

NOTICE OF TIMBER SALE

Recovery Timber Sale

NAME/NO.: Sam Downs TL-341-2025-W01041-01

AUCTION DATE/TIME: July 16, 2024, 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 102 acres; 60 years old.
 Unit 2 is 99 acres; 60 years old.
 Unit 3 is 29 acres; 60 years old.
 Unit 4 is 77 acres; 63 years old.

LOCATION: Portions of Section(s) 15, 16, 17, 21, 22, 27 of T1N R8W W.M., Tillamook County, Oregon.

DIRECTIONS TO TIMBER SALE AREA: From Tillamook ODF office, take Highway 6 east approximately 17.5 miles, turn left on Cedar Butte Road. Travel approximately 2 miles, turn left on Muesial Creek Road and travel .2 miles. Turn right on Kilchis Lookout Road. Travel approximately 2.4 miles 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	15"	2 M	1995	MBF				
Conifers	Douglas-fir	Douglas-fir	Sawlog		3 M	3897	MBF				
Hardwood	Red alder	Red alder	Sawlog	13"	CR	774	MBF				
Conifers	Western hemlock	Western hemlock	Sawlog	16"	2 M	24	MBF				
Conifers	Western hemlock	Western hemlock	Sawlog		3 M	42	MBF				
Sale Total:						6,732	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			5892					\$363.68	MBF
No-Bid	Conifers			Pulp		0					\$2.50	TON
No-Bid	Conifers					0					\$144.57	MBF
No-Bid	Conifers	Cedar				0					\$974.57	MBF
No-Bid	Conifers	Hemlock				66					\$158.80	MBF
No-Bid	Hardwood					774					\$122.17	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 \$352,620.00 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 \$352,620.00 whichever is greater, not to exceed \$500,000. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: 10/31/2027 BID METHOD: Sealed Bids

BID DEPOSIT: \$189,300.00 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 Yarding 99%. Ground Yarding 1%.

PROJECTS:
1A - Construct 0.46 Miles of New Rocked Roads
2 - Construct 1000 CY Jaw Run Stockpile
3 - Seeding and Mulching
4 - Brush 5.5 Miles
5 - Install Gate on Segment S to T
8 - Move-In
1B - Construct 0.08 Miles of Unsurfaced Roads
1C - Improve 8.82 Miles of Existing Roads
6 - Post Waste Haul Road Maintenance
7 - Incidental storm repair

FEES: N/A

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.**

Prior to September 1, 2024, felling is only allowed for project work.

A 50% midpoint payment is required on 3/09/2026.

If pulp is yarded to the landing, removal is required (Section 2045).

Sale acreage was 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: **Sam Downs**
 TIMBER SALE NO.: **TL-341-2025-W01041-01**
 OPENING DATE: **July 16, 2024**

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			Pulp		0					\$2.50	TON
No-Bid	Conifers					0					\$144.57	MBF
No-Bid	Conifers	Cedar				0					\$974.57	MBF
No-Bid	Conifers	Hemlock				66					\$158.80	MBF
No-Bid	Hardwood					774					\$122.17	MBF
No-Bid	Hardwood			Pulp		0					\$2.50	TON

Enclosed is a bid deposit as required, consisting of a _____ in the amount of \$189,300.00, 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 Street
Salem, OR 97310-0340
503-945-7200
FAX 503-945-7212
www.oregon.gov/ODF



"STEWARDSHIP IN FORESTRY"

TO: Kate Skinner, District Forester, Tillamook District

FROM: Corey Grinnell, Wildlife Biologist

SUBJECT: Final Biological Assessment for the Sam Downs Timber Sale

DATE: April 16, 2024

Executive Summary

Sam Downs is a proposed primary sale in the 2024 Annual Operations Plan (AOP) of the Tillamook District (Figure 1). This planned sale would harvest 88 acres within the provincial home range (i.e. 1.5 mile radius circle around the designated activity center (AC), USFWS 2012) of the Schmitz Ridge (MSNO 0073) northern spotted owl site. There are currently a total of 4,127 acres of suitable northern spotted owl habitat located within the Schmitz Ridge northern spotted owl site.

