



United States  
Department of  
Agriculture


Forest  
Service

Warner Mountain  
Ranger District

P.O. Box 220  
385 Wallace Street  
Cedarville, CA 96104  
(530) 279-6116  
TTY (530) 279-8325

File Code: 2720-1

Date: June 20, 2004

  
Washington, DC 20045

Dear Ms. 

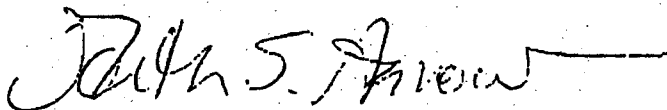
Enclosed please find the Special Use Permit for Noncommercial Group Use to authorize group use on the Warner Mountain Ranger District. The signed permit must be return by 5:00 p.m. PDT on June 21, 2004.

If the signed permit has not been received by the date and time stated above, action will be taken against all unauthorized occupancy occurring at the applied for area.

The signed permit, if not returned in person, must be sent to the following fax number:

530-233-8719

Sincerely,



EDITH S. ASROW  
District Ranger



## PART II - PERMIT

1. Use under this permit shall begin on 06/21/2004 and end on 08/01/2004. The permit shall not be extended.
2. Individuals Assembling for a Rainbow Gathering (the holder) are hereby authorized to use, subject to the terms of this permit, National Forest System lands described as Sections 21, 22, 26, 27, 28, 33, 34, and 35 of T.39N., R.16E. and portions of Section 3, 4, and 10 of T.38N., R.16E., as shown in attached Exhibit(s) B. This permit covers approximately 4000 acres.
3. The holder is authorized to conduct the following activities and install the following improvements in the permitted area: Noncommercial group use event described on the Application as "individuals camping together to celebrate peace".
4. The holder shall conduct the authorized activities according to the attached approved plans and specifications, Exhibit A. The holder shall not install any improvements not specifically identified and approved above or in exhibits.
5. No soil, trees, or other vegetation may be destroyed or removed from National Forest System lands without specific prior written permission from the authorized officer.
6. The holder shall comply with all federal, state, county, and municipal laws, ordinances, and regulations which are applicable to the area or operations covered by this permit.
7. The holder shall maintain the improvements and premises to standards of repair, orderliness, neatness, sanitation, and safety acceptable to the authorized officer. The holder shall fully repair and bear the expense for all damages, other than ordinary wear and tear, to National Forest System lands, roads and trails caused by the holder's activities.
8. The holder has the responsibility of inspecting the use area and adjoining areas for dangerous trees, hanging limbs, and other evidence of hazardous conditions which would pose a risk of injury to individuals. After securing permission from the authorized officer, the holder shall remove such hazards.
9. The holder shall be liable for any injury, loss, or damage, including fire suppression costs and environmental harm or injury to natural resources, that arises in connection with the use and occupancy authorized by this permit.
10. The holder shall indemnify and hold harmless the United States for any injury, loss, or damage, including third-party claims, damage to federal property, fire suppression costs, and environmental harm or injury to natural resources, that arises in connection with the use and occupancy authorized by this permit.
11. 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.
12. The holder agrees to permit free and unrestricted access to and upon the premises at all times for all lawful and proper purposes not inconsistent with the intent of the permit or with the reasonable exercise and enjoyment by the holder of the privileges thereof.
13. This permit is subject to all valid existing rights and claims outstanding in third parties.
14. This authorization may be revoked or suspended only in accordance with 36 CFR 251.60(a)(1)(i). Upon expiration or revocation of this permit, the holder shall immediately remove all improvements except those owned by the United States, and shall restore the site within 9 days, unless otherwise agreed upon in writing. If the holder fails to remove the improvements, they shall become the property of the United States, but that will not relieve the holder of liability for the cost of their removal and the restoration of the site.
15. This permit is a license for the use of federally owned land. It does not grant any interest in real property. This permit is not transferable. The holder shall not enter into any agreements with third parties for occupancy of the authorized premises and improvements.

16. Any decision concerning this permit, including but not limited to suspension or revocation and modification of permit terms and conditions, is not subject to administrative appeal and is immediately subject to judicial review.
17. This permit is accepted subject to the conditions set forth herein, including any conditions in any exhibits attached to and made a part of this permit.
18. The above clauses shall control if they conflict with additional clauses or provisions.

I have read and understand the terms  
and conditions and agree to abide by them.

U.S. DEPARTMENT OF AGRICULTURE  
Forest Service

HOLDER: Individuals Assembling for a Rainbow  
Gathering

Authorization is granted:

Print Name of Contact: \_\_\_\_\_

By: \_\_\_\_\_

Signature of Contact: \_\_\_\_\_

Name: EDITH S. ASROW

Date: \_\_\_\_\_

Title: District Ranger

Date: \_\_\_\_\_

**HOLDER MUST HAVE THIS PERMIT (OR A LEGIBLE COPY) IN POSSESSION DURING THE AUTHORIZED  
ACTIVITY**

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0082.

This information is needed by the Forest Service to evaluate requests to use National Forest System lands and manage those lands to protect natural resources, administer the use, and ensure public health and safety. This information is required to obtain or retain a benefit. The authority for that requirement is provided by the Organic Act of 1897 and the Federal Land Policy and management Act of 1976, which authorizes the Secretary of Agriculture to promulgate rules and regulations for authorizing and managing National Forest System lands. These statutes, along with the Term Permit Act, National Forest Site Area Permit Act, Granger-Thye Act, Mineral Leasing Act, Alaska Term Permit Act, Act of September 3, 1954, Wilderness Act, National Forest Roads and Trails Act, Act of November 1973, Archeological Resources Protection Act, and the Alaska National Interest Lands Conservation Act, authorize the Secretary of Agriculture to issue authorizations for the use and occupancy of National Forest System lands. The Secretary of Agriculture's regulations at 36 CFR Part 251, Subpart B, establish procedures for those authorizations.

The Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552) govern the confidentiality to be provided for information received by the Forest Service. Public reporting burden for this collection of information is estimated to average 18 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

**Exhibit A**  
**Operations and Maintenance Plan**  
**2004 Noncommercial Group Use Permit**  
**For Individuals Assembling For a Rainbow Gathering**  
**Modoc National Forest**  
**Warner Mountain Ranger District**

This Operations and Maintenance Plan (O&M Plan) has been developed to identify authorized improvements and activities, and mitigate potential resource impacts associated with the 2004 non-commercial group permit for individuals assembling for a Rainbow Gathering and is included as Exhibit A of the Special Use Application and Permit for Noncommercial Group Uses (Reference: 36 CFR 251.54) issued to holder named as "Individuals Assembling For a Rainbow Gathering."

The holder is authorized to provide temporary structures associated with information areas, kitchen areas, parking areas, medical areas, shade structures, group campfire pits, water pipelines, directional signing and other temporary facilities appurtenant to group camping and recreation. The following conditions are required pursuant to Paragraph 4 of Special Use Permit for Noncommercial Group Uses, Authorization ID #WAR100.

The treatment of human waste is dependent on a number of factors including specific site features such as soil type, slopes, and depth of the water table. Therefore to assure the health and safety of participants and visitors to the gathering site, the following precautions will be taken:

Portable toilets will be positioned at major parking areas and concentrated use areas, which are no less than 300 feet from any surface water unless authorized by Forest Service. The number of toilets to be installed at these locations will be determined by the Forest Service and the Holder based on anticipated use at each location. Number of toilets is estimated at 1 toilet per 25 people for overnight use. These toilets will be pumped and cleaned daily.

