

2004 National Rainbow Family Gathering  
Modoc National Forest  
Warner Mountain Ranger District



National Incident Management Team  
Incident Summary



# INCIDENT COMMAND POST

[REDACTED]  
Alturas, California



July 12, 2004

Enclosed is the Incident Summary which summarizes the incident management activities that took place during the 2004 Rainbow Family of Living Light's National Gathering on the Modoc National Forest. The gathering occurred during June and July, 2004.

On behalf of the National Incident Management Team, I want to personally thank you and all of the other Unified Command and Tribal personnel who provided assistance and support during this incident.

If you have any questions, please call me at (703) 605-4731.

Sincerely,

[REDACTED]

Incident Commander  
National Incident Management Team

b6  
b7c

2004 National Rainbow Gathering  
Modac National Forest  
Incident Summary  
Table of Contents  
June 18 – July 11, 2004

<u>Description</u>	<u>Appendix</u>
Executive Summary .....	A
Safety ... ..	B
Law Enforcement Operations and Investigations .....	C
Planning Section .....	D
Information .....	E
Communications .....	F
Special Use Administration .....	G
Finance and Logistics .....	H

# **2004 NATIONAL RAINBOW FAMILY OF LIVING LIGHT GATHERING EXECUTIVE SUMMARY**

**JULY 12, 2004**

The 2004 National Rainbow Family of Living Light (RFL) Gathering was held in the Bearcamp Flat area, 25 miles east of Likely, CA, in the South Warner Mountains area, Warner Mountain Ranger District, Modoc National Forest.

The National Incident Management Team (NIMT), led by [REDACTED], Incident Commander, managed the incident. Operations were based from an Incident Command Post (ICP) at the library of the Modoc High School, in Alturas, California. The ICP site was chosen because of its proximity to the Supervisor's Office and the availability of office space.

b6  
b7C

The NIMT was formed in late 1997. The Team consists of [REDACTED] core members structured after an Incident Command System "short" team. The team consists of an incident commander, lead investigator, deputy incident commander/operations, administration, information, safety, planning and communication chiefs. A special uses section was added to this year's structure. Reports from each section are included in this document. The 2004 RFL National Gathering was the team's seventh formal assignment as the Forest Service's response to large group events with social issues differing from wildland fire incidents.

b2  
b7E

At the end of the 2003 gathering, held on the Wasatch-Cache National Forest in Utah, the Rainbow Family held their "vision council" to discuss the location of the 2004 gathering. They voted to gather in the Great Basin Region again, specifically Utah, Nevada or northern California.

Specific sites for the national gathering are traditionally selected during Spring Council after scouts visit sites around the area. This year's Spring Council was held at the Dry Creek Campground in Lassen County, on BLM land near Likely, California. Historically, gathering sites have good access; parking on site; are forested with large, open meadows and have an adequate supply of water and firewood. The site the Rainbow Family selected met these criteria.

Since the noncommercial group use regulations have been in place, this is the second year that the group has applied for, and received, a noncommercial group use permit for their national gathering. However, the event was well on its way—with hundreds of participants on site—before the permit application was submitted.

Because a special use permit was issued, this event was a legal gathering and was administered as such. Permit administrators were teamed with law enforcement officers to conduct on-the-ground permit and operating plan compliance inspections. This 'teaming' structure worked very well. The gathering culminated with a prayer circle around noon, July 4<sup>th</sup>. We estimated 19,000 people participated in the gathering this year.

The gathering was managed under a unified command system. Over the course of the gathering, numerous agencies and organizations collaborated to ensure the efficient use of available resources. Participants included federal, state, county and local law enforcement agencies, tribal, emergency service and social service organizations.

Even though a special use permit was issued for this year's event, many issues remain to be mitigated when managing a group that is as culturally and socially diverse as the Rainbow Family of Living Light. Illegal drug use was again rampant, with the Family by and large condoning this activity. Crowd mentality and mob dynamics are commonplace when enforcing unpopular activities such as towing cars, resource violations and illegal drug use. The team believes that higher numbers of law enforcement officers are needed in order to respond to displays of civil disobedience by the Family, which always places officers at high risk of injury and personal safety. The issue of officer safety was commonly stated among the law enforcement officers.

As of July 9, 2004, there were 26 arrests, 264 written Violation Notices, 1,741 written Incident Reports/Warning Notices issued by Forest Service law enforcement officers to gathering participants. Several violators were turned over to local law enforcement for violations of state laws ranging from outstanding warrants to vehicle theft, to possession of a stolen vehicle.

In addition, four formal Notices of Noncompliance letters and one Partial Suspension letter were issued outlining the permit and operating plan items that permit administrators were having difficulty in obtaining compliance. The emphasis for these notices was public safety and resource protection issues.

Total statistics for the event are attached.

The Rainbow Family has been sensitive to the bad press generated when Family members use local emergency room facilities and do not pay, leaving the county EMS system holding the bag. The CALM unit at the Rainbow Gathering was actively working to treat as many people as possible, rather than have them seek medical care at local emergency rooms. However, as of July 1, 2004, there had been 27 visits by Rainbow

Family members to the local Hospital. The estimated bill as of June 29 for indigent care at the Modoc Medical Center including ground ambulance is \$25,400. There were seven air ambulance calls costing approximately \$65,300.

As we continue to work with the Rainbow Family on a legally permitted event each year, we must be mindful that the job is not complete. In regards to the non-commercial group use regulations and permit, we believe that two questions still need to be answered.

- Can we manage the incident better when it is a “permitted event?”
- Can we as an agency be proud that a permit is issued to a group that seems determined to undermine federal and state law, thus violating one of the criteria identified in the noncommercial group use regulations found in 36 CFR 251?

The Forest Service is committed to work with all groups to ensure that first amendment rights to gather are protected and preserved. However, the issuance of a permit does not give license to any group or permit holder to commit crimes. The Rainbow Family currently condones the widespread use of illegal drugs throughout the gathering. It is not difficult to find minors using illegal drugs and making themselves targets for sexual abuse at the hands of older individuals.

As original members of the Rainbow Family progress in age, the message once of a peaceful demonstration has not been effectively passed down to the younger generation of participants. Law enforcement has encountered a youthful generation of Rainbows who look to confront any representatives of authority.

The Rainbow Family must come to terms with the fact they will be policed and regulated during the event, just as any other citizen or group seeking to use public lands to meet and gather. When that occurs, they will have no reason to harass and intimidate officers attempting to do their jobs. I see the next step in our progression to fully managing this event is to help the Family understand that, in order to use public lands as a meeting place, laws currently in place must be obeyed. Only then will we be able to significantly reduce the amount of money spent on managing the Rainbow Family National Gathering each year.

On July 12<sup>th</sup> the National Incident Management Team will transition management of this incident back to the Ranger District.

## ***SUCSESSES***

1. Unified Command. The NIMT succeeded in strengthening relationships within the community including, but not limited to, local law enforcement departments, public health and safety services, local Native American tribes, local residents, government officials, and local Forest managers.

2. **Safety.** Incident was completed without any major medical injuries or vehicle accidents to Forest Service employees as well as other supporting agencies within the Unified Command.
3. **Support from Forest.** The Forest Supervisor and his staff provided excellent support to NIMT, including GIS, dispatch, contracting, resource specialists, fire, public affairs, tribal relations, and communications. The support from the Forest lead to the success of the Team.
4. **Resource Support.** NIMT received excellent resource support in special use administration from Region 4 and other Region 5 National Forests. NIMT had unexpected needs that were met promptly to support the NIMT special use administration/law enforcement 'partnership' team.
5. **Communications/Dispatch.** The communications systems, as well as dispatch's method of formal documentation, was invaluable. The support provided in this area was a unified effort with the Forest and other Federal/State agencies to minimize costs on the NIMT allocation.
6. **Coordination with DOJ, US Attorney's Office, and Office of General Counsel** Early coordination with these departments enabled the NIMT to process judicial issues as well as administrative issues in a timely and efficient manner.

## ***TOPICS NEEDING DISSUSSION***

1. **Noncommercial Group Use Regulations.** The noncommercial group use regulations, as written, do not allow consistent and adequate special use administration to occur. For example:
  - a. The regulations do not require that the permit contact person be on site or available for consultation with the Forest Service. This created extreme difficulties in administering this year's permit.
  - b. The requirement for an application to be submitted at least 72 hours in advance does not provide for adequate time to complete the appropriate NEPA analysis, including required consultations with various Federal and state entities, e.g., SHPO, Native American Tribes, other affected forest users and permittees.
  - c. Not having a signed permit when the group size exceeded 75 participants and allowing an illegal gathering to occur for approximately 10 days could potentially affect future enforcement of the regulations and administration of the permit. This also led to numerous issues that could have potentially been mitigated if a permit was in place. An agency goal should be to have the permit signed far enough in advance to allow for the consistent enforcement of the regulations. e.g., issue citations for an illegal event once group size exceeds 75 in number if a special use permit has not been issued.

2. **Special Use Permit.** The terms and conditions of the special use permit do not adequately allow for proper permit administration. Generally, the holder of the permit is the party responsible for compliance with the terms and conditions of the permit and is the contact with the Forest Service. However, the holder of this year's permit was a 'nonexistent' group; therefore the holder could not be held accountable for compliance. In addition, clause 11 of the noncommercial group use permit states that the signer of the permit is not subject to any individual liability. This basically relieves the signer of any responsibility for compliance with the permit terms and conditions. Conclusion: the Forest Service has no person or party to hold accountable for permit noncompliance.
3. **Forest Service Employee Involvement.** Guidelines should be established for employees (while on official duty) participating in gathering events and activities. Address employee presence within the gathering site.
4. **NIMT Organization.** A Special Uses Section Chief and a Tribal Relations Liaison should be added to the Team's structure, to be used as needed.
5. **Fiscal.** Establish a system to accurately tract and reflect total incident costs, including base and overtime salaries, Forest costs, and other federal, state, and local agencies' costs, resource mitigation and rehabilitation costs, etc.
  - a. "Emergency" incident – Although the National Rainbow Gathering is an emergency in terms of mobilizing personnel and utilizing the incident command system to manage the impact of the large group gathering, this is not an unexpected event. For 30 years, the Rainbow Family has gathered on national forest lands. The financial and resource impacts to the forest are significant. Currently, funding has been established for the NIMT to pay for the core team, law enforcement officers and related expenses. This funding does not cover the base pay of LE&I personnel and only allows [REDACTED] to the forest to offset the support costs they incur to assist the NIMT. A special fund needs to be established at the Washington level to "set aside" the appropriate amount of money to fully fund the team and provide the "hosting" forest with the funding required to pay for all support and rehabilitation work they incur.
  - b. The current "protocol" for fiscal activity associated with the gathering, requires the hosting forest to establish a "dummy" code to capture the costs incurred to manage the gathering. This is not a fiscally sound method to operate within and puts the hosting forest in a situation of shifting their appropriated dollars from other areas to offset the expenses if funds are not provided from the WO emergency fund to cover the expenses or deficit spending that directly affects the next fiscal year's funds.
6. **RF liaison.** Once a forest location is selected for the national gathering, the Forest Supervisor should assume the role of the RF liaison.

b2, b7E



**2004 National Rainbow Family Gathering  
Modoc National Forest  
Warner Mtn. Ranger District  
Heath & Safety**

**Incident Objective**

The first and primary objective for the Incident Management Team, and the primary duty of the Safety Officer on this incident was to ensure that the safety of employees, assigned personnel, the public, and event participants are considered throughout the course of the event.

The Safety Officer also provided support to IMT in meetings, and to the remaining three Incident Objective:

Establish and maintain internal and external communications and relationships with cooperating agencies, federal, tribal, state, county, and local government officials, private landowners, permittees, local businesses, communities, and the rainbow family.

Protect resources and coordinate rehabilitation.

Manage the event proactively as a noncommercial group use consistent with Forest Service Regulations and Orders.

**Issues & Concerns**

The major health and safety issues and concerns that were identified for the incident are summarized into nine general categories:

- Overall Public Safety.
- Safety of all Incident Personnel- Law Enforcement Officer's and Resource Incident Workers.
- Public Health - Infectious Diseases.
- Emergency Medical Service.
- Potable Water Quality.
- Solid and Human Waste Disposal.
- Food Preparation and Storage.
- Site Specific Environmental Factors, such as Forest Service access roads and wild land fire potential.
- Travel issues related to vehicles and driving.

**Strategy**

Several means were used to mitigate the safety and health issues and concerns. These included:

- Identification of site-specific hazards and concerns associated with the event. As applicable, these

hazards and concerns were communicated to incident and agency personnel, cooperators, affected community members and gathering participants

- Efforts to identify and maintain contacts with state and local health management agencies as well as emergency medical services, including ambulance crews and area hospital administrators.
- Meetings, phone conversations with participating agency personnel and health care providers.
- Site visits were done by health and safety personnel to survey, monitor and identify risks and hazards with follow up to propose appropriate mitigation measures.
- Incident personnel were debriefed to determine near misses, accident reports for applicable information from prior shifts.
- Safety briefings of assigned personnel were included as the daily operations shift briefings.
- Incident personnel and cooperators were provided with information about special health concerns, Such as locally known diseases and possible infectious disease potential of high-risk transports.
- Contacts and interaction with personnel from California State Department of Health and Public Safety, Modoc County Health Department, Modoc County Environmental Services, Modoc Modoc County of Emergency Services, Likely Fire Department, Alturas Fire Department (EMS Service), Surprise Valley Medical Center, Mercy Medical Center, Mayers Memorial Hospital, Washoe Medical Center, Canby Family Practice Clinic, Tulelake Clinic, Modoc Veterinary Clinic and others as needed.
- California Highway Patrol, Modoc County Sheriff's Office, Lassen County Sheriff's Office, Alturas Police Department to determine possible trends and track medical cases relating to the gathering.

Appropriate procedures and actions to mitigate or minimize exposure to identified concerns were discussed with personnel at briefings. Cooperating health and EMS personnel also provided input and suggestions for mitigation measures during the incident.

Biohazard bags were made available to each patrol unit for use in the event for potentially infectious material. Sharps containers were available to all patrol units for disposal of needles or other sharp objects. Trauma kits were available for each Law Enforcement Officer EMT's along with the Division Supervisor, Safety Officer as well as the Incident Command Post and Patterson Guard Station, to provide emergency medical supplies in the event of an on-scene medical emergency.

Biohazards generated were disposed of through Modoc County Public Health Department to the appropriate medical waste disposal facility.

Forest flight hazard maps with pre-located helicopter air ambulance landing zones were identified and given to air ambulance services. A Helicopter landing site was identified within the large flat meadow, next to the main CALM (Center for Alternative Living Medicine) and other sites along County Forest Road # 64 in the event of a medical emergency.

## **Water Quality**

Water sources were developed by the rainbow gathering participants and piped through PVC pipe and water lines to various locations. Modoc County Environmental Health Services collected water samples at various site locations within the tributaries of East and South Fork Creeks and springs. Samples were taken on June 16, 2004, at several established locations. These test were for e.coli and fecal coliform, which are established indicators of possible pathogenic bacteria as recommended by Modoc County Health Department. The Modoc County and Forest Service plans to take other additional post event samples later for comparative purposes.

At the beginning of the gathering all waters tested were absent of e.coli and fecal coliform. As the gathering continued other water locations were tested. All surface water is assumed to contain giardia cysts due to presence of a variety of cattle, sheep and wildlife in the area. No testing was done for giardia. This testing was not done due to the extensive time frame required and the overall cost of the test. Copies of the later water samples will be provided to the Forest Service.

The Forest Service Hydrologist collected water samples at three different surface water locations with in the gathering area. These samples were for total coliform and fecal coliform. Forest Service Hydrologist will continue water quality monitoring at the gathering site and a final report will be completed and a copy will be kept on file in the Supervisor's Office of the Modoc National Forest. (See Tab B, Incident Final Package, Modoc National Forest Water Quality Monitoring Plan & Modoc County Water Sampling for Microbiological Examination.)

It is believed that some of the water lines and PVC pipes were not disaffected or cleaned when installed. During the course of the gathering, particants contaminated some of the water filters.

EPA recommends standards for E.coli less than 1 CFU per 100ml for drinking water and less than 125 cfu per 100ml for recreation body contact (swimming) waters.

The Rainbow participants were advised that water on the site is non-potable and needs to be chemically treated, properly filtered and boiled for consumption. Participants were also encouraged to bring their own potable water from known safe sources.

Modoc County Public Health Department prepared a handout with information "Camping Heath & Safety Tips." This handout was a tip about Drinking Water Safety, Dishwashing Set-Up, Hand Washing Set-Up, Kitchen Set-Up & Food Preparation, as well as other general health and safety issues such as Insects, Altitude Sickness, Sun Exposure, Dehydration, and Heat Exhaustion/Sunstroke. These handouts were distributed to Rainbow Information, gathering participants and the CALM units. (See Tab B, Incident Final Package, Modoc County Camping Health & Safety Tips)

## **Wildfire and Potential Evacuation Situations**

Due to the general fire weather conditions in the area there was some concern for potential risks and hazards associated with possible wildfire in or adjacent to the gathering site, as well as those associated with potential fire suppression operations.

The current fire condition with in the Bearcamp Flats and Homestead Flats area are currently in green up stage in all the meadows. Based on historical information green up is expected to last until mid-



June. Meadows at this time will not carry a fire unless wind driven. The 1,000 hour fuels are in the high category. General rule of thumb for these fuel models are that crown fires are short lived unless the relative humidity is low and winds are 15 to 20 mph and higher.

As the fire season progressed, there was the possibility that Forest-wide Fire Restriction may have been implemented. If Fire Restrictions were ordered the Rainbows Gathering Incident Management Team would have notified the Rainbows Gathering personnel in advance, and would have implement and enforced the terms of the Fire Restriction Forest Order within the designated area. As of July 11, No Fire Restrictions were initiated.

The following information was given to the Rainbow Family members, in order to have a camp fire they must have a camp fire permit and all camp fires must be attended at all times.

The District Fire Managemet Officer and Assistant Fire Management Officer Prevention/Protection Division did develop an Incident Fire Suppresion Plan for the Rainbow Event.

In the event of a situation requiring evacuation, the gathering attendees will be directed to leave the area and or gather in the large mendows.

(See Tab I, Incident Final Package, Modoc National Forest 2004 National Rainbow Gathering Fire Suppression Plan & Project Aviation Safety Plan.)

### **Trash And Human Waste**

The accumulation of solid (garbage, paper, cans and bottles) and dog, human waste, (feces and urine) was identified as a concern at previous national gatherings of the Rainbow Family. Modoc County Health Officials and the local Ranger District personnel readily verified these concerns. These issues regarding solid waste accumulation include odors, insects and animal attraction and possible potential spread of disease.

This is a concern because of possible down stream impacts to the drainages that is a used by wildlife, cattle and popular variation of recreation activities. Direct impacts to the live streams in the gathering area is also of great concern.

Long standing human waste issues at the annual Rainbow gatherings include failure to develop an adequate number of toilet facilities, failure of individuals to use developed toilet facilities or to bury individual waste, disposal of feminine hygiene products and condoms, as well as potential for contamination of downstream waters. Long-term, environmental effects of such volumes of concentrated human and animal waste will continue to remain a concern to resource managers involved with this gathering, although the actual impacts are largely unknown and these impacts may not be evident for some time.