Of the 88 acres of planned harvest, all acres are considered suitable habitat for northern spotted owls. There will not be any harvest within the 0.7 mile inner circle. The closest sale unit to the Schmitz Ridge activity center is located approximately 0.9 miles south of the AC.

After harvest of the sale, approximately 946 acres (of 985 total acres) or 96.0%, and 4,039 acres (of 4,524 total acres) or 89.3% of suitable habitat will remain within the Schmitz Ridge 0.7- and 1.5-mile radius circles, respectively. The amount of suitable habitat in the 0.7 and 1.5 mile radius circles exceeds ODF policy standards of 500 acres and 40% suitable habitat remaining within each radii respectively (ODF 2017).

No spotted owls have been observed within the sale areas. As currently proposed, the Sam Downs sale is expected to have a **low** risk of negatively affecting the occupancy and productivity of the Schmitz Ridge northern spotted owl site.

Introduction

The Sam Downs timber sale is partially located within the 1.5 mile provincial home range (USFWS 2012) of the Schmitz Ridge spotted owl activity center (AC). The purpose of this Biological Assessment (BA) is to assess current habitat conditions within the Schmitz Ridge owl circle and evaluate the potential risk of the timber sale to the Schmitz Ridge spotted owl site.

Background

Survey History and Site Information

From Turnstone 2023:

Schmitz Ridge 0073 (Est. 2011; Resident Single 2011)

In 2011, a female spotted owl was found at this site on three occasions. She was “moused” on two occasions with no signs of young. The AC was placed in the best available habitat near the center of the three response locations. In 2012, a daytime AC search was conducted at this site with no responses. However, a female spotted owl was twice found at this site during standard surveys and determined to be non-nesting. In 2013, a daytime AC search was conducted at this site with no spotted owl responses, and there were no responses during night surveys. In 2014, a daytime AC search was conducted at this site with no spotted owl responses. However, a female spotted owl was heard at night on the first and fourth visits. She was south of the 1.5 mile buffer. In 2015, a daytime AC search was conducted at this site with no spotted owl responses, and there were no responses during night surveys. However, an ODF employee reported detecting an unknown *Strix* in the area. There were no spotted owl responses in 2016. In 2017, a daytime AC search was conducted at this site with no spotted owl responses, and there were no responses during night surveys. In 2018, a daytime AC search was conducted at this site with no spotted owl responses. However, a spotted owl of unknown sex was moused on the fourth visit, and a female spotted owl was banded (green w/ white pyramids-left) on the sixth visit. Based on location and behavior, this was probably the same bird moused on the fourth visit. In 2019 through 2023, a daytime AC search and six night visits were conducted at this site with no spotted owl responses. Barred owls were detected in the area in 2011, and from 2013 through 2023.

Sale Prescription

The Sam Downs timber sale is in the 2024 Annual Operations Plan of the Tillamook District and consists of 4 sale units totaling 368 net acres of regeneration harvest (Figure 1). Portions of Units 2, 3, and all of 1 are outside of the circle and are not discussed in this assessment (see attached pre-operations report), leaving 88 acres of harvest within the circle. The following information pertains to the harvestable acres of sale Units 4 (full unit), 2 (partial unit), and 3 (partial unit) which lie within the southern portion between the 0.7- and 1.5-mile radius circles of the Schmitz Ridge owl site.

