

NOTICE OF TIMBER SALE**Recovery Timber Sale**

NAME/NO.: 3peat

KL-341-2022-W00674-01

AUCTION DATE/TIME: October 18, 2021, starting at 2:00 PM

AUCTION LOCATION: Klamath-Lake
3200 DELAP RD
KLAMATH FALLS, OR 97601
(541) 883-5681 FAX: (541) 883-5555

DISTRICT/ OFFICE (MAILING ADDRESS FOR BIDS): Klamath-Lake
3200 DELAP RD
KLAMATH FALLS, OR 97601
(541) 883-5681 FAX: (541) 883-5555

HARVEST TYPE: 454 Acre Partial Cut Harvest

LOCATION: Portions of Section(s) 17, 20, 21, 28, 29, 33 of T32S R7.5E W.M., Klamath Co., Oregon

DIRECTIONS TO TIMBER SALE AREA: From Klamath Falls, proceed north on Hwy 97 to the junction with Hwy 62; exit to Hwy 62 continuing north to Sun Mountain Road. Take Sun Mountain Road north to the 3 Road Junction. Proceed west along 3 Road to 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	Ponderosa Pine	Ponderosa Pine		18"	CR	2466	MBF				
Conifers	Sugar Pine	Sugar Pine		24"	CR	439	MBF				
Conifers	White Fir	White Fir		18"	CR	366	MBF				
Sale Total:						3,271	MBF				

MINIMUM BID:

	Species Category	Species Group	Species	Product	Grade	Volume	Diameter From	Diameter To	Length From	Length To	Price	UOM
Bid	Conifers	Pine	Ponderosa Pine			2466					\$117.21	MBF
No-Bid	Conifers					366					\$230.49	MBF
No-Bid	Conifers			Pulp		0					\$1.00	TON
No-Bid	Conifers	Pine	Sugar Pine			439					\$137.70	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 \$26,535.74 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 \$26,535.74 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: \$40,600.00 SALE Recovery / BOF: 100.00%
TYPE: 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: 100% tractor logging, a feller-buncher with lateral boom is required for all mechanical felling.

PROJECTS: 1 - Apply water for dust abatement
2 - Slash Piling/Landing Cleanup
3 - Road Closures and Waterbarring

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 Klamath-Lake ODF District at (541) 883-5681 for further information or questions relative to threatened or endangered species surveys, future planned survey information, or other threatened or endangered species information.

ODF will modify timber sale contracts to allow purchasers who harvest after HCP permit issuance (expected in 2022) to harvest either (1) under requirements pre HCP to avoid take of listed species or (2) under the new requirements of the HCP, as applicable to each timber sale. If a purchaser chooses to harvest consistent with the requirements of the HCP, it will be the responsibility of the purchaser to comply with the HCP and permits, with assistance from and approval by ODF.

SPECIAL REMARKS: **NO PERSONAL OR COMPANY CHECKS ACCEPTED FOR THE BID DEPOSIT. SEASONAL RESTRICTIONS APPLY - SECTION 2455.**

The Timber Sale Area is located behind a gate. This gate is to remain closed and locked from November 1 to June 30, annually. PURCHASER must make arrangements with the Klamath-Lake District Office if operations are active during this period.

Gate keys and permits are available at the Klamath-Lake District Office.

Pulp removal is optional.

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: **3peat**TIMBER SALE NO.: **KL-341-2022-W00674-01**OPENING DATE: **October 18, 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

Ponderosa Pine, sawmill grade or better, _____

_____ DOLLARS \$ _____ per MBF

NO - BID SPECIES:

No-Bid	Conifers					366					\$230.49	MBF
No-Bid	Conifers			Pulp		0					\$1.00	TON
No-Bid	Conifers	Pine	Sugar Pine			439					\$137.70	MBF

Enclosed is a bid deposit as required, consisting of a _____ in the amount of \$40,600.00, 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: 3peat
Date: August 05, 2021
To: John Pellissier
CC: Dennis Lee, District Sale File

From:

Digitally signed by Haakon Smith

Date: 2021.08.05 09:37:46 -07'00'

Habitat Suitability

This sale is located in the Sun Pass State Forest near the extreme eastern edge of the range of the northern spotted owl. This sale contains habitat suitable for northern spotted owls (NSO).

Survey Results

Protocol timber sale surveys for NSO are not required in the Klamath Lake District. In lieu of timber sale surveys, monitoring surveys are conducted every 5 years as per the Eastern Oregon Long Range Forest Management Plan. Surveys on Sun Pass State Forest were recently conducted in 2018 and 2019 using a protocol endorsed by the U.S. Fish and Wildlife Service^{1,2}. There were no responses from northern spotted owls during any year of surveys.

¹ USDI Fish and Wildlife Service. 2012. Protocol for surveying proposed management activities that may impact northern spotted owls. 42pp.

² Oregon Department of Forestry, June 1, 2010. Policy bulletin SFB – 10-03, Northern Spotted Owl Policy Update - Northern Spotted Owl Survey Protocol.

Known T&E Resources

This sale is not affected by any known T&E or FPA wildlife resource sites.

Operational Considerations

There are no operational restrictions for T&E species at this time.

Future Survey Plans

Northern goshawk surveys may be conducted during the life of the contract.