The Modoc National Forest, Warner Mtn. Ranger District was able to issue a Special Use Permit for Noncommercial Group Use on June 21, 2004.

A permit was issued and it specifically identified specifications within Part II of the permit and within Exhibit A, Operations and Maintenance Plan. This permit directed efforts to recommended preferred locations to build slit trenches, pit toilets, and locations for kitchens and waste pits.

Latrines or slit trenches, and waste pits were allowed on upland sites. These latrines and waste pits were placed 300 feet away from running waters, or located outside of riparian vegetation areas. The latrines and waste pits were inspected and approved by designated resource representatives and Special Use Permit Administrators.

Lime and ash was used by some of the Rainbow Family members at some latrine locations to breakdown waste and discourage the presence of flies within the pits. Once the pits were filled, waste was covered by topsoil and a new pit was dug near the old pit.

Modoc County had elected to place trash dumpsters at the small community of Likely, California.

### **Food Preparation and Kitchens**

Approximately thirty-four Kitchens were identified at the gathering area. Food preparation was under the control of the Rainbow Family. Numerous soup and coffee kitchens and bakeries were part of the food service facilities constructed on the site. In addition, a number of Rainbow family members prepare their own meals at individual campsites.

The permit had specifically identified specifications within Part II of the permit and within Exhibit A, Operations and Maintenance Plan within the permit. This permit directed efforts to recommended preferred locations to build the kitchens and waste pits. Kitchens and wash water and food waste (gray water) was directed to be disposed of at least 300 feet from running waters.

In an attempt to prevent a potential major outbreak of illness, Modoc County Public Health personnel had provided information handouts to the kitchens, CALM units and Rainbow information center, that advise on safe food handling, preparation and kitchen utensil sanitation, and improved water filtering treatment systems as well as improved hand washing stations compared to prior years gatherings.

### **Public Health**

Due to the nomadic lifestyles and personal hygiene practices of a number of the gathering participants, an outbreak of several communicable diseases was possible. Potential risk areas included blood borne pathogens, viral hepatitis, acute diarrhea, sexually transmitted diseases, and food borne and animal related diseases. For protection of incident personnel involved in contact activities, such as medical assistance or law enforcement, personal protective equipment including medical gloves (both latex and non-latex), CPR facial shields and antiseptic chemical barrier products were provided. Several of the safety briefings addressed for prevention measures for reducing exposure to these diseases. Biohazard bags and sharp containers were made available to each patrol unit.

Information regarding the availability of emergency medical services and local environmental health hazards was provided to the workers at the CALM units and Rainbow information center.

The Safety Officer and Modoc County Health and Safety workers made periodic visits to the primary and secondary CALM units in the gathering area. Information was exchanged with the Safety Officer and the local EMS and Modoc County Health and Safety workers. No medical supplies were provided to gathering participants by the government agencies. However Modoc County Public Health Department did provide safety information.

## **CALM**

The Rainbow calm units at this year's gathering supposedly were well staffed. There was one physician, two nurses, and paramedic assisting with the calm units. At times when they were needed for emergencies they could not be found. A rainbow vehicle was identified and allowed for use at the main calm for patient transport. This vehicle had been seen in town more than at the gathering site.

Calm unit report to me they had several family members who had diarrhea, sore throats, acute bronchitis, abdominal pain and allergic reactions to mosquito bites.

## **Environmental Factors**

The primary access routes into the gathering area are County and Forest Service development roads. These routes were also subject to logging activities, recreational use such as hikers, fisherman and other forest visitors. Concerns related to the significant increase of traffic on these roads include congestion on the roadways, dust which cause-limited visibility, wash boarding, the narrow segments of the road and the temporary mixing of different user groups, some of whom who was unfamiliar with mountain driving techniques that cause safety hazards.

Additional environmental concerns included adverse weather issues, related to thunderstorms consisting of lightning, high winds, and rain. Weather forecasts were given to incident personnel at daily briefings.

Deer ticks and mosquitoes were known to be within the area. Forest Service and Modoc County Public Health Department stated that Lyme disease had not been detected in the immediate area. Blast mycosis, a dust borne fungal infections, has not been detected and is not a concern at this time. Rocky Mountain Spotted Fever and West Nile Virus also had not been detected in the area. Information was provided to incident personnel in safety briefing and health alerts.

## **Safety of Incident Personnel**

The personal health and safety of all agency personnel assigned to and supporting this incident was the first priority for the National Incident Management Team.

The Safety Officer focused on twenty-two primary areas of concern to incident personnel. These were:

- Travel issues related to vehicles and driving.
- Vehicle maintenance.
- Law Enforcement Officer Safety.
- Law Enforcement Horses and Police K-9 Officer Safety.
- Safety for Resource Incident workers & Special Use Permit Administrators.
- County Public Health workers safety.
- Local public visitation safety.
- Unsafe Situations.
- Threatening.
- Physical Contacts, Assaults.
- Blood Borne Pathogens.

- Needles and Sharp Objects.
- Over all health issues.
- Environmental and Situational Hazards.
- Infectious Diseases.
- Availability of Emergency Medical Services.
- Animal Bites.
- Mental Alertness.
- Body Lice/Fleas.
- Stress – Fatigue – WORK/REST-RATIO---2 hours work to 1 hour rest.
- Radio Communications.
- Sources of Food & Drink.

The five primary methods was used to distribute information about health and safety concerns; (1) daily briefing, (2) written safety messages and alerts (3) safety meeting with the Ranger District personnel, (4) one on one conversations with personnel by the safety officer, (5) meetings with local and county public health and safety and EMS workers.

Verbal and written safety messages for incident personnel was developed by using direct observation, discussion and consultation with state, county and local officials, and background information from prior Rainbow gatherings, Officer input and information provided by local Forest Service resource personnel.

The Incident Commander, L.E. Operations Section Chief and Division Supervisors supplemented the general safety messages with specific Officer safety messages related to planned enforcement missions.

Safety visitation guideline for resource incident workers had been developed for recommendations for site visits, conduct and general safety. These guidelines were provided to resource incident workers, Special Use Permit Administrators and other visitors prior to their visit to the gathering site. Employees and co-operating agency personnel were also given copies of this guideline.  
(See Tab B, Incident Final Package, Visitation Guidelines for Resource Incident Workers)

Having an ICP Dispatch center significantly improved the Safety for Law Enforcement Officers, Resource Specialists and Special Use Permit Administrators.

With only [REDACTED] dispatchers supporting [REDACTED] L.E. Officers, 6 Special Use Permit Administrators, a variety of Resource Specialists, and numerous Federal, State, Local and Tribal visitors to the gathering site, the dispatchers felt that they were not adequately staffed to support all of the above resources.

b2  
b7E

Again ICP Dispatch was crucial to the safety of the employees assigned to this incident.

ICP Dispatch was requested the following for public assistance:

- 19 Public Assists.
- 1 Vehicle Accident.
- 21 Vehicle Assists.
- 1 Search and Rescue.
- 1 Employee Assists.



### **Medical Plan and EMS**

Medical Plan was developed for the incident with input from the local Forest Service and emergency medical services, ambulance crews and area hospital personnel. Within the county three ground ambulances were identified. Within the general area of California seven air ambulances were identified, three Medical Centers, one Hospital and three Medical Clinics. Some of this information was shared with the main CALM unit at the gathering site.

All medical resources for Modoc and Northern Lassen County was ordered and coordinated through ICP Dispatch Center then further coordinated through Modoc County Communication Center. (See Tab B, Incident Final Action Plan, 2004 Rainbow Gathering Medical Plan.)

### **Statistical Reporting**

Except for emergency medical transports a precise tracking of the effect of the National Rainbow Gathering on the area medical facilities was difficult to obtain this year. During the period from June 1, to July 9, 2004 it is presumed other Rainbow members had gone to other local and state health care facilities in near by towns or cities. These other health care facilities or clinics required payment at time of non-emergency services; therefore most gathering participants who visited these clinics elected to go to the ER's at Modoc Medical Center. Contact with this Medical Center indicated an increase of indigent care cases seen during the period of the gathering.

The specifics of request for public assistance (welfare) resulting from the Rainbow Family Gathering are not known. It is presumed it was a large impact to the small communities and lost among the statistics of the larger cities near by. Local individuals had given goods to the Rainbows during the event.

At this time of this report, Modoc Medical Center indigent health care, ground and air ambulance costs is \$90,712.25. Final costs will be reported to the Safety Officer and forwarded to the Washington Office for inclusion into the final package by end of summer. There were nine ground ambulance transports to Modoc Medical Center, and seven air ambulances calls included in the above costs.

Incident personnel filled out four CA-1's (Traumatic Injury and Claim for Continuation of Pay Compensation) four CA-2's (Notice of Occupational Disease and Claim for Compensation) four CA-16's (Authorization for Examination and/or Treatment) and four R5-6700-9 (Occupational Exposure.)

These forms were filled out for precautionary measure in case of follow-up medical attention becomes necessary for a later date. These were for:

On June 29, 2004, Police Horse was injured while backing out of a horse trailer. The horse's forehead was cut open to the bone. The injured horse required 12 stitches.

On July 3, 2004. Four Law Enforcement Officers were exposed to Hepatitis believed to be Hepatitis C unknown on A or B. One L.E. Officer was bled-on during an arrest. Two L.E. Officers were spit in the face during an arrest. One L.E. Officer was exposed to the subject during transport.

JON SELBY, NIMT SAFETY OFFICER

b6  
b7(c)

***SAFETY WAS EVERYONES # 1 JOB ON THIS INCIDENT!!!***

EMERGENCY MEDICAL RESPONSES RELATED TO  
2004 RAINBOW GATHERING  
MODOC NATIONAL FOREST  
WARNER MOUNTAIN RANGER DISTRICT

The following is the cost of Modoc Medical Center and Modoc County EMS Services that resulted from unpaid bills from some of the Rainbow Family members.

DATE - RESPONSE AMBULANCES NATURE OF INJURY & EMERGENCY  
ROOM VISTS, and CHARGES

6/13	Walk in, 59-year-old male, Diabetes.	\$234.50
6/13	Walk in, 22-year-old male, Heal wound Abscess.	\$715.00
6/14	Ground transport, 59-year-old male, chest pain, unstable angina.	\$4,387.00
6/15	Clinic visit, 29-year-old male, with cellulites.	\$73.00
6/15	Ground transport, 34-year-old male for fatigue, possible seizures.	\$2,624.50
6/19	Air transport, 47-year-old male, Altercation shovel attack, punctured lung, ruptured spleen, and head injuries.	\$6,275.00
6/20	Ground transport, 36-year-male, Motor vehicle accident. Unknown injuries.	\$2264.00
6/20	Ground transport, 44-year-male, Altercation shovel attack, Head lacerations, and head injuries.	\$4,076.00
6/20	Ground transport, 39-year-old female, Motor vehicle accident. Unknown injuries.	\$2129.00
6/20	Ground transport, 44-year-old male, Motor vehicle accident. Unknown injuries.	\$2,264.00
6/20	Ground transport, 44 year-old male, Altercation, Left ribs.	2,275.00
6/22	Walk in, 18-year-old female, with sexually transmitted disease.	\$381.50
6/23	Walk in, 35-year-old female, with urinary track infection.	\$294.00
6/23	Walk in, 20-year-old female, alleged sexual assault, with drug related overdose.	\$433.50
6/23	Walk in, 54-year-old, female, with sexually transmitted disease.	\$433.00
6/24	Walk in, 31-year-old, male, needed medications for schizophrenia.	\$242.25

6/25 Ground transport, 22 -year-old female, Motor vehicle accident. Unknown Injuries. \$1,939.00

6/25 Walk in, 35-year-old, male, Sore Throat, Shortness of breath. \$216.00

6/25 Walk in, 49-year-old male, Knee, and back pain. \$193.50

6/25 Walk in, 53 year-old female, Dog bite. \$444.00

6/26 Walk in, 23 year-old female, Perineal Pain, wanted Meds. \$338.00

6/26 Walk in, 23 year-old male, Dental Pain. \$176.00

6/27 Walk in, 35 year-old male, Coughing up blood. \$779.00

6/27 Walk in, 27 year-old male, Sore Throat. \$233.50

6/27 Walk in, 50 year-old male, Puncture Wound Thigh. \$270.00

6/28 Walk in, 54 year-old male, Chest Pain. \$264.00

6/28 Walk in, 37 year-old male, Testicle Pain. \$384.50

6/29 Walk in, 19 year-old female, Abdomen Pain. \$2,075.50

6/29 Ground transport, 23 year-old female, Motor Vehicle Accident, Unknown Injuries. \$936.50

7/1 Ground Transport, 26 year-old male, Sore Throat. \$5,668.50

7/3 Walk in, 26 year-old male, Scratchy Eyes. \$270.00

7/3 Walk in, 22 year-old female, Ear Ache, \$287.50

7/4 Walk in, 21 year-old male, Insect Bite Left Eye. \$296.00

7/4 Walk in, 23 year-old female, Pain in Left Jaw, Jaw Soreness. \$303.00

7/5 Ground Transport, 30 year-old male, Sunburn and Mental Confusion. \$2,050.00

7/5 Ground Transport. 29 year-old male. Infection, Cellulitis. \$1,670.00

7/5 Walk in, 23 year-old male, Burns to Face. \$256.75

7/6 Walk in, 22 year-old male, Sour Throat. \$404.50

7/6 Walk in, 23 year-old female, Right Ear Pain. \$141.00  
 7/6 Walk in, 1 year-old female, Blister to Left Foot. \$340.00  
 7/6 Walk in, 23 year-old female, Herpes. Blisters. \$256.00  
 7/6 Walk in, 33 year-old male, Out Patient, Unknown injuries. \$75.50  
 7/6 Walk in, 17 year-old male, Left Lower Extremity Pain. \$932.50  
 7/6 Walk in, 64 year-old female, Sore Throat. \$310.00  
 7/7 Walk in, 19 year-old male, Non- Healing Open Wounds, Left Hand and Arm.  
 \$205.00  
 7/7 Ground Transport, 35 year-old male, V.D. and Diabetes, Lost Insulin. \$1073.00  
 7/8 Walk in, 25 year-old female, weak cough. \$144.00  
 7/8 Walk in, 32 year-old male, Nausea, cough, vomiting. \$166.50  
 7/8 Ground transport, 20 year-old male, Altercation, Bite to ear. \$1,373.00  
 7/10 Walk in, 22 year-old female, Nausea, weak. \$216.00  
 7/11 Walk in, 23 year-old female, earaches. \$481.50  
 7/12 Walk in, 19 year-old female, Infection. \$270.50  
 7/13 Walk in, 28 year-old male, Insect Bite. \$910.00  
 7/13 Walk in, 25 year-old female, needs for meds. \$216.00  
 7/15 Walk in, 22 year-old male, Swollen Finger- Burn. \$216.00

There were fourteen ground ambulance transports to Modoc Medical Center

As of September 1, 2004. Modoc Medical Center indigent health care cost, and ground ambulance cost is \$55,883.50

There were seven air ambulances calls related to this year's gathering. This cost is not included in the above costs.

One air ambulance cost was paid for. (Cost not included)

One air ambulance responded to a false alarm, was turned around in flight. (Cost not included)

Four air ambulances at the approximate cost of \$9800.00 per flight. Total of \$39,200.00.

One air ambulance at the approximate cost of \$8600.00.

Total air ambulance cost at \$47,800.00

At the time of this report, Modoc Medical Center Indigent Health Care, Ground and Air Ambulance final cost is \$103,683.50.

Banner Lassen Medical Center claims they had four walk ins, between 7/1 to 7/7/2004

Walk in 18 year-old female, with sexually transmitted disease.

Walk in, 20 year-old female, with urinary track infection.

Walk in, unknown age, late 40's, male, needed medications for mental disorder.

Walk in, unknown age, late 50's, male, mental disorder, drug related.

RAINBOW CALM UNIT Reported: They had several family members who had diarrhea, sore throats, acute bronchitis, abdominal pain and allergic reaction to mosquito bites, and eating bad mushrooms.

My Opinion of the Rainbow Family Gatherings:


I have worked numerous gatherings of all types over my thirty years working for the U.S. Forest Service, and I have not seen any other user groups on Public Lands that degrade and damage the environment as to the over all members of the Rainbow Family.

The Rainbow Family uses dug slit trenches (toilets) and waste pits during the gatherings on our Public Lands. It is my opinion as the Health and Safety Officer this should not be allowed at the gatherings. With other user groups on Forest Service Lands this action would result as a criminal violation.

They claim they promote these gatherings to exercise their First Amendment Rights, and Freedom of Speech, and to assembly and pray to Mother Earth and God for World Peace among the people of this world. There is rampant drug use, thieves among the group, and sex predators of all kinds and others that just want to cause trouble or be instigators at these gatherings.

The Rainbow Family bleeds upon these small towns within the local area of their gatherings for all the handouts they can get, while others just steal what they can.

The cost for these small Medical Clinics, EMS Services and County taxpayers is far too much money to engross. This doesn't seem right to me.

  
Coconino National Forest  
Happy Jack, Az.  
(928) 606-7579

b6  
b7(c)

## **2004 National Rainbow Family Gathering** **Law Enforcement Operations Summary**

### **1) Introduction & Other Agency Involvement**

### **2) Operation Objectives**

- Protection of the public and safety risks to the public, area residents, agency employees and event participants.
- Minimize criminal activity in surrounding community
- Protect Forest Service facilities in immediate and surrounding area
- Ensure consistent compliance of Noncommercial Group use regulations
- Minimize impacts on other forest users and other permit holders
- Develop illegal Drug Strategy
- Minimize the impacts of the events on natural and community resources and ensure restoration of impacted lands and resources.
- Provide for full enforcement of all applicable laws and regulations throughout event areas in a manner that is fair, consistent and constitutional.

### **3) FS LE&I Resources Assigned to Incident**

### **4) Supervisory Support**

### **5) Investigations**

### **6) Documentation Support/Statistical Data**

### **7) Aviation**

### **8) Significant Incidents/Items of Interest**

### **9) Summary**

## 1) INTRODUCTION AND OTHER AGENCY INVOLVEMENT

The NIMT Operations Section Chief, [REDACTED], arrived in Alturas, CA on June 12, 2004 and attended a meeting consisting of a variety of community leaders, including [REDACTED]. The local forest managers scheduled this meeting. Upon the completion of this meeting, the Operations Section of the NIMT began coordination efforts specific to the selected site of the 2004 gathering.

b6  
b7(c)

On June 14, 2004 the first Unified Command meeting was held in Alturas, CA. The NIMT was welcomed into the community and received an astronomical amount of support from the community as well as the local law enforcement agencies.

Law enforcement agencies that participated in the incident Unified Command included the Forest Service, Modoc County California Sheriff's Department, Lassen County California Sheriff's Department, Alturas California Police Department, California Highway Patrol, California Department of Wildlife Resources, California Department of Forestry, Bureau of Land Management, United States Marshall's Office, & the United States Attorney's Office District of Northern California. It should be noted Modoc County requested and was granted mutual aid support from the state of California. This service allowed the host county to receive extra support from surrounding LE agencies, including, but not limited to, Sierra, Shasta & Siskiyou County.

The Unified Command outlined specific agency roles and responsibilities for the event. It was the concern of the Sheriff that he would have an overwhelming amount of activity within the county that was outside the gathering site. This department did not have the resources to support the gathering site nor did they have the resources to support FS LE dispatch concerns. [REDACTED] was very supportive of the Unified Command structure and was instrumental in providing professional input, which allowed for each respective agency to handle their own interest with minimum impact on each other. Throughout the event the Unified Command structure met on a routine basis, established a point of contact for each agency and was able to solve any operational issues immediately as they surfaced.

The incident was located in the Warner Mountain area in the southern most portion of Modoc County, California. Three cooperative law enforcement agreements were executed to manage the incident. Modoc County Sheriff's Department received [REDACTED] Lassen County Sheriff's Department received [REDACTED] and the California Highway Patrol received [REDACTED]. These agreements allowed the respective agencies to provide additional law enforcement patrol efforts and support FS LEOs on any gathering related issue.

b2  
b7E

The NIMT worked with the United States Attorney's office and the United States Magistrate to set two special court dates prior to July 4, 2004. A policy was developed to issue all citations as mandatory appearances IF the offense took place prior to the June 30<sup>th</sup>, 2004 court date. These hearings were set up in a local school in the Likely, CA,



community. This is a small community with limited resources but was the closest facility to the actual gathering.

Magistrate Judge Craig Kellison from Redding CA held court on June 24 & 30<sup>th</sup>. The court sessions proved to be successful, allowing many cases to be cleared during the two days. A total of 128 cases were called for these two court dates.

## **2) OPERATION OBJECTIVES**

As outlined in the 2004 Operations Plan, objectives and concerns were identified well in advance of the actual events.

- Protection of the public and safety risks to the public, area residents, agency employees and event participants.
- Minimize criminal activity in surrounding community
- Protect Forest Service facilities in immediate and surrounding area
- Ensure consistent compliance of Noncommercial Group Use regulations
- Minimize impacts on other forest users and other permit holders
- Develop illegal Drug Strategy
- Minimize the impacts of the events on natural and community resources and ensure restoration of impacted lands and resources.
- Provide for full enforcement of all applicable laws and regulations throughout event areas in a manner that is fair, consistent and constitutional.

### **Protection of the public and safety risks to the public, area residents, agency employees and event participants**

This objective was met with the exception of a few isolated incidents. The most serious incident involving the public took place on a Forest Service Development Road on June 19, 2004 when two Rainbow Family members were assaulted with a shovel. This incident took place late at night, in a high profile area within the gathering site when FS LEOs were not on duty. The individual had to be air lifted from the site and was listed in critical condition for several days. Other domestic-type incidents occurred but were handled with minimum enforcement actions by FS LEOs.

Throughout the Unified Command Structure, FS LEOs supported the state and local agencies in high visibility patrols, which included interior landowner's properties within the National Forest System lands. This coordinated effort appeared to deter any illegal activity to those properties. There was a coordinated effort by FS LE&I to provide stationary posts in strategic locations throughout the gathering. This presence made it possible to educate the non-participating public of the site-specific concerns they may have. Although this presence was met with a lot of resistance by the Rainbow Family, it proved to be a great tool to show the non-participating public the FS concerns revolving around the event.

Between June 11, 2004 and continuing through June 21, 2004 this was an illegal event, in excess of 75 people and no permit obtained. Upon the completion of the permit process, the NIMT met with forest managers and suggested the use of a "team" concept to administer the permit. This was eventually adopted and put into place. FS LEOs were placed in a support role with permit administrators and resource advisors on the ground to support the issues of noncompliance. There were a few incidents that occurred where permit administrators and their associated LEOs were interfered/intimidated; this activity was minimized by the consistency of the team concept.

Enforcement activities of all agencies were commensurate with their law enforcement capability and current standards and thresholds set by affected judicial districts. Forest Service enforcement actions were also in accordance with the agency's national strategy for the management of large group activities.

The Forest Service Mounted Unit conducted law enforcement horse patrols in all areas of the gathering to provide support and protection for participants, non-law enforcement incident personnel working within the gathering (e.g. permit administrators, health and resource agency personnel) and other law enforcement personnel working the area. The Mounted Patrol was available for specific assignments and was utilized this year for several "Planned Events." Some events included, escorting key leaders within the Native American Tribal community, vehicles into sensitive areas, support of LEOs conducting tactical operations, arrest and execution of orders to remove illegal occupancy. The Operations Chief coordinated tactical movements of mounted horse patrols. They were successful without any incidents and their presence was invaluable in many of the potential dangerous situations.

#### **Minimize criminal activity in surrounding community**

This objective was addressed through the Unified Command Structure. Early meetings with participants within the Unified Command as well as community leaders identified areas of concern within their respective communities. The community was well aware of the issues associated to the National Rainbow Family due to a 1984 National Gathering in the same general area, where a young child lost it's life due to a drug-induced rage. One of the major concerns was the small town of Likely, CA. This community is located on state highway 395, south of Alturas, CA. The community consists of approximately 300 residents with a minimum amount of business but essential to the normal livelihood of local residents. This community was the closest community to the gathering site that had fuel, a restaurant, a post office and a general store.

Other concerns were identified well in advance to the community leaders in a series of meetings prior to the first Unified Command Meeting. The Forest coordinated a meeting that was held on June 12, 2004 and the arrival of the Rainbow Family was discussed. The Operations Chief attended and fielded several questions and addressed several concerns. The first Unified Command Meeting was held on June 14, 2004, in Alturas, CA. NIMT Commander [REDACTED] identified the Incident Objectives.

b6(c)

b6  
b7(c)

The largest LE concern came from Modoc County [REDACTED]. He understood the complexity of the situation and requested the FS operations did not overload his dispatch and judicial system. This concern was met by coordinating with the United States Attorney's office, establishing specific forest orders, arrest procedures to Lassen County and utilizing an independent dispatch system set up for the NIMT.

Upon completion of the incident it appeared our objectives in this area were met with a minimum impact on the local community. The largest impact appeared to be the loss of resources at the local departments as well as the loss of normal services provided to the county.

#### **Protect Forest Service facilities/Recreation areas in immediate and surrounding vicinity**

Two Forest Service facilities were in the immediate area of the gathering site. Each site was considered in operation planning. Patterson Guard Station was located approximately one mile from the gathering site. The NIMT coordinated with the local district and utilized this facility as an administrative site for on-site operations and briefings. The presence of official activities prohibited illegal use of this site as well as any vandalism. The other site was a recreational fee area. Blue Lake is located approximately 5 miles from the gathering site, and is located in Lassen County, CA. The NIMT coordinated and met with the campground host of this area on June 12, 2004 and provided a briefing of anticipated activities. This area was listed as an area for routine patrol by FS LEOs as well as Lassen County Sheriff's Department. On July 6, 2004 a motor was reported stolen from a Lassen County boat staged at Blue Lake. FS LEOs recovered the stolen property, which led to the arrest of four individuals inside the permitted area.

#### **Ensure consistent compliance of Noncommercial Group use regulations**

This objective was not met by the NIMT. A series of conflicts surrounded the inconsistent enforcement of the regulation. Eventually a permit was issued but the fact that over 75 people gathered on the site in excess of 10 days prior to this being signed created LE concerns as well as some community distrust. This fact conflicted with other users of this land, including the Native American Tribal Community.

April 22, 2004, the NIMT attended a meeting set up by the Regional Office. The objective of the meeting was to educate potential agencies and key members in the Northern CA area, including Modoc County [REDACTED], on the Rainbow Family. At this meeting the enforcement of the Noncommercial Group Use Regulations was discussed. The NIMT explained the complexity of this regulation and ensured equal enforcement and or administration of this permit as it related to use of National Forest Lands.

b6  
b7(c)

June 12, 2004, members of the NIMT visited the site with the District Ranger. Prior to this visit the District Ranger advised that she and other members of the Forest team had

visited the site on the previous date, determining this was the location of the national gathering.

During this visit observations were made by members of the NIMT that reflected an excess of 150 individuals. Observations were also made that the Rainbow Family had blocked two Forest Service public roads and were in the process of staging structures in strategic locations. When confronting this issue, the District Ranger told the team members that she had given them permission to do this and she did not want to address this issue until a permit was issued. NIMT spent several hours discussing the importance of consistency in enforcement of Forest Service regulations and the NCGU regulations. The NIMT recommended blocking the roadway into the gathering and posting the site as being illegal until such time as a permit was obtained. The NIMT was advised by regional personnel that a permit was being negotiated and not to pursue this course of action.

Between the dates of June 12, 2004 and June 21, 2004 no permit was issued for the group gathering. The Operations section of the NIMT did not address the issue of the group on site being participants in an illegal gathering due to the fact a permit was being "negotiated."

#### **Minimize impacts on other forest users and other permit holders**

It is an understood fact that the "exclusive" use of a large portion of land for a group of 20,000 people will create an impact on other users. The NIMT attempted to coordinate with the district and forest on any associated issues surrounding traditional use of the area selected for the 2004 gathering. Areas of concern were:

- 1) Traditional users
- 2) Tribal Concerns
- 3) Other Permittee's (Grazing)
- 4) Logging in the area

The established area consisted of a variety of local traditional use. Although the use was minimum it did affect a wilderness trailhead, limited fishing opportunities and a local hangout near a small lake. Operations were able to provide high visibility patrols and educate normal users of this area of other surrounding opportunities. There were no known conflicts resulting in this use. It should be noted this Ranger District has the lowest recreational use in the National Forest system.

Tribal concerns surfaced prior to and throughout the event. Operations provided LE support to Tribal Communities desiring to visit and evaluate the site. These relations were handled by the forest Tribal Relations Liaison, Forest Supervisor and the Incident Commander. Throughout the Operation it was clear that some aspects of the Tribal concerns could have possibly been resolved if the requirement to obtain a permit had been implemented and enforced.

This area contains a complex grazing permit issue where the forest had traditionally worked with various ranchers in the area to minimize the impacts on the grazing allotments as well as the protection of a stream listed as a national demonstration site specifically showing the ability to graze and protect a sensitive streamside. These concerns were worked out between the Forest and District as they worked with the affected individuals.

The immediate area surrounding the gathering had an extreme amount of logging activity. This was due to the fact a large wildfire had created an abundance of salvage timber. Although the timber operations were not within the gathering site, one individual interfered with logging operations by lying down in front of logging equipment.

Overall the objective to be consistent with other users was met. However, the time and energy exhausted to mitigate many of the issues could have been avoided if the enforcement and administration of the NCGU had been consistent in regards to other forest users.

### **Develop Strategy on Drug Enforcement**

Considering the history of the Rainbow Family it was determined that careful consultation should be done between the Department of Justice, Office of General Council and the Regional Special Agent in Charge as it relates to drug enforcement.

The State of California passed a resolution that allows for small use of marijuana to be legal if the individual has a medical excuse.

The local OGC opinion in CA conflicts with the national OGC opinion as it relates to FS authority to enforce Title 21 drug-related laws. This has resulted in a regional LE&I policy not to enforce the drug laws.

LEOs were directed to seize any marijuana that they located as contraband but not to cite the individuals for possession. Three separate individuals were identified that would have normally been charged with distribution levels. Several others were identified as being in violation of simple possession. These incidents were documented on 5300's.

It was apparent throughout the gathering that normal illegal activity was "accepted" and created an unusual amount of open illegal drug use. A more detailed summary of illegal drug activity is included in this report.

### **Minimize the impacts of the events on natural and community resources and ensure restoration of impacted lands and resources**

Operations were involved in the implementation of a new concept brought forward by last years NIMT and introduction of a "Permit Administration Team." Once the permit was signed, operations proposed and constructed a "Permit Administration Team". This team consisted of an entire section that was led by a Special Uses Section Chief who

supervised a variety of permit administrators and resource advisors on the ground. This section was integrated into the overall management of the event and became a vital tool for documenting compliance issues as well as violations within the permit area. This task was tremendous due to the fact an illegal gathering had been allowed to be on site for approximately 10 days with an excess of 1,000 people present. ■ LEOs were utilized to support 6 permit administrators consisting of three teams with ■ LEO ■ permit administrators each. The teams were required to attend all briefings and operate within the permit area as a team. This team concept was initially met with resistance from the members of the gathering but, as the days progressed, it became more acceptable.

b2  
b7E

Monitoring the permit was a new process that required close integration with the Special Uses Section Chief, law enforcement operations, district personnel and the Office of General Counsel. A system of tracking violations within the permit area, which would constitute violations of the special use permit, was developed by the team. LEOs were asked to place a "P" for any incident that occurred within the permit area and a "NP" for non-permit area in the upper right hand corner of all incident reports, warning notices and violation notices. The Operations Documentation Clerk then made a spreadsheet to document each violation and categorize them. As of July 3, 2004, there were 114 violation notices written within the permit area, 465 incident reports & 561 warning notices. This total reflects 1140 incidents that document individual illegal acts within the permitted area.

The Special Uses Section Chief prepared and the District Ranger issued three formal notice of noncompliance letters between June 22, 2004 and July 7, 2004. In addition, one formal partial permit suspension was issued. These notices consisted of a variety of noncompliance issues and violations.

- Illegal kitchens facilities too close to water sources
- Intimidating and interfering with federal officers
- Unattended garbage
- Loose dogs
- Public nudity along open forest roads
- Illegal drug possession/use
- Illegal parking
- Damaging natural resources
- Camping too close to water source

### *Illegal Kitchen*

The Crystal Kitchen area became a major permit noncompliance issue. Its placement was in violation of the Supervisors Special Order as well as the permit operating conditions. This matter was handled by the Special Uses Section Chief through the permit administrative process of noncompliance and partial permit suspension. LE operations participated in the documentation of this violation, which included a verbal warning by LE operations, a written warning by LE operations and a written violation notice. Close coordination between the permit team and LE operations was critical. Ultimately the

decision was made to administratively remove the facility from the permitted area. LE Operations formulated a plan and was able to have this facility removed on June 30, 2004. This operation consisted of utilizing [REDACTED] LEOs, [REDACTED] Mounted patrol, the Operations Chief and a district Technician with a ton flat bed truck. The facility was actually moved by members of the family upon arrival of the above noted resources. Immediately upon the removal of the facility, LE Operations called in one of the permit administrator teams [REDACTED] resource advisors & [REDACTED] LEOs and allowed them to work with the family to ensure an adequate relocation site for the kitchen.

### ***Intimidating and interfering federal officers***

Prior to the permit being signed and issued, as well as during the permitted period, members of the Rainbow Family created an unsafe environment with officers who were performing their duties. Several situations had potential to escalate to riot conditions with possible injury's or even death to Rainbows or officers.

One incident began with a routine contact with a family member by [REDACTED] LEOs. The family member resisted the contact and was physically subdued and arrested for a variety of charges. Other members began calling for help and placing logs in the roadway to prevent the officers from leaving. Backup units arrived and were able to make a tactical retreat without further incident. Credit should be given to the officers for evaluating the situation and leaving the site due to lack of law enforcement resources and the potential for further violence.

This same situation occurred 3 more times within the permitted area. Two individuals that were involved in one of the incidents were arrested, attended initial appearance, had a trial and were convicted of interfering with a federal officer, prior to the 4th of July.

### ***Unattended Garbage***

Large amounts of garbage built up during the gathering in a variety of locations. This issue was handled by the permit administration team through the normal special use permit administrative processes.

### ***Loose Dogs***

Dogs not confined to a leash were a major concern. A Forest Special Order was in place that prohibited this activity. Officers were advised to give verbal warnings for this activity prior to issuing a violation notice. Even with this liberal approach, hundreds of violations were issued. LEOs and resource advisors observed several dogs on a daily basis not confined. Some dogs were also aggressive toward the officers and resource advisors.

### ***Illegal Drug Possession and Use***

LE Operations had a major issue associated with the illegal use of drugs, especially when dealing with the use of marijuana. California State law allows for a very liberal interpretation on what is personal medical use of marijuana. Several discussions with OGC, United States Attorney's Office and the Regional Special Agent in Charge took place regarding this issue. A policy was implemented that prohibited the LEOs from citing individuals for any use of marijuana and any other drug. This policy is due to factors beyond the control of the NIMT.

Several drug related incidents were well documented within the gathering area, including but not limited to, three separate cases where large amounts of marijuana and illegal mushrooms were seized that were directly related to distribution. One Individual was in possession of over 5 pounds of well-groomed marijuana. The individual stated to the officers he was not going to sell any but was going to distribute it to other family members for the 4<sup>th</sup> of July celebration.

### ***Public Nudity along Forest Roads***

A Forest Special Order was in place that prohibited being nude in public. LE Operations addressed this issue at the first Rainbow meeting, June 22, 2004. Realizing the intent of the order, it was determined to address this issue with a minimum impact on LE Operations and the gathering participants. LEOs were given a policy to handle nudity in the following manner:

IF the person was nude and could be observed from a public Forest Road, they were to verbally ask the person to comply with the Special Order and 'cover up.' If the person complied, no further action was required. If the person did not comply, they were issued a violation notice. If the nudity could NOT be seen from the public road system, the LEOs were asked to ignore the offense with no formal documentation. This activity was common. This policy was provided to the Rainbow council meeting on June 22, 2004. No known conflicts surfaced with this policy.

The only issue associated to the public nudity was the fact that the Rainbow Family declares they do not allow persons to be nude within the "Kiddie Village." This was not true. Officers and permit administrators documented several instances where adult males and females were within the Kiddie Village area and were completely or partially nude.

### ***Illegal parking***

Parking of thousands of vehicles in a remote area is always a challenge. This event was no different. Designated parking areas were defined in the special use permit. However, parking areas were not clearly marked on the ground in a timely manner by the Rainbow Family. This resulted in the identified overflow parking within the permitted area to get minimum use (12 vehicles) and hundreds of illegally parked vehicles became a traffic and resource impact issue.



### ***Damaging Natural Resources***

Protection of the resources is always a major concern for the agency as well as the Rainbow Family. However with this year's event being an illegal event, yet unidentified by the agency as such, until an excess of 1,000 participants were on site, created unusual challenges.

During the first visit by members of the NIMT on June 12, 2004 damage had begun to natural resources. Most of this was created by Rainbow Family members driving around their own established roadblocks on Forest Service road 18 and 11. Although minimum, it was an impact on the resource.

LE Operations became aware of potential Native American and Archeological concerns prior to the permit being issued. The decision not to close the area was not made by LE Operations or the NIMT.

The permitted area had a large streamside protection area identified. This area was closed to use by a Forest Special Order with excellent compliance by participants.

The permitted area had a sensitive young aspen stand in the area that was chosen to be Kiddie Village. This area became very impacted with several young aspen being destroyed by cutting or damaged by trampling. LE Operations attempted to locate the responsible person(s) for the damage but were unsuccessful.

Modoc National Forest responded to one wildfire created by an unattended campfire on July 10, 2004. This fire was not a threat nor did it create any resource damage. However, the manner of issuing fire permits did not allow for the responsible person(s) to be cited.

### ***Camping to close to water source***

A Forest Special Order was put in place to address camping within 100 feet of any water source. This was monitored by the Resource and LEO teams through the permit administration. Good compliance was gained through this method.

