

NOTICE OF TIMBER SALE**Recovery Timber Sale**

NAME/NO.: Bear Claw WO-341-2020-W00376-01

AUCTION DATE/TIME: December 12, 2019, starting at 10:00 AM

AUCTION LOCATION: West Oregon
24533 ALSEA HWY
PHILOMATH, OR 97370
(541) 929-3266 FAX: (541) 929-5549DISTRICT/
OFFICE (MAILING
ADDRESS FOR BIDS): West Oregon
24533 ALSEA HWY
PHILOMATH, OR 97370
(541) 929-3266 FAX: (541) 929-5549

HARVEST TYPE: Area 1: Approximately 35 net acres of modified clearcut of 44-49 year old Douglas-fir, Western hemlock, and red alder. Net volume to be removed is approximately 16 MBF/acre.

Area 2: Approximately 10 net acres of modified clearcut of 49 year old Douglas-fir and red alder. Net volume to be removed is approximately 24 MBF/acre.

LOCATION: Portions of Section(s) 7 of T11S R9W W.M., Lincoln Co., Oregon

DIRECTIONS TO
TIMBER
SALE AREA: From Philomath on Highway 20, travel west 28 miles to Trapp Creek Road (large gravel turnout on the left). Travel up Trapp Creek staying on the main road and continue through the yellow gate. At one mile, stay left. Continuing 1.3 miles on Bear Divide Road, turn left up the hill on to Bear Ridge Road for approx. 5 to the property line to find Area 2. Back at the junction of Bear Divide and Bear Ridge, stay on Bear Divide for an additional 1 mile to find the North end of Area 1.**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	Sawlog		2 M	278	MBF				
Conifers	Douglas Fir	Douglas Fir	Sawlog		3 M	365	MBF				
Conifers	Douglas Fir	Douglas Fir	Sawlog		4 M	93	MBF				
Conifers	Hemlock	Western Hemlock	Sawlog		2 M	10	MBF				
Conifers	Hemlock	Western Hemlock	Sawlog		3 M	7	MBF				
Conifers	Hemlock	Western Hemlock	Sawlog		4 M	2	MBF				
Hardwood	Red Alder	Red Alder	Sawlog		CR	46	MBF				
Sale Total:						801	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			736					\$329.35	MBF
No-Bid	Conifers	Cedar				0					\$600.00	MBF
No-Bid	Conifers	Conifers (Other Conifers)		Pulp		0					\$2.50	TON
No-Bid	Conifers	Conifers (Other Conifers)				0					\$196.00	MBF
No-Bid	Conifers	Hemlock	Western Hemlock			19					\$168.35	MBF
No-Bid	Hardwood	Hardwoods (Other Hardwoods)		Pulp		0					\$2.50	TON
No-Bid	Hardwood	Hardwoods (Other Hardwoods)				0					\$87.00	MBF
No-Bid	Hardwood	Red Alder	Red Alder			46					\$214.17	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 \$24,889.00 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 \$24,889.00 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: \$23,000.00 **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: 65% cable
35% ground-based

PROJECTS: 1 - Road Improvement
2 - 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 West Oregon ODF District at (541) 929-3266 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.

Acreage was determined using a combination of GPS and GIS utilizing orthographic imagery and Lidar data.

Firewood sorting is required along surfaced roads and Landings (Section 2365).

PURCHASER shall ensure all ground-based yarding, earth disturbing, road construction, and road maintenance equipment moved onto State Forest land and between State Forest land sites are free of soil, seeds, vegetation matter, or other debris that could contain, or hold, seeds (Section 2416).

Approximately 16 acres of machine slash piling is required (Section 2560).

PURCHASER shall obtain an Access Permit from Hancock Forest Management Inc. for use of the following road segments: Pts. 1 to 2, Pts. 3 to 5, and Pts. 7 to 8. A sample copy of the permit is available at the Philomath ODF office.

A key is required for access through the gate at Trapp Creek Road and may be checked out at the Philomath ODF office.

Guylines and tailholds located in the Marbled Murrelet Management Area (MMA) shown on Exhibit A require consultation with and approval by ODF Area Biologist or their designee. The ability to guyline or tailhold in this area is not guaranteed (Section 2350).

