

NOTICE OF TIMBER SALE**Recovery Timber Sale**

NAME/NO.: Cline Miller Thin

WO-341-2021-W00360-01

AUCTION DATE/TIME: August 20, 2020, starting at 10:00 AM

AUCTION LOCATION: West Oregon
 24533 ALSEA HWY
 PHILOMATH, OR 97370
 (541) 929-3266 FAX: (541) 929-5549

DISTRICT/ OFFICE (MAILING ADDRESS FOR BIDS): West Oregon
 24533 ALSEA HWY
 PHILOMATH, OR 97370
 (541) 929-3266 FAX: (541) 929-5549

HARVEST TYPE: Unit 1: Approximately 32 net acres of automark commercial thinning of 35 year-old Douglas-fir
 Unit 2: Approximately 35 net acres of automark commercial thinning of 35 year-old Douglas-fir
 Unit 3: Approximately 94 net acres of automark commercial thinning of 35 year-old Douglas-fir

LOCATION: Portions of Section(s) 17, 19, 20 of T11S R8W W.M. Lincoln Co., Oregon

**DIRECTIONS TO
 TIMBER
 SALE AREA:**

Travel west on Highway 20 from Philomath. Make a left onto Cline Creek Road at Project Point 1 just west of mile post 30. To get to Unit 1, travel down Cline Creek Road for 0.6 miles and turn right onto Miller Creek Road at Point 9. Travel approximately 1 mile and turn right onto spur road at point 12 and continue to end of the spur. To get to Unit 2, continue on Cline Creek Road from Point 1 for approximately 1.5 miles and turn left onto Burnt Woods Forest Road. Travel approximately 0.75 miles and turn left at Point 7 and continue to the end of the road. To get to Unit 3, continue on Cline Creek Road from Point 1 for approximately 2.7 miles to Burnt Woods Ridge Road. Unit 3 is northwest of the junction of Cline Creek Road and Burnt Woods Ridge Road.

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		2 M	11	MBF				
Conifers	Douglas Fir	Douglas Fir	Sawlog		3 M	781	MBF				
Conifers	Douglas Fir	Douglas Fir	Sawlog		4 M	229	MBF				
Sale Total:						1,021	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			1021					\$201.21	MBF
No-Bid	Conifers					0					\$19.29	MBF
No-Bid	Conifers			Pulp		0					\$2.50	TON
No-Bid	Conifers	Cedar				0					\$226.97	MBF
No-Bid	Hardwood					0					\$16.97	MBF
No-Bid	Hardwood			Pulp		0					\$2.50	TON

In order to compensate PURCHASER for Project Work, ODF will credit PURCHASER's timber account in the amount of \$23,873.00 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 \$23,873.00 whichever is greater, not to exceed \$500,000. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: 3/31/2023 BID METHOD: Sealed Bids

BID DEPOSIT: \$18,100.00 SALE TYPE: Recovery / BOF: 96.42%
CSL: 3.58%

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: 94% cable
6% ground harvest

PROJECTS: 1 - Road Construction
2 - Road Improvement
3 - Move-in

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 () 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 West Oregon ODF District at (541) 929-3266 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.**

Portions of Unit 3 and portions of Project No. 2 are located within the seasonally restricted buffer of a Marbled Murrelet Management Area (MMA). Seasonal

restrictions and protection requirements shall apply.

Acreage was determined using a combination of GPS and GIS utilizing orthographic imagery and Lidar data.

Firewood sorting is required along surfaced roads and Landings.

PURCHASER shall ensure all ground-based Yarding, earth disturbing, road construction, and road maintenance equipment moved onto State Forest land and between State Forest land sites are free of soil, seeds, vegetation matter, or other debris that could contain, or hold, seeds.

Guylines and Tailholds located in the Marbled Murrelet Management Area (MMMA) shown on Exhibit A require consultation with and approval by ODF Area Biologist or their designee. The ability to Guyline or Tailhold in this area is not guaranteed.

Pulp removal is required if yarded to Landing.

A fiber optic cable is buried along Miller Creek Road.

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: **Cline Miller Thin**TIMBER SALE NO.: **WO-341-2021-W00360-01**OPENING DATE: **August 20, 2020****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					\$19.29	MBF
No-Bid	Conifers			Pulp		0					\$2.50	TON
No-Bid	Conifers	Cedar				0					\$226.97	MBF
No-Bid	Hardwood					0					\$16.97	MBF
No-Bid	Hardwood			Pulp		0					\$2.50	TON

Enclosed is a bid deposit as required, consisting of a _____ in the amount of \$18,100.00, 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: Cline Miller Thin

Date: May 28, 2020

To: Evelyn Hukari

CC: Mike Totey, District Sale File

From:

Date: 2020.05.28 07:45:05 -07'00'

Habitat Suitability

This sale is adjacent to suitable habitat for marbled murrelets. The sale does not contain suitable habitat for marbled murrelets or northern spotted owls.

Survey Results

Adjacent habitat to sale areas 1 & 2 was surveyed for marbled murrelets in 2017 & 2018, using a protocol developed by the Pacific Seabird Group¹. Marbled murrelets were not detected during these surveys. Two survey sites adjacent to sale area 3 were surveyed for marbled murrelets. One site was surveyed in 2016 & 2017. Marbled murrelets were not detected during these surveys. The other site was surveyed in 2017 & 2018, Marbled murrelets were detected as present during one survey in 2017 and two surveys in 2018. However, behaviors indicating occupancy were not observed.

Surveys for spotted owls are not required for this sale.

