Conifer/Hwd | Species Group | Species | Product | AVG DBH | Grade | Volume | UOM | Diam. From | Diam. To | Length From | Length To |
|-------------|------------------|---------------|---------|---------|-------|--------|-----|---------------|-------------|----------------|--------------|
| Conifers | Douglas Fir | Douglas Fir | | | | 2104 | MBF | | | | |
| Hardwood | Red Alder | Red Alder | | | | 114 | MBF | | | | |
| Hardwood | Maple | Bigleaf Maple | | | | 37 | MBF | | | | |
| Sale Total: | | | • | • | | 2,255 | 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 | | | 2104 | | | | | \$411.19 | MBF |
| No-Bid | Conifers | | | | | 0 | | | | | \$350.91 | MBF |
| No-Bid | Conifers | | | Pulp | | 0 | | | | | \$3.50 | TON |
| No-Bid | Conifers | | | Utility | SC | 0 | | | | | \$80.00 | MBF |
| No-Bid | Conifers | | | Utility | PC | 0 | | | | | \$80.00 | MBF |
| No-Bid | Conifers | Cedar | | | | 0 | | | | | \$780.10 | MBF |
| No-Bid | Hardwood | | | | | 37 | | | | | \$101.91 | MBF |
| No-Bid | Hardwood | | | Pulp | | 0 | | | | | \$3.50 | TON |
| No-Bid | Hardwood | Red Alder | Red Alder | | | 114 | | | | | \$205.91 | MBF |

In order to compensate PURCHASER for Project Work, ODF will credit PURCHASER's timber account in the amount of \$154,558.00 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 \$154,558.00 whichever is greater, not to exceed \$500,000. Actual bond amount will be rounded up to an even

\$1,000 unit.

BID METHOD: Sealed Bids 5/31/2022 **EXPIRATION DATE:**

SALE Recovery / BOF: 100.00% BID DEPOSIT: \$73,700.00 TYPE:

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.

\$2,000,000 Commercial General Liability; \$2,000,000 Automobile Liability; INSURANCE:

\$2,000,000 Logger's Broad Form.

HARVEST METHOD: 65% Ground-based logging

35% Cable Logging

PROJECTS: 1 - Construct and compact sub-grades. Road improvement and Culverts.

2 - End Haul for ruts and crossings.

3 - Spread and compact rock for roads

4 - Install Metal Gate

5 - Move-In Cost

FEES: Road maintenance and rock wear fees to the BLM for use of segments of the 17-7-22

road estimated at \$19,530.

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 Western Lane ODF District at (541) 935-2283 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.

Pulp removal is not allowed unless approved by STATE.

Project work shall not be allowed between October 31 through April 30 unless

otherwise approved in writing by STATE.

Ground-based operations shall not be allowed during periods of high soil moisture as determined by STATE.

Log hauling from October 31 to April 30 is subject to a "Loads/Day limitation during wet weather."

Hemlock and Cedar are reserved species.

A minimum of 40% of the estimated bid value shall be paid on or before 3/13/2021 (Section 1751).

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.

Form 341-210.1(C) Rev.05/06

TIMBER SALE NAME: Upper Nelson

TIMBER SALE NO.: WL-341-2020-W00336-01

OPENING DATE: May 22, 2020

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:

| | | | | | | | DOLLARS\$_ | pe | er MBF |
|--|---|--|--|---|---|--|---|--|------------------|
| NO - B | D SPECIES | : | | | | | | | |
| lo-Bid | Conifers | | | | | 0 | | \$350.91 | MBI |
| No-Bid | Conifers | | | Pulp | | 0 | | \$3.50 | IOT |
| lo-Bid | Conifers | 1 | | Utility | SC | 0 | | \$80.00 | MBI |
| lo-Bid | Conifers | | | Utility | PC | 0 | | \$80.00 | MBI |
| lo-Bid | Conifers | Cedar | | | | 0 | | \$780.10 | MBI |
| lo-Bid | Hardwood | | | | | 37 | | \$101.91 | MBI |
| lo-Bid | Hardwood | | | Pulp | | 0 | | \$3.50 | 1OT |
| o-Bid | Hardwood | Red Alder | Red Alder | | | 114 | | \$205.91 | MBI |
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COMPLETE PURCHASER'S STATUS ON NEXT PAGE

PURCHASER'S STATUS

| Purchaser is a corporation | Check | Incorporated in |
|--|---------------------------|---|
| ruichaser is a corporation | () | the State of |
| President's Name | | |
| Secretary's Name | | _ |
| Purchaser is: () a partners () an individ | | umed (business) name () company |
| List names of all pers | ons doing business u | nder the partnership or assumed name: |
| | | |
| | | |
| If assumed name is subsidiary corporation name here: | to a corporation, fill in | data requested of corporation also and write in |

629: Form 301-020

CERTIFICATION OF ELIGIBILITY TO BID ON STATE TIMBER

hereby certifies that they:

| EXP | <u>ORT</u> |
|------|---|
| (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). |
| DEF | AULT, 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. |
| Sig | gned |
| | |
| Titl | le e |
| Da | ated |
| INO. | TE: For the numose of this form, the definition of unprocessed timber is the same as in OAR 629-031-0005 l |



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



Biological Survey Report

Project:

Upper Nelson

Date:

March 11, 2020

To:

Ole Buch

CC:

Link Smith, District Sale File

From:

Mungh

Date: 2020.03.13 07:53:17 -07'00'

Habitat Suitability

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

Survey Results

This sale was surveyed for northern spotted owls in 2018 and 2019, using a protocol endorsed by the U.S. Fish and Wildlife Service^{1,2}. Northern spotted owls were not observed during these surveys.

Surveys for marbled murrelets were conducted for this sale in 2018 and 2019, using a protocol developed by the Pacific Seabird Group³. Marbled murrelets were not detected during either year of 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 Mack, D., W. P. Ritchie, S. K. Nelson, E. Kuo-Harrison, P. 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

This sale is within 1.5 miles of a northern spotted owl activity center. Since this sale falls within a non-baseline activity center as identified in the Safe Harbor Agreement (SHA) with the U.S. Fish & Wildlife Service (USFWS), a Biological Assessment of the sale's potential impact is not required by ODF policy.

Operational Considerations

Due to the presence of barred owls, felling restrictions for spotted owl spot check surveys are not required for this sale.

Current northern spotted owl survey results are valid until March 15, 2022.

Marbled murrelet survey results are valid until April 1, 2025.

All timber should be felled by March 15, 2022.

Future Survey Plans

ODF has entered into an agreement with the USFWS known as a SHA. This agreement allows the U.S. Geological Survey (USGS) to conduct a study on ODF managed lands which includes population reduction measures on barred owls to assess the impacts on northern spotted owls. This Contract contains sale areas within the USGS study boundary. Under this agreement, if nesting northern spotted owls are found in or within close proximity of the timber sale, the nest and surrounding area would be protected until fledglings leave the nest utilizing seasonal restrictions and other measures. In addition, ODF may take other actions including retaining and protecting trees in the immediate area of a nest tree.

Spotted owl spot check surveys for this timber sale will be required in 2021 and 2022. In addition, ODF has an active northern spotted owl survey program and spot checks, surveys for other planned operations, and activity center monitoring will be conducted within 3 miles of this sale during the life of the contract.