

**NOTICE OF TIMBER SALE****Recovery Timber Sale**

NAME/NO.: Devil Ray

FG-341-2021-W00244-01

AUCTION DATE/TIME: February 19, 2021, starting at 2:00 PM

AUCTION LOCATION: Forest Grove  
 801 GALES CRK RD  
 FOREST GROVE, OR 97116-1199  
 (503) 357-2191 FAX: (503) 357-4548

DISTRICT/  
 OFFICE (MAILING  
 ADDRESS FOR BIDS): Forest Grove  
 801 GALES CRK RD  
 FOREST GROVE, OR 97116-1199  
 (503) 357-2191 FAX: (503) 357-4548

HARVEST TYPE: The timber sale is a 186 acre Modified Clearcut of 64-year-old Douglas-fir, with minor amounts of red alder, western hemlock, noble fir, and western red cedar, in three units. Unit 1 is 109 acres, Unit 2 is 18 acres, and Unit 3 is 59 acres.

LOCATION: Section(s) 34, 35 of T2N R6W, Section(s) 3 of T1N R6W W.M., Tillamook Co., Oregon

DIRECTIONS TO  
 TIMBER  
 SALE AREA: All access to the Timber Sale Area is on surfaced all-weather roads. From Forest Grove travel north on Highway 8 to its junction with Highway 6. Turn left and continue west approximately 10.5 miles to Rutherford Road. Turn left and proceed 0.1 mile to the bottom of Unit 3 of the Timber Sale Area.

**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   | 4191   | MBF |            |          |             |           |
| Conifers    | Douglas Fir   | Douglas Fir     | Sawlog  |         | 3 M   | 1400   | MBF |            |          |             |           |
| Conifers    | Douglas Fir   | Douglas Fir     | Sawlog  |         | 4 M   | 154    | MBF |            |          |             |           |
| Conifers    | Hemlock       | Western Hemlock | Sawlog  | 23"     | 2 M   | 77     | MBF |            |          |             |           |
| Conifers    | Hemlock       | Western Hemlock | Sawlog  |         | 3 M   | 16     | MBF |            |          |             |           |
| Conifers    | Hemlock       | Western Hemlock | Sawlog  |         | 4 M   | 5      | MBF |            |          |             |           |
| Hardwood    | Red Alder     | Red Alder       | Sawlog  | 14"     | CR    | 113    | MBF |            |          |             |           |
| Sale Total: |               |                 |         |         |       | 5,956  | 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 |         |       | 5745   |               |             |             |           | \$553.64 | MBF |
| No-Bid | Conifers         |               |             |         |       | 98     |               |             |             |           | \$280.73 | MBF |
| No-Bid | Conifers         |               |             | Utility | SC    | 0      |               |             |             |           | \$30.00  | MBF |
| No-Bid | Conifers         |               |             | Utility | PC    | 0      |               |             |             |           | \$30.00  | MBF |
| No-Bid | Conifers         | Cedar         |             |         |       | 0      |               |             |             |           | \$921.48 | MBF |
| No-Bid | Hardwood         |               |             |         |       | 113    |               |             |             |           | \$211.02 | MBF |

In order to compensate PURCHASER for Project Work, ODF will credit PURCHASER's timber account in the amount of \$73,510.62 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 \$73,510.62 whichever is greater, not to exceed \$500,000. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: 10/31/2023

BID METHOD: Sealed Bids

BID DEPOSIT: \$315,500.00

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: The timber sale is 30% ground-based logging and 70% cable yarding.

PROJECTS:

- 1 - New Construction
- 2 - Road Improvement
- 3 - Gate Installation
- 4 - Project Work Road Maintenance

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 Forest Grove ODF District at (503) 357-2191 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 not allowed.  
PURCHASER shall comply with the requirements for all trails shown on Exhibit A (Section 2425).

30 acres of Slash Treatment (Section 2560).  
Equipment Cleaning required (Section 2416).  
Elevation ranges from 1,300 feet to 2,320 feet.  
Slopes within the Timber Sale Area range from 5% to 70%.  
Acres were determined using ESRI ArcMap GIS software.

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: **Devil Ray**TIMBER SALE NO.: **FG-341-2021-W00244-01**OPENING DATE: **February 19, 2021****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 |       |  |         |    | 98  |  |  |  |  | \$280.73 | MBF |
| No-Bid | Conifers |       |  | Utility | SC | 0   |  |  |  |  | \$30.00  | MBF |
| No-Bid | Conifers |       |  | Utility | PC | 0   |  |  |  |  | \$30.00  | MBF |
| No-Bid | Conifers | Cedar |  |         |    | 0   |  |  |  |  | \$921.48 | MBF |
| No-Bid | Hardwood |       |  |         |    | 113 |  |  |  |  | \$211.02 | MBF |

Enclosed is a bid deposit as required, consisting of a \_\_\_\_\_ in the amount of \$315,500.00, 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 &amp; Title)

COMPLETE PURCHASER'S STATUS ON NEXT  
PAGE

**PURCHASER'S STATUS**

|                            |              |                                 |
|----------------------------|--------------|---------------------------------|
| Purchaser is a corporation | Check<br>( ) | Incorporated in<br>the State of |
|----------------------------|--------------|---------------------------------|

President's Name \_\_\_\_\_

Secretary's Name \_\_\_\_\_

[illegible]

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:

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## 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:** Devil Ray  
**Date:** December 2, 2020  
**To:** Jeff Peck  
**CC:** Mike Cafferata, District Sale File  
**From:** Michael Davis

Digitally signed by Michael  
Davis  
Date: 2020.12.09 11:59:32  
-08'00'

### Habitat Suitability

This sale contains potentially suitable habitat for northern spotted owls. This sale does not contain suitable habitat for marbled murrelets.

### Survey Results

This sale has been covered by ongoing density surveys beginning in 2016<sup>1,2,3</sup>. Northern spotted owls have not been observed within 1.5 miles of the sale area during these surveys.

### Known T&E Resources

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

Surveys for marbled murrelets are not required for this sale.

<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

### **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.

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