¹ Evans, D. M., W. P. Ritchie, S. K. Nelson, E. Kuo-Harrison, Peter 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

Sale area 3 is partially within the buffer portion of Marbled Murrelet Management Area (MMMA). A Biological Assessment of the sale's impacts on the MMMA buffer has been conducted. It concludes that the Cline Miller Thin timber sale, as currently proposed, is expected to have a low risk of incidental take of marbled murrelets.

There are no northern spotted owl activity centers affecting this sale.

Operational Considerations

- Seasonal Restrictions for Felling

Felling operations within a MMMA buffers shall not be allowed from April 1 through August 5 or from August 6 through September 15 between 2 hours before sunset and two hours after sunrise.

Ground-based operations and cable yarding within MMMA buffers shall not be allowed from April 1 through August 5 or from August 6 through September 15 between 2 hours before sunset and two hours after sunrise.

The use of mechanized equipment, including chainsaws within MMMA buffers shall not be allowed from April 1 through August 5 or from August 6 through September 15 between two hours before sunset and two hours after sunrise.

Non-Project road and landing operations within MMMA buffers shall not be allowed from October 1 through August 5 or from August 6 through September 15 between two hours before sunset and two hours after sunrise.

- Tailhold and Guyline use Restrictions

The use of tailholds and guyline anchors are not seasonally restricted; however the use of heavy equipment or chainsaws to install these features are prohibited within the MMMA (occupied habitat and 100-m buffer) from April 1 through August 5. From August 6 through September 15, activities are allowed with daily timing restrictions. Daily timing restrictions prohibit the use of heavy machinery and chainsaws within 2 hours of sunrise and 2 hours of sunset. From September 16 to March 31, activities are unrestricted. If tailholds are installed during April 1 through August 5, non-mechanized methods such as an ax should be used and follow the guidelines as discussed in #5, below.

Specific criteria will be required for all tailholds and guylines to protect platform trees and associated cover trees in the MMMA's from damage. The criteria are as follows:

1. The following trees in designated occupied habitat will **not** be selected for guylines or tailhold anchors:
 - a. Trees with potential nest platforms **or** immediately surrounding trees that provide cover to potential nest platforms;

- b. The largest trees in areas where the number of large trees is limited;
 - c. Minor conifer tree species that are not commonly found in the stand.
- 2. An ODF Area Biologist or a designee familiar with murrelet habitat and biology will inspect and approve all trees before each is used. Lead time of at least two weeks for all reviews or meetings with ODF representatives is required. No trees that are considered to be potential habitat or surrounding trees that provide cover to platform trees, as determined by an ODF Area Biologist or designee will be damaged or harvested.
- 3. Guylines or skylines will not be placed where they have the potential to damage platforms or platform trees.
- 4. No conifer trees will be felled within the designated occupied habitat of the MMMA.
- 5. To protect trees used as guyline anchors, it is preferred that plates, nylon straps or other approved devices be utilized to prevent damage to trees. If this is not feasible, notching of the trees to prevent cable slippage will be limited to less than $\frac{1}{4}$ the circumference of the tree.
- 6. If no suitable guyline or tailhold trees exist, operational equipment such as a Yoder, which does not require guylines, or a Cat, which may serve as a tailhold, may be used provided no designated occupied habitat is removed or destroyed when using such equipment.

- Road improvement and Landing Restrictions

Improvement of roads, landings, and yarding activities within the MMMA are seasonally restricted (from April 1 through August 5 then daily timing restriction from August 6 through September 15) to prevent disturbance to nesting murrelets. Tree removal should be done only to the extent necessary for the specific operation. To prevent damage to platform trees and associated cover trees in the MMMA's, the following trees will not be selected for removal for road improvement, landing areas or cable corridors in buffers:

- 1. Trees with potential nest platforms or immediately surrounding trees that provide cover to potential nest platforms as determined by an Area Biologist or designee;
- 2. The largest trees in areas where the number of large trees is limited;
- 3. Minor conifer tree species that are not commonly found in the stand.

The following additional criteria apply to landings, road improvement, and in buffers:

- 1. Seek to move landings out of buffers.
- 2. Utilize single, parallel corridor-type landings when landings must be located in buffers.
- 3. If single, parallel corridor-type landings are not feasible and a spoke landing must be used, reduce the number of spoked corridors and keep away from dominant trees, particularly those that contain suitable nesting platforms. An ODF Area Biologist or a designee familiar with murrelet habitat and biology will inspect and approve all proposed road and landing locations. Lead time of at least two weeks for all reviews or meetings with ODF representatives is required. No trees that are considered to be potential habitat or surrounding trees that provide cover to

platform trees, as determined by an ODF Area Biologist or designee will be damaged or harvested.

4. New landing construction in buffers will not exceed 0.25 acres in size.

- Trash removal

Trash policing and removal from all Sale Areas, landing and roadways must be done on a daily basis. Store all food items and food waste inside appropriate containers or vehicles. Birds such as jays and ravens eat a wide variety of foods, and presence of human food and food waste can increase jay and raven numbers. Do not feed wildlife in the Sale Areas. Failure to adhere to these guidelines will result in a temporary suspension of activities until all trash is removed.

Marbled murrelet surveys for sale areas 1 & 2 are valid until April 1, 2024.

All timber in sale areas 1 & 2 should be felled by April 1, 2024.

Marbled murrelet surveys for sale area 3 are valid until April 1, 2023.

All timber in sale area 3 should be felled by April 1, 2023.

Future Survey Plans

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.