

# NOTICE OF TIMBER SALE

Recovery Timber Sale

NAME/NO.: Middle Cole

AT-341-2024-W01057-01

AUCTION DATE/TIME: October 17, 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: Approximately 39 acres of Modified Clearcut, removing approximately 67 MBF/acre of 97 year old Douglas-fir, western hemlock, Sitka spruce, and red alder.

LOCATION: Portions of Section(s) 13 of T4N R9W W.M. Clatsop County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: From Seaside, travel east on Highway 26 for approximately 13 miles to Highway 53. Turn south on Highway 53 and continue approximately seven miles to Seuss Alley Road. Travel east on Seuss Alley Road for approximately 1.5 miles to Cole Mountain Road, and continue east for approximately 1.5 miles. Turn north on an unnamed spur for approximately 1/4 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	2020	MBF				
Conifers	Douglas-fir	Douglas-fir	Sawlog		3 M	377	MBF				
Conifers	Douglas-fir	Douglas-fir	Sawlog		4 M	53	MBF				
Conifers	Western hemlock	Western hemlock	Sawlog	20"	2 M	27	MBF				
Conifers	Western hemlock	Western hemlock	Sawlog		3 M	13	MBF				
Conifers	Western hemlock	Western hemlock	Sawlog		4 M	4	MBF				
Conifers	Sitka Spruce	Sitka Spruce	Sawlog	17"	3 M	26	MBF				
Conifers	Sitka Spruce	Sitka Spruce	Sawlog		4 M	6	MBF				
Hardwood	Red alder	Red alder	Sawlog	12"		9	MBF	12"			
Hardwood	Red alder	Red alder	Sawlog			19	MBF	10"	11"		
Hardwood	Red alder	Red alder	Sawlog			11	MBF	8"	9"		
Hardwood	Red alder	Red alder	Sawlog			39	MBF	6"	7"		
Sale Total:						2,604	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			2450					\$475.20	MBF
No-Bid	Conifers					0					\$300.08	MBF
No-Bid	Conifers			Pulp		0					\$4.00	TON

No-Bid	Conifers	Cedar	Western Red Cedar			0				\$858.13	MBF
No-Bid	Conifers	Hemlock	Western hemlock			44				\$300.08	MBF
No-Bid	Conifers	Spruce	Sitka Spruce			32				\$179.95	MBF
No-Bid	Hardwood					0				\$179.95	MBF
No-Bid	Hardwood			Pulp		0				\$4.00	TON
No-Bid	Hardwood	Red alder	Red alder			78				\$241.49	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 \$162,308.00 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 \$162,308.00 whichever is greater, not to exceed \$500,000. Actual bond amount will be rounded up to an even \$1,000 unit.

**EXPIRATION DATE:** 10/31/2025 **BID METHOD:** Sealed Bids

**BID DEPOSIT:** \$103,800.00 **SALE TYPE:** Recovery / BOF: 32.35%  
CSL: 67.65%

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:** Ground-based Yarding: 54%  
Cable-based Yarding: 46%

**PROJECTS:**  
1 - Sale Access Road Construction and Landing Construction  
2 - Sale Access Road Improvement, Surface Rock Replacement, and Road Maintenance  
3 - Cole Mountain Quarry Development, Rock Crushing, and Stockpile Site Construction

**FEES:** n/a

**ENDANGERED SPECIES ACT COMPLIANCE STATEMENT:** Purchasers are required to comply with all federal and state laws, including but not limited to the federal and State Endangered Species Act.

The Oregon Department of Forestry (ODF) is engaged in an active threatened and endangered (T&E) species survey program. ODF Surveys its lands on a continuing basis for land management, species protection, research, and other reasons. Surveying efforts may take place in the Timber Sale Area anytime during the term of the Contract. Purchaser acknowledges that T&E survey work or the discovery of a threatened or endangered species within or in the vicinity of a timber sale may affect PURCHASER's Operations under the Contract, and PURCHASER agrees to cooperate with STATE's survey work and other activities designed to identify and protect T&E species. In the event any T&E species is found within or in the vicinity of the Area(s) of Operations, or the State otherwise deems it necessary or expedient to take action in response to any pending or threatened legal action concerning State forest land or any T&E species, PURCHASER agrees that STATE may take steps to protect the interests of the State, including imposing restrictions on PURCHASER's Operations under the Contract to prevent disturbance to T&E species, including Contract modification, suspension, or termination.

PURCHASER also acknowledges that at some point during the Contract term, the STATE may also become subject to terms and conditions of Incidental Take Permits issued by the federal government covering State forest lands. PURCHASER agrees that any Operations that occur following issuance of an Incidental Take Permit, if any, must be carried out consistent with such terms and conditions that include required minimization and mitigation measures proposed in the applicable Habitat Conservation Plan, and PURCHASER further agrees that STATE may take steps to protect the interest of the State, including imposing restrictions on PURCHASER's Operations under the Contract to ensure such compliance, including Contract modification, 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 50% due on October 23, 2024.

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

In cable settings, to prevent breakage during yarding, the butt log of every tree greater than 25 inches in diameter (DBH) shall be bucked prior to yarding. (Section 2310)

A key may be needed to access the gates at Suess Alley Road, Cole Mountain Road, and the Hamlet Stockpile Site and it is available at the Astoria District Office.

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: **Middle Cole**  
 TIMBER SALE NO.: **AT-341-2024-W01057-01**  
 OPENING DATE: **October 17, 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

**NO - BID SPECIES:**

No-Bid	Conifers					0				\$300.08	MBF
No-Bid	Conifers			Pulp		0				\$4.00	TON
No-Bid	Conifers	Cedar	Western Red Cedar			0				\$858.13	MBF
No-Bid	Conifers	Hemlock	Western hemlock			44				\$300.08	MBF
No-Bid	Conifers	Spruce	Sitka Spruce			32				\$179.95	MBF
No-Bid	Hardwood					0				\$179.95	MBF
No-Bid	Hardwood			Pulp		0				\$4.00	TON
No-Bid	Hardwood	Red alder	Red alder			78				\$241.49	MBF

Enclosed is a bid deposit as required, consisting of a \_\_\_\_\_ in the amount of \$103,800.00, 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](http://www.oregon.gov/ODF)



"STEWARDSHIP IN  
FORESTRY"

## Updated Biological Survey Report

**Project:** Middle Cole  
**Date:** August 11, 2023  
**To:** John Tillotson  
**CC:** Dan Goody, District Sale File  
**From:** Michael Davis Digitally signed by Michael Davis  
Date: 2023.08.11 08:16:17 -0700

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### Habitat Suitability

This sale has potentially suitable habitat for northern spotted owls. 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 2022 and 2023<sup>1,2,3</sup>. Northern spotted owls have not been observed within 1.5 miles of this sale during these surveys to date. Density surveys will be ongoing during the life of the sale contract.

This sale was surveyed for marbled murrelets in 2022 and 2023. These surveys were conducted using a protocol developed by the Pacific Seabird Group<sup>4</sup>. Marbled murrelets were not detected during these surveys.

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

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

<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>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**

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, 2029.

All timber should be felled by April 1, 2029.

## **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.