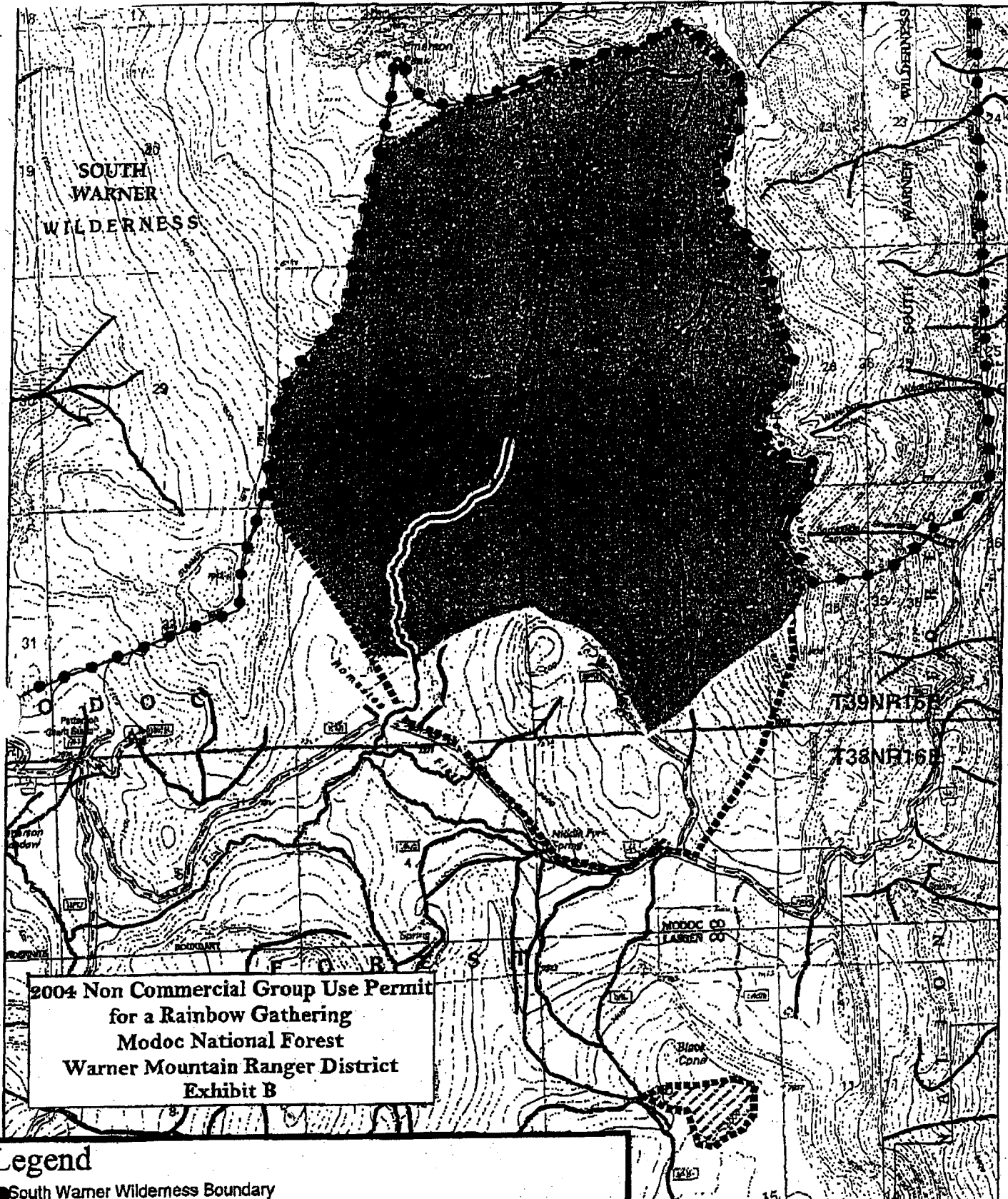
As an alternative to Portable toilets, Earth Pit Privies or Slit Trenches will be used. Earth Pit Privies or slit trenches will meet State of California and Modoc and/or Lassen County Health Department requirements.

Privies or slit trenches will be constructed on upland sites. These should be approximately 12 inches wide and no more than 4 feet deep and of an adequate length for the expected number of people. The distance between the bottom of the privy or slit trench, and seasonal high water table should not be less than 5 feet. Privies or slit trenches will be located at

1. least 300 feet from surface water and down hill or down slope of any drinking water sources, unless otherwise authorized.
2. To reduce the risk of illness and discourage wildlife access to garbage, it will be removed from the site daily in accordance with State sanitation requirements.
3. Food shall be stored in such a manner as to discourage wildlife access and protect the health and safety of participants.
4. Biological hazards and waste generated within the permit area will be stored in secure containers and disposed of at an appropriate medical waste disposal facility. No biological hazards or waste may remain on the site upon expiration of the permit.
5. All roads will be kept clear of vehicles and other obstructions.
6. Drinking water should be filtered and treated. Complete water testing for total coliform and fecal and e.coli may be performed by the County Health Department.
7. To prevent widespread illness, access points to drinking water will be signed and protected from upstream contamination.
8. Vehicle parking will be limited to authorized parking areas as identified on Exhibit B. No off-road motorized travel is permitted within the designated camping only area as shown on Exhibit B. At no time shall pedestrian traffic block the roadway for vehicle traffic.
9. To protect riparian vegetation and prevent compaction around water sources, no camping shall occur within 150 feet of surface water.
10. There will be no excavating or digging in or around drinking water sources. Use temporary surface collection techniques (such as rocks, logs, or tarps) to collect drinking water at the source.
11. Sensitive areas (archaeological sites, wetlands, habitat for sensitive species, etc) will be marked by the Forest Service and identified as closely as possible on information at the holder's information area. The holder is responsible that participants and do not camp or congregate on, remove any potentially historic or pre-historic items or features from, these areas (i.e., plants, old bottles, rusty cans, obsidian flakes or grinding rocks).
12. Kitchens will be located a minimum of 300 feet from surface water and will not be located within areas that contain riparian vegetation.

13. Gray water disposal will be at least 300 feet from surface water and will not be located within areas that contain riparian vegetation.
14. No washing with any soap or detergent in any surface water.
15. Temporary signs may be erected by the permit holder but must be removed the by permit termination date. Signs may not be nailed or stapled to vegetation.
16. Restrictions or permit requirements authorized by the Forest Service will be marked on the ground by the permit holder.
17. Participants will obtain a California Campfire Permit for each fire and will abide by Campfire Permit requirements.
18. Ensure that all straw or hay brought into the gathering site is certified "weed free" to help prevent noxious weeds.
19. Prior to expiration of the permit the following rehabilitation activities will be completed by the permit holder:
  - a. All parking areas, temporary roads and trails and concentrated use areas will be scarified. Sufficient native seed mix approved by the Forest Service will be purchased and provided by the permit holder prior to expiration of the permit
  - b. All improvements, structures, vehicles, dogs and other pets, garbage, and personal equipment will be removed.
  - c. Portable toilets will be cleaned and removed from site and areas under portable toilets will be scarified.
  - d. Privies, slit trenches and compost pits will be filled and cover duff replaced.
  - e. Any and all surface waste will be removed from the permitted area.
  - f. All straw or hay brought into the gathering site that will be used for site rehabilitation will be certified "weed free" to reduce the spread of noxious weeds.
  - g. All let-down fences will be put up by the permit holder by July 12, 2004.

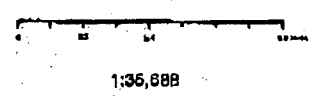
- h. A joint inspection between the Forest Service and the point of contact for the Permit Holder will be conducted prior to final departure from the site. The Forest Service will provide the permit holder written documentation that the rehabilitation items have been completed.



**2004 Non Commercial Group Use Permit  
for a Rainbow Gathering  
Modoc National Forest  
Warner Mountain Ranger District  
Exhibit B**

**Legend**

- South Warner Wilderness Boundary
- Closure Area for Headwater of East Creek
- Streams
- HIGH CLEARANCE VEHICLE ROAD
- SUITABLE FOR PASSENGER CARS: GRAVELED ROAD
- Permit Boundary
- Camping Only - All systems roads will remain open & unrestricted for vehicle travel
- Camping & Parking
- Overflow Parking Only



NOT TO SCALE  
This map is a general representation of the land and does not constitute a legal description. It is intended for informational purposes only. The actual boundaries of the permit area are shown on the ground. The map is not to be used for any other purpose. The map is not to be used for any other purpose. The map is not to be used for any other purpose.



Approved by the Forest Service for the purpose of the permit. The map is not to be used for any other purpose.



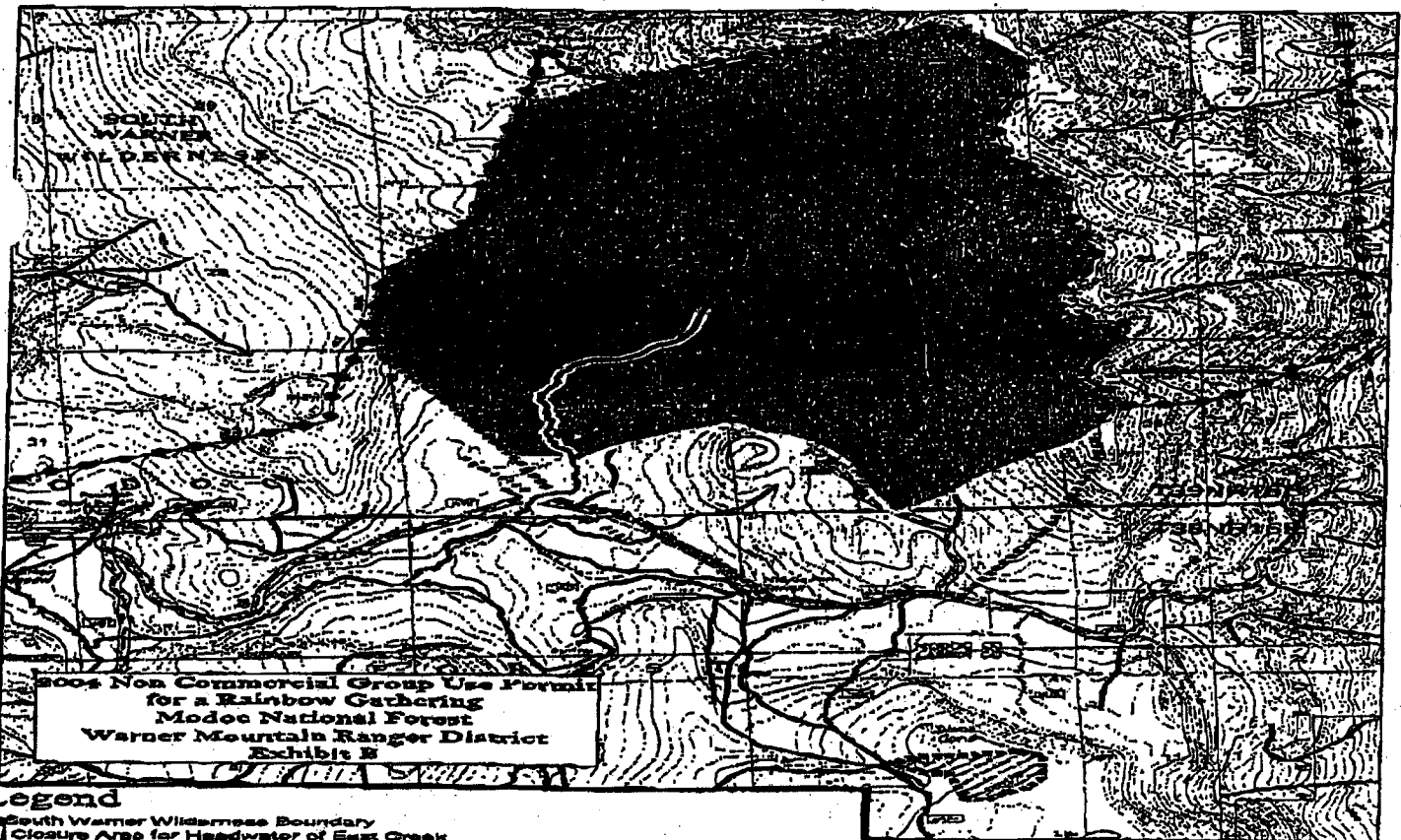
# Confirmation Report - Memory Send

Date & Time: 06-20-2004 02:57pm  
Tel line : +5302338719  
Machine ID : FOREST SUPERVISORS OFFICE

Job number : 134  
Date & Time : 06-20 02:55pm  
To : 912026378801  
Number of pages : 001  
Start time : 06-20 02:55pm  
End time : 06-20 02:57pm  
Pages sent : 001  
Status : OK

Job number : 134

\*\*\* SEND SUCCESSFUL \*\*\*



## Legend

- South Warner Wilderness Boundary
- Closure Area for Headwater of East Creek
- Streams
- 2 - HIGH CLEARANCE VEHICLE ROAD
- 3 - SUITABLE FOR PASSENGER CARS; GRAVELED ROAD
- Permit Boundary
- Camping Only - All systems roads will remain open & unrestricted for vehicle travel
- Camping & Parking
- Overlook Parking Only

1:25,000

U.S. GEOLOGICAL SURVEY  
Map of the South Warner Wilderness  
Modoc National Forest  
Warner Mountain Ranger District  
California  
Scale 1:25,000  
This map was prepared by the U.S. Geological Survey, Pacific Northwest Division, in cooperation with the U.S. Forest Service, Modoc National Forest, Warner Mountain Ranger District.



United States  
Department of  
Agriculture

Forest  
Service

Pacific  
Southwest  
Region

Regional Office, R5  
1323 Club Drive  
Vallejo, CA 94592  
(707) 562-8737 Voice  
(707) 562-9130 Text (TDD)

File Code: 2720

Date: January 23, 2004

Route To:

Subject: 2004 Annual Rainbow Family Gathering - Noncommercial Group Use Special Use Authorization

To: Forest Supervisor (Except Klamath, Lassen, Modoc, Plumas, Sequoia, Sierra and Shasta-Trinity National Forests)

**REPLY DUE FEBRUARY 19, 2004**

We anticipate the Rainbow Family will be submitting a special use application to conduct their annual gathering on National Forest System (NFS) lands in California this summer during the months of June and July. This early interaction will allow them and the Forest Service to discuss a host of resource and cultural issues. Historically, this has not occurred.

Planning for this event is already in progress. Ten to fifteen thousand people have attended past events. The Forest Service's national strategy is to:

1. Reduce costs of this event to the taxpayers.
2. Bring the group into special use permit compliance for noncommercial group uses.

The gathering will be managed by a National Incident Management Team (NIMT) and partially funