

NOTICE OF TIMBER SALE

Recovery Timber Sale

NAME/NO.: Jesters Boot AT-341-2023-W00981-01

AUCTION DATE/TIME: May 16, 2023, starting 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: Unit 1: Approximately 126 acres of Partial Cut, removing approximately 22 MBF/acre of 82-year-old Douglas-fir, western hemlock, and red alder.

Unit 1A: Approximately 8 acres of Partial Cut (Group Selection), removing approximately 65 MBF/acre of 82 year old Douglas-fir, western hemlock, and red alder.

Unit 2 R/W: Approximately 2 acres of right-of-way similar to the timber description in Unit 1A.

LOCATION: Portions of Section(s) 19, 20, 29, 30 of T5N R6W W.M., Clatsop Co., Oregon

DIRECTIONS TO TIMBER SALE AREA: From Jewell, travel east on Highway 202 to Wage County Road. Travel southeast on Wage Road for approximately 4 miles to Buster Creek Mainline. Travel west on Buster Creek Mainline for approximately 1 mile to Unit 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	23"	2 M	1505	MBF				
Conifers	Douglas-fir	Douglas-fir	Sawlog		3 M	244	MBF				
Conifers	Douglas-fir	Douglas-fir	Sawlog		4 M	33	MBF				
Conifers	Western hemlock	Western hemlock	Sawlog	16"	2 M	571	MBF				
Conifers	Western hemlock	Western hemlock	Sawlog		3 M	668	MBF				
Conifers	Western hemlock	Western hemlock	Sawlog		4 M	70	MBF				
Hardwood	Red alder	Red alder	Sawlog	15"		88	MBF	12"			
Hardwood	Red alder	Red alder	Sawlog			116	MBF	10"	11"		
Hardwood	Red alder	Red alder	Sawlog			68	MBF	8"	9"		
Hardwood	Red alder	Red alder	Sawlog			88	MBF	6"	7"		
Sale Total:						3,451	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			1782					\$490.68	MBF
Bid	Conifers	Hemlock	Western hemlock			1309					\$302.55	MBF

No-Bid	Conifers			Pulp		0				\$8.00	TON
No-Bid	Conifers	Cedar				0				\$1,003.79	MBF
No-Bid	Conifers	Conifers (Other Conifers)				0				\$302.55	MBF
No-Bid	Conifers	Spruce	Sitka Spruce			0				\$153.79	MBF
No-Bid	Hardwood			Pulp		0				\$8.00	TON
No-Bid	Hardwood	Hardwoods (Other Hardwoods)				0				\$73.79	MBF
No-Bid	Hardwood	Red alder	Red alder			360				\$215.17	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 \$163,456.00 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 \$163,456.00 whichever is greater, not to exceed \$500,000. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: 10/31/2026 **BID METHOD:** Sealed Bids

BID DEPOSIT: \$118,300.00 **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: Unit 1 (PC): 0% Cable, 100% Ground
Unit 1A (PC): 0% Cable, 100% Ground
Unit 2 (R.W): 0% Cable, 100% Ground

PROJECTS: 1a - Sale Access Road Construction - Surfaced
1b - Sale Access Road Construction - Unsurfaced
2 - Sale Access Road Improvement
3 - Road Vacating and Fill Removal
4 - Stream Enhancement

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 Astoria ODF District at (503) 325-5451 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.

There is a midpoint payment for this sale of 40% due February 6, 2025..

Any Pulp log that is yarded to the landing shall be hauled. (Section 2045)

There is an early felling deadline for a portion of this timber sale of April 1, 2026. (Section 2455)

Log hauling from November 1 through March 31 shall be subject to loads per day limitations as determined by STATE. (Section 2035)

Work on Project 2, Fish Culvert Upgrade (I1 to I2 Sta. 140+00), shall not be allowed prior to July 1, 2023, or after August 31, 2023, unless otherwise approved in writing by STATE. (Section 2610)

Work on Project 3, Road Vacating and Fill Removal, shall not be allowed prior to May 1, 2026, unless otherwise approved in writing by STATE. (Section 2610)

Ground based seasonal restrictions on operations North of Buster creek Mainline and South of Road segment 1G to 1H shall not be waived.

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: **Jesters Boot**
 TIMBER SALE NO.: **AT-341-2023-W00981-01**
 OPENING DATE: **May 16, 2023**

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

NO - BID SPECIES:

No-Bid	Conifers			Pulp		0					\$8.00	TON
No-Bid	Conifers	Cedar				0					\$1,003.79	MBF
No-Bid	Conifers	Conifers (Other Conifers)				0					\$302.55	MBF
No-Bid	Conifers	Spruce	Sitka Spruce			0					\$153.79	MBF
No-Bid	Hardwood			Pulp		0					\$8.00	TON
No-Bid	Hardwood	Hardwoods (Other Hardwoods)				0					\$73.79	MBF
No-Bid	Hardwood	Red alder	Red alder			360					\$215.17	MBF

Enclosed is a bid deposit as required, consisting of a _____ in the amount of \$118,300.00, 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 STATUS ON NEXT 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

Tina Kotek, Governor

Department of Forestry
State Forester's Office
2600 State St
Salem, OR 97310-0340
503-945-7200
www.oregon.gov/ODF



"STEWARDSHIP IN
FORESTRY"

Biological Survey Report

Project: Jesters Boot
Date: February 27, 2023
To: John Tillotson
CC: Dan Goody, District Sale File
From:

Habitat Suitability

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

Survey Results

This sale has been covered by ongoing spotted owl density surveys in 2021 and 2022^{1,2,3}. Northern spotted owls have not been observed within 1.5 miles of this sale during these surveys. Density surveys will be ongoing during the life of the sale contract.

This sale was surveyed for marbled murrelets in 2019/2020 and 2021/2022. These surveys were conducted using a protocol developed by the Pacific Seabird Group⁴. No marbled murrelets were detected during these surveys.

¹ Oregon Department of Forestry, November 1, 2017. 1.2, Northern Spotted Owl Policy

² USDI Fish and Wildlife Service. 2012. Protocol for surveying proposed management activities that may impact northern spotted owls. 42pp.

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

⁴ 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

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.

Marbled murrelet surveys will be valid until April 1, 2026 for a portion of this sale. Marbled murrelet surveys will be valid until April 1, 2028 for the remaining portion of this sale.

All timber should be felled by April 1, 2026 for the early felling area and road widening. All timber should be felled by April 1, 2028 for the remaining portion of this sale.

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, northern spotted owl density surveys and activity center monitoring will be conducted within 3 miles of this sale during the life of the contract.