

NOTICE OF TIMBER SALE

Recovery Timber Sale

NAME/NO.: Power Ham KL-341-2024-W01005-01

AUCTION DATE/TIME: September 18, 2023, starting at 2:00 PM

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

HARVEST TYPE: 628 acre partial cut harvest.

LOCATION: Portions of Section(s) 1, 2 of T41S R7E, Section(s) 8 of T40S R7E,
Section(s) 32 of T39S R7E W.M., Klamath county, Oregon.DIRECTIONS TO
TIMBER
SALE AREA: From Klamath Falls travel west on Highway 66 for approximately 14 miles
to Topsy Grade road. Continue south on Topsy Grade road for a quarter
mile to Slip Easy road. Travel south on Slip Easy road to timber sale units.**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		19"	CR	1437	MBF				
Conifers	Ponderosa Pine	Ponderosa Pine		20"	CR	1063	MBF				
Sale Total:						2,500	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			1437					\$313.83	MBF
No-Bid	Conifers					1063					\$62.56	MBF
No-Bid	Conifers			Pulp		0					\$1.00	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 \$32,155.34 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 \$32,155.34 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: \$48,400.00 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: 100% tractor logging, a feller-buncher with lateral reaching boom is required for all mechanical felling.

PROJECTS: 1 - Landing Cleanup and Piling
2 - Road Improvement
3 - Road Closures
4 - Fell, Skid, and Pile Submerch

FEES: None

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 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.

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

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: **Power Ham**
 TIMBER SALE NO.: **KL-341-2024-W01005-01**
 OPENING DATE: **September 18, 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					1063					\$62.56	MBF
No-Bid	Conifers			Pulp		0					\$1.00	TON

Enclosed is a bid deposit as required, consisting of a _____ in the amount of \$48,400.00, 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.]

A

Contract Number: W01005

B

Contract Name: Power Ham

Biological Survey Tracking Form (BSTF) for Planned Sales covered under the Oregon State Forests Management Plans – Klamath Lake District

Note: See BSTF instructions document located [here](#)

C

Date
1/17/2023

D

District
Klamath

E

Biologist
Randy Smith

1. Habitat Suitability

1A

Is Habitat Suitable for:

Owls (list affected sale areas and attach HA map)

Yes Units 1-3

No Units

1B

Survey Waiver Units

1C

Sale Location

Location (attach map – see Instruction document for map example and description)					
Section	32	Township	39S	Range	7E
Section	8	Township	40S	Range	7E
Section	1,2	Township	41S	Range	7E

1D

Habitat Analysis – Northern Spotted Owl

1E

Describe potential habitat: Units 1 and 2 are along the eastern edge of the known range of spotted owls, Unit 3 is outside the known range. Unit 1 likely contains marginal suitable habitat and Unit 2 with it's younger age stucture does not.

1F

Does this sale have any project work outside of the sale area/s (e.g. new road construction, quarry development, road improvement) where habitat for NSO may be removed? Yes No

If yes, describe:

1G

If there is project work outside of the sale area, are surveys for NSO required? Yes No

Describe:

1H

Are surveys required? (Attach map with survey areas clearly shown) Yes No
 Waiver

Discussion: 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 stated in the Eastern Oregon Long Range Forest Management Plan. Surveys on Sun Pass State forest were recently conducted in 2018 and 2019 and had no responses

Determination by:

1N	Randy Smith/SOA Biologist	1/17/2023
	Name/Title	Date
	Name/Title	Date
	Name/Title	Date

Habitat Suitability Additional Information:

If needed, note changes to the sale here (e.g. name changes, sale area removal or additions):

2. Survey Information – Not Applicable

Additional Survey Information:

3. Known T&E Sites

Is sale in a MMMA (designated occupied habitat, and/or 100 meter buffer) or provincial owl circle?

3B Provincial Owl Circle:
 No Yes (BA required with signatures) Activity Center Name/s:

3C Are there any known historic or active NSO owl nest trees or identified core areas in or within ¼ mile of the sale area?
 No Yes Activity Center Name/s:

If yes, describe

If all above are “No”, skip to section 4 “Operations”.

3S Has a Preliminary Biological Assessment been completed?
 Yes No (If yes, attach) If no, explain N/A

3T Has BA been reviewed by the U. S. Fish and Wildlife Service?
 Yes No

Note: Some BAs may need USFWS review prior to auction. Consult with Staff Biologist to determine if USFWS review is necessary.

3U

Has a Final Biological Assessment with electronic signatures from the District Forester, Area Director, and Deputy Division Chief been completed?

Yes No If no, explain

Known T&E Sites Additional Information: Unit 3 contains a bald eagle roost site in the sale. The area biologist has identified roost and alternate nest trees to be retained prior to the start of operations. Those will be marked in the field as wildlife leave trees and retained through successive rotations. This sale is also a good candidate for leaving smaller, unburnt slash piles for wildlife in locations that will not significantly increase fire risk.

4. Operations

4A Are there any special circumstances associated with survey of this sale, such as special ODF/ODFW/USFWS recommendations, or an additional season of survey prior to operations (i.e. “third-year surveys”), etc.?

Yes No If yes, describe:

4B Survey expirations: Owls: N/A Forest wide surveys every 5 years

4C Contract expiration: 10/31/2025

4D Begin felling Date: N/A 4E Ending felling Date: N/A

Operations Additional Information: