

NOTICE OF TIMBER SALE**Recovery Timber Sale**

NAME/NO.: All is Well Thin

WO-341-2024-W00990-01

AUCTION DATE/TIME: September 21, 2023, 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 114 net acres of automark commercial thinning of
32-33 year old Douglas-fir.
Unit 2: Approximately 102 net acres of automark commercial thinning of 36
year old Douglas-fir.

LOCATION: Portions of Section(s) 1 of T11S R10W W.M., Lincoln County, Oregon.

DIRECTIONS TO
TIMBER
SALE AREA: From Philomath take Highway 20 west for 29 miles and turn left onto Elk
City Road. Continue on Elk City Road for 4.4 miles and turn left onto Devils
Well Road. Travel up Devils Well Road staying on the main road for 1.6
miles to reach 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	Douglas-fir	Douglas-fir	Sawlog		3 M	952	MBF				
Conifers	Douglas-fir	Douglas-fir	Sawlog		4 M	498	MBF				
Sale Total:						1,450	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			1450					\$250.75	MBF
No-Bid	Conifers					0					\$60.00	MBF
No-Bid	Conifers			Pulp		0					\$6.00	TON
No-Bid	Conifers	Cedar				0					\$545.75	MBF
No-Bid	Hardwood					0					\$60.00	MBF
No-Bid	Hardwood			Pulp		0					\$6.00	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 \$67,945.00 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 \$67,945.00 whichever
is greater, not to exceed \$500,000. Actual bond amount will be rounded up to an even
\$1,000 unit.

EXPIRATION DATE: 10/31/2025

BID METHOD: Sealed Bids

BID DEPOSIT:	\$29,500.00	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: 70% cable
30% ground-based

PROJECTS: 1 - New Construction
2 - Road Improvement
3 - Roadside Brushing & Sod Removal
4 - Move-in

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 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 both Units and portions of all Projects are located within the seasonally restricted buffer of the Marbled Murrelet Management Area (MMMA). Seasonal restrictions and protection requirements shall apply (Section 2455).

Guylines and Tailholds located in a 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 (Section 2350).

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

Section 2020 "Log Measurement - Sawlogs" contains weight scale sample language.

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.

There is a height restriction of 12' on Elk City Road. Vehicles over 12' in height shall use Harlan County Road as a haul route.

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: **All is Well Thin**TIMBER SALE NO.: **WO-341-2024-W00990-01**OPENING DATE: **September 21, 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					0					\$60.00	MBF
No-Bid	Conifers			Pulp		0					\$6.00	TON
No-Bid	Conifers	Cedar				0					\$545.75	MBF
No-Bid	Hardwood					0					\$60.00	MBF
No-Bid	Hardwood			Pulp		0					\$6.00	TON

Enclosed is a bid deposit as required, consisting of a _____ in the amount of \$29,500.00, 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: All Is Well Thin
Date: July 10, 2023
To: Cody Valencia
CC: Michael Curran, District Sale File

From: Matt Gostin

Digitally signed by Matt Gostin
Date: 2023.07.10 11:03:44 -07'00'

Habitat Suitability

This sale contains potentially suitable habitat for northern spotted owls in all sale units. There is occupied and potentially suitable habitat for marbled murrelets adjacent to Units 1 and 2.

Survey Results

This sale has been covered by density surveys in 2021 and 2022^{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.

This sale was surveyed for marbled murrelets in 2021 and 2022. These surveys were conducted using a protocol developed by the Pacific Seabird Group⁴. Behaviors indicating occupancy were observed in survey sites adjacent to Units 1 and 2 in

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.

2021, leading to the creation of a new Marbled Murrelet Management Area (MMMA). Surveys were discontinued for two sites after the 2021 season, after significant observations and sale units were reconfigured. Units 1 and 2 remain adjacent to occupied habitat, but no longer contain unsurveyed marbled murrelet habitat, therefore surveys are not required.

Known T&E Resources

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

Portions of this sale are within a MMMA. A Biological Assessment has been conducted and evaluated by the USFWS. It concludes the sale is expected to have a low risk of negatively affecting marbled murrelets.

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.

Marbled murrelet surveys are valid until April 1, 2028 for Unit 1.

Seasonal restrictions apply to portions of all sale units within a MMMA. No timber should be felled before August 6, 2023, with daily timing restrictions in effect until September 15.

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

As per the stipulations contained within the Biological Assessment for this sale, the following protection and avoidance measures will be in effect:

- **Thinning Prescription**

Thinning in the buffer and at the edge of DOH will not remove trees that contain suitable nest platforms or adjacent trees that provide cover to potential nest platforms. Suitable nesting habitat is defined as relatively flat structures that are at least 4 inches wide, 33 feet from the ground, and contain thick (e.g., > 0.5 inch) moss, epiphyte, or duff layers. Suitable nesting structures may include tree limbs, dwarf mistletoe brooms, or unique platform features resulting from damage e.g. epicormics branching and reiterated tops.

- **Seasonal Timing Restrictions**

Refer to ODF State Forest Division Operational Policy for Marbled Murrelets for specific timing restrictions regarding harvest-related operational activities including road construction, felling for landing areas and corridors, yarding

activities, and installation of tailhold and guyline anchors. These activities are subject to seasonal timing restrictions per ODF policy, and should avoid disturbance to nesting murrelets (ODF 2013).

- **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. Avian predators such as jays and ravens eat a wide variety of foods, and presence of human food and food waste can attract and 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.

- **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 or recruitment trees in the MMMA from damage. The criteria are as follows:

1. The following trees in DOH 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. When feasible, the largest trees in areas where the number of large trees is limited;
 - c. When feasible, 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 DOH 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 dozer, which may serve as a tailhold or guyline, may be used provided no DOH is removed or destroyed when using such equipment.

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

No construction of landings or roads will occur within the DOH of the MMMA. Construction of roads, improvement of roads and landings, and yarding activities in buffers 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. **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, the following trees will **not** be selected for removal for road construction, 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. When feasible, the largest trees in areas where the number of large trees is limited.
3. When feasible, minor tree species (not commonly found in the stand).

The following additional criteria apply to landings 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. 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. Landing improvement in buffers will be restricted to not greater than 0.25 acres in size.
5. To the extent practical, spoked landings constructed in buffers will be decommissioned and re-vegetated where appropriate. Decommissioning may include gates, tank traps, or boulder/stump placement. Revegetation for spoked landings will be addressed on a case by case basis.
6. Yard to road with minimal road widening or extra brush clearing than already exists.
7. No conifer trees will be felled within the DOH of the MMMA.

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.