#### NOTICE OF TIMBER SALE

**Recovery Timber Sale** 

NAME/NO.:	Swagger		AT-341-2023-W00890-01
AUCTION DATE/TIME:	August 16, 2022, starti	ng at 2:00 PM	
AUCTION LOCATION:	Astoria 92219 HWY 202 ASTORIA, OR 97103 (503) 325-5451	FAX: (503) 325-2756	
DISTRICT/ OFFICE (MAILING ADDRESS FOR BIDS):	Astoria 92219 HWY 202 ASTORIA, OR 97103 (503) 325-5451	FAX: (503) 325-2756	
HARVEST TYPE:	Approximately 118 acr MBF/acre of 65-75 yea	es of Modified Clearcut, removing appro ar-old Douglas-fir.	ximately 55
LOCATION:	_ ()	14, 15, 22, 23 of T5N R6W W.M., Clatso	p Co.,
DIRECTIONS TO TIMBER SALE AREA:	to Wage County Road Wage Road. Travel so Buster Creek Mainline approximately 3 miles	outheast on Highway 202 for approximate . Travel south on Wage County Road for utheast on Wage Road for approximatel and travel east on Buster Creek Mainlin to Sager Creek Road. Travel north on S y 1/2 mile to the sale area.	<sup>-</sup> 1 mile to y 3 miles to e for

#### 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	21"	2 M	4357	MBF				
Conifers	Douglas-fir	Douglas-fir	Sawlog		3 M	1763	MBF				
Conifers	Douglas-fir	Douglas-fir	Sawlog		4 M	314	MBF				
Sale Total:	-	÷	•	-		6,434	MBF				

#### MINIMUM BID:

	Species Category	Species Group	Species	Product	Grade		Diameter From	Diameter To	Length From	Length To	Price	UOM
Bid	Conifers	Douglas-fir	Douglas- fir			6434					\$458.38	MBF
No-Bid	Conifers					0					\$385.66	MBF
No-Bid	Conifers			Pulp		0					\$6.00	TON
No-Bid	Conifers	Cedar				0					\$1,047.66	MBF
No-Bid	Conifers	Spruce				0					\$408.66	MBF
No-Bid	Hardwood					0					\$455.66	MBF
No-Bid	Hardwood			Pulp		0					\$6.00	TON

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 \$105,242.00 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.

PERFORMANCE20% of bid value (unknown) or the total value of the project work \$105,242.00 whichever<br/>is greater, not to exceed \$500,000. Actual bond amount will be rounded up to an even

\$1,000 unit.

EXPIRATION DATE:	10/31/2024	BID METHOD: Sealed Bids						
BID DEPOSIT:	\$284,100.00	SALE Recovery / BOF: 100.00% TYPE:						
		CSL: 0.00%						
	10% of the net appraised v down to an even \$100 unit.	alue, not to exceed \$500,000. Bond amount will be rounded						
INSURANCE:		\$2,000,000 Commercial General Liability; \$2,000,000 Automobile Liability; \$2,000,000 Logger's Broad Form.						
HARVEST METHOD:	Ground-based Yarding: 10	0%						
PROJECTS:	1 - Sale Access Road Cons	struction - Unsurfaced						
	2 - Sale Access Road Impr	ovement						
	3 - Stream Enhancement							
FEES:	N/A							
ENDANGERED SPECIES ACT COMPLIANCE STATEMENT:	endangered (T&E) species measures are developed a Endangered Species Act (I species considerations are with all federal and state la take steps to be certain tha are reminded that ODF sur timber sale contract. In so delayed to allow for comple survey protocol and require its lands on a continuing ba other reasons. During the threatened or endangered operations contemplated u regarding ODF threatened affect operations contempl endangered species is four	Forestry (ODF) is engaged in an active threatened and survey program. Surveys, determinations, and management ind implemented in good faith compliance with federal and state ESA) requirements. Restrictions on operations due to T&E included in the prospectus. Purchasers are required to comply ws, including the Endangered Species Act. Purchaser should at no violations occur. Prospective purchasers of timber sales veying efforts may take place any time during the term of a me cases, ODF may require that initiation of operations be etion of spot check surveys, as recommended by the USFWS ed by ODF policy. As part of the survey program, ODF surveys asis for land management, species protection, research, and contract term, T&E survey work and/or the discovery of a species within or in the vicinity of a timber sale may affect nder the contract. Also, legal challenges and other litigation and endangered species related processes may occur and may ated under the contract. In the event a threatened or nd within or near this sale, or efforts are required to respond to e steps necessary to protect the interests of the State, including sion, or termination.						
	5451 for further information	e encouraged to contact the Astoria ODF District at (503) 325- n or questions relative to threatened or endangered species rvey information, or other threatened or endangered species						
	issuance (expected in 2022) take of listed species or (2) timber sale. If a purchaser	e contracts to allow purchasers who harvest after HCP permit 2) to harvest either (1) under requirements pre HCP to avoid ) under the new requirements of the HCP, as applicable to each occooses to harvest consistent with the requirements of the ibility of the purchaser to comply with the HCP and permits, with val by ODF.						
SPECIAL REMARKS:		MPANY CHECKS ACCEPTED FOR THE BID DEPOSIT. IONS APPLY - SECTION 2455.						
	There is a midpoint payr	nent for this sale of 50% due on September 23, 2023.						

