



# United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Wyoming State Office

P.O. Box 1828

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IN REPLY REFER TO:

5420(930) P

January 12, 2009

Instruction Memorandum No. WY-2009-013

Expires:

To: Field Managers  
Attn: District/Zone Foresters

From: State Director

Subject: Update of Wyoming Minimum Price List for Forest and Vegetative Products,  
Management of the 9120 Road Maintenance Account, and Forest Products Special  
Stipulations

**Program Area:** Forestry

**Purpose:** This minimum forest and vegetative product price list updates and replaces the Wyoming Bureau of Land Management (BLM) Instruction Memorandums (IM) WY-2007-010 and WY-2007-010, Change 1. The list shows both hundred cubic feet (CCF) and thousand board feet (MBF) pricing schemes along with their average conversion factors. A minimum pricing schedule is included for biomass and other forest and vegetative products such as posts, poles, Christmas trees, berries, wildings, etc. This IM also establishes a standard BLM Wyoming Forest Product Cutting Permit Special Provisions to be included with each Personal Use Vegetative or Mineral Material Negotiated Cash Sale Contract (Form 5450-5). Direction is given for managing the 9120 Road Maintenance Account.

**Policy/Action:** The prices shown in Attachment 1 are minimum prices for forest product sales. Fair market value may be determined, as required by regulation, using any of the accepted appraisal methods listed below. However, where it is determined that fair market value is less than the minimum product price shown on the attached list; the product can be sold for less than the minimum product price. Authorized Officers may use the minimum price listing schedule as a basis to sell forest products when no market data exists to conduct an appraisal. Appraisal information must be documented in the official case file for the project.

## Acceptable Appraisal Methods:

1. A comparative product sales analysis, or
2. A residual value analysis, whereby costs of obtaining and transporting the product to the market place are subtracted from the selling price at the market, including profit and risk.

Forest and vegetative product sales, including biomass, where the total value of the sale is \$2,499.00 or less, may be made using the Vegetative or Mineral Material Negotiated Cash Sale Contract (Form 5450-5). (This form may not be used for any stewardship contracting authority projects.) This is a cash sale contract and must be paid in full prior to issuance of the contract. Installments, payments, or bonding are not permitted with this form.

The 9120 Road Maintenance Subactivity funds are derived from the sale of forest products and are only to be used for the repair, maintenance, or closing of roads that service forest product harvest areas. This Subactivity is to be managed by the Zone Forester. Roads servicing forest product harvest areas that require maintenance will be evaluated and prioritized annually by the District/Zone Forester and District/Zone Engineer. The listing will be submitted to the appropriate Field Office management staff to be included either in the force account project list, or to be contracted out for completion.

The Authorized Officer may determine when it is appropriate to collect road maintenance fees on sales of forest or vegetative products, including biomass, when using Form 5450-5. When collected, the minimum road maintenance fee will be 20 percent of the total value of the product(s) being sold. This figure will be rounded to the nearest whole dollar. Fees collected for road maintenance will be deposited to the 9120 account for that Field Office. (Note: The collection of "Material Site Reclamation" fees is only appropriate when selling minerals, it is not appropriate when selling forest products).

Each Personal Use purchaser of a Vegetative Sale permit will sign the attached Forest Product Cutting Permit Special Provisions document. Personal use (as defined by CFR43-5400.0-5 Definitions) will use the form unaltered. Commercial Use (as defined by CFR43-5400.0-5 Definitions) permits will have a notation in the notes section to exclude Item #2 of the Special Provisions. A copy will be filed with the Field Office copy of the 5450-5 form. The person purchasing the permit will have a signed copy of these Special Provisions in their possession when gathering forest products on BLM lands covered under the permit. Only those delegated the authority via a Delegation of Authority (BLM form 1203-2) may execute the 5450-5.

Electronic Form 5400-24 is an acceptable alternative to using Form 5450-5 for the sale of forestry and vegetative products. This form automatically enters the sale into the Timber Sale Information System (TSIS). Anyone using this form must be on the user database in TSIS.