**Provide for full enforcement of all applicable laws and regulations throughout event areas in a manner that is fair, consistent and constitutional.**

Forest Service LEOs and assigned members of the Unified Command were well briefed on the importance of consistent enforcement of applicable laws. This was achieved by establishing early cooperation with state, county and other Federal agencies responsible for enforcement within the assigned county and respective Federal judicial district.

LEOs were given an incoming briefing package that had all laws, regulations and orders attached. This information was given to them during their one-day training session upon

arrival on the incident. Emphasis was placed on consistent interpretation of the applicable laws as well as enforcement. The only conflicts that surfaced regarding this issue came from non-LE personnel on site discussing issues without the presence of LE.

Forest Service Law Enforcement and Investigations personnel provided coverage comprising two shifts during the peak period of the event from June 20 through July 6. Day shift was 9:00 a.m. to 9:30 p.m. and night shift ran 2:30 p.m. to 3:00 a.m.. One K-9 unit was provided on each shift. K-9 dogs were officer protection and drug detection dogs. Forest Service Incident Management Team law enforcement staffing consisted of the following:

### 3) LE&I STAFFING

June 10	Operations Chief arrived
June 14	Day and Night Division Supervisors arrived
June 20 through June 22	officers
June 22 through June 26	officers (Including Mounted patrol unit Sup)*
June 26 through June 28	officers
June 28 through July 4	officers**
July 1 through July 4	officers
July 4 through July 5	officers
July 5 through July 6	officers
July 6 through July 8	officers
July 8 through July 9	officers
July 9 through July 10	officers
July 10 <sup>th</sup>	Officers provided by the forest

b2  
b7E

(\* Includes K-9 units and mounted officers)

(\*\*Includes Bureau of Land management Officers at no cost to the incident)

The addition of [REDACTED] as well as other assigned BLM personnel, proved to be a vital component in the overall operation of the event. FS LE staffing began at [REDACTED] LEOs were provided to support the Special Use Permit Administrators.

### 4) SUPERVISORY PERSONNEL

[REDACTED] Law Enforcement Operations Section Chief [REDACTED] assigned to the Incident and arrived on site on June 12 and was committed to the Incident until July 12. [REDACTED] also performed as the [REDACTED].

[REDACTED] Division Supervisors were assigned. [REDACTED] arrived the week of June 14 and were committed to the end of the operation. They were responsible for daily supervision of their respective shifts, day & night. Their early arrival was critical in the success of the

operation. They prepared a complex officer briefing package as well as supported the completion of the Forest Supervisor's Special Orders prior to the arrival of the officers.

#### **5) INVESTIGATIVE PERSONNEL**

Investigators were assigned to the Incident.

arrived on June 18 and left on July 8

The arrived on June 25 and left on July 5

These units were assigned to support the LEO arrest procedures, coordination with Department of Justice, United States Attorney's Office and process any felony cases that surfaced within the gathering area. The Investigators were also task with the coordination of state and local investigators. This year's investigations were limited due to the prosecution guidelines associated to this region as well as the lack of investigative resources within the local LE community.

It was the intention to assign to NCGU regulation process. This is a tremendous workload that requires daily attention if a permit is not obtained.

assigned the responsibility for all evidence collection from the gathering. A complete catalog was maintained and the chain of custody was well kept.

The following is a summary of items seized by the officers that was transferred to the assigned agent:

120 items of drug related contraband was seized by officers. This included over 7 (seven) pounds of processed marijuana, various weights of hashish, mushrooms/psilocybin, a variety of illegal prescription drugs and 112 drug pipes used mostly for marijuana use. (Note: A specific report relating to specific investigations is maintained by the assigned Special Agent)

#### **6) SUPPORT PERSONNEL/DOCUMENTATION & STATISTICAL DATA ENTRY**

One Documentation Clerk was provided to the incident to support operations. This person arrived on June 22. The original primary responsibility of this position was to input LEIMARS data, and provide daily statistical reports from the field units. This primary purpose was hard to achieve due to the following reasons:

- The date of the arrival related to the start of the operation
- The Special Uses Section Chief required data relating to noncompliance of the permit documentation from LE&I reports.
- Two Court dates set with all citations being issued as mandatory appearances, thus creating a tremendous amount of coordination with the judicial system and clerk of court.
- This position supported the Planning Section Chief

### ***Statistical Reporting***

The Forest Service gathered information and assembled information on a daily basis and coordinated statistical reporting for all agencies. The incident reporting period was approximately June 20 through July 09, 2004. Statistics shown on the following page are from available information gathered during the event related to Forest Service incidents.

	Activity					Totals
						25
	Felony Arrests					7
	Misd. Arrests					18
	Warrants Served					8
	<b>TOTAL</b>					
	TYPE OF INCIDENTS:	Incident Reports	Warning Notices	Violation Notice	Arrests/Warrants	
1	DUI	7			2	
2	Alcohol Related	2	10	12	1	
3	Drug Related	75	59		2	
4	Weapons	5	2		1	
5	Disord. Conduct	8	1	7		
6	Assault/Officer Interference	28	1	13	7	
7	Traffic & Vehicle	89	260	176	4	
8	Vehicle Accidents	3		3		
9	Medical Emergencies	4				
10	Juveniles Recovered/Assist.	2				
11	Stolen/Missing Veh. Recovered	1				
12	Stolen/Missing Property, Shoplift.	2			3	
13	Loitering/Panhandling	4				
14	Nudity	13	5	4		
15	Stolen/Damaged Public Property	7				
16	Natural Resource Damage/Department of Fish and Game incidents	37	1	7		
17	Public Assists and Other Incidents	179	6	18	3	
18	Occupancy Use/Permit	749	203	32	2	
	<b>TOTALS FOR INCIDENTS:</b>	1,215	548	272	25	

In addition, due to the extremely limited number of officers verses the thousands of participants and the hazardous nature of enforcement conditions discussed above, many observed minor violations were not investigated or reported by officers working within the gathering area. The investigation of other serious violations was often thwarted due to direct opposition or interference by gathering participants in the investigation. In some cases participants indicated they feared retaliation by Family members if anyone appeared to be cooperating with officers. Examples of these offenses included drug dealing, fights, sexual assaults and assaults. Thus, the statistics below do not reflect the full incidence of violations of law within the gathering.

Natural resources and government property continue to be heavily impacted by the Rainbow Family gatherings. These were documented by the Special Uses Section Chief in formal notice of noncompliance letters.

# Statistical Information

Forest Service and Unified Command  
With

Combined Interagency Total

(For the period of June 10 to July 12, 2004)

TYPE	FOREST SERVICE STATISTICS	INTERAGENCY STATISTICS	UNIFIED COMMAND STATISTICS
Felony Arrests	7	2	9
Misdemeanor Arrests	18		18
Warrants Served	8		8
Citations Issued	272		272
Warnings Issued	548		548
Incident Reports	1,215		1,215
TOTALS	2,060		2,062
Occupancy/Use (Permit)	986		986
Occupancy/Use (Structures)			
DUI	9	11	20
Other Alcohol	25		25
Drug Related	136		136
Weapons	8		8
Disorderly Conduct/Assault/ Interference	65		65
Traffic and Vehicle	529	43	572
Vehicle Accidents	6	14*	20*
Medical Emergencies and Assists	4		4
Juveniles Recovered/Assisted	2		2
Stolen/Missing Vehicle Recovered	1	3	4
Stolen/Missing Private Property/Shoplifting	5		6
Loitering/Panhandling	4		4
Nudity	22		22
Stolen/Damaged Public Property	7		7
Natural Resource Damage/Game and fish	45		45
Public Assists and Other Incidents	206	51**	257**
TOTALS	2,060	122	2,182

**NOTE:** Interagency Statistics currently include only CHP reports which are incomplete at this time. Modoc and Lassen County Sheriff's and Alturas's Police Department have not yet completed their final statistical reports. These reports will be forwarded to SA [REDACTED] upon completion and added to an additional updated final report.

\* 2 deaths associated with vehicle accidents.

\*\* CHP began their joint effort 06/28. Two days into the effort CHP had well over 51 public assists and other incidents. CHP stopped counting. To date no totals have been made available to us.

**Warrant Arrests:** are already calculated into the felony and misdemeanor arrests.

The impacts of law enforcement resources within a two county area were tremendous. Modoc County requested, and was granted, extra resources through the State Mutual Aid process. Due to the complexity of this system, these agencies have not submitted their final statistics or resource costs. The NIMT Commander will be receiving the County's report upon its completion.

## **7) AVIATION**

Aviation support to the incident was limited with some aerial photography taken on June 3, 2004. This documentation was completed with the support of a forest provided helicopter. A CHP helicopter was staged and available for the incident in case of any Unified Command emergency need.

## **8) INCIDENTS OF INTEREST OR SIGNIFICANCE OCCURRING AT OR RELATED TO THE RAINBOW FAMILY GATHERING:**

On June 12, 2004 members of the NIMT visited the site and observed over 75 individuals. A member of the Rainbow Family interfered with NIMT members as they attempted to explain general rules and regulations. Logs and vehicles blocked two Forest Service Roads.

Between June 14, 2004 and continuing through June 26, 2004, two Forest Service roads were blocked by members of the Rainbow Family. This was accomplished by the placement of vehicles in the roadway or placement of large rocks and logs in the road. This restricted vehicle access for administration of the majority of the site, including approximately 4 miles of forest service roads. This action created a concern for resource related personnel, including archeologist and law enforcement as well as potential emergency related personnel. It was not until members of the NIMT met with the Rainbows and compromised, agreeing that no routine LE patrols would be made if the road was cleared. After this agreement, the members of the Rainbow Family removed the large obstacles from the road.

On June 14, 2004 a logging contractor in the immediate area of the gathering discovered a theft of several small items associated to this operation. In an attempt to enter the gathering site he was denied access of a Forest Service road.

On June 19, 2004 two Rainbow Family members were assaulted by other family members as they attempted to enter the area. One victim was removed from the site by medi-vac.



helicopter. This person was listed in critical condition for several days. One person was arrested and charged for attempted murder.

On June 19 the officers assigned to the incident were given an extensive all day briefing that covered Ethics and Conduct, Sexual Harassment Policy, Administrative issues, Safety, Use of Force Issues, Case Law, etc.

On June 21, 2004 [REDACTED] signed a permit application for a gathering under the NCGU for the identified site that had a population of over 1,000 participants. [REDACTED] was not on site at the time of signing the permit nor was she ever located at the gathering. (Between the dates of June 12, 2004 and June 21, 2004 no warnings were given to Rainbow Family members for gathering illegally.)

b6 PA

Permit administration was a crucial part of this year's gathering. The Special Uses Section Chief was a valuable asset to the NIMT, District and Forest. It will be important in future permitted gatherings for LE operations and the Special Uses Section Chief to work closely to ensure proper compliance with the terms and conditions of the permit. Permit issues were discussed daily at the shift briefings to educate the LEOs on what issues they needed to be aware of and to emphasize in their work to gain compliance with the permit. They tracked all their incidents and violation notices by placing a "P" or "NP" indicating whether the incident occurred in or outside the permit area in the upper right hand corner. This was done so that permit compliance could be monitored and documented. This was done in close consultation with the Office of General Counsel (OGC) attorney assisting with the incident. This close working relationship with the Special Use Section Chief and OGC was critical in managing this incident.

The NIMT Operations section continued to work with the administration of the permit by documenting illegal activity within the permitted area as well as outside the permitted area. LE Operations supported the enforcement of noncompliance issues

Communications on this incident were excellent! The dispatch system was also excellent and was able to take all responsibility from the local LE departments, thus allowing the Unified Command to function in a more effective manner. In past events specific LE related services have not been able to be met to the level of standard to provide for officer safety and adequate LE documentation. This year the professional service provided to the incident far exceeded the standard and should be commended.

## 9) SUMMARY

There continues to be extensive drug activity and resistance to law enforcement presence at the gathering. This continues to hinder the ability of law enforcement to do their job effectively and safely. Many so-called minor violations are overlooked and major incidents fail because of the need to have adequate force to take a law enforcement action and preserve officer safety.

Officers continue to get reports of drugs openly being sold or traded in the gathering, specifically at "Trading Circle" and elsewhere. This was well documented in this years gathering by the assigned investigators and the amount of contraband seized by the officers.

While the Family cooperated with enforcing some minor violations such as dogs off leash and parking, there still is a resistance to deal with many violations of law. Members of the family still follow law enforcement around calling out "SIX UP!" to warn participants of the officers' presence so they may cease illegal activities. There is still work to do on the part of permit administration and law enforcement to get the level of compliance with terms and conditions of the permit where it should be, especially compliance with all federal, state and local laws and regulations. **Officer safety for LEO's as well as resource support personnel is a major concern when dealing with this element of individuals in remote, hard to access areas that are typical of national gatherings.**

Several individuals were identified as having outstanding warrants from various locations across the country. The majority of these were not served due to the lack of local LE resources and the impact this would have on the local judicial system.

# Statistical Information

Forest Service and Unified Command

With

Combined Interagency Total

(For the period of June 10 to July 12, 2004)

TYPE	FOREST SERVICE STATISTICS	INTERAGENCY STATISTICS	UNIFIED COMMAND STATISTICS
Felony Arrests	7	2	9
Misdemeanor Arrests	18		18
Warrants Served	8		8
Citations Issued	272		272
Warnings Issued	548		548
Incident Reports	1,215		1,215
TOTALS	2,060		2,062
Occupancy/Use (Permit)	986		986
Occupancy/Use (Structures)			
DUI	9	11	20
Other Alcohol	25		25
Drug Related	136		136
Weapons	8		8
Disorderly Conduct/Assault/ Interference	65		65
Traffic and Vehicle	529	43	572
Vehicle Accidents	6	14*	20*
Medical Emergencies and Assists	4		4
Juveniles Recovered/Assisted	2		2
Stolen/Missing Vehicle Recovered	1	3	4
Stolen/Missing Private Property/Shoplifting	5		6
Loitering/Panhandling	4		4
Nudity	22		22
Stolen/Damaged Public Property	7		7
Natural Resource Damage/Game and fish	45		45
Public Assists and Other Incidents	206	51**	257**
TOTALS	2,060	122	2,182

**NOTE:** Interagency Statistics currently include only CHP reports which are incomplete at this time. Modoc and Lassen County Sheriff's and Alturas's Police Department have not yet completed their final statistical reports. These reports will be forwarded to SA [REDACTED] upon completion and added to an additional updated final report.

\* 2 deaths associated with vehicle accidents.

\*\* CHP began their joint effort 06/28. Two days into the effort CHP had well over 51 public assists and other incidents. CHP stopped counting. To date no totals have been made available to us.

**Warrant Arrests:** are already calculated into the felony and misdemeanor arrests.

66

67c

# Rainbow Family Gathering 2004

## Cumulative Incident Statistics

Date: 07/09/2004

People on Site: 300

ACTIVITY						Totals
						25
Felony Arrests						7
Misd. Arrests						18
Warrants Served						8
TOTAL						
TYPE OF INCIDENTS:		Incident Reports	Warning Notices	Violation Notice	Arrests/Warrants	
1	DUI	7			2	
2	Alcohol Related	2	10	12	1	
3	Drug Related	75	59		2	
4	Weapons	5	2		1	
5	Disord. Conduct	8	1	7		
6	Assault/Officer Interference	28	1	13	7	
7	Traffic & Vehicle	89	260	176	4	
8	Vehicle Accidents	3		3		
9	Medical Emergencies	4				
10	Juveniles Recovered/Assist.	2				
11	Stolen/Missing Veh. Recovered	1				
12	Stolen/Missing Property, Shoplift.	2			3	
13	Loitering/Panhandling	4				
14	Nudity	13	5	4		
15	Stolen/Damaged Public Property	7				
16	Natural Resource Damage/Department of Fish and Game incidents	37	1	7		
17	Public Assists and Other Incidents	179	6	18	3	
18	Occupancy Use/Permit	749	203	32	2	
TOTALS FOR INCIDENTS:		1,215	548	272	25	

**2004 National Rainbow Family Gathering  
Modoc National Forest  
June 18 – July 12, 2004**

**Planning Section**

**Introduction**

The Planning Section was initially responsible for eight primary areas surrounding the management of the 2004 National Rainbow Family Gathering. These areas included the (a) Incident Planning, (b) Incident Action Plan Development, (c) Incident Mapping, (d) Unified Command Meeting Coordination and Facilitation (e) GPS of improvements including kitchens (and associated structures), slit trenches, water systems and trails (f) Special use permit administration, and resource rehabilitation, and (g) Preparation/ coordination of the final incident summary and documentation package. Due to the restructuring of the organization which included adding a Special Use Administration Section Chief and a team of administrators provided by the Forest/ Region, the permit administration and rehabilitation planning was reassigned to the Special Uses Section and District Ranger. The following is a summary of the planning section operations/ accomplishments

**Planning Operations/ Accomplishments**

(a) Plan and develop agendas, facilitated shift briefings, daily 0700 strategy/ information meetings, incident action planning, unified command and team meetings. The incident briefing schedule was as follows:

Meeting	Objective/ Comments	Attendees	Time
Strategy and Information Meetings	Overview of previous and current management situation (█ meetings) This meeting was attended by █ members and WO, Regional, Forest, and District representatives and line officers	NIMT, WO, RO, Forest, District Ranger	0700
IAP Briefing	Daily assignments, objectives, safety, etc (█ total briefings)	Day Shift Night Shift	0800 1530
Unified Command	Briefing to and input from all cooperators, discussion of needs, objectives, issues and concerns; primarily attended by federal, state, county, and local police and EMS agencies. (█ meetings) Attendance ranged from █ in individuals.	IC, Team, Cooperators	1100 - 1200 Tuesday and Thursday from 6/22-7/08
Strategy/ Planning Meeting	Develop strategy, resource and special assignments, review and prepare █ Incident Action Plans	NIMT	1800

b2  
b7E

Incident Close-out meeting	The purpose of this meeting was to transfer the management of the gathering back to the Warner Mountain Ranger district and the Modoc National Forest. Each section gave a brief summary of their operations, and recommendations for future gatherings. Regional, Forest and District personnel asked questions for clarification and gave their thoughts on the NIMT performance in managing the gathering	Regional Representatives, Forest Supervisor, Acting District Ranger and the NIMT IC, and Section Chiefs	7/12/04 @ 0800

### (b) Incident Action Planning

Developed and updated the daily incident action plans (17 IAP's completed). Divisions included Day, Night and Split Shifts, Mounted Unit and Special Use Administration. It should be noted that officers were given a notebook at the beginning of the assignment with an original IAP. Only updated information was passed out at daily briefings for inclusion into the officer notebook. The following information was included in the IAP:

- Incident Cover Sheet
- Incident Objectives (ICS-202)
- Organizational Assignment List (ICS-203)
- Division Assignment list (ICS-204)
- Medical Plan (ICS -206)
- Daily Safety Messages
- Communication Plan
- Site Visitation Guidelines for Resource Incident Workers
- Officer Advisories
- Bolo's
- Special Use Permit, Application, Operating Plan and Correspondence
- Incident, Vicinity, Forest, and State, and resource/ structure maps
- Contact List
- Officer Guidebook (covered in Operations Section)

Note: Copies of all of the Incident Action Planning information is located in the Incident Final Package. A copy of this package is located at the Washington Office, R-5 Regional Office, and the Modoc National Forest Supervisors Office.

(c) [REDACTED]

[REDACTED]

[REDACTED]

b2  
b7E

[REDACTED]

#### (d) Unified Command

The Unified Command process and agenda was extremely successful this year. There were a total of six meetings held this year (compared to 4 last year) at the request of our partners/ cooperators. The first meeting was held on June Tuesday 22 and ran every Tuesday and Thursday through July 8 from 1100-1200. Meeting Attendance ranged from 18-30 and included the following agencies:

- \* Alturas Police Department
- \* California Department of Forestry
- \* California Highway Patrol
- \* District Attorney Investigator
- \* Fort Bidwell Tribal Council
- \* Lassen County Sheriff's Department
- \* Modoc Ambulance
- \* Modoc County Department of Social Services
- \* Modoc County Emergency Services
- \* Modoc County Health Services
- \* Modoc County Sheriff

- \* Modoc County Supervisor
- \* Modoc Medical Center
- \* Surprise Valley Medical Clinic
- \* U.S. Department of Agriculture, Forest Service
- \* U.S. Department of Interior, Bureau of Land Management

The primary issues and concerns identified included; communications, public safety, transportation of arrestees, limited jail space, significant event response, resource protection, limited resources, financial impacts, animal control and child protection.

All of these issues, excluding resource protection specific to cultural resources identified by Fort Bidwell Tribal Council, were resolved or mitigated to the extent possible. All participants/ agencies attending the meeting were extremely complimentary of the Incident Management Teams operations and overall management of the incident.

The Unified Command System was definitely instrumental in bringing a variety of interested and affected agencies together to meet our common goals. This system did increase the positive relationships between the Forest Service and the affected local communities.

(e) [REDACTED]

[REDACTED]

b2  
b7E

(f) Special Use Permit Administration

This year a Special Use Permit Administration Section was assigned to the Incident Management Team. This Section will be covered in the Special Use section of the Incident Summary.

(g) Preparation/ Coordination of the Final Incident Summary and Final Package

The planning section was responsible for the coordination and completion of the Final Incident Summary and Final Incident Package.

The incident summary (this document) is a overview of all of the incident operations by section which includes a introduction, operations/ accomplishments, recommendations/ observations, and conclusions. This summary also provides digital photographs by section as well as general gathering area photographs. This document is available in hard



copy as well as CD and is provided to all of the Unified Command agencies identified in (d) above as well as the Warner Mountain Ranger District, Modoc National Forest, R-5 Regional Office, WO and Incident Management Team members (approximately 15 hard copies and 40 CD's).

The Incident final package is a comprehensive document which is tabbed and indexed and includes all planning implementation, and managerial documents associated with the incident operations. Three copies of this document are completed. One each will be given to (1) Modoc National Forest, (2) R-5 Regional Office, (3) Incident Commander/ Washington Office. This document is a excellent reference for compiling information needed for and operations of future years large group non-commercial group events.

### **Summary**

Overall, the planning section operations went extremely well considering that the planning support position was not included as part of this years team. If the Special Use Administration Section Chief and administrators not been added, it would have been very difficult for the Planning Section Chief to keep up with all of the duties initially assigned to this section, specifically, special use administration and resource protection and rehabilitation planning.

### **Recommendations/ Observations**

The following recommendations and observations are not specific to the planning section but reflect the Planning Sections Chiefs observations and recommendations for meeting this years incident objectives and for managing future National Rainbow Gatherings and other large non-commercial group use events.

- \* Overall, I believe, the Incident Management Team, Forest Supervisor and staff, resource specialists, special use administrators, and our cooperating agencies and partners did an excellent job in managing this years gathering. All operations were conducted in a safe and efficient manner. There were no injuries to Forest Service employees or cooperating agency personnel.
- \* Communications both internally and with our cooperating agencies was excellent. This resulted in safe and efficient operations for law enforcement, resource specialists, special use administrators, and emergency management services.
- \* The Unified Command was very successful and enhanced relationships with numerous federal, state, local, and tribal governments and agencies as well as local communities.
- \* Based on incident staffing levels. I believe that law enforcement, special use administration and resource protection officers did an outstanding job managing the event. It appears that all resource concerns were mitigated or can be rehabilitated in a relatively short timeframe with the exception of damage to Native American sites which is still being evaluated.

\* I believe that there is a big difference in managing group sizes of 75-500 and 10,000-20,000 people and that the regulations and permitting requirements should be reviewed and revised to consider a variety of group sizes.

\* In my opinion, it is critical to successfully managing any special uses permit that the permittee or a designated representative be on-site and can be held accountable for permit non-compliance and resource damage.

\* It is unrealistic to believe that an adequate environmental assessment and consultation can be completed within 48 hours of notification on groups sizes of 10,000 -20,000. There is a big difference between evaluating the environmental effects of a 200 person family reunion at a campground and a 10,000 to 20,000 person gathering that covers hundreds or thousands of acres and occupies the land for 4-6 weeks.

\* If a permitted event is to continue, agency leaders need to recognize that the overall costs are going to increase significantly.

\* Based on personal observations and incidents that occurred at this year's Rainbow Gathering, I do not believe that it would be safe or reasonable to reduce the current level of law enforcement. I would recommend increasing the number of mounted unit officers.

### Conclusions

I believe that the objectives set for the overall management of the incident which was based on the direction in Delegation of Authority were met by the Incident Management Team, Forest and cooperating agencies. All law enforcement, special use administration, and resource protection operations were conducted in a safe and efficient manner. Internal and external communications were outstanding and the Unified Command System worked extremely well. The permit administration, within the terms and conditions of the permit was excellent. Resource concerns/ impacts were mitigated or planned for rehabilitation with the exception of impacted to Native American sites. These impacts will need further evaluation and mitigation.

Don Palmer  
Planning Section Chief

# Public Affairs/Information Section

## INTRODUCTION

The objectives of the Rainbow Incident Information Office, generally outlined in the Delegation of Authority, are typical Incident Information tasks. Some of the objectives of the Information Office include:

- Establish and maintain internal and external communications and relationships with cooperating agencies; federal, state and local government officials; private landowners; permittees; local businesses; communities and the Rainbow Family.
- Provide the Incident Commander, Forest, Region, and WO with information on emerging issues and concerns in a timely manner.

## OPERATIONS/ACCOMPLISHMENTS

**Information Management** – Communication with the media in the beginning was more difficult than it was after the Group obtained a Special Use Permit. Once the Special Use Permit was in place, the Team remained focused on the Forest Service role in managing the effects of this event. This year's Information Team was very experienced with both media and community relations and easily communicated with the media, local communities and employees. This experience level resulted in a very professional team that quickly was seen as a credible source for information.

**Noncommercial Large Group Use Permit** – The issuance of the permit had a distinct influence on how information was shared with the various segments of the public. Many of the questions asked of us centered around two key messages:

- (1) We are concerned about public health and safety and potential resource damage. Therefore, our resource specialists work closely with law enforcement officers and gathering participants to ensure compliance with the stipulations in the special-use permit and operating plan. This close relationship helps to mitigate the concerns.
- (2) While participants have a constitutional right to gather, issuance of the permit did not relieve them of their responsibility to abide by laws and regulations to which all members of the public must adhere.

**Economic and Cultural Effects to the Neighboring Communities** – Communications with businesses indicated that other than minor annoyances, such as parking and theft as people were arriving and leaving, there were generally no problems encountered.

**Law Enforcement** – We worked closely with the Operations Chief to obtain daily and cumulative law enforcement statistics and vehicle counts. General statistics were used by the Incident Commander and sent to a select group (mostly Forest Service employees), along with Daily Updates. These statistics were shared with media representatives only when specifically requested.

Information Team members processed a few calls reporting missing people or runaway juveniles, forwarding them to appropriate law enforcement officials.

**Rumor Control** – We worked with law enforcement to tract down rumors, when possible. Also, during shift briefings, we encouraged our people to refrain from passing along rumors.

We delivered updates and exchanged information with key businesses regularly, with the main emphasis on the Town of Likely.

### **Strategies**

**Staffing** - The Rainbow Incident Information Team included the Information Chief from the GW/Jeff National Forest, one Type II Information Officer from the Modoc National Forest and the Public Affairs Officer from the Plumas National Forest. District personnel assisted in answering some general questions and providing directions to the site. Information personnel were all highly qualified and had varied assignment lengths. The Information Team had members with strong verbal, writing and computer skills (publishing, etc.). One member of the team was very knowledgeable of the local area. The local Forest Public Affairs Officer was extremely helpful. She provided advice and insight regarding community relations as well as suggestions on improving internal communications.

The Information Office was set up in the library of the Modoc High School that also housed the other sections of the NIMT.

**General Communication Strategy** – Communication with the media in the beginning was more difficult than it was after the Group obtained a Special Use Permit. After the permit was issued we provided information to the media that would allow them to tell the story, but at the same time, kept our communications through the Daily Updates low key. We continued to monitor the gathering with the intention of elevating or intensifying the information in the Daily Updates as the situation demanded.

**Internal Communications** – One of the most important tasks of the Information Office was to develop the Daily Updates. We created an internal as well as an external update each day between June 20 and July 6. We consulted with the Incident Commander, Forest Supervisor or his Acting, before sending out the releases to ensure accuracy of the information and to ensure inclusion of Forest messages in the Updates. Internal and external Daily Updates, along with cumulative law enforcement statistics, were e-mailed to the Forest, Region, and WO. Members of the Information team attended briefings and

shared information with cooperating agencies. We coordinated with the Forest Public Affairs Officer daily. Also, several employees from the RO and WO were provided a tour of the gathering. Information was provided to WO Media Desk by R5 Public Affairs Office.

**External Communications** – The Daily Update via the web was our primary means of sharing information externally. The Update was also e-mailed or faxed to a list comprised of media outlets; state and federal congressional offices; interested members of the public; state, county and local law enforcement agencies; health and safety organizations. We also faxed the Update to media representatives, tribes and various others.

We also participated in the Unified Command as well as attended local community meetings. A trapline was established including key locations in Alturas, Likely, and Davis Creek; information was provided frequently. This gave our information officers an opportunity to interact with the public and share information through distribution of the Update. Also, the Rainbow Family had access to the Updates through the various bulletin boards around the site and the internet.

Four press releases were developed and distributed; one at the beginning, one regarding temporary forest orders, and two at the end of the gathering. We consulted the Incident Commander and Forest Supervisor before sending out the releases to ensure accuracy of the information and to ensure inclusion of Forest messages in the releases.

Interviews with newspapers, radio and television stations were coordinated through the Lead Information Officer. Information concerning these interviews is contained in a table below.

Television	Print
KDKS ABC Klamath Falls	Klamath Herald & News, Klamath Falls, Oregon
WO videographer	Modoc Record, Alturas
ARTNETWORK Production	Mountain Eco, Burney
Radio	Northern California Traveler, Cedarville
KSUE/KDJX Susanville	AP Wire Service, Sacramento
KCNO FM Alturas	The Redding Record Searchlight
	San Francisco Chronicle
	Tribe County Currier
	News and Review (Sac/Reno/Chico)

**VIP Visits** - This incident attracted a moderate number of visitors seeking tours of the area. Below is a table showing tours completed for the gathering.

CONFIDENTIAL	
Mark Rey, Under Secretary of Agriculture	
[REDACTED] R5 Special Agent in Charge	
Kent Connaughton, R5 Deputy Regional Forester	
John Twist, Forest Supervisor Black Hills	
[REDACTED], WO Deputy Dir of Law Enforcement	

b6  
b7c

The Incident Information Office also completed thank-you letters for members of the Unified Command and other members of the community who made contributions to the effort.

The goals for the Information section were met.

**Suggestions for future gatherings** – Develop a pre-information plan to give to the Rainbow council (with a focus on education) including sensitive, special uses and cultural areas. We need to spend more time interpreting the information that we provide to the vision and spring councils, i.e., checking a box to indicate a sensitive species does not convey the importance of the species in a given area. This would provide reasons why certain areas should or should not be selected.

Need to better provide information and interpretation to participants at the gathering regarding national forest mission and for restrictions placed at the site. This is not meant to be a “warm and fuzzy” dialog, but an educational one. If the gathering is a permitted event, consider more site-specific messages with an emphasis on natural and cultural resources. If it is not permitted, information needs to be developed to hand out to potential participants as to why they will be/are participating in an illegal event.

## Additional Comments submitted by Donna Wilson, Lead Information Officer, Rainbow Family Gathering 2004

I found the following questions very difficult to answer when dealing with the media, local communities, as well as Forest Service employees:

1. Why is the Forest Service treating the Rainbow Family different from how it treats other individuals and groups? Why does the Rainbow Family get special treatment?
  - This *fairness* issue is extremely hard to answer. We allow this group to break rules and laws that other citizens must abide by. They are allowed to gather in numbers that way exceed what others are allowed. And, even if they obtain a special use permit, there is no one held accountable.
  - No other group would be allowed to do the things that affect the environment without prior environmental assessments and mitigation.
2. I was repeatedly asked, "Why is the government financing this big party?" And, "Why is the Forest Service using money and man hours to allow this illegal event?"
3. With the Forest Service's budget as stretched as it is, why does the Forest Service allow this gathering that obviously adds to budget problems.
  - This is an internal question that I was asked by many Forest Service employees.

---

Below are some suggestions that my information team made at the end of the gathering that were included in the executive summary:

Suggestions for future gatherings – Develop a pre-information plan to give to the Rainbow council (with a focus on education) including sensitive, special uses and cultural areas. We need to spend more time interpreting the information that we provide to the vision and spring councils, i.e., checking a box to indicate a sensitive species exist does not convey the importance of the species in a given area. This would provide reasons why certain areas should or should not be selected.

Need to better provide information and interpretation to participants at the gathering regarding national forest mission and for restrictions placed at the site. This is not meant to be a “warm and fuzzy” dialog, but an educational one. If the gathering is a permitted event, consider more site-specific messages with an emphasis on natural and cultural resources. If it is not permitted, information needs to be developed to hand out to potential participants as to why they will be/are participating in an illegal event.



COMMUNICATIONS SUMMARY  
RAINBOW EVENT FOR 2004

Arrived at [REDACTED]'s CA on [REDACTED], where the Rainbow gathering site was to be held near by. Was given the task to set up the communication for field LEO'S and I.C.P. The goal was to provide the best communications that was possible given the terrain, equipment, personnel and time. After site Visits and meetings began to set up a strategy on how this was to be accomplished. The team would have liked to have the local county dispatchers handle the radio traffic. After many meetings and discussions with the local county and Forest Service radio Technicians came to the following conclusions.

b2  
b7E

1. [REDACTED]

b2  
b7E

[REDACTED]

b2  
b5  
b7E

All systems ran smoothly no major problems. Was very pleased with the setup and operation.

Comments and suggestions: This type setup and operation was only successful and accomplished thru the cooperation and availability of the local Forest Service Personnel and equipment resources. At a cost exceeding an additional \$30,000 if this service had not been provided by the Forest and BLM. Without this service the operation would not have been of the same high quality. There were almost no complaints for the entire operation. Would recommend that all team members have [REDACTED] in upcoming events. This will cut down on the amount for [REDACTED] needed with the use of [REDACTED].

b2  
b5  
b7E

I believe that all Goals were met, some concessions had to be made but the overall operation was at a very high level in my opinion.

[REDACTED]  
Communication Officer for the N.I.M.T.

b6  
b7C



[REDACTED] R5/USDAFS  
07/27/2004 04:17 PM

To [REDACTED] WO/USDAFS@FSNOTES  
cc  
bcc  
Subject Meeting

b6  
b7c

Incase I do not come up there in October, you might want to let the oversight committee know that the cost of communication if held in the east coast more than likely will be a lot higher than this year. Due to the fact that there are no Forest Service radio shops there. All equipment and supplies that will be needed, will have to be brought up there and or purchased. There also will not be any local help there to help set up and maintain the equipment. It can be done on a shoe string but the quality will not be there. I can give you more details if you need them later as time approaches the meeting.

[REDACTED]

Real cost for Communications  
For  
Rainbow 2004

Item	This year cost	Real cost if purchased	Remarks
Base station Radio's	\$0.0	\$900.00	Brought this Item with me.
Coax Cable for antenna hook-ups	\$0.0	\$200.00	Brought this Item with me
Mobile Radio's installed in LEO vehicles	\$0.0	\$3,200.00	Furnished By local Radio Shop 4 each
Ethernet Switches	\$0.0	\$200.00	Furnished By local Radio Shop 4 each
Cat 5e Computer cable	\$ 0.0	\$100.00	I brought this Item with me
50 Pair phone cable	\$0.0	\$200.00	Furnish By local Radio Shop
Power Amp for Repeater	\$0.0	\$250.00	I brought this Item with me
Antenna cable connectors	\$0.0	\$85.00	I brought these Items with me
Repeater Batteries	\$0.0	\$224.00 + ***	Furnished By local Radio Shop
Salary for Assistant Radio Tech.	Just paid over time cost they charged regular time to there Mgt Code	Regular salary for one GS 13 and one GS-5 For aprox.140 hrs. **	They agreed to this due to lack of funds available from the team.
Misc. Items i.e. Computer connectors, wire, Speaker Mic's, Antenna's, Phone Box's, Phone connectors	\$0.0	\$1000.00 +	I brought these Items with me and/or furnished by the local Radio Shop
Salary for Dispatchers	Just paid overtime for 2 and no charge for 1	Regular salary for one GS-9 and 2 GS-7's **	This was agreed to by the local Forest and BLM
TOTAL		\$6,807.00 + \$11,800.00	For Items if purchased. If full salary paid

\*\*\* used A/C power on 1 Repeater available at local Radio Shop Repeater sites w/o A/c Power cost would have been \$672.00

\*\* The cost would have exceeded \$11,800.00 additional if full salary was paid

62  
67E

# 2004 NATIONAL RAINBOW FAMILY GATHERING

## SPECIAL USE ADMINISTRATION SECTION

JULY 12, 2004

**NOTE: A DETAILED CHRONOLOGY OF EVENTS IS ENCLOSED WITH SUMMARY. OTHER SPECIAL USE ADMINISTRATION DOCUMENTS, INCLUDING FORMAL CORRESPONDENCE, IS INCLUDED AS SECTION G IN THE INCIDENT FINAL PACKAGE BINDER.**

b6  
b7C

### Introduction

In 1995, a revision of regulations at 36 CFR 251 and 261 requiring noncommercial groups of 75 or more persons to have a special use permit to gather on National Forest System land was implemented. The first permit for a national Rainbow Family of Living Light (RFL) gathering was issued in 2003. This is the second year that the Rainbow Family has obtained a special use permit for their annual national gathering.

### 2004 Special Use Permit Application

Efforts by the Forest Service to obtain compliance from the RFL regarding the noncommercial group use permit began in January of 2004. Please see the attached detailed chronology of events for specifics.

On June 17, 2004, the RFR was given the name of [REDACTED] as the individual who would be a potential applicant for the noncommercial group use permit. The RFR made telephone contact with [REDACTED] on June 17. After the telephone conversation, the RFR faxed a blank application to Ms. [REDACTED] for her to complete in full, sign as the point of contact, and return no later than close of business, Pacific Standard Time, on June 18, 2004.

On June 18, 2004 at 4:17pm PST, a completed application was received via fax from Ms. [REDACTED] for a noncommercial group use permit for the 2004 Gathering on the Modoc National Forest. However, the application had not been signed. Ms. Rodden faxed another copy, with her signature as the point of contact, on June 18, 2004.

**NOTE:** It is important to note that on the date the application was received, June 18<sup>th</sup>, the NIMT had documented that there were already well over 75 people (estimate 1000) at the gathering site camping and setting up facilities.

### Permit Processing and Issuance

On June 21, 2004, the Warner Mountain District Ranger issued a noncommercial group use permit to a group called "Individuals Assembling for a Rainbow Gathering." [REDACTED] R [REDACTED] signed the permit as the contact. Permit start date was June 21; expiration date was August 1, 2004, to allow time for cleanup and rehabilitation of the authorized site.

**NOTE:** On June 21, 2004, [REDACTED] signed the permit as the point of contact and agreed to the operating plan. She did this by fax. However, once the permit was signed, the Special Uses Section Chief and other NIMT members were unable to present concerns and issues to Ms. [REDACTED] as the point of contact for the permit. There were numerous attempts to contact Ms. [REDACTED], at numbers she provided (office and cell phones). The Special Uses Section Chief was told that Ms. [REDACTED] was at the gathering site, but that she would not meet with the Forest Service. Lack of contact with the permit contact was a severe hindrance for good, consistent special use administration.

b6  
b7c

On July 1, NIMT and the District Ranger sent a certified mail letter to Ms. [REDACTED] informing her of several items:

- This year's strategy to conduct special use administration work. 'Teams' of special use permit administrators were paired with law enforcement officers.
- Compliance achieved at this year's event. The teams of special use administrators made hundreds of contacts for items of noncompliance and were relatively successful in achieving compliance for most items.
- Failure of this year's application to be received in accordance with the noncommercial group use regulations that require that an application be submitted to the Forest Service at least 72 hours in advance of the event.
- Failure of Ms. [REDACTED] to serve as the point of contact for the permit even though she signed the permit as the contact. Letter urged Ms. [REDACTED] to contact the Forest Service immediately.

A copy of the letter was also faxed to Ms. [REDACTED] office and several copies were placed at the gathering site's information center.

**NOTE:** Because the noncommercial group use regulations require an authorized officer to respond to an application within 48 calendar hours, there is often not sufficient time to complete the appropriate level of environmental analysis.

**RECOMMENDATION:** If there are any environmental or social concerns that cannot be adequately addressed in the 48 hours, the application should be denied and an alternative location should be offered to the applicant.

#### **Forest Special Orders**

Several Forest Special Orders were issued to manage the area affected by the gathering. Those orders are listed in Section M of the Incident Final Package binder. It is important to note the extremely close coordination and cooperation between the Special Uses Section Chief and the Operations Section Chief (LF). This coordination was essential to administer the terms of the special use permit and operating plan and to effectively document permit noncompliance.

**RECOMMENDATION:** Closure orders should be immediately prepared and implemented as soon as gathering participants are on site, regardless of whether or not a special use permit application is submitted. A recommendation would be for the NIMT to prepare some 'standard' closure orders to be used as examples by the affected Forest, e.g., parking restrictions, dogs on leash, public nudity, camping restrictions (recommend 150 feet from any road),

**Permit Administration**

Because of the Rainbow Family's unique culture, it is somewhat intimidating for a special use permit administrator to enter the authorized area and feel 'safe' about monitoring the use to ensure that it complies with the special use permit terms and conditions and the operating plan provisions. The Family's gathering is not the typical noncommercial group use event. A large amount of open alcohol and controlled substance use occurs. Aggressive and abusive behavior occurs – not only towards law enforcement officers, but permit administrators as well. **Law enforcement must be present at this event; special use permit administrators alone cannot manage it.**

Once a special use permit was issued for this year's event, it quickly became evident that a Special Uses Section Chief was essential to management of the event. A position was established together with several positions for on-the-ground special use permit administrators as well as 3-4 forest resource advisors. Unfortunately, it took some time to get these positions in place. The Special Uses Section Chief did not arrive on the ground until June 21 and the full 'team' of 7 special use permit administrators was not in place until June 24. This delay caused confusion on the ground and made 'normal' permit administration more difficult.

**NOTE: It is important to note that the 2003 NIMT report (special use administration section) recommended that a special uses administration section be added to the NIMT structure. That recommendation was not accepted.**

A new strategy was developed and implemented this year. Special use administration 'teams' were established. Each team consisted of [redacted] special use permit administrators and [redacted] law enforcement officers. The advantages of combining permit administrators and law enforcement were:

1. Personal protection for permit administrators;
2. Education. Gathering participants are not receptive to law enforcement officers; but, when 'teamed' with special use permit administrators, law enforcement officers were 'tolerated' by gathering participants and a 'unified front' was presented to gathering participants. This 'unified front' is important to note because it provided a consistent approach in delivery of the objectives between law enforcement and special use administration on management of this event. Often, gathering participants try to alienate law enforcement officers from permit administrators and resource officers. It is critical that permit administrators and law enforcement officers work hand-in-hand to ensure a well-managed event. 'Teaming' special use permit

administrators and law enforcement officers helped to reinforce this concept, not only with gathering participants, but with our law enforcement officers, special use permit administrators and resource officers. **The 'team' concept worked extremely well.**

3. Judicial process. Teaming LEOs and permit administrators together provides better documentation for incidents that may require criminal prosecution. LEOs are trained in evidence collection, interviewing, and the elements required to prove a criminal case. This reduces the number of witnesses that may be required for court procedures. Teaming also ensures that the permit administrative processes are exhausted prior to taking law enforcement actions.

The Special Uses Section Chief and the Law Enforcement Operations Chief worked together to develop a system to track permit noncompliance. The system used by the LEOs was the same as was used during the 2003 event. LEOs were asked to place a "P" in the upper corner of their reports and notices for any incident that occurred within the area authorized by the special use permit. This allowed tracking and recording those incident reports (IR), warning notices (WN), and violation notices (VN) that occurred within the authorized area and were permit noncompliance items. The Operations Documentation Clerk prepared a spreadsheet to document each IR, WN, and VN. As of July 3, 2004, there were 114 violation notices, 465 incident reports and 561 warning notices issued within the boundaries of the authorized area. This total reflects 1140 incidents that document individual illegal acts within the permitted area as of July 3. The District Ranger has been instructed to issue the final notice of noncompliance letter which will include the final total numbers for violation notices, incident reports, and warning notices.

#### **RECOMMENDATIONS:**

1. Again, it is a **strong** recommendation that the NIMT formally add a Special Uses Section Chief to their organization. It is further recommended that the affected Region provide the on-the-ground special use permit administrators as soon as a special use permit is issued. These administrators need to be highly skilled in permit administration and be familiar with the NCGU regulations.
2. It is recommended that the Region be prepared to provide 10-12 permits administrators to ensure that consistent permit compliance takes place.
3. It is also recommended that the 'team' strategy used this year, pairing special use permit administrators and law enforcement officers together, be continued on future teams.
4. It is recommended that the entire special uses 'team' (the Special Uses Section Chief and the on-the-ground permit administrators) become a more fully integrated component of the NIMT. If the agency's goal is truly to move management of this event from law enforcement to special use administration, the special uses staff must be more integrated. However, law enforcement must be involved as support to special use management. This event cannot be adequately managed by special use permit administration alone.

### Permit Noncompliance

On June 28, July 1, and July 7, the Special Uses Section Chief prepared formal Notice of Noncompliance letters, which were signed by the District Ranger. These letters were issued to [REDACTED] and documented the group's noncompliance with the special use permit terms and conditions as well as the operating plan provisions. The District Ranger has been instructed to issue the final notice of noncompliance letter which will include the final total numbers for violation notices, incident reports, and warning notices. Because Ms. [REDACTED] was not in with contact with the Forest Service, the letters were mailed to Ms. [REDACTED] by certified mail; letters were also faxed to Ms. [REDACTED] office. A spreadsheet, which identified 1) incident reports, written warning notices, and written violations issued by law enforcement officers, and 2) specific permit noncompliance items was enclosed with each notice so that Ms. [REDACTED], and the gathering's participants, could quickly identify those areas where compliance was needed. Permit and operating plan noncompliance items listed in the notices were:

- Forest Service law enforcement officer interference/intimidation.
- Cutting and destroying live vegetation and trees.
- Garbage accumulation; not bagged or disposed of adequately.
- Kitchens located too close to water sources.
- Blocking Forest Service road with large boulders and rocks.
- Resource damage; authorized foot bridges were not constructed promptly.
- Dogs off leash.
- Public nudity.
- Illegal parking.
- Illegal drug use.
- Traffic violations.

Because the permit contact, [REDACTED], was not willing to contact or work with the Forest Service to discuss the permit terms and conditions, copies of the noncompliance letters were given to the information center at the gathering site so that participants would be advised of the noncompliance items and, hopefully, take some actions to remedy the noncompliance.

### Partial Suspension

On June 28, a formal Notice of Noncompliance letter was issued to Ms. [REDACTED] (see above section). The suspension was necessary because one kitchen (Crystal Kitchen) was located in an unacceptable area pursuant to the terms and conditions of the permit, operating plan, and a Forest special order. The kitchen refused to relocate; therefore, a partial suspension of the special use permit privileges was issued and law enforcement was contacted to followup with enforcement action. When law enforcement began enforcement action, gathering participants moved the kitchen to an acceptable location. The partial suspension was lifted by formal letter.

b6  
b7c



### **Special Use Administration Tools**

The Special Uses Section Chief developed two forms to track both compliance and noncompliance. The first form was a 'Special Use Administration Daily Log' that was filled out each day by each team. This form tracked compliance and noncompliance items and identified four levels of actions needed to obtain compliance. The second form was a 'Noncompliance Report' that was used for cases of 'stubborn' noncompliance. This form was used to document and track the actions needed to try and gain compliance for individual 'stubborn' violations. The completed individual forms are included in this report under Section G in the Incident Final Package binder.

The special use administrators used printed 'notes' to leave at unattended campsites that were not in compliance with the operating plan terms and conditions. These helped to notify gathering participants of their violations. (See Section G)

Several signs were developed and posted in the gathering area (see recommendation below). Flagging was used to designate special areas, e.g., parking areas, sensitive areas—no digging, do not enter-streamside protection zone, etc.

**RECOMMENDATION:** Once the special use permit is issued, the special uses administration team and Forest/District staff should immediately begin work on-the-ground to flag and post needed areas. Do not wait!

**RECOMMENDATION:** Develop and produce 'standard signs' to be stored in the NIMT trailer for immediate use by the affected District/Forest next year. Delay in production of signs can cause noncompliance 'headaches.' Suggestions are:

PARKING ONLY IN DESIGNATED AREAS  
DESIGNATED PARKING AREA  
ROAD CLOSED  
DO NOT ENTER THIS AREA  
ADMINISTRATIVE USE ONLY  
NO CAMPING WITHIN \_\_\_\_\_ FEET OF WATER SOURCE

**RECOMMENDATION:** An informational poster should be made and placed on each road entrance into the gathering site as well as at the Welcome Home location and the gathering information station. The poster should be large, laminated, and could be prepared with 'Rainbow Colors.' Suggestions for poster are:

#### *PLEASE... TO PROTECT THE RESOURCES...*

- CAMP \_\_\_\_\_ FEET FROM WATER SOURCES
- PLACE SLEET TRENCHES, COMPOST PITS, & GREY WATER PITS \_\_\_\_\_ FEET FROM WATER SOURCES. CHECK WITH FOREST SERVICE OFFICERS BEFORE CONSTRUCTING.

- DON'T CUT OR DESTROY LIVE VEGETATION OR TREES WITHOUT FOREST SERVICE PERMISSION
- USE ONLY DOWNED AND DEAD TREES FOR FIREWOOD
- ESTABLISH COMMUNITY FIREPITS RATHER THAN INDIVIDUAL ONES
- KEEP YOUR DOG ON A LEASH
- PICK UP AND DISPOSE OF YOUR GARBAGE DAILY
- DON'T DIG OR DISTURB RIPARIAN AREAS
- NO PUBLIC NUDITY

### **Transition**

Full administration of the special use permit was turned over from the NIMT to the Warner Mountain District Ranger on July 12 for followup on site cleanup and rehabilitation and final permit compliance determinations.

## SPECIAL USE SECTION CHIEF'S OBSERVATIONS AND RECOMMENDATIONS

I have worked with the NIMT, serving as a Special Uses Section Chief, for the past two years. I was very involved in 2003 which was the very first year that the Rainbow Family of Living Light (RFL) obtained a noncommercial group use permit for the annual national gathering. I spent many months working on the event—starting with the prework needed by Forests to select acceptable potential gathering sites; through submittal of the permit application and issuance of the permit; conducting permit administration at the event; followup action with the Wasatch-Cache National Forest on rehabilitation and cleanup; and followup site inspection of the authorized area 6 months and 1 year after the event took place.

This year, I was called onto the event on June 21 and immediately went to work with the NIMT members to make the event work as smoothly as possible from a 'special use administration' standpoint.

Two years may not be much experience, but, in this case, I feel two years of being involved with administering the only two special use permits for a national Rainbow Family Gathering should qualify me as an 'expert'! Therefore, I have several observations and recommendations that I feel are important to provide:

1. This event cannot be handled without law enforcement presence. This is not the typical 'special use noncommercial group use or recreation event' permit. Because of the complexity of the event, the sheer numbers of participants and spectators, the unique 'culture' of the Rainbow Family members, the potential for physical harm and injury, the potential for harassment by Rainbow Family members, **permit administrators alone cannot do an adequate job of permit administration.** It is my opinion that, without law enforcement officers standing side-by-side with special use permit compliance actions, permit administrators would be very ineffective. Special use permit administrators and law enforcement officers must work hand-in-hand on this event and speak with 'one voice' as to the event's management objectives. I would recommend that special use administration continue with the model developed this year—that is, permit administrators are 'teamed' with law enforcement officers; they operate together.

2. Special use administration at this event can only be as good as the tools the Department and Agency provide. The noncommercial group use regulations, and the noncommercial group use permit, need revisions to allow permit administrators to effectively manage this, and other noncommercial group use, events. Suggested changes:

- 36 CFR 251.54(d)(2)(F) should be modified to read something like "The name of the person or persons 21 years of age or older who will sign a special use authorization on behalf of the proponent. This person becomes the **permit contact and will be physically at the gathering site for the term of the permit. The contact will be available on a daily basis (or as the need**

is determined by the Forest Service line officer) to meet with the Forest Service regarding permit administration issues.”

- 36 CFR 251.54(g)(2) (iv) requires that “applications for noncommercial group uses must be received at least 72 hours in advance of the proposed activities.” During the last 2 years, the RFL has **not complied** with this regulation required. This section of the regulations should be changed to read “applications for noncommercial group uses must be received at least 72 hours in advance of the proposed activities. **Unless an application is received within this timeframe, it will be denied.**” This change would make those applying for a noncommercial group use to ‘live up’ to the same standards as expected of the Forest Service when processing the application at 36 CFR 251.54(3) “All applications....shall be deemed granted and an authorization shall be issued for those uses ...unless applications are denied within 48 hours of receipt.”
- Referencing the 48 application processing timeframe above, National Direction should be issued to remind Regional Foresters and Forest Supervisors of their NEPA responsibilities (including responsibilities under TES, NHPA, ARPA, etc.) Line officers should be reminded that if there is not time within the 48 hours to adequately address these NEPA responsibilities, **the noncommercial group use permit application should be denied and an alternate site location should be offered to the noncommercial group use applicant.**
- The noncommercial group use permit (FS-2700-10) should be revised. Clause 11 of the permit reads, “The person who signs this permit is not subject to any individual liability under this permit as a result of that signature. The person who signs this permit signs as an agent of the holder and provides his or her name solely to allow notice of actions pertaining to the permit to be communicated to the holder and to give the permit legal effect.” This clause may work for most noncommercial group use permit holders but it does **not** work for the RFL. The RFL promotes that there is no group or organization; they are all individuals. They will not assign or appoint a ‘leader’ to work with. For the last 2 years, the permit ‘holder’ has been a ‘make believe’ group name, e.g., in 2004 the permit holder was “Individuals Assembling for a Rainbow Gathering.” In 2003, the ‘Rainbow’ name was not even mentioned. By their own statements, the RFL does not recognize these permit ‘holders.’ **Therefore, the Forest Service has no one to hold accountable for permit compliance.** This is entirely contrary to all other special use permit administration regulations and policy direction. Why do we continue to treat this group differently?

3. If the Department and the Agency want the management of the RFL event to move more towards an effective special use administration, **changes in the NIMT structure should be considered.** A Special Uses Section Chief should be formally

added to the NIMT structure as a 'Deputy' to the IC and a partner to the Law Enforcement/Operations Deputy IC. The Special Uses Section Chief should be able to have a special use administration team ready to 'call to action' in the same manner as the Law Enforcement Deputy IC calls the needed LEOs. Approximately 10-12 special use administrators should be 'ready to go' as soon as a special use permit is issued so that permit and operating plan compliance can be obtained from the very first day of the permitted event.

**4. The Department and the Agency must recognize the true costs of this event and budget appropriately for them.** During the last 2 years, when a special use permit has been issued for this event, costs have increased dramatically. The Agency must realize that this is reality and that costs of managing this event are not going to decrease until such time as the RFLM is willing to comply as a normal special use permit holder and can be treated as such. Forest Service personnel working this event should be paid the same as at other 'emergency/fire' type events. They should not be capped in the number of hours they can work. In addition, personnel should be able to realize 'true overtime' for the hours worked rather than be limited to an 'overtime cap.' This is simply a matter of equity for our Forest Service employees. Many folks working on and with this team do so because of their personal commitment to the management of this event and their concern for National Forest System lands. They should be rewarded for their commitment.

As you can tell from my recommendations, I feel very strongly about the management of this event and would be willing to discuss my recommendations, or any other aspect of the event, as requested.

# **2004 NATIONAL RAINBOW FAMILY (RFL) OF LOVING LIGHT GATHERING**

## **SPECIAL USE PERMIT ADMINISTRATION CHRONOLOGY OF EVENTS**

**1/10/2004** - Efforts by the Forest Service to obtain compliance from the RFL regarding the noncommercial group use permit began early in 2004.

The Under Secretary for the Department of Agriculture, the Region 5 Regional Forester, the WO Deputy Director for LEI, the WO Assistant Director of LEI, and the R5 Special Use Specialist attended a meeting in San Francisco, CA, to discuss the National RFL Gathering. At that time, issuance of a special use permit was discussed. The Regional Forester stated that the event would be administered as a recreation event; and a letter would be sent to the Forest Supervisors stating that Rainbow scouts would be treated with respect. The question was asked if a permit was not obtained what would happen. The WO Assistant Director of LEI answered that the event would then be treated as an illegal event and law enforcement would be present and carry out their duties. A Rainbow scout shared a list of potential sites for the gathering with R5 Special Use Specialist.

The National Incident Management Team (NIMT) contacted R5 and the Regional Special Uses Specialist with information that the Rainbow Family of Living Light (RFL) intended to hold their 2004 national gathering in the west for a second year somewhere in the States of Utah or Nevada or Northern California. NIMT thought R5 had the best chance to be the potential 2004 Gathering location. The Regional Special Uses Specialist began coordination work with the potentially affected R5 NF's immediately.

**1/23/2004** - A letter of instruction was electronically mailed by the R5 Regional Forester to seven northern California National Forests that were identified in the January 10, 2004, Rainbow scouts' listing. An information packet was also provided to the Forests which included material intended for distribution as a handout at SO and RD front desks. Forests were asked to immediately notify the RO if a noncommercial group use application was received. The Forests were also instructed to review the Rainbow listed locations on their Forests. Forests were asked to immediately notify the RO if a noncommercial group use application was received. The Forests were also instructed to review the Rainbow listed locations on their Forests. If the Rainbow listed location was a site that was acceptable to the Forest Service, this site could be utilized as one of the two sites for the potential 2004 gathering.

**3/5/2004** - The Regional Forester assigned the Deputy Forest Supervisor of the Shasta-Trinity NF as the Regional Forester's Representative (RFR) to assist with the Rainbow

Gathering. The RFR was directed to work with and be the contact for the RFL. The Regional Special Use Specialist would work directly with the Forests identified for potential gathering locations. The RFR and Special Use Specialist would develop, organize, and implement the Regional Rainbow strategy.

**3/11/2004** - Four additional Forests were added to the list as potential locations. Two other Forests were added to the list based on information obtained from RFL scouting activities that occurred. Each Forest submitted a list of names and phone numbers as key contacts for each Forest along with two potential gathering sites.

Also on March 11, at the Regional Leadership Meeting, the Regional Forester spoke with the 13 Forests identified as potential 2004 RFL gathering locations. He stated that each identified Forest must submit two potential locations and the event would be treated as a recreation event. The R5 Special Use Coordinator gave an update on potential sites and activities organized and accomplished to date.

**4/14/2004** - A conference call was led by the Regional Office Public Affairs with the 13 Forests who were potential sites for the 2004 Gathering. Objectives of the call were to discuss the Communication Plan developed for the 2004 Gathering and potential impacts to the Forests and communities.

**4/22/2004** - R5 Regional Forester conducted an information meeting in Sacramento, CA. This meeting was designed to inform other agencies and Congressional staffers of potential areas that the RFL gathering could impact. The NIMT explained the noncommercial group use regulations and stress their desire to manage the event in a consistent manner as set forth by National direction.

**05/23/2004** - The Regional Forester's Representative (RFR) attended the RFL Scout meeting at Concow Lake, CA. Approximately 20 individuals attended the 5 1/2 hour meeting. The RFR discussed the need to submit a special use application in a timely manner for the 2004 Gathering. There was in-depth discussion with the scouts about the application and permit. Comments were made that no one would come forward to sign for a permit this year. The RFR handed out hard copies, as well as a CD, of the potential site location matrix note summaries, site listings, and maps submitted by the 13 Forests.

**05/28/2004** - Two additional Forests were identified as potential locations for the gathering. The two additional Forests did not submit potential locations. However, they had identified Forest staff to participate in a potential gathering, Forest contacts, and started discussing potential locations. At this time, 15 National Forests of California had been notified to be prepared for the potential 2004 RFL Gathering. The three remaining Forests (San Bernardino, Angeles and Cleveland NF) had not been identified as potential Gathering sites due to extreme fire danger.

**6/3/2004** - The RFR was alerted by numerous sources that the RFL Spring Council Meeting was located on BLM land in California at the Dry Creek Campground in Lassen County. This location was confirmed by BLM Desert Rangers.

Also on June 3, RFR contacted Modoc Forest Supervisor Stan Sylva about three potential gathering sites on the Modoc National Forest.

6/7/2004 - The Modoc Forest was contacted by a member of the RFL, [REDACTED], who requested to meet with Modoc Forest representatives and the RFR. [REDACTED] and two members from the RFL met with the Acting Modoc Forest Supervisor, Public Affairs Officer, Forest Native American Coordinator, RFR, and Special Uses Specialist. Mr. [REDACTED] discussed the possibilities of three site locations on the Modoc National Forest. They are as follows: Dismal Swamp, Ambrose Valley, and Cold Springs/ Bear Flat Camp. The Forest had prepared a list of issues specific to each potential site. These were not the sites submitted by the Forest per the Regional Forester's January 23, 2004 request.

As part of the discussion, the RFR asked Mr. [REDACTED] to submit a special use permit application. Mr. [REDACTED] and the two individuals said that they would not apply for a permit and would discourage any other member from applying.

b6  
b7c

Also on June 7, RFR and Acting Regional Special Uses Coordinator drove from Redding to Alturas to begin negotiations with the Spring Council who were reportedly meeting in Dry Creek Campground (BLM) about 30 miles south of Alturas. They stopped in Susanville to receive a faxed one-page letter from the Regional Forester that was to accompany the Letter of Delegation from the Forest Supervisor to the Incident Commander for the 2004 event. Arriving around 3:30 p.m., they joined a meeting already in progress between Modoc Forest Supervisor, Modoc Resource Officer, Modoc Public Affairs Officer and three members of the Rainbow Family Spring Council. At one point, Forest Tribal Relations specialist joined the meeting to discuss the Native American concerns at some of the proposed gathering sites. The Rainbow representatives discussed their primary needs for a successful gathering, their intent to respect the traditions of Native Americans, and their intent to completely clean and rehabilitate the site when they were done. At the conclusion of the meeting, one Family member ([REDACTED]) made it very clear that the Rainbows did not intend to sign a permit in 2004 and he intended to personally prosecute any individual who did so.

6/8/2004 - Contact was made with the Modoc County Administrative Officer and the Lassen County Administrative Officer to discuss the anticipated gathering and what the Forest Service anticipated in regards to impacts to the County services. A meeting was held with the Modoc County representatives on Tuesday afternoon and information was shared about the NIMT, what impacts could be expected, and any suggestions on how best to work together. The Forest Service provided a copy of the guide from the Rainbow Family web site on health and safety in the gathering to help the County know what to expect. The Modoc County representatives confirmed that there are no State or County regulations with regards to large group gatherings that would affect the permit issuance. In addition the closest water testing facilities are in Redding, CA (approx. 4 hours drive).



6/9/2004 - The Warner Mountain District Ranger, the RFR, the Acting Regional Special Use Coordinator, and the Modoc National Forest Resource Officer conducted a driving tour of the suspected gathering site at Bear Camp/Homestead Meadows. Both possible access roads were evaluated for safety, the Patterson Guard Station was surveyed for the horse mounted LEO's use, and the suspected gathering location was evaluated for specific resource concerns. The area perimeter, closure areas, parking sites, water sources and main gathering locations were discussed in relation to the special use permit operating plan and any necessary Forest Orders.

6/10/2004 - The RFR and the Acting Regional Special Use Coordinator left Alturas and met with the Lassen County Health Department representatives around 11:30 a.m. in Susanville. The Lassen County representatives provided a copy of the regulations pertaining to recreation events within the County but stated that the regulations would not apply to the Rainbow gathering. They confirmed that daily water testing would not be available. After the meeting, the RFR received a cell phone call from "[REDACTED]" and "[REDACTED]" from the Rainbow Family Spring Council stating that the Council had chosen the site at Bear Camp/Homestead Meadows and requested a meeting at the site the following day at 9:00 am. The RFR and Special Use Coordinator continued to Reno, Nevada, and met that evening with the Incident Commander and some of his staff. The gathering location was conveyed and information about the meeting the following day. Because NIMT members would be arriving over the next two days, the IC conveyed that the entire team would not arrive in Alturas until Monday. The assembled group discussed the possible locations for the Incident Command Post, the Federal Magistrate, and the horse mounted unit, as well as motel accommodations and communication needs. The RFR and Special Use Coordinator returned to Susanville that night.

b6  
b7c

Also on June 15, there was a conference call with the USDA Under Secretary of Agriculture, R5 Regional Forester, members of the NIMT, Modoc Forest Supervisor, and the RFR. One of the topics discussed was for [REDACTED], or another Rainbow Family member, to come forward the following week to apply for a noncommercial group use permit for the gathering.

6/11/2004 - Modoc National Forest representatives including the Forest Supervisor and Public Affairs Officer met with the Warner Mountain District Ranger, the RFR and Special Use Coordinator at 7:00 am at Likely, CA, to discuss the expectations for the day. The group moved to a road pullout at Jess Meadows and talked about the selected site, concerns, options and needs. They moved to the Homestead site at 9:00 am and met with approximately 10 to 15 members of the Rainbow Family including [REDACTED] and [REDACTED], among others. The meeting lasted until 11:00 am during which time the Rainbow members expressed their desire to work cooperatively with the Forest Service to limit their impact and protect resources. They spoke at some length about their frustration with the Forest Service Law Enforcement Officers and their desire that LEO's limit their participation. They again stated that a permit would not be signed. At 11:00 am, all but three Forest Service representatives returned to the Supervisor's Office. The District Ranger, a Warner Mountain Resource Officer, and the Acting Special Use Coordinator began a walking tour of the gathering site with

██████████" and one other Family member to discuss specific health and resource concerns associated with the main creek; the aspen groves; access roads; fire closures; and water quality. At 4:00 pm, the group returned and conveyed those concerns to ██████████ and ██████████ who protested that the suggested restrictions were unacceptable. A second walking tour commenced with just these two individuals and the District Ranger that concluded at 8:30 pm at which time the Forest Service representatives left the site. No commitments were made. During the day, several more vehicles and one white bus arrived at the site. While difficult to count, it is likely that there were close to 75 individuals at the gathering location before dark on the evening of the 11<sup>th</sup>.

6/12/2004 - The Forest and some members of the Incident Command Team met with representatives from Modoc County including County Supervisors, the Modoc County Sheriff, BLM, Search and Rescue, County Health and various other key individuals to introduce the IC team and listen to the County concerns regarding the gathering. The Incident Commander was able to answer some questions about how the Forest Service would proceed and give some assurances that the impacts to the community would be minimized where possible. Additional smaller meetings took place to secure an ICP, establish communication support, order resources, and begin preparations for the gathering. Work was initiated on a set of Forest Orders to address the health and resource concerns and support public safety for participants and Forest staff.

6/15/2004 - At 8:00 am, the key Forest Service representatives and several of the Incident Command Team met to officially delegate authority for the gathering from Forest Supervisor Stan Sylva to the Incident Command Team. The Delegation was read aloud by the District Ranger and portions were discussed and modified to more closely represent the actions proposed. The NIMT Commander and the Forest Supervisor signed the document and copies were distributed. The RFR reiterated the Regional Forester's desire that the gathering be a permitted event and that Forest Service employees be good hosts and treat the participants with respect.

There was a conference with the UDSA Under Secretary of Agriculture, R-5 Regional Forester, members of the Incident Management Team, Modoc Forest Supervisor, and the RFR. One of the topics discussed was for ██████████ or another individual to come forward the following week to apply for a noncommercial group use permit for the gathering.

b6  
b7c

Work continued on the Forest Orders and mapping of the gathering site. Visits to the site were conducted by a Resource Officer and Forest resource specialists to conduct surveys in support of the Categorical Exclusion. Concerns were raised about the known archaeological resources and arrangements were made to bring in additional help to complete a thorough survey of the site. A Categorical Exclusion and CRIA were completed for the Forest Orders so they could be signed and implemented.

Also on June 12, members of the NIMT (Deputy IC, communications unit leader, and the information officer) visited the site at approximately 2:00 pm. Deputy IC attempted to

communicate with RFLM members but was unable to do so because of the uncontrollable abusive behavior by the RFLM members. A drive thru of the area was conducted. In excess of 100 people were on site. Two Forest Service roads were blocked by RFLM members placing vehicles and logs in the roadways. Resource damage was noted as well as the intimidating and interfering actions by the RFLM members. Members of the NIMT suggested posting of the site as being an illegal gathering.

b6  
b7C

**6/16/2004** - The Forest Orders, with maps, were approved by the R5 Office of the General Council attorney and signed at 5:00 p.m. by the Forest Supervisor. Copies were distributed to the Public Affairs Officer, the resource team, the Incident Command team and the Forest LEO. Copies were placed on the Forest web site. In the evening members of the Forest staff, the District Ranger, WO Assistant Director LEI, and Special Use Coordinator met to draft the Operations Plan and discuss the best strategy for management of the gathering if a permit were signed. Plans are proposed to include several more Special Use Officers and develop a spreadsheet to track both permit non-compliance and legal violations.

**6/17/2004** - Key Forest Service representatives met for a short daily briefing and to notify folks to officially move future meetings to the Incident Command Post at the high school. Following the briefing, a smaller group met to discuss implementation of a combined Law Enforcement/Special Use team approach that would allow actual administration of the permit while also enforcing violations at the site.

The RFR was given the name of [REDACTED] as the individual who would be a potential applicant for the noncommercial group use permit. The RFR made telephone contact with [REDACTED] on June 17. After the telephone conversation, the RFR faxed a blank application to Ms. [REDACTED] for her to complete in full, sign as the point of contact, and return no later than close of business, PST, on June 18, 2004.

**6/18/2004** - A noncommercial group use application was submitted to the Modoc National Forest. Applicant was listed as "Individuals Assembling for a 'Rainbow Gathering'; Contact name was listed as [REDACTED]; Proposed Activity was listed as "Individuals camping together to celebrate peace. Activity encompasses cleanup and restoration of site"; estimated number of participants was listed as 10,000; requested starting date for permit was 6/18; requested ending date was 8/7/2004.

**6/20/2004** - A noncommercial group use permit, along with the operation and maintenance plan, was prepared. The Warner Mountain District Ranger sent, by fax and postal mail service, a formal transmittal letter, the noncommercial group use permit, and operating plan to Ms. [REDACTED]. Letter requested that Ms. [REDACTED] sign and return the permit by 5:00 pm PDT on June 21, 2004. Letter stated that if the signed permit was not signed and returned by that date, action would be taken against all unauthorized occupancy occurring at the applied for area.

A conference call was arranged with Ms. [REDACTED] and [REDACTED] to review the permit and the operation and maintenance plan before signature by Ms. [REDACTED] and the District Ranger.

b6  
b7C

At 2:17 pm PST, a completed noncommercial group use permit was issued to "individuals Assembling for a Rainbow Gathering" in the Modoc National Forest on the Warner Mountain RD. Permit was issued for the period June 21 to August 1, 2004. Ms. [REDACTED] signed as the point of contact for the permit.

The RFR asked when Ms. [REDACTED] would be physically on site to address matters concerning the permit and the operation and maintenance plan. Ms. [REDACTED] stated that she might be on site as early as June 25. Ms. [REDACTED] suggested that the Rainbow Council and its individuals be the point of contact. She also suggested an individual by the name of [REDACTED], a practicing attorney in the State of California, be the point of contact.

At approximately 4:00 pm, the RFR received a telephone call from Ms. [REDACTED]. Ms. [REDACTED] was noticeably concerned about being the point of contact for the permit. She stated that she did not want to be contacted at the gathering concerning permit 'business.' This was going to be her first gathering and she stated that she wanted to just enjoy the gathering. Ms. [REDACTED] asked me to find someone else to be the point of contact. Ms. [REDACTED] asked me to give a copy of the permit to Mr. [REDACTED].

6/21/2004 - [REDACTED] stated that he had talked to Ms. [REDACTED]. Ms. [REDACTED] had asked Mr. [REDACTED] to contact the RFR and get a copy of the permit and the operation and maintenance plan. At approximately 4:00 pm, the RFR met Mr. [REDACTED] and [REDACTED] at a local restaurant and gave Mr. [REDACTED] a copy of the permit. Upon receipt of the permit, Mr. [REDACTED] stated that he had no intentions of being the point of contact for the permit. RFR asked Mr. [REDACTED] to arrange a meeting with the RFLC Council to discuss their help and participation with corrective actions and compliance with the terms and corrective actions and compliance with the terms and conditions of the special use permit and the operation and maintenance plan. Mr. [REDACTED] agreed to make the arrangements for the following day. After the meeting, the RFR met Mr. [REDACTED] and [REDACTED] at the Modoc National Forest Headquarters and provided them 10 additional copies of the permit and the operation and maintenance plan.

6/22/2004 - Special Uses Section Chief (SUSC), along with NIMT Commanders and other Forest Service officers, attended the first Rainbow Council meeting inside the gathering area. The meeting lasted for approximately 3 hours. Numerous items were discussed, but for the purpose of this chronology, only those items pertaining to special use administration will be mentioned. Specific noncompliance items were mentioned, including some kitchens out of compliance with the operating plan terms and conditions. SUSC requested that the kitchens be relocated so that they would be in compliance with the terms and conditions of the permit and operating plan. Rainbow member [REDACTED] specifically stated that he would not relocate his kitchen. Mr. [REDACTED] became very verbally abusive.

6/23/2004 - SUSC, along with NIMT Commanders and other Forest Service officers, attended the Rainbow Council meeting inside the gathering area. Many items were discussed. One of those items was, again, the permit noncompliance of Crystal Kitchen.

SUSC attempted to contact permit contact [REDACTED]. SUSC called Ms. [REDACTED] at the numbers Ms. [REDACTED] provided, both office and cell phones. No contact was made. SUSC left voice mail messages at both phones requesting that Ms. [REDACTED] return the call so that several permit and operating plan items could be discussed with Ms. [REDACTED]. SUSC wished to discuss 1) when Ms. [REDACTED] would be available to meet; 2) when Ms. [REDACTED] would be at the gathering site; 3) the need to discuss construction of foot bridge locations at the site; 4) the need to discuss keeping the Forest Service road open for public use at the gathering site. Ms. [REDACTED] did not return the call.

The special use administration teams (see Special Uses Administration summary) were in full operation. Each team consisted of [REDACTED] permit administrators and [REDACTED] law enforcement officers. Their assignment was to check for permit and operating plan compliance on the ground, as well as work with the gathering participants on the ground to locate facilities appropriately and in an environmentally acceptable manner consistent with the permit and operating plan requirements. A team report was given at the end of the day; following are their observations:

- Some noncompliance items – camping in restricted area, Crystal Kitchen location, dogs off leash, garbage not bagged nor disposed of properly, boulders and rocks in Forest Service road blocking vehicle access.

Team prepared a daily log each day; those documents are included in Section G in the Incident Final Package Binder.

6/24/04 - SUSC again called Ms. [REDACTED] at her office and on her cell phone and left messages for Ms. [REDACTED] to return the calls. No response was received.

SUSC called [REDACTED] to see if Mr. [REDACTED] could help locate Ms. [REDACTED]. Mr. [REDACTED] stated that he and Ms. [REDACTED] would be arriving at the gathering site on Saturday, 6/26. He stated that Ms. Rodden was feeling 'overwhelmed' and wasn't sure she wanted to serve as the permit contact. SUSC suggested that if Ms. [REDACTED] did not want to serve as the contact, she should formally relinquish the permit or formally assign another party to serve as the permit contact. SUSC suggested to Mr. [REDACTED] that he might want to assume the permit contact role; Mr. [REDACTED] said he was considering it. SUSC told Mr. [REDACTED] that she had permit information to get to Ms. [REDACTED]. Mr. [REDACTED] responded that Ms. [REDACTED] was in travel status and that anything that needed to be sent to her should just be faxed to her office.

