

**NOTICE OF TIMBER SALE****Recovery Timber Sale**

NAME/NO.: Pothole Murphy

TL-341-2023-W00972-01

AUCTION DATE/TIME: December 13, 2022, 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 - 61 Acres - Modified clearcut - Approx. Age: 61  
 Unit 2 - 113 Acres - Modified clearcut - Approx. Age: 64  
 Unit 3 - 90 Acres - Modified clearcut - Approx. Age: 64

LOCATION: Portions of Section(s) 22, 23, 26, 27, 28 of T2S R7W W.M., Tillamook Co.,  
 Oregon

DIRECTIONS TO  
 TIMBER  
 SALE AREA: From Tillamook ODF Office head east on 3rd St. and turn right on Trask  
 River Rd. Continue for 1.5 miles, turn left to continue on Trask River Rd. for  
 11.7 miles, continue straight onto S. Fork Trask River Rd. for 0.5 miles.  
 Turn left onto E. Fork Trask River Rd. for 5.2 miles, turn left onto Steampot  
 Ridge Rd. for 2.5 miles, for the start of Unit 1. Stay on Steampot Ridge Rd.  
 another mile where Unit 2 starts. Go back down to Steampot Ridge Rd. and  
 turn left Murphy Camp Rd. follow for 2.5 miles, where Unit 3 begins.

**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	6204	MBF				
Conifers	Douglas-fir	Douglas-fir	Sawlog		3 M	3101	MBF				
Hardwood	Red alder	Red alder	Sawlog			43	MBF	8"	9"		
Hardwood	Red alder	Red alder	Sawlog			15	MBF	10"	11"		
Hardwood	Red alder	Red alder	Sawlog			14	MBF	12"			
Hardwood	Red alder	Red alder	Sawlog			65	MBF	6"	7"		
Sale Total:						9,442	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			9305					\$587.86	MBF
No-Bid	Conifers					0					\$370.19	MBF
No-Bid	Conifers			Pulp		0					\$2.50	TON
No-Bid	Conifers	Cedar				0					\$1,032.19	MBF
No-Bid	Hardwood					137					\$279.32	MBF
No-Bid	Hardwood			Pulp		0					\$2.50	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 \$192,700.00 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 \$192,700.00 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: \$531,000.00 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: Unit 1: 60% Ground, 40% Cable  
Unit 2: 7% Ground, 93% Cable  
Unit 3: 85% Ground, 15% Cable

PROJECTS: 1a - Construct .92 miles of new rocked roads.  
1b - Construct .43 miles of new dirt roads.  
1c - Improve 4.96 miles of roads.  
2 - Pit development and access road construction.  
3 - Seeding and mulching.  
4 - Brush 21.5 miles of road.  
5 - Move in equipment.

FEES: NA

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.

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.**

Pulp removal is required unless otherwise approved in writing by STATE.

Sale acreage determined using GPS and GIS.

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: **Pothole Murphy**TIMBER SALE NO.: **TL-341-2023-W00972-01**OPENING DATE: **December 13, 2022****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					\$370.19	MBF
No-Bid	Conifers			Pulp		0					\$2.50	TON
No-Bid	Conifers	Cedar				0					\$1,032.19	MBF
No-Bid	Hardwood					137					\$279.32	MBF
No-Bid	Hardwood			Pulp		0					\$2.50	TON

Enclosed is a bid deposit as required, consisting of a \_\_\_\_\_ in the amount of \$531,000.00, 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 &amp; 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:** Pothole Murphy  
**Date:** August 25, 2022  
**To:** Nick Stumpf  
**CC:** Kate Skinner, District Sale File  
**From:** Michael Davis

Digitally signed by Michael Davis  
Date: 2022.08.25 15:37:10 -0700

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### Habitat Suitability

This sale contains potentially suitable habitat for northern spotted owls in all sale units. This sale does not contain potentially suitable habitat for marbled murrelets.

### Survey Results

This sale was covered by ongoing northern spotted owl density surveys in 2020 and 2021<sup>1,2,3</sup>. Northern spotted owls have not been observed during these surveys. Density surveys will be ongoing during the life of the sale contract.

Marbled murrelet surveys are not required for this sale.

### Known T&E Resources

There are no Marbled Murrelet Management Areas or spotted owl activity centers affecting this sale.

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<sup>1</sup> Oregon Department of Forestry, November 1, 2017. 1.2, Northern Spotted Owl Policy

<sup>2</sup> USDI Fish and Wildlife Service. 2012. Protocol for surveying proposed management activities that may impact northern spotted owls. 42pp.

<sup>3</sup> Forsman, E. D. 1995. Spotted Owl Monitoring Protocols for Demographic Studies. U.S. Department of Agriculture. Pacific Northwest Research Station. Corvallis, OR. 11 pp

## **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.

## **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, northern spotted owl activity center monitoring, and density surveys will be conducted within 3 miles of this sale during the life of the contract.