**Timeframe:** Effective immediately.

**Budget Impact:** This may reduce the time associated with issuance of small special forest product permits.

**Background:** The existing price list is from 2007 and the IM is expired. This IM reflects new prices and continues the standardized statewide special provisions stipulation document to the vegetative sales permit process.

**Manual/Handbook Sections Affected:** 43 CFR Subpart 5400 – Sales of Forest Products and 43 CFR 8365.1-5 Property and resources. This IM provides for establishment of a minimum acceptable price schedule for commonly used forest products from Wyoming forest and range lands.

**Coordination:** This IM was coordinated with the BLM Wyoming zone foresters in each of the four zones.

**Contact:** If you have questions pertaining to the sale of forest products or the 9120 Subactivity, please contact Bob Means, Forestry Program Lead at (307) 775-6287.

Signed by:  
Donald A. Simpson  
Acting State Director

Authenticated by:  
Pamela D. Hernandez  
Wyoming Central Files

2 Attachments:

- 1 - January 2009 Forest/Vegetative Product Minimum Price List (2 pp.)
- 2 - Forest Product Personal Use Cutting Permit Special Provisions (2 pp.)

Distribution

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**Attachment 1 - 5420 - Preparation For Sale**  
**Wyoming State Office**  
**Forest/Vegetative Product *Minimum*<sup>1,5</sup> Price List - Wyoming – January 2008**

<i>Minimum Price</i>					
Product <sup>2</sup>	Unit of Measure CCF	Unit of Measure MBF		Conversion Factor Bf/Cf <sup>4</sup>	Conversion Factor Cf/Bf <sup>4</sup>
Sawtimber <sup>3</sup> - (Live)	\$4.00	\$8.00		5.0BF/1CF	.20CF/1BF
Sawtimber <sup>3</sup> - (Dead)	\$4.00	\$8.00		5.0BF/1CF	.20CF/1BF
Pulpwood	\$0.80	\$2.00		---	---
<i>Conversion: (1,000BF = 200CF) or (1MBF = 2.0CCF)</i>					
Product <sup>2</sup>	Unit of Measure	<i>Minimum Price</i>	Dimension	TSIS Conversion Factor BF	TSIS Conversion Factor CF
Fuelwood	Cord	\$5.00	4'x 4'x8'	500	81.5
Burl Wood <sup>6</sup>	Cord	\$250.00	4'x'4'8'	500	81.5
Character Wood <sup>7</sup>	Cord	\$100.00	4'x4'x8'	500	81.5
Corral Poles	Number	\$1.00	16'	8	1.6
Corner Posts	Number	\$1.00	8"x8'	10	2.0
Line Posts	Number	\$0.50	6"x7'	7	1.4
Posts and Poles (alternative method)	Cord	\$20.00	4'x 4'x8'	500	81.5
Fence Stays	Number	\$0.10	2"x5'	1	.2
Tepee Poles	Number	\$1.00	4"x16'	3	.6
Biomass	Ton	\$0.01	2,000 lbs	---	---
Christmas Tree (BLM Personal Use Permit – <i>Maximum</i> of five per individual)	Number	\$5.00	Any	---	---
Dry Cones, All Species (Commercial)	Bushel	\$0.50	10"x10"x21.5"	---	---
Wildings/ Transplants (Personal Use/Commercial – 10 foot height maximum)	Each	\$7.50	Any	---	---
Boughs (Commercial) <i>Minimum</i> permit purchase of \$20.00 for a standard pickup load (4'x8' x2' box).	Pound	\$0.05	6-7 lbs./ CF	---	64

No Permit or Contract is required for the following Personal, Non-Commercial Uses of renewable resources. (43 CFR 8365.1-5) This section allows for the collection of reasonable amounts of commonly available, renewable resources such as flowers, berries, nuts, seeds, cones and leaves for noncommercial use. The following table establishes the reasonable quantities for each product.