The special use administration teams' report for the day included the following:

- Noncompliance items -- camping in restricted area, some small resource damage from vehicle spinouts, kitchen needing to cover compost site,

16  
b7c

b6  
b7C

kitchen needing to move gray water location, dogs off leash, unbagged and accumulated garbage.

- Reported that law enforcement officers were very tolerant of abusive comments by gathering participants.
- Teams were 'escorted' by Rainbow members.

6/25/04- SUSC again called Ms. [REDACTED]'s office and cell phones and left messages for Ms. [REDACTED] to return the calls. SUSC stressed to Ms. [REDACTED] that we needed to meet to discuss permit issues. Ms. [REDACTED] did not respond.

SUSC called [REDACTED] to see if he could help locate Ms. [REDACTED]. Mr. [REDACTED] stated that Ms. [REDACTED] signed the permit to 'give legal value to it.' SUSC asked Mr. [REDACTED] if he would be willing to become a 'co-contact' for the permit. Mr. [REDACTED] declined but said that he had another gentleman that 'might be interested.' Mr. [REDACTED] indicated he and Ms. [REDACTED] would probably arrive at the gathering site on 6/26. SUSC explained that she needed to meet with Ms. [REDACTED] as soon as possible and would be willing to meet at any location agreeable to Ms. [REDACTED]. Mr. [REDACTED] stated that Ms. [REDACTED] did not want to be seen with him at the gathering site. Mr. [REDACTED] indicated he would call the SUSC with his travel plans when he had them (however, he did not call). SUSC mentioned that the Crystal Kitchen was out of compliance with the special use permit terms and conditions and that the Forest Service was having trouble getting the Kitchen to comply. Mr. [REDACTED] suggested that the Forest Service attend the Family Council meetings to resolve issues; SUSC told Mr. [REDACTED] that Forest Service was attending the meetings.

The special use administration teams' report for the day included the following:

- Teams were again 'escorted' by Rainbow members.
- Noncompliance items – camping in restricted areas is a real problem; dogs off leash; foot bridges are not yet constructed and resource damage is occurring; found some human feces in open areas but when it was pointed out to some of the Rainbows, they immediately cleaned it up; found one spring source that had been trenched out; found one unattended campfire; concerned with Kiddie Village slit trench and gray water locations – they need to be moved.

6/26/04 - SUSC called [REDACTED] at his home and cell phone numbers. There was no answer; SUSC left message and Mr. [REDACTED] returned the call. SUSC again told Mr. [REDACTED] that she needed to meet with Ms. [REDACTED]. SUSC explained that there was a Family Council meeting today at 2:00 pm to discuss the RFLM members block the Forest Service road. Mr. [REDACTED] told SUSC to let the gathering site information center know where the Council meeting would be held and that he should be on site before the meeting ended and would find the SUSC. Mr. [REDACTED] indicated he might be interested in becoming the permit contact person.

SUSC, NIMT Commanders, and other Forest Service officers attended Council meeting on site to negotiate keeping the Forest Service road open. A compromise position was reached and Family members promised to reopen the road (remove the rocks and boulders) by the next day, 6/27. (See law enforcement report for details.)

b6  
b7c

The special use administration teams' report for the day included the following:

- Approved new slit trench and gray water pit locations at Kiddie Village; once these are constructed, Kiddie Village will be in compliance with permit terms. Team expressed some concerns about the 'wetness' of the Kiddie Village area; it may not be the best location for it.
- Observed man crossing entire streamside closure area; man received written Violation Notice from LEO.
- Noncompliance items – camping in restricted areas, accumulated garbage
- Noted that team was receiving pretty good responses and that compliance was being obtained on most items after first verbal warning.
- [REDACTED] stopped one team and asked how event was going.

6/27/04 - SUSC, NIMT Commanders, and the Deputy Director of LE&I met with [REDACTED] on the gathering site. Several items were discussed. SUSC asked Mr. [REDACTED] if Ms. [REDACTED] was at the gathering site so that the SUSC could discuss the permit with Ms. [REDACTED]. Mr. [REDACTED] dismissed the issue stating that Ms. [REDACTED] was not willing to meet with the Forest Service. SUSC suggested that if Ms. [REDACTED] was not willing to meet with the Forest Service, then she should either 1) relinquish the special use permit, or 2) formally assign a new contact to serve as the permit contact. Mr. [REDACTED] dismissed the issue. When the SUSC asked how she could find Ms. [REDACTED] on site, Mr. [REDACTED] stated that he did not know where she was but that two other Family members did know. Upon checking with those family members, they stated they did not know where Ms. [REDACTED] was on the site.

SUSC went to the Crystal Kitchen to discuss the noncompliance. SUSC tried to discuss the permit noncompliance with Mr. [REDACTED] and convince him to move his kitchen so that it would be 300 feet from any body of water. Mr. [REDACTED] refused to move his facilities. Mr. [REDACTED] stated that he would not talk with SUSC while her 'law enforcement officer' was present. No resolution on the noncompliance was reached. The Deputy IC issued a written Warning Notice to Mr. [REDACTED] requiring Mr. [REDACTED] to relocate his kitchen by 5:00 pm on 6/28 (see law enforcement report for further details).

The special use administration teams' report for the day included the following:

- Noncompliance items – still having problems getting compliance with trenched out spring; stream crossing bridges still need to be constructed to prevent further resource damage; accumulated garbage still a problem; found 2 noncompliance fire rings; toilet paper and individual piles of human feces everywhere – slit trenches are not being properly used; Forest Service signs vandalized; lots of dogs off leash.

6/28/04 - SUSC prepares, and District Ranger issues, the first formal Notice of Noncompliance letter to [REDACTED]. Because Ms. [REDACTED] would not contact the Forest Service to discuss permit issues, the letter was sent by certified mail and fixed to her office. Copies of the letter were given to the information center at the gathering site for distribution so that gathering site participants might help remedy the noncompliance.

Noncompliance was specific to the Crystal Kitchen ( ). Crystal Kitchen was not located 'a minimum of 300 feet from surface water and outside of areas containing riparian vegetation.' Therefore, it was in violation of the permit and operating plan terms and conditions as well as Forest Special Order 09-04-04. Notice required that to remedy the noncompliance, kitchen must be moved by noon on June 29.

b6  
b7C

SUSC asked the Special Use Administration Teams to go back on the ground and 'double check' all kitchens to ensure that they were in compliance. Permit Administrators had been working with a couple of kitchens to bring them into compliance. In total, 3 kitchens (other than Crystal Kitchen) were in noncompliance (Turtle Soup Kitchen, Fairie Kitchen, and Shut Up and Eat It Kitchen). All 3 kitchens complied as required. Crystal Kitchen was the only kitchen refusing to comply with the permit terms.

SUSC, NIMT Commanders, and other Forest Service officers attend Family Council meeting. Several issues were discussed; specific special use administration issues were 1) accumulated garbage – needs to be bagged properly and disposed of adequately; 2) need to construct foot bridge over first creek crossing on lower road; 3) encouraged use of community fire pits rather than individual ones; 4) addressed public nudity policy; 5) addressed need to keep Forest Service roads open to vehicle and emergency traffic; 6) discussed Crystal Kitchen's noncompliance. As discussions were ensuring, became verbally abusive towards the SUSC and the Forest Supervisor stopped the meeting and asked all Forest Service officers to leave the area; all officers left together.

came to the Patterson Administrative Site to discuss several issues. When the SUSC arrived at the site, Mr. said that he had a solution to the permit contact issue. He stated that he had another Family member that 'may' want to become the permit contact but the person wanted a copy of the permit so that they could look at it in order to make a firm decision. Mr. suggested that would solve the problem. When the SUSC attempted to explain to Mr. that the issue was not solved that easily, Mr. got irritated, got up and left the site stating that he needed to call Washington DC. Mr. drove back into the site later in the afternoon and apologized for walking out. However, he did not get out of his car and did not offer to discuss the permit contact issue again.

6/29/04 - SUSC called at her office and cell phone numbers. There was no answer; SUSC left messages to return her call.

The SUSC prepared, the District Ranger signed, a letter to Ms. . The letter was a Partial Suspension of Special Use Permit. The reason for the suspension was the noncompliance of Crystal Kitchen (see June 28 Notice of Noncompliance Letter). Letter stated that to remedy the noncompliance and lift the suspension, the Crystal Kitchen must be immediately relocated to a place which complies with the permit and operating plan requirements.

The special use administration teams' report for the day included the following:



- There is a shower that needs to be moved or an alternate method of disposing of the gray water needs to occur (note: compliance was achieved on this issue); still problems with camping outside of restricted area; problems with parking outside of designated areas; there is a sweat lodge in the riparian area that needs to be moved (compliance was achieved); some nudity problems, especially at quarry site.
- Request was received from Family members to locate a communications truck within the restricted parking area (note: this was approved and the truck was allowed to park in the restricted area).

b6  
b7c

6/30/2004 - The special use administration teams' report for the day included the following:

- Found 5 new kitchens – all in compliance
- Found shower too close to water; needs to be moved (it complied)
- Sweat lodge – being taken down

SUSC called Ms. [REDACTED]'s office and cell phones and left messages to return the calls.

7/1/2004 - District Ranger issues a Notice of Noncompliance letter to [REDACTED] documenting 138 written Incident Reports, 246 Written Warning Notices, and 62 Written Violations. In addition, the following permit and operating plan noncompliance items were listed:

- The Shut Up and Eat It Kitchen was located too close to a body of water. Kitchen was asked to relocate by noon on July 2. They did comply.
- The Turtle Soup Kitchen was located too close to a body of water. Kitchen was asked to relocate by 5 pm on July 2. They did comply.
- Accumulated garbage
- Blocking of a Forest Service Road with boulders and rocks
- Camping in restricted areas
- Authorized footbridges had not yet been constructed, causing resource damage.
- Interfering/intimidating forest officers
- Dogs off leash
- Public nudity

District Ranger sent a letter to Ms. [REDACTED] explaining that this year's event is being managed using 'teams' of special use administrators and law enforcement officers. The interaction between the special use administrator teams, other Forest Service officers, and Family Council members has improved communications and the Forest Service has been relatively successful in achieving compliance with the permit and operating plan provisions. The letter brought two things to Ms. [REDACTED]'s attention:

1) By signing the permit as the permit contact, Ms. [REDACTED] committed to working with the Forest Service on the permit issues. However, she was not willing to contact or work with the Forest Service. Once the permit was signed, the Forest Service has been unable to present concerns to her as the point of contact. There were numerous attempts by the

NIMT staff, Special Uses Section Chief, and other Team members. Numerous messages have been left and Ms. [REDACTED] will not return the calls.

2) The noncommercial group use regulations required that applications be submitted at least 72 hours in advance. This year's application did not meet that requirement. Problems occurred this year because some gathering participants arrived on the site and set up facilities prior to issuance of the permit. Because more than 75 participants arrived on the site before the permit and operating plan requirements were in place, several facilities were required to be relocated. User conflicts have occurred because of the limited time the Modoc National Forest staff and NIMT had to coordinate. The letter pointed out that these types of conflicts and confusion can be avoided in the future if an application is received in the manner required by the Federal Regulations.

b6  
b7C

A letter, transmitting permit amendment #1, was sent to Ms. [REDACTED]. The permit amendment added a clause to the operating plan stating that "in designated Sensitive Areas, no new digging is allowed, including, but not limited to, slit trenches, compost pits, and gray water pits. Campfires can only be placed on the surface of the ground. No digging of new fire pits is allowed." The amendment included a map identifying the sensitive areas. This amendment was necessary due to the Native American Tribal concerns.

The special use administration teams' report for the day included the following:

- Shut up and Eat It Kitchen needs to be moved; still in noncompliance
- Turtle Soup Kitchen needs to be moved
- Checking on Magic Bowl Kitchen
- Bridges still not built; rocks in road
- Sweat lodge is partially dismantled and has been moved; sod is back in hole
- Garbage is still an issue

7/3/2004- The special use administration teams' report for the day included the following:

- Turtle Soup kitchen is now in compliance
- Marked in sensitive areas – 12 slit trenches; 12 gray water/compost pits (west side)
- Marked in sensitive areas – all slit trenches and gray water pits
- Shower has been moved
- Garbage has been bagged and is slowly being disposed of
- Slit trenches at A Camp are full and need to be covered; new ones should be constructed.
- Parking is out of control; RFLM members are parking all over the south side of the road in the restricted area.

7/6/2004 - District Ranger issues a Notice of Noncompliance letter to [REDACTED] [REDACTED] documenting 465 written Incident Reports, 561 Written Warning Notices, and 114 Written Violations. In addition, the following permit and operating plan noncompliance items were listed:

- Destruction of live aspen trees at Kiddie Village
- Accumulated garbage

- Intimidating/intimidating Forest Officers
- Dogs off leash
- Public nudity
- Vehicles parked in restricted areas
- Large amounts of traffic violations
- Illegal drug use
- 

b6  
b7c

7/8/2004 – Previously when the SUSC had called Ms. [REDACTED]'s office, her voice mail message said she would be back in the office on 7/8. Therefore, the SUSC called Ms. [REDACTED] office. Ms. [REDACTED]'s voice mail had been changed and now stated that she would be out of the office until 7/12. SUSC left a message that Ms. [REDACTED] should call the NIMT Commander or the Warner Mountain District Ranger as soon as she got back in the office so that they could discuss the permit issues. In particular, the rehabilitation and cleanup plan was being prepared and the Forest Service needed Ms. [REDACTED]'s input.

7/9/2004 – Warner Mountain District Ranger sent a letter to Mr. [REDACTED] transmitting permit amendment #2. The permit amendment becomes effective on July 14 and restricts camping and vehicle parking to 3 areas within the authorized area. The areas are commonly identified as the quarry, upper bus village, and an area approximately 100 yards east of the Welcome Home location. All new digging within the authorized area will be monitored by a FS archaeologist while the digging is occurring. All new campfires will be placed on the ground surface with no digging of a fire pit. Amendment also addresses mitigation for damage done to the aspen stand in the Kiddie Village area.

**2004 NIMT Rainbow Family of Living Light National Gathering  
Unit Summary  
Administration**

**Administration:**

The Administration Section includes both Finance and Logistics. This section is responsible for providing administrative support and service to the National Incident Management Team (NIMT) and personnel ordered for the NIMT. Specific areas include: budget preparation and expenditure monitoring; lodging; transportation; supplies; timekeeping; and arranging command post and shift briefing facilities.

**Operations/ Accomplishments:**

The team's strategy was to minimize costs by utilizing existing systems such as computers, equipment, hold-over vehicles, operating from public buildings and using local employees as incident personnel. This provides on site employees the opportunity to earn overtime and eliminates the travel and per diem expense of mobilizing resources from other forests and regions.

The "Rainbow Incident" is funded at the Washington Office level. The funds provided for this operation are intended to support the costs of the NIMT and their ordered personnel. This year's NIMT budget was [REDACTED]. All Law Enforcement and Investigation (LE&I) personnel including LE&I administrative staff are paid for overtime only from the NIMT. The current funding level does not allow the team to cover the true costs of all personnel assigned to the NIMT. The NIMT provided [REDACTED] to Modoc National Forest to offset the support costs they incurred to assist the NIMT during the gathering. b2 b7E

The Incident Commander (IC) and Administrative Officer (AO) began revising the draft budget the previous IC and AO submitted in late March and began operational planning for related administrative functions. A review of the NIMT cache trailer inventory was performed and necessary supplies for safety and LE&I needs were ordered. Items were shipped to the Division Supervisor bringing the cache trailer and the Safety Officer for transportation. Team members arrived on site with adequate supplies for their functional area enabling them to begin work immediately in the event the gathering was in a remote location where procurement of supplies would be difficult.

All personnel were dispatched through established dispatch procedures. An initial incident number was established by the Northern California Operations Center for the pre-staging of the core NIMT members. Upon site selection, the incident number was reassigned to the Modoc National Forest. All personnel were then requested as technical specialists. The lead dispatcher for the Modoc NF coordinated all overhead and supply orders associated with the gathering.

Incident personnel were located in [REDACTED] in [REDACTED], CA. The motels were selected because they were able to provide incident personnel with continuous lodging for the entire detail. This eliminated the added stress of moving to other locations by personnel and the logistical issues related to tracking where personnel were located each day.

The NIMT rented the library area in the Modoc High School for the primary Incident Command Post. Additionally, the school allowed the team to use the library's copy machine and pay only for copies made during the rental period. This provided a significant savings by eliminating the need for the team to rent a machine from Klamath Falls, OR. The ICP was located close to the Supervisor's Office and allowed for easy access and communications with forest personnel.

Patterson Guard Station was utilized by field going LE&I and resource staff as an expanded command post. Patterson was located within a half mile of the gathering "entrance". This provided personnel with an area to debrief at shift change and take needed rest and lunch breaks.

All Land Use Agreements needed by the NIMT were coordinated by the Purchasing Agent located on the Modoc NF.

The treatment of AUO for Law Enforcement Officers and LEAP for Special Agents was addressed at the National level. The declaration of a non-natural disaster emergency by the Secretary lifted the biweekly maximum earnings limitation. This also allowed flexibility in granting time away from the incident for R&R.

This year, Region 8 LE&I provided one Program Assistant for 14 days to assist the administration area. The previous Administrative Officer came for 10 days to assist with the initial set up of the administrative area. Region 5 provided one Law Enforcement Assistant (LEA) to enter all incidents, warnings and violation notices into the LEIMARS system. The LEA also provided all documentation related to statistics gathering; non-permit and permit violations; prepared court documents for two court dates; prepared documents for the Special Uses Section Chief; and supported the Planning Section Chief.

A total of [REDACTED] was committed to Cooperative Law Enforcement Agreements. Modoc County received [REDACTED], Lassen County received [REDACTED] and the California Highway Patrol received [REDACTED]. Dispatching services for law enforcement were not received by the counties this year. Modoc Co was unable to provide dispatching due to staffing levels and the distance involved in routing radio signals through Lassen Co caused communication concerns. As a result, the NIMT paid to have the CLETS system installed at the ICP and was provided two certified initial attack dispatchers from the Modoc NF. Overtime only was paid to the dispatchers. BLM provided one certified dispatcher for 10 days at no charge.

Recommendations/ Observations:

b2  
b7c

Establish adequate funding for the NIMT to cover base and overtime costs for their ordered personnel and for the site Forest. Current budgeting does not allow for the true cost of the incident to be appropriately accounted for fiscally. The actual costs of the incident will be nearly impossible to capture as many items were borrowed or used at no cost, and many salary costs are not charged directly to the incident. All base time for LE&I employees were charged to home units. A system needs to be developed to properly capture all costs associated with the incident.

It is recommended that an administrative briefing package be developed for future gatherings. This package would include historical administrative processes of the NIMT and would be provided to the host Region/Forest before team arrival. This will assist in the initial staging phase of the incident by providing the past practices and roles of the team and eliminate some of the confusion regarding the NIMT and Forest responsibilities.

Bring administrative support for NIMT when core members pre-stage. This will assist in the initial set up efforts by ensuring the necessary purchasing and timekeeping duties are handled while AO focuses on establishing contacts with forest.

#### **Conclusion:**

The assistance provided by the Modoc NF was instrumental in creating a smooth transition into the community for the NIMT. Local businesses proved easy to work with and many times put extra effort into providing necessary resources for the team. The administrative section is appreciative to the individuals that contributed their time and expertise to the operation.