The proposed harvestable area of Unit 4 comprises 77 acres, has an average age range of 55–62 years, and consists of primarily Douglas-fir (*Pseudotsuga menziesii*) and red alder (*Alnus rubra*). Stand level inventory for this unit includes both measured and imputed data. The average diameter at breast height (DBH) range of 12–15 inches, 92–248 trees per acre (TPA) and a basal area of 115–236 ft²/acre. The proposed harvestable portions of Unit 2 within the 1.5 provincial radius of the owl circle comprises 9 acres of 60-year-old Douglas-fir and red alder based on imputed data. The

average DBH range is 14–15 inches, 159 TPA, and a basal area of 180 ft²/acre. The proposed harvestable portions of Unit 3 within the provincial radius comprises 2 acres of 60-year-old Douglas-fir and red alder based on imputed data. The average DBH is 14 inches with 125 TPA and 148 ft²/acre of basal area (see draft pre-operations report attached).

The sale prescription will utilize regeneration harvest techniques that will retain and create snags at a density of at least 2 per acre as well as retain 5 live trees per acre. Both minor species and legacy snags will be retained. The live trees will be scattered and clumped in the unit as well in the riparian management areas inside and adjacent to the units. Anticipated downed wood targets are between 600–900 cubic feet per acre.

Sam Downs will be the third harvest activity within the home range of the Schmitz Ridge northern spotted owl site since the site was established in 2011. The first sale was Knot Berry, part of the 2017 AOP which harvested about 5 acres of suitable habitat just under 1 mile south of the activity center and 0.08 miles east of the proposed Sam Downs Unit 4. The second harvest was a portion of Old Bungee from the 2020 AOP which harvested less than 4 acres of suitable habitat in the outer northeast edge of the Schmitz Ridge circle.

Assumptions

All assumptions with regard to spotted owl home range and definitions of suitable habitat that were made during the recent development of the BA for the Star White timber sale in the Whitney Ridge (formerly Nameless Peak) northern spotted owl circle (Martens 2014, attached) apply to this BA.

Assumptions from Martens 2014:

Defining the Home Range

According to "Procedures leading to Endangered Species Act compliance for the northern spotted owl" (USFWS 1990), the median home range size (based on 95% minimum convex polygon) for spotted owl pairs in the Oregon Coast Range is 4,766 acres, or the approximate equivalent of the area encompassed by a circle with a radius of 1.5 miles. Although spotted owls generally do not have circular home ranges, in the absence of more specific information about the home ranges of this site, I assumed that a 1.5 mile radius circle around the nest or activity center approximates the home range of this site. All stands for this analysis were digitized and circle radii/acreages were calculated using ArcMap 10.1 software.

Defining Suitable Habitat

Documentation provided with the "Procedures Leading to Endangered Species Compliance for the Northern Spotted Owl" (U.S. Fish & Wildlife Service, 1990) describes suitable habitat for spotted owls as stands that exhibit:

"...moderate to high canopy closure; a multilayered, multispecies canopy dominated by large over story trees; a high incidence of large trees with large cavities, broken tops, and other indications of decadence; numerous large snags; heavy accumulations of logs and other woody debris on the forest floor; and considerable open space within and beneath the canopy. These attributes are usually found in old growth, but they are sometimes found in younger forests, especially those that contain remnant large trees or patches of large trees from earlier stands...It is important to note that the age of forests is not as important a factor in determining habitat suitability as are vegetational and structural components..."

The majority of stands used by spotted owls on ODF ownership do not meet the above definition of suitable habitat. However, there are data that identify important habitat features or characteristics for spotted owl occupancy in young forests. Islam et al. (1997) found that owl occupancy increased with increasing acreage of stands with average DBH of 18" or greater (DBH was determined by ODF OSCUR timber inventory database) in plots within ¼ and ½ mile of the owl site activity center. In addition, many owls were detected in stands with average DBH of 11-17", although this relationship was not significant.

A radio-telemetry study of several owls on the Clatsop State Forest (Glenn and Anthony et al. 2000) found many spotted owl foraging locations in smaller diameter stands averaging 12-17 inches and greater. The telemetry study and a concurrent study of habitat in areas where owls were located (Tappeiner et al. 2000) have found that hardwood's, especially hardwood/conifer edges, are an important component of spotted owl foraging habitat in both the Clatsop and Elliott State Forests. The habitat study also found that spotted owl nesting and foraging sites had larger average DBH and fewer trees per acre than non-use areas. Other factors that contribute to spotted owl habitat quality include stand age, snags, downed wood, and horizontal diversity.

