

NOTICE OF TIMBER SALE

Recovery Timber Sale

NAME/NO.: Clarence Creek TL-341-2021-W00487-01

AUCTION DATE/TIME: October 20, 2020, starting at 10:00 AM

AUCTION LOCATION: Tillamook
5005 THIRD ST
TILLAMOOK, OR 97141-2999
(503) 842-2545 FAX: (503) 842-3143

DISTRICT/ OFFICE (MAILING ADDRESS FOR BIDS): Tillamook
5005 THIRD ST
TILLAMOOK, OR 97141-2999
(503) 842-2545 FAX: (503) 842-3143

HARVEST TYPE: Unit 1 is 115 acres of modified clearcut, 40 years old.

LOCATION: Section(s) 36 of T3S R8W W.M., Tillamook Co., Oregon

DIRECTIONS TO TIMBER SALE AREA: From Tillamook travel south on 101 to Beaver, turn onto Blaine Road travel 6 miles before staying right on Upper Nestucca Road travel 5 miles before turning left up Clarence Creek road, travel 2.5 miles up before turning right onto 8335 road stay on that for 1 mile before reaching the 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		2 M	116	MBF				
Conifers	Douglas Fir	Douglas Fir	Sawlog		3 M	1542	MBF				
Hardwood	Red Alder	Red Alder	Sawlog			39	MBF		10"		11'
Hardwood	Red Alder	Red Alder	Sawlog			31	MBF		8"		9'
Hardwood	Red Alder	Red Alder	Sawlog			136	MBF		6"		7'
Sale Total:						1,864	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			1658					\$290.84	MBF
No-Bid	Conifers					0					\$170.32	MBF
No-Bid	Conifers			Pulp		0					\$2.50	TON
No-Bid	Conifers	Cedar				0					\$795.32	MBF
No-Bid	Hardwood			Pulp		0					\$2.50	TON
No-Bid	Hardwood					0					\$134.44	MBF
No-Bid	Hardwood	Red Alder				206					\$134.44	MBF

In order to compensate PURCHASER for Project Work, ODF will credit PURCHASER's timber account in the amount of \$31,570.00 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 \$31,570.00 whichever is greater, not to exceed \$500,000. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: 10/31/2023 BID METHOD: Sealed Bids
BID DEPOSIT: \$47,700.00 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: Ground 26%, Cable 74%

PROJECTS: 2 - Move in equipment
1A - Construct 1 mile of dirt roads
1B - Improve 1.20 miles of roads
3 - Seeding

FEES: Road access agreement 341.291426 with USFS to perform road maintenance. As condition of this agreement purchaser put down 200 yards of purchased rock road A copy of this agreement is available at the Tillamook District office (Section 2120).

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 Tillamook ODF District at (503) 842-2545 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 Required unless approved in writing by STATE.

Sale acreage was determined using GIS.

Log hauling on shall not be allowed November 1 through April 30 unless otherwise approved in writing by STATE. (Section 2035, 2045, and 2453)

"Log Accountability" (Section 2015): "Log Measurement" (Section 2020): "Log

Branding and Painting" (Section 2030); Exhibit C contain special language for pulp removal.

All felling on the Timber Sale Area must be completed by 4/1/2023. (Section 2310)

During Fire Season, PURCHASER shall provide an engine with at least a 1000-gallon capacity, enough feet of fire hose to reach from the water supply to any location in the operation affected by power driven machinery or 500 feet, whichever is greater, one gated wye valve, and two adjustable nozzles in constant readiness in the Timber Sale Area. (Section 2540)

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: **Clarence Creek**
 TIMBER SALE NO.: **TL-341-2021-W00487-01**
 OPENING DATE: **October 20, 2020**

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					\$170.32	MBF
No-Bid	Conifers			Pulp		0					\$2.50	TON
No-Bid	Conifers	Cedar				0					\$795.32	MBF
No-Bid	Hardwood			Pulp		0					\$2.50	TON
No-Bid	Hardwood					0					\$134.44	MBF
No-Bid	Hardwood	Red Alder				206					\$134.44	MBF

Enclosed is a bid deposit as required, consisting of a _____ in the amount of \$47,700.00, 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: Clarence Creek
Date: July 9, 2020
To: Nick Stumpf
CC: Kate Skinner, District Sale File
From:  Date: 2020.07.09 10:59:55 -07'00'

Habitat Suitability

This sale contains potentially suitable habitat for northern spotted owls. There is potentially suitable habitat for marbled murrelets adjacent to the sale.

Survey Results

This sale has been covered by spotted owl density surveys beginning in 2018^{1,2,3}. Northern spotted owls have not been observed during these surveys. Density surveys will be ongoing during the life of the sale contract.

This sale was surveyed for marbled murrelets in 2016 and 2017, using a protocol developed by the Pacific Seabird Group³. Marbled murrelets were not detected during these surveys.

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

⁴ 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 Marbled Murrelet Management Areas or spotted owl activity centers affecting this sale.

Operational Considerations

Due to the presence of barred owls, felling restrictions for spotted owl spot check surveys are not required for this sale at this time.

Northern spotted owl survey results will not expire 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 survey are valid until April 1, 2023.

All timber should be felled by April 1, 2023.

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 and density surveys will be conducted within 3 miles of this sale during the life of the contract.