

NOTICE OF TIMBER SALE**Recovery Timber Sale**

NAME/NO.: Two Windy

FG-341-2023-W00888-01

AUCTION DATE/TIME: February 17, 2023, 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 Area is 152 acres, comprised of two Modified Clearcut Units and one Right-of-Way Timber Unit, consisting mainly of 64-year-old Douglas-fir. Unit 1 is 110 acres, Unit 2 is 42 acres, and Unit 3 is less than one acre.

LOCATION: Portions of Section(s) 15, 16, 21, 22 of T1S R6W W.M., Washington Co., Oregon

DIRECTIONS TO
TIMBER
SALE AREA: All access to the Timber Sale Area is on surfaced all-weather roads. From Forest Grove, proceed south on Highway 47 for 15 miles. Turn right onto Pike Road and continue for 4.5 miles. Pike Road then becomes Turner Creek Road. Continue down Turner Creek Road for 4 miles and there is a Weyerhaeuser gate that requires a key. Continue through this gate on Turner Creek Road for 4.5 miles. Turn right onto North Fork Trask River Road and continue for 1.5 miles and there is a Weyerhaeuser gate that requires a key. Continue through this gate on North Fork Trask River Road for 4.5 miles to the junction with Williams Road. Turn right on Williams Road and continue for 0.9 miles to access the southern portion of Unit 1. To access Unit 2, continue on Williams Road for 2.4 miles to Windy Point Road and turn right. Continue on Windy Point Road for 0.8 miles to a Stimson Gate that requires a key. Continue on Windy Point Road for 0.5 miles to a new construction road and turn right. Continue on spur road for 0.2 miles to Unit 2. To access Unit 3, proceed west for approximately 300 feet from the intersection of Williams Road and Windy Point Road. Turn left on a spur road and continue for 0.1 miles to Unit 3. There are gates along this route that will require a key which can be obtained at the Forest Grove District Office.

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	20"	2 M	3996	MBF				
Conifers	Douglas-fir	Douglas-fir	Sawlog		3 M	1457	MBF				
Conifers	Douglas-fir	Douglas-fir	Sawlog		4 M	304	MBF				
Conifers	Western hemlock	Western hemlock	Sawlog	18"	2 M	803	MBF				
Conifers	Western hemlock	Western hemlock	Sawlog		3 M	389	MBF				
Conifers	Western hemlock	Western hemlock	Sawlog		4 M	66	MBF				
Sale Total:						7,015	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			5757					\$451.89	MBF
No-Bid	Conifers					1258					\$189.97	MBF
No-Bid	Conifers			Utility	PC	0					\$30.00	MBF
No-Bid	Conifers			Utility	SC	0					\$30.00	MBF
No-Bid	Conifers			Pulp		0					\$5.00	TON
No-Bid	Conifers	Cedar				0					\$806.15	MBF
No-Bid	Hardwood					0					\$204.15	MBF
No-Bid	Hardwood			Pulp		0					\$5.00	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 \$114,856.00 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 \$114,856.00 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: \$272,200.00 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 is 54% ground-based yarding and 46% cable-based yarding. Unit 2 is 100% cable-based yarding. Unit 3 is 100% ground-based yarding.

PROJECTS: 1 - Road Construction
2 - Road Improvement

FEES: Weyerhaeuser road maintenance and rockwear fee: Initial payment of \$49,867 to be paid prior to hauling operations. The final payment shall be calculated by multiplying final scaled net volume (MBF) by \$12.59, less the initial payment (Section 2120). \$62,333.75 used for appraisal purposes.
Stimson land & timber Fee: \$6,727.26.

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.**

All Pulp yarded to the Landing shall be hauled (Section 2045, Section 2365).
Total Credits for Project Work Costs have been adjusted on the Project Costs Summary Sheet to add an Additional 10% Fuel Allowance.

Fuel Cost Allowance in Appraisal increased from \$3.00/GAL to \$5.00/GAL.

Hauling Cost Allowance in Appraisal increased from \$950/DAY to \$1,200/DAY.

In-Unit piles greater than 9 feet by 9 feet by 9 feet also require plastic inserted (Exhibit I).

25 acres of Slash Disposal required (Section 2560).

Equipment washing is required (Section 2416).

Elevation ranges from 1,800 to 2,000 feet.

Slopes range from 5% to 80%.

Acres were determined using ESRI ArcGIS Pro 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: **Two Windy**TIMBER SALE NO.: **FG-341-2023-W00888-01**OPENING DATE: **February 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					1258					\$189.97	MBF
No-Bid	Conifers			Utility	PC	0					\$30.00	MBF
No-Bid	Conifers			Utility	SC	0					\$30.00	MBF
No-Bid	Conifers			Pulp		0					\$5.00	TON
No-Bid	Conifers	Cedar				0					\$806.15	MBF
No-Bid	Hardwood					0					\$204.15	MBF
No-Bid	Hardwood			Pulp		0					\$5.00	TON

Enclosed is a bid deposit as required, consisting of a _____ in the amount of \$272,200.00, 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

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: Two Windy
Date: November 16, 2022
To: Jeff Peck
CC: Mike Cafferata, District Sale File
From: Michael Davis

Digitally signed by Michael
Davis
Date: 2022.11.16 08:22:45
-08'00'

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

Marbled murrelet surveys are not required for this sale.

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

Known T&E Resources

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

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.