

NOTICE OF TIMBER SALE

Recovery Timber Sale

NAME/NO.: Cool Hand Lucas WO-341-2022-W00899-01

AUCTION DATE/TIME: January 20, 2021, starting at 10:00 AM

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

HARVEST TYPE: Approximately 74 net acres of modified clearcut of 65 year-old Western hemlock with scattered Douglas-fir and red alder.

LOCATION: Portions of Section(s) 28, 29 of T9S R8W W.M., Polk Co., Oregon

**DIRECTIONS TO
TIMBER**

SALE AREA: From Philomath, travel 11 miles West on Highway 20 to Blodgett. Turn North onto the Eddyville-Blodgett Highway and proceed approximately 7.4 miles to Nashville. Turn right onto Logsdan Road and proceed for approximately 3.2 miles. Turn right onto Green Mountain Road and proceed for approximately 6.6 miles. Continue on Knife Ridge Road for 2.5 miles to the Timber Sale Area.

APPRAISED VOLUMES AND QUALITY:

Conifer/Hwd	Species Group	Species	Product	AVG DBH	Grade	Volume	UOM	Diam. From	Diam. To	Length From	Length To
Conifers	Western hemlock	Western hemlock	Sawlog		2 M	1342	MBF				
Conifers	Western hemlock	Western hemlock	Sawlog		3 M	405	MBF				
Conifers	Western hemlock	Western hemlock	Sawlog		4 M	92	MBF				
Conifers	Douglas-fir	Douglas-fir	Sawlog		2 M	399	MBF				
Conifers	Douglas-fir	Douglas-fir	Sawlog		3 M	40	MBF				
Conifers	Douglas-fir	Douglas-fir	Sawlog		4 M	9	MBF				
Hardwood	Red alder	Red alder	Sawlog		CR	268	MBF				
Sale Total:						2,555	MBF				

MINIMUM BID:

	Species Category	Species Group	Species	Product	Grade	Volume	Diameter From	Diameter To	Length From	Length To	Price	UOM
Bid	Conifers	Hemlock	Western hemlock			1839					\$233.88	MBF
No-Bid	Conifers					0					\$233.64	MBF
No-Bid	Conifers			Utility	SC	0					\$100.00	MBF
No-Bid	Conifers			Utility	PC	0					\$100.00	MBF
No-Bid	Conifers			Pulp		0					\$2.50	TON
No-Bid	Conifers	Cedar				0					\$953.64	MBF
No-Bid	Conifers	Douglas-fir	Douglas-fir			448					\$522.47	MBF
No-Bid	Hardwood					0					\$25.00	MBF

No-Bid	Hardwood			Pulp		0					\$2.50	TON
No-Bid	Hardwood	Red alder	Red alder			268					\$304.01	MBF

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 \$92,336.00 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 \$92,336.00 whichever is greater, not to exceed \$500,000. Actual bond amount will be rounded up to an even \$1,000 unit.

EXPIRATION DATE: 12/31/2024 **BID METHOD:** Sealed Bids

BID DEPOSIT: \$65,200.00 **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: 78% Cable,
22% Ground-based.

PROJECTS:
1 - New Construction
2 - Road Improvement
3 - Road Brushing
4 - Road Vacating
5 - Equipment 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 (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 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.

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.

Guylines and Tailholds located in the Marbled Murrelet Management Areas (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.

PURCHASER shall obtain a "License Agreement" from the Bureau of Land Management through an existing cooperative agreement for use of Knife Ridge Road. (Section 2120).

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

Machine slash piling is required on approximately 16 acres as well as some roadside cutbanks.

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.

Pulp removal is required if yarded to Landing.

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: **Cool Hand Lucas**
 TIMBER SALE NO.: **WO-341-2022-W00899-01**
 OPENING DATE: **January 20, 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

Western hemlock, sawmill grade or better, _____
 _____ DOLLARS \$ _____ per MBF

NO - BID SPECIES:

No-Bid	Conifers					0					\$233.64	MBF
No-Bid	Conifers			Utility	SC	0					\$100.00	MBF
No-Bid	Conifers			Utility	PC	0					\$100.00	MBF
No-Bid	Conifers			Pulp		0					\$2.50	TON
No-Bid	Conifers	Cedar				0					\$953.64	MBF
No-Bid	Conifers	Douglas-fir	Douglas-fir			448					\$522.47	MBF
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No-Bid	Hardwood	Red alder	Red alder			268					\$304.01	MBF

Enclosed is a bid deposit as required, consisting of a _____ in the amount of \$65,200.00 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.]



"STEWARDSHIP IN
FORESTRY"

Biological Survey Report

Project: Cool Hand Lucas
Date: September 29, 2021
To: Evelyn Hukari
CC: Michael Curran, District Sale File
From: Michael Davis

Digitally signed by
Michael Davis
Date: 2021.09.29
09:31:32 -07'00'

Habitat Suitability

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

Survey Results

This sale has been covered by density surveys starting in 2019^{1,2,3}. These density surveys are ongoing and are planned to be conducted during the life of this contract. Northern spotted owls have not been observed within 1.5 miles of this sale during these surveys.

Know T&E Resources

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

Project work for this contract will occur in a Marbled Murrelet Management Area.

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

Operational Considerations

This sale is in a density survey coverage area. Northern spotted owl felling deadlines for survey expirations will not be in effect 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.

Seasonal restrictions for marbled murrelets apply to this sale.

Restrictions and Requirements for Construction and Improvement of Roads and Landings in Buffers

No construction of landings will occur within the designated occupied habitat (DOH) of the MMMA's. Construction of roads, improvement of roads and landings, and logging activities in MMMA's and at landings in buffers are seasonally restricted (from April 1 through August 5, then with daily timing restriction from August 6 through September 15) to prevent disturbance to nesting murrelets in DOH.

Tailhold and Guyline Use Restrictions

- The following trees will not be selected for guylines or tailholds:
 - a) Trees with potential nest platforms or immediately surrounding trees that provide cover to potential nest platforms as determined by an Area Biologist;
 - b) When feasible, the largest trees in areas where the number of large trees is limited;
 - c) When feasible, minor conifer tree species (not commonly found in the stand)
- An ODF Area Biologist or a designee familiar with murrelet habitat and biology will inspect and approve all trees, within MMMA's, before each is used. Prior notification 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.
- To protect trees used as guylines, 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.

- 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 un-surveyed potential murrelet habitat is removed or destroyed when using such equipment.

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 and northern spotted owl density surveys will be conducted within 3 miles of this sale during the life of the contract.