Habitat Assessment

Habitat was most recently fully assessed for the Schmitz Ridge spotted owl site for this BA with ODF Stand Level Inventory data from 2021, and 2020 lidar canopy layers.

The Sam Downs timber sale is in the southern portion of the Schmitz Ridge owl site between the 0.7 radius circle and the 1.5 radius circle. Based on the harvest prescription for this sale, 88 total acres of suitable habitat will be modified inside the circle, leaving approximately 4,039 acres, or 90.6%, of the 1.5-mile radius area as suitable habitat.

Impact Assessment and Discussion

The Schmitz Ridge designation is based upon spotted owl responses from surveys conducted from 2011 through 2023. It is currently a resident single status site, and a spotted owl (female) was last observed and banded in 2018 (Table 1, Turnstone 2023). Barred owls have been detected at this site in 2011, and 2013–2023.

The closest spotted owl observation within the provincial radius of the activity center was a female in late July 2012 about 0.4 miles northeast of Unit 4. In 2014, there were two separate observations of female spotted owls in April and June of that year immediately adjacent to sale Unit 3 and just outside the 1.5-mile provincial radius at about 1.6 and 1.95 miles south of the activity center. Those observations were attributed to the Schmitz Ridge site (Figure 1).

If there are future responses that result in moving the Schmitz Ridge Activity Center (e.g. new nest location or if a pair is observed at a new location within the circle) or if responses result in the establishment of a new site in the vicinity of the sale areas; then a new BA and risk assessment will be required.

Agency Consultation

The preliminary BA was shared with the U.S. Fish and Wildlife Service (USFWS) as part of the public comment process. Feedback came in the form of a letter (attached) signed by the State

Supervisor and dated May 22, 2023 which concluded “Based upon the post-harvest amount of remaining suitable habitat, the low quality of habitat being harvested, and the location of the timber sale area, we believe the Sam Downs timber sale has a low risk of incidental take of spotted owls.”

Since the final layout and harvest design of the Sam Downs timber sale comprises fewer harvestable acres and therefore less disturbance, further consultation with USFWS on this final BA is not required.

This final BA was also shared with the Oregon Department of Fish and Wildlife Tillamook District Biologist. An email reply on April 15, 2024 indicated that “I reviewed the final draft of the BA and concur that the Sam Downs sale poses a low risk to NSOs in the Schmitz Ridge owl circle.”

Compliance with Policy

After completion of harvest operations associated with the Sam Downs timber sale, the remaining suitable habitat within the 0.7-mile radius of the Schmitz Ridge owl circle will exceed the minimum 500-acre suitable habitat standard (ODF 2017) by 446 acres (96.0% habitat remaining). The remaining suitable habitat within the overall 1.5-mile radius of the Schmitz Ridge owl circle will be 4,039 acres or 89.3% suitable habitat remaining. The amounts of habitat remaining within both the 0.7 and overall 1.5 mile radius circle clearly exceed the minimum policy standards of 500 acres and 40% respectively. By meeting this policy habitat standard and an assessment of other relevant factors, including survey response data, indicates that this sale should pose a **low risk** of negatively impacting this owl site.

Conclusions and Risk Assessment

Biological Risk

The amount of suitable habitat within the 0.7 mile radius circle exceeds ODF policy standards by 446 acres (946 acres are suitable and 500 are required by policy).

The removal of 88 acres of habitat with this proposed Sam Downs timber sale will still maintain about 89.3% suitable habitat within the 1.5 radius circle.

Therefore, in my opinion, the Sam Downs timber sale will result in a ‘**Low**’ risk to persistence and productivity of the Schmitz Ridge owl site at this time.