



File Code: 2430
Date: January 15, 2016

To: Klamath National Forest Timber Purchasers and Interested Parties:

In my letter dated December 1, 2015, you were notified of the proposed small business share for the Klamath Market Area of the Klamath National Forest as the result of the regularly scheduled five-year recomputation. The share was recomputed after consultation with the Small Business Administration and in accordance with procedures governing the SBA program as outlined in Forest Service Handbook 2409.18, Chapter 90. Comments were solicited from qualifying timber sale purchasers and interested parties. A thirty-day review and comment period was provided to give you an opportunity to address the proposed share and the information used in the recomputation analysis.

Pursuant to the provisions of the Small Business Timber Sale Set-Aside Program, I have considered the comments received and have made my decision for the final share percentage.

DECISION:

It is my decision to establish the small business share of 39 percent for the Klamath Market Area of the Klamath National Forest as a result of the regularly scheduled five-year recomputation. In addition, zero ccf volume will be carried forward. This decision is effective for the period beginning October 1, 2015.

ISSUES IDENTIFIED and RESPONSE:

Contacts were made by letter with individuals, firms and associations that might have been affected by the recomputation of small business shares. Four written comments were received, one from small business and three from large business.

One response received addressed issues in regards to the fact that during the recomputation period prior to and following the structural recalculation in 2014 there was not an adequate number of sales offered to meet the set-aside percentage. The response also states that stewardship sales were not included in the calculations for the SBA analysis. Three responses received were in agreement with the Forest's recalculation of the share percentage, but two of those letters stated that during period 10 there was a violation of the "20% Open Rule."

In 2014, the Klamath went through a structural change and since the recomputation has been meeting the intent of the SBA program and has followed the policy in the handbook. For each six month period the Forest coordinated with the local SBA Regional Representative on set-aside sales. Following consultation with the SBA Regional Representative, the Forest and SBA Representative signed SBA form 441, Joint Set-Aside for Small Business Timber, agreeing to which sales would be set-aside. Every effort was made to avoid changes or departure from the agreed upon sale program.



The Forest attempted to meet the "20% Open Rule" in period 10, but sales proposed open were unavoidably delayed due to consultation delays with regulatory agencies.

APPEAL OPPORTUNITY:

Small business share decisions may be appealed under 36 CFR 223.118 which governs the appeal process for small business timber sale program share recomputations. As defined in 36 CFR 223.118(c), only those timber sale purchasers, or their representatives, who are affected by the recomputation of the small business share of timber sales **and** who submitted pre-decisional written comments may appeal the final decision made by the Forest Supervisor. If comments were submitted only through an association but not by the individual member, the individual may be ineligible to appeal the decision or file comments on an appeal.

This decision may be appealed pursuant to 36 CFR 223.118 by filing a written notice of appeal in duplicate to:

Regional Forester, Pacific Southwest Region
ATTN: Craig Bodenhausen
1323 Club Drive
Vallejo, CA 94592

Any written Notice of Appeal of this decision must be fully consistent with 36 CFR 223.118(f), Content of Notice of Appeal, must include reasons for appeal and must be postmarked by February 4, 2016 which is 20 days from the date of this notice of decision.

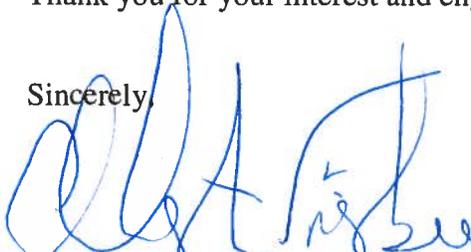
The Forest Service administers the Small Business Timber Sale Program under provisions outlined in Forest Service Manual FSM 2439 and Forest Service Handbook FSH 2409.18, Chapter 90. You may obtain information on the share recomputation and appeal procedures from the Forest Supervisor's Office or the Small Business Administration Representative:

Forest Supervisor, Klamath National Forest
Attn: Ben Haupt
1711 S. Main St
Yreka, CA 96097-9549
(530) 841-4419

SBA Timber Programs
Attn: Stewart Kallam
233 Peachtree St., NE, Suite 1900
Atlanta, GA 30303
(404) 331-7587 Ext. 206

Thank you for your interest and engagement in this important program area.

Sincerely,


(for) PATRICIA GRANTHAM
Forest Supervisor