

NOTICE OF TIMBER SALE

Recovery Timber Sale

NAME/NO.: Breaking Boundary

TL-341-2024-W00953-01

AUCTION DATE/TIME: November 14, 2023, 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 - 106 acres - Modified Clearcut - Approx. Age: 58
Unit 2 - 68 acres - Modified Clearcut - Approx. Age: 59

LOCATION: Portions of Section(s) 4, 5 of T3S R7W, Section(s) 32, 33 of T2S R7W W.M., Tillamook County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: From Tillamook ODF office, head east on 3rd Street, take right on Trask River Road, follow to end of pavement and onto South Fork Trask Road, follow for 0.5 miles and take a left onto East Fork Trask Road. Follow onto E. Fork Trask River Rd. for just over 7 miles, and turn right onto Miller Rd. Unit 2 begins on the south side of the Miller Rd. Continue on the Miller Road to Unit 1.

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	18"	2 M	2578	MBF				
Conifers	Douglas-fir	Douglas-fir	Sawlog		3 M	2400	MBF				
Hardwood	Red alder	Red alder	Sawlog	16"		43	MBF	8"	9"		
Hardwood	Red alder	Red alder	Sawlog			15	MBF	10"	11"		
Hardwood	Red alder	Red alder	Sawlog			75	MBF		12"		
Hardwood	Red alder	Red alder	Sawlog			45	MBF	6"	7"		
Conifers	Western hemlock	Western hemlock	Sawlog	16"	2 M	37	MBF				
Conifers	Western hemlock	Western hemlock	Sawlog		3 M	83	MBF				
Sale Total:						5,276	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			4978					\$371.18	MBF
No-Bid	Conifers					120					\$180.79	MBF
No-Bid	Conifers			Pulp		0					\$2.50	TON
No-Bid	Conifers	Cedar				0					\$676.00	MBF
No-Bid	Hardwood					178					\$186.07	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 \$234,940.00 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 \$234,940.00 whichever is greater, not to exceed \$500,000. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: 10/31/2026 BID METHOD: Sealed Bids

BID DEPOSIT: \$166,500.00 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: 10% Ground, 90% Cable
Unit 2: 15% Ground, 85% Cable

PROJECTS: 1A - Construct 1.60 miles of new rock roads
1C - Improve 6.89 miles of roads
1B - Construct 0.66 miles of new dirt roads
2 - Development of existing rock pit
3 - Block 0.66 miles of road
4 - Seeding & Mulching
5 - Brush 5.7 miles of roads
6 - Move in equipment

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 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 determined using GPS and GIS.

Purchaser is required to obtain a permit from the BLM for construction of U-V.

All project work, logging, and log haul associated with road segment C to D in Project No. 1 and Project No. 3 must be completed between July 1 and September 15 of the same year.

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: **Breaking Boundary**
 TIMBER SALE NO.: **TL-341-2024-W00953-01**
 OPENING DATE: **November 14, 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				120					\$180.79	MBF
No-Bid	Conifers			Pulp	0					\$2.50	TON
No-Bid	Conifers	Cedar			0					\$676.00	MBF
No-Bid	Hardwood				178					\$186.07	MBF
No-Bid	Hardwood			Pulp	0					\$2.50	TON

Enclosed is a bid deposit as required, consisting of a _____ in the amount of \$166,500.00, 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

Tina Kotek, Governor

Department of Forestry
State Forester's Office
2600 State St
Salem, OR 97310-0340
503-945-7200
www.oregon.gov/ODF



"STEWARDSHIP IN
FORESTRY"

Biological Survey Report

Project: Breaking Boundary
Date: August 3, 2023
To: Nick Stumpf
CC: Kate Skinner, District Sale File

From: Matt Gostin

Digitally signed by Matt Gostin
Date: 2023.08.03 10:18:22 -07'00'

Habitat Suitability

This sale contains potentially suitable habitat for northern spotted owls within all sale units. This sale has potentially suitable habitat for marbled murrelets within and adjacent to Units 1 and 2.

Survey Results

This sale has been covered by ongoing northern spotted owl density surveys in 2022 and 2023^{1,2,3}. Northern spotted owls have not been observed within 1.5 miles during these surveys to date.

This sale was surveyed for marbled murrelets over multiple years. Unit 2 was surveyed in 2021/2022, and Unit 1 was surveyed in 2022/2023. These surveys were conducted 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 affecting this sale.

Project work associated with this sale is within 1.5 miles of a northern spotted owl activity center. A Biological Assessment of the sale's impact on the activity center has been conducted. It concludes that the Coast Moon Rock Pit Expansion project, as currently planned, poses low risk of negatively affecting the occupancy or productivity of the northern spotted owl site.

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 results are valid until April 1, 2029 for Unit 1, and April 1, 2028 for Unit 2.

All timber should be felled by April 1, 2029 for Unit 1, and April 1, 2028 for Unit 2.

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