All pulp that is yarded to the landing shall be hauled. (Section 2045)

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:	Swagger
TIMBER SALE NO .:	AT-341-2023-W00890-01
OPENING DATE:	August 16, 2022

# 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
2022	 p o <u>o</u> .

#### NO - BID SPECIES:

No-Bid	Conifers				0			\$385.66	MBF
No-Bid	Conifers		Pul	р	0			\$6.00	TON
No-Bid	Conifers	Cedar			0			\$1,047.66	MBF
No-Bid	Conifers	Spruce			0			\$408.66	MBF
No-Bid	Hardwood				0			\$455.66	MBF
No-Bid	Hardwood		Pul	р	0			\$6.00	TON

Enclosed is a bid deposit as required, consisting of a \_\_\_\_\_\_ in the amount of \$284,100.00, 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.

DIDDER	
	(Name of Individual or Company and Authorized Official)
EMPLOYER IDENTIFICATION NUMBER (EIN)	
ADDRESS	
PHONE	
THOME	
BY	
	(Signature of Authorized Official & Title)

COMPLETE PURCHASER'S STATUS ON NEXT PAGE

Form 341-210.1

# **PURCHASER'S STATUS**

Purchaser is a corporation	Check ()	Incorporated in the State of
President's Name		
Secretary's Name		
Purchaser is: () a partnership () an individual		ess) name ()company
List names of all persons	s doing business under the par	tnership or assumed name:

If assumed name is subsidiary to a corporation, fill in data requested of corporation also and write in corporation name here:

# <u>CERTIFICATION OF ELIGIBILITY</u> <u>TO BID ON STATE TIMBER</u>

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.]



#### **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:	Swagger
Date:	May 19, 2022
То:	John Tillotson
CC:	Dan Goody, District Sale File
From:	Digitally signed by Michael Davis Date: 2022.05.19 12:05:28 -07:00

# **Habitat Suitability**

There is potentially suitable habitat for northern spotted owls and marbled murrelets within and adjacent to this sale.

# **Survey Results**

This sale was covered by ongoing spotted owl density surveys in 2020 and 2021<sup>1,2,3</sup>. Northern spotted owls have not been observed within 1.5 miles during these surveys. An unknown Strix owl was observed within 1.5 miles in 2021 on one occasion. Density surveys will be ongoing during the life of the sale contract.

This sale was surveyed for marbled murrelets in 2020 and 2021. These surveys were conducted using a protocol developed by the Pacific Seabird Group<sup>4</sup>. Marbled murrelets were not detected during any of these surveys.

<sup>&</sup>lt;sup>1</sup> Oregon Department of Forestry, November 1, 2017. 1.2, Northern Spotted Owl Policy

<sup>&</sup>lt;sup>2</sup> USDI Fish and Wildlife Service. 2012. Protocol for surveying proposed management activities that may impact northern spotted owls. 42pp.

<sup>&</sup>lt;sup>3</sup> Forsman, E. D. 1995. Spotted Owl Monitoring Protocols for Demographic Studies. U.S. Department of Agriculture. Pacific Northwest Research Station. Corvallis, OR. 11 pp

<sup>&</sup>lt;sup>4</sup> 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

There are no northern spotted owl activity centers or Marbled Murrelet Management Areas (MMMA) 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.

Northern spotted owl survey results will not expire 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.

Marbled murrelet surveys are valid until April 1, 2027.

All timber should be felled by April 1, 2027.

# 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 survey program and surveys for other planned operations and northern spotted owl density surveys will be conducted within 3 miles of this sale during the life of the contract.