Pulp removal is required if yarded to Landing.

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: Bear Claw

TIMBER SALE NO.: WO-341-2020-W00376-01

OPENING DATE: 12/12/2019

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

NO - BID SPECIES:

No-Bid	Conifers	Cedar				0					\$600.00	MBF
No-Bid	Conifers	Conifers (Other Conifers)		Pulp		0					\$2.50	TON
No-Bid	Conifers	Conifers (Other Conifers)				0					\$196.00	MBF
No-Bid	Conifers	Hemlock	Western Hemlock			19					\$168.35	MBF
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No-Bid	Hardwood	Red Alder	Red Alder			46					\$214.17	MBF

Enclosed is a bid deposit as required, consisting of a _____ in the amount of \$23,000.00, 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 2

PURCHASER'S STATUS

Purchaser is a corporation	Check ()	Incorporated in
----------------------------	--------------	-----------------

Purchaser is a corporation	Check ()	Incorporated in the State of
----------------------------	--------------	---------------------------------

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: Bear Claw
Date: October 7, 2019
To: Evelyn Hukari
CC: Mike Totey, District Sale File
From:  Date: 2019.10.07
16:49:56 -07'00'

Habitat Suitability

This sale contains potentially suitable habitat for northern spotted owls in areas 1 & 2 and marbled murrelets in area 2.

Survey Results

Suitable northern spotted owl habitat in sale areas 1 & 2 were surveyed for northern spotted owls in 2017 and 2018 using a protocol endorsed by the U.S. Fish and Wildlife Service^{1,2}. This sale is being covered by ongoing density surveys beginning in 2019³. Northern spotted owls were not observed during these surveys. The density surveys will be conducted in lieu of spot checks.

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.

³ Forsman, E. D. 1995. Spotted Owl Monitoring Protocols for Demographic Studies. U.S. Department of Agriculture. Pacific Northwest Research Station. Corvallis, OR. 11 pp

Surveys for marbled murrelets in area 2 were conducted in 2017 and 2018, using a protocol developed by the Pacific Seabird Group⁴. Marbled murrelets were not detected during these surveys.

Known T&E Resources

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

Tailholds and guylines may be used in the buffer of an adjacent Marbled Murrelet Management Area.

Tailhold and Guyline Use Restrictions

- The following trees will not be selected for guylines or tailholds:
 - a) Trees with potential nest platforms or immediately surrounding trees that provide cover to potential nest platforms as determined by an Area Biologist;
 - b) The largest trees in areas where the number of large trees is limited;
 - c) Minor conifer tree species (not commonly found in the stand)
- An ODF Area Biologist or a designee familiar with murrelet habitat and biology will inspect and approve all trees before each is used. Prior notification of at least two weeks for all reviews or meetings with ODF representatives is required. No trees that are considered to be potential habitat or surrounding trees that provide cover to platform trees, as determined by an ODF Area Biologist or designee will be damaged or harvested.
- To protect trees used as guylines, it is preferred that plates, nylon straps or other approved devices be utilized to prevent damage to trees. If this is not feasible, notching of the trees to prevent cable slippage will be limited to less than ¼ the circumference of the tree.
- If no suitable guyline or tailhold trees exist, operational equipment such as a Yoder, which does not require guylines, or a Cat, which may serve as a tailhold, may be used provided no un-surveyed potential murrelet habitat is removed or destroyed when using such equipment.

⁴ 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.

Operational Considerations

This sale is in a density survey coverage area. Northern spotted owl felling deadlines for survey expirations will not be in effect unless density surveys are discontinued. If density surveys are discontinued at any point during the contract, survey coverage will be valid until March 15, three years following the last full season of surveys.

There are no T&E species felling deadlines in area 1.

Marbled murrelet surveys for area 2 expire on April 1, 2024.

All timber in area 2 should be felled by April 1, 2024.

Future Survey Plans

This sale will be covered by northern spotted owl density surveys during the life of the contract. These density surveys provide incidental survey coverage in lieu of spot checks. If density surveys are not conducted, then spot checks will be required. In addition, ODF has an active northern spotted owl survey program and surveys for other planned operations and density surveys will be conducted within 3 miles of this sale during the life of the contract.