

NOTICE OF TIMBER SALE**Recovery Timber Sale**

NAME/NO.: Hembre Falls

TL-341-2021-W00502-01

AUCTION DATE/TIME: March 16, 2021, 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 97 acres, 66 years old, Unit 2 is 39 acres, 55 years old, Unit 3 is 85 acres, 58 years old, and Unit 4 is 2 acres, 35 years old.

LOCATION: Section(s) 11, 14 of T1S R8W, Section(s) 4, 9, 15, 17 of T1S R7W W.M.,
 Tillamook County, Oregon.

**DIRECTIONS TO
TIMBER**

SALE AREA: From Tillamook ODF Headquarters travel east on Highway 6 for 10 miles,
 turn right on Kansas Creek Road travel 1.5 miles until the start of Unit 1.
 From Unit 1 travel 1.5 miles turn left onto Hembre Ridge Road travel 3.5
 miles until Unit 2 on the left. Unit 3 is located at the top of Fox Creek Ridge
 Road at the 4.5 mile.

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	15"	2 M	2575	MBF				
Conifers	Douglas-fir	Douglas-fir	Sawlog		3 M	1484	MBF				
Conifers	Western hemlock	Western hemlock	Sawlog	20"	2 M	165	MBF				
Conifers	Western hemlock	Western hemlock	Sawlog		3 M	137	MBF				
Conifers	Sitka Spruce	Sitka Spruce	Sawlog	22"	2 M	29	MBF				
Conifers	Sitka Spruce	Sitka Spruce	Sawlog		3 M	84	MBF				
Hardwood	Red alder	Red alder	Sawlog	16"		261	MBF	8"	9"		
Hardwood	Red alder	Red alder	Sawlog			398	MBF	10"	11"		
Hardwood	Red alder	Red alder	Sawlog			504	MBF	12"			
Hardwood	Red alder	Red alder	Sawlog			459	MBF	6"	7"		
Sale Total:						6,096	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			4059					\$353.86	MBF
Bid	Hardwood	Red alder	Red alder			1622					\$98.10	MBF
No-Bid	Conifers					302					\$205.63	MBF
No-Bid	Conifers			Pulp		0					\$2.50	TON
No-Bid	Conifers	Cedar				0					\$795.46	MBF
No-Bid	Conifers	Spruce				113					\$128.19	MBF

No-Bid	Hardwood			Pulp		0					\$2.50	TON
No-Bid	Hardwood					0					\$98.10	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 \$310,490.00 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 \$310,490.00 whichever is greater, not to exceed \$500,000. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: 10/31/2024 BID METHOD: Sealed Bids

BID DEPOSIT: \$136,000.00 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: Cable 93%, Ground Yarding 7%

PROJECTS: 1B - Construct 0.37 miles of new dirt roads
1A - Construct 1.28 miles of new rock roads
1C - Improve 16.05 miles of roads
2 - Seeding & Mulching
3 - Development of existing rock pit
4 - Move in equipment

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 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 is required unless otherwise approved in writing by STATE.

Sale acreage was determined using GIS.

"Log Accountability" (Section 2015): "Log Measurement" (Section 2020): Log Branding and Painting" (Section 2030; and Exhibit C contain special language for pulp removal.

Log hauling on Kansas Creek Road is restricted to 4 loads per day between March 1 and October 31 during periods of rain equal to or greater than one half inches in a 24 hour period. STATE may allow additional loads a day when in the opinion of STATE, there is little risk for damage to resources or infrastructure (Sections 2035 and 2455).

Log hauling on Kansas Creek Road is not allowed between November 1 and February 28 (Sections 2035 and 2455).

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: **Hembre Falls**TIMBER SALE NO.: **TL-341-2021-W00502-01**OPENING DATE: **March 16, 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

Red alder, sawmill grade or better, _____
 _____ DOLLARS \$ _____ per MBF

NO - BID SPECIES:

No-Bid	Conifers					302					\$205.63	MBF
No-Bid	Conifers			Pulp		0					\$2.50	TON
No-Bid	Conifers	Cedar				0					\$795.46	MBF
No-Bid	Conifers	Spruce				113					\$128.19	MBF
No-Bid	Hardwood			Pulp		0					\$2.50	TON
No-Bid	Hardwood					0					\$98.10	MBF

Enclosed is a bid deposit as required, consisting of a _____ in the amount of \$136,000.00, 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

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: Hembre Falls
Date: December 15, 2020
To: Nick Stumpf
CC: Kate Skinner, District Sale File

From:

Digitally signed by Haakon Smith

Date: 2020.12.15 12:49:28 -08'00'

Habitat Suitability

This sale contains potentially suitable habitat for northern spotted owls in Units 1, 2, and 3 and marbled murrelets in Unit 1. Unit 4 does not contain habitat for either species.

Survey Results

This sale was covered by spotted owl density surveys starting in 2018^{1,2,3}. There have been no spotted owl observations within 1.5 miles of this sale during these surveys. Density surveys will be ongoing during the life of the sale contract.

Unit 1 was surveyed for marbled murrelets in 2019 and 2020, using a protocol developed by the Pacific Seabird Group⁴. Marbled murrelets were not detected during any year of 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.

Work on the Fox Creek Ridge Road daylighting is not allowed from April 1st through August 5th. From August 6th through September 15th, work can only occur between 2 hours after sunrise until 2 hours before sunset. These restrictions apply for every year of the sale life.

Marbled murrelet survey results for Unit1 are valid until April 1, 2026.

All timber in Unit 1 should be felled by April 1, 2026.

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.