<u>Special Forest Product</u>	<u>Unit of Measure</u>	<u>"Personal Use Only"</u> <u>Reasonable Amount per Person per</u> <u>Year</u>
Berries - All Species	Gallons	5 per Species
Cones - Ornamental	Bushels	2
Cones - Seed	Bushel	1
Boughs/Greenery	Pounds	25
Moss	Pounds	25
Mushrooms - All Species	Gallons	5 per Species

<sup>1</sup> Several Field Offices have noted that their current index price for forest products is higher than the minimum price list. No attempt is being made to establish a maximum price for any forest product. The local forest products appraiser may establish a higher price for any forest product when based on a local market appraisal. These minimum prices are to be used when no better market data is available. Field Offices experiencing strong demands for forest products should appraise those products to establish their local fair market value.

<sup>2</sup> Minimum Prices for these products applies to Personal and Commercial Uses. The minimum purchase price for a commercial Christmas tree permit is \$60.00. Biomass is in Green Tons, with approximately 40% moisture content.

<sup>3</sup> Includes sawtimber, house logs, mine timbers, ties, large and small poles.

<sup>4</sup> The conversion is 1 MBF = 2.0 CCF or  $1000\text{Bf}/5.0 = 200\text{Cf}$ . This conversion factor may be used when an actual cruise conversion is not available and the conversion factors in the USFS Region 2 Appraisal Bulletins are not applicable.

<sup>5</sup> All forest products will be sold at or above the State Minimum Price listed for that product. Exceptions to this may occur on a case by case basis when the authorized officer determines and documents in the official case file that either the net positive benefits to other resources such as forest health, recreation, wildlife, watershed, etc., will occur and that existing forest productivity will not be degraded, or an appraisal determines that fair market value is less.

<sup>6</sup> Minimum purchase amount for burl wood is ¼ cord or 20 cubic feet.

<sup>7</sup> Character wood is wood with distinctive characteristics such as, but not limited to, unique insect galleries in the wood, fire scars/cat faces, bowls in the trunk/main stem or limbs or grows in and unconventional manner that makes it desirable in the making of unique and/or unconventional wood products such as but not limited to furniture, log cabin home construction or large gate entrances for homes and ranches.

**Attachment 2 - WYOMING BUREAU OF LAND MANAGEMENT PERSONAL USE  
FIREWOOD, POST/ POLE, CHRISTMAS TREE AND ALL OTHER FORMS OF NON-COMMERCIAL WOOD  
PRODUCT MATERIALS**

**BLM FOREST WOOD PRODUCT CUTTING PERMIT SPECIAL PROVISIONS**

The permittee is authorized to cut and remove firewood, posts and poles (forest products), Christmas trees and/or other special products, as indicated on the attached permit, from the cutting areas administered by the Wyoming Bureau of Land Management (BLM). The Permittee agrees to comply with the general stipulations stated on permit number: \_\_\_\_\_ and the special provisions contained below.

**I AGREE:**

TO ENSURE THAT THE CUTTING AREA I PLAN TO CUT IN IS LOCATED ON BLM ADMINISTERED PUBLIC LANDS, AND TO HAVE THE PERMIT WITH THE SPECIAL PROVISIONS ATTACHMENT SHEET IN MY POSSESSION WHILE CUTTING AND TRANSPORTING THE FOREST PRODUCTS THIS PERMIT AUTHORIZES.

TO ONLY CUT DEAD STANDING AND DOWN TREES WHEN CUTTING FIREWOOD. TO ONLY CUT TREES OF 8 INCHES DBH OR LESS WHEN CUTTING POST AND POLES. TO ONLY CUT TREES 15 FEET TALL (WITH A DBH OF 8 INCHES OR LESS) OR LESS WHEN CUTTING CHRISTMAS TREES. NOT TO CUT TREES 1- MARKED WITH ANY COLOR PAINT, PLASTIC RIBBON, AND/OR SIGNS, 2- WITH BIRD CAVITIES (HOLES) OR NESTS AND 3- TREES NOT LOCATED IN AREAS DESIGNATED ON THE MAP FOR FOREST WOOD PRODUCT REMOVAL.

