

NOTICE OF TIMBER SALE

Recovery Timber Sale

NAME/NO.: Milk Creek WL-341-2020-W00577-01

AUCTION DATE/TIME: December 12, 2019, starting at 2:00 PM

AUCTION LOCATION: Western Lane
87950 TERRITORIAL HWY
VENETA, OR 97487-0157
(541) 935-2283 FAX: (541) 935-0731

DISTRICT/ OFFICE (MAILING ADDRESS FOR BIDS): Western Lane
87950 TERRITORIAL HWY
VENETA, OR 97487-0157
(541) 935-2283 FAX: (541) 935-0731

HARVEST TYPE: Area 1: 105 acres of modified clearcut, removing approximately 39 MBF/acre of 91-year-old timber.
Area 2: 31 acres of modified clearcut, removing approximately 17 acres of 14 MBF/acre of 30-year-old timber and approximately 14 acres of 20 MBF/acre of 80-year-old timber.

LOCATION: Portions of Section(s) 21 of T19S R1E W.M., Lane County, Oregon

DIRECTIONS TO TIMBER SALE AREA: From Lowell, head East on W Boundary Road for approximately 5 miles and turn left onto a gravel road with an orange gate. Go through the gate and follow the road for approximately 1 mile and turn right onto Spur 1. Follow Spur 1 for approximately 1500 feet and the Timber Sale Boundary is on both sides of the road. (Gate key required for access to gravel road as shown on Exhibit A).

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			4437	MBF				
Conifers	Hemlock	Western Hemlock	Sawlog			193	MBF				
Conifers	True Firs	Grand Fir	Sawlog			56	MBF				
Hardwood	Maple	Bigleaf Maple	Sawlog			24	MBF				
Sale Total:						4,710	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			4437					\$368.01	MBF
No-Bid	Conifers					249					\$183.76	MBF
No-Bid	Conifers			Pulp		0					\$2.50	TON
No-Bid	Conifers			Utility	SC	0					\$80.00	MBF
No-Bid	Conifers			Utility	PC	0					\$80.00	MBF
No-Bid	Conifers	Cedar	Western Red Cedar			0					\$722.58	MBF
No-Bid	Hardwood					24					\$1.33	MBF
No-Bid	Hardwood			Pulp		0					\$2.50	TON

In order to compensate PURCHASER for Project Work, ODF will credit PURCHASER's timber account in the amount of \$102,501.02 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 \$102,501.02 whichever is greater, not to exceed \$500,000. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: 5/31/2022 BID METHOD: Sealed Bid

BID DEPOSIT: \$157,400.00 SALE TYPE: Recovery / BOF: 0.00%
CSL: 100.00%

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: 43% Ground-based Logging
57% Cable Logging

PROJECTS: 1 - Road Brushing
2 - Construct and compact sub-grades, Road improvements, Install culverts
3 - Spread and compact rock for roads
4 - 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 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 required if yarded to the landing.

Gate key is required and can be obtained at Western Lane District Headquarters.

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."

Cedar are a reserved species. (Section 2240. Reserved Timber- Trees and Snags)

All felling must be completed by March 15, 2022. (Sections 2310 and 2455).

A minimum of 40% of the estimated bid value shall be paid on or before 05/31/2021 (Section 1751).

Equipment wash prior to move-out required (Section 2416).

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: Milk Creek
TIMBER SALE NO.: WL-341-2020-W00577-01
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					249					\$183.76	MBF
No-Bid	Conifers			Pulp		0					\$2.50	TON
No-Bid	Conifers			Utility	SC	0					\$80.00	MBF
No-Bid	Conifers			Utility	PC	0					\$80.00	MBF
No-Bid	Conifers	Cedar	Western Red Cedar			0					\$722.58	MBF
No-Bid	Hardwood					24					\$1.33	MBF
No-Bid	Hardwood			Pulp		0					\$2.50	TON

Enclosed is a bid deposit as required, consisting of a _____ in the amount of \$157,400.00, 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
() 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: Milk Creek
Date: October 9, 2019
To: Ole Buch
CC: Link Smith, District Sale File
From:  Date: 2019.10.09
08:04:08 -07'00'

Habitat Suitability

This sale contains potentially suitable habitat for northern spotted owls. This sale does not contain potentially suitable habitat for 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 are not required for this sale

Known T&E Resources

There are no northern spotted owl activity centers or Marbled Murrelet Management Areas affecting 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, November 1, 2017. 1.2, Northern Spotted Owl 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.

All timber should be felled by March 15, 2022.

Future Survey Plans

Operational spotted owl surveys may be conducted in 2020 and 2021 for felling restriction flexibility. Spotted owl spot check surveys for this timber sale will be required for two consecutive years following the cessation of operational surveys. In addition, ODF has an active northern spotted owl survey program and surveys for other planned operations and spot checks may be conducted within 3 miles of this sale during the life of the contract.