

NOTICE OF TIMBER SALE

Recovery Timber Sale

NAME/NO.: No More Nelson

WL-341-2022-W00915-01

AUCTION DATE/TIME: November 18, 2021, starting at 2:00 PM

AUCTION LOCATION: Western Lane
 87950 TERRITORIAL HWY
 VENETA, OR 97487-0157
 (541) 935-2283 FAX: (541) 935-0731

DISTRICT/ OFFICE (MAILING ADDRESS FOR BIDS): Western Lane
 87950 TERRITORIAL HWY
 VENETA, OR 97487-0157
 (541) 935-2283 FAX: (541) 935-0731

HARVEST TYPE: 27-Acres of modified clearcut, removing approximately 58 MBF/acre of 84-year-old timber.

LOCATION: Section(s) 4 of T17S R7W W.M., Lane Co., Oregon

DIRECTIONS TO TIMBER SALE AREA:

Heading west from Veneta continue along OR-126 for approximately 9 miles. Then turn right onto the IP Deeded Rd. (17-7-22), approximately 100 ft. after mile marker 38. Follow this for approximately 4.7 miles and then turn left onto Nelson Ridge rd. This will be the start of project work area. (Gate key required for access sale as shown on Exhibit A.)

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				1548	MBF				
Hardwood	Red alder	Red alder				3	MBF				
Hardwood	Bigleaf maple	Bigleaf maple				5	MBF				
Sale Total:						1,556	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			1548					\$357.30	MBF
No-Bid	Conifers					0					\$105.04	MBF
No-Bid	Conifers			Utility	SC	0					\$30.00	MBF
No-Bid	Conifers			Utility	PC	0					\$30.00	MBF
No-Bid	Conifers			Pulp		0					\$2.50	TON
No-Bid	Conifers	Cedar				0					\$781.04	MBF
No-Bid	Hardwood					5					\$0.00	MBF
No-Bid	Hardwood			Pulp		0					\$2.50	TON
No-Bid	Hardwood	Red alder	Red alder			3					\$268.74	MBF

In order to compensate PURCHASER for Project Work, ODF will credit PURCHASER's timber account in the amount of \$26,375.22 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 \$26,375.22 whichever is greater, not to exceed \$500,000. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: 5/31/2024 BID METHOD: Sealed Bids

BID DEPOSIT: \$52,700.00 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: 26% Ground-based Logging
74% Cable Logging

PROJECTS: 1 - Spread and compact rock to create a three-way junction.
2 - Grade water bars
3 - Construct drafting pond
4 - Install Gates
5 - Move In

FEES: Road maintenance and rock wear fees to the BLM for use of segments of the 17-7-22 road estimated at \$13,476.00.

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 Western Lane ODF District at (541) 935-2283 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 not allowed and shall be piled as firewood unless approved by STATE.

Gate key required and can be obtained at Western Lane District Headquarters.

If felling operations are not initiated by February 1, felling may not occur until April 15 of each year, or until northern spotted owl spot check surveys are completed, whichever is first.

Project work shall not be allowed between October 31 through April 30 unless otherwise approved in writing by STATE.

Ground-based operations shall not be allowed during periods of high soil moisture as determined by STATE.

Western hemlock and western red cedar are reserved species.

Project 3: Construct drafting pond shall be completed by October 1, 2022

A minimum of 40% of the estimated bid value shall be paid on or before 02/23/2023 (Section 1751).

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: **No More Nelson**
 TIMBER SALE NO.: **WL-341-2022-W00915-01**
 OPENING DATE: **November 18, 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

NO - BID SPECIES:

No-Bid	Conifers					0					\$105.04	MBF
No-Bid	Conifers			Utility	SC	0					\$30.00	MBF
No-Bid	Conifers			Utility	PC	0					\$30.00	MBF
No-Bid	Conifers			Pulp		0					\$2.50	TON
No-Bid	Conifers	Cedar				0					\$781.04	MBF
No-Bid	Hardwood					5					\$0.00	MBF
No-Bid	Hardwood			Pulp		0					\$2.50	TON
No-Bid	Hardwood	Red alder	Red alder			3					\$268.74	MBF

Enclosed is a bid deposit as required, consisting of a _____ in the amount of \$52,700.00, 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: No More Nelson
Date: September 9, 2021
To: Ole Buch
CC: Link Smith, District Sale File
From: Michael Davis

Digitally signed by Michael Davis
Date: 2021.09.09 14:23:21 -07'00'

Habitat Suitability

This sale contains potentially suitable habitat for northern spotted owls and marbled murrelets.

Survey Results

This sale was surveyed for northern spotted owls in 2020 and 2021, using a protocol endorsed by the U.S. Fish and Wildlife Service^{1,2}. Northern spotted owls were observed twice during these surveys and attributed to known activity centers within 1.5 miles of this sale.

Surveys for marbled murrelets were conducted for this sale in 2018 and 2019, and 2020 and 2021 using a protocol developed by the Pacific Seabird Group³. Marbled murrelets were detected as present during surveys in 2021. However, behaviors indicating occupancy were not observed.

¹ USDI Fish and Wildlife Service. 2012. Protocol for surveying proposed management activities that may impact northern spotted owls. 42pp.

² Oregon Department of Forestry, November 1, 2017. 1.2, Northern Spotted Owl Policy

³ 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

This sale is within 1.5 miles of a northern spotted owl activity center. Since this sale falls within a non-baseline thiesse as identified in the Safe Harbor Agreement (SHA) with the U.S. Fish & Wildlife Service (USFWS), a Biological Assessment of the sale's potential impact is not required by ODF policy.

Operational Considerations

Due to northern spotted owl detections at a resident-status AC within the survey area, felling restrictions for spotted owl spot check surveys are required for this sale. If felling does not occur before February 1, 2022, felling restrictions will be in place until northern spotted owl spot check surveys have concluded on or close to April 15, 2022. If felling does not occur before February 1, 2023, felling restrictions will be in place until northern spotted owl spot check surveys have concluded on or close to April 15, 2023.

Current northern spotted owl survey results are valid until March 15, 2024.

Marbled murrelet survey results are valid until April 1, 2025.

All timber should be felled by March 15, 2024.

Future Survey Plans

ODF has entered into an agreement with the USFWS known as a SHA. This agreement allows the U.S. Geological Survey (USGS) to conduct a study on ODF managed lands which includes population reduction measures on barred owls to assess the impacts on northern spotted owls. This Contract contains sale areas within the USGS study boundary. Under this agreement, if nesting northern spotted owls are found in or within close proximity of the timber sale, the nest and surrounding area would be protected until fledglings leave the nest utilizing seasonal restrictions and other measures. In addition, ODF may take other actions including retaining and protecting trees in the immediate area of a nest tree.

Spotted owl spot check surveys for this timber sale will be required in 2022 and 2023. In addition, ODF has an active northern spotted owl survey program and spot checks, surveys for other planned operations, and activity center monitoring will be conducted within 3 miles of this sale during the life of the contract.