TO CUT STUMPS 12 INCHES IN HEIGHT, OR LESS, ON THE UP-HILL SIDE OF TREES. TO LOP AND SCATTER ALL SLASH (TREE LIMBS, TOPS, OR UN- REMOVED DEBRIS LEFT FROM CUTTING) 18 INCHES HIGH OR LESS FROM THE GROUND.

TO KEEP TRAILS, ROADS AND/OR EXISTING WAYS, INCLUDING THE DITCHES AND CUT AND FILL SLOPES, FREE OF LIMBS, TOPS, AND OTHER DEBRIS FROM MY (THE CUTTER) CUTTING ACTIVITIES.

TO NOT CUT FOREST PRODUCTS (POST/POLES, FIREWOOD, AND/OR CHRISTMAS TREES) IN AREAS CLOSED TO CUTTING, SUCH AS, SIGNED AND/OR POSTED AREAS, INCLUDING HIGH FIRE HAZARD AREAS, TIMBER SALE AREAS, AND **ESPECIALLY NOT IN DEVELOPED RECREATION SITES, CAMP GROUNDS, ETC.** OR ANY OTHER AREA NOT DESIGNATED FOR CUTTING OF FOREST WOOD PRODUCTS ON THE PROVIDED MAP.

TO DISPLAY, IN A VISIBLE LOCATION AT THE REAR OF THE LOAD, THE LOAD TICKET FOR THE FOREST PRODUCT BEING TRANSPORTED **BEFORE** THE LOAD IS TRANSPORTED FROM THE CUTTING SITE. EACH LOAD TICKET USED SHOULD HAVE A STAMPED OR WRITTEN EXPIRATION DATE ALONG WITH THE MONTH AND DATE PUNCHED-OUT AND/OR REMOVED FROM THE LOAD TICKET. THE NUMBER OF LOAD TICKETS USED SHALL BE EQUAL TO OR GREATER THAN THE VOLUME OF THE LOAD BEING TRANSPORTED.

TO KEEP VEHICLES ON EXISTING ROADS AND/OR WAYS DURING WET WEATHER AND TO KEEP VEHICLES ON ROADS IN AREAS THAT ARE CLOSED TO ORV (Off Road Vehicle) TRAVEL.

**TO EQUIP ALL POWER SAWS WITH AN EXHAUST SYSTEM IN GOOD REPAIR WITH A SPARK ARRESTER CONSISTING OF A WIRE MESH SCREEN WITH A MAXIMUM MESH OPENING OF .023 INCH. EACH SAW IN USE SHALL HAVE A FUNCTIONING FIRE EXTINGUISHER AND SHOVEL WITH IT. THE CUTTER (YOU) IS RESPONSIBLE FOR HAVING A FIRE EXTINGUISHER (5 POUND CAPACITY OR LARGER), SHOVELS AND ALL OTHER NEED FIRE SUPPRESSION TOOLS AVAILABLE FOR IMMEDIATE USE TO YOU IN THE EVENT AN ACCIDENTAL FIRE START SHOULD OCCUR.**

TO USE NO HEAVY EQUIPMENT, SKIDDERS, BULLDOZERS, TRACTORS.

PAYMENTS FOR FOREST PRODUCT PERMITS ARE NOT REFUNDABLE IN THE EVENT AN AREA CANNOT BE ACCESSED DUE TO INCLEMENT WEATHER OR ANY OTHER NONE CONTROLABLE ACT OF NATURE.

The permittee and those accompanying him/her shall indemnify and hold the USDI BLM harmless from any claims, loss, cost, injury expenses, attorney's fees, damages, or liability caused by or arising out of the exercise of this permit.

I have read and agree to the general stipulations on the permit and these special provisions.

**I fully understand that this BLM forest wood products removal permit as well as the loading tickets that accompany it is in NO WAY TRANSFERABLE from one person to another person at any time for any reason.**

**I also understand that under 43 CFR 5462.3 any violations of this forest wood product removal permit and its special provisions is punishable by a penalty of up to \$100,000 in fines and 1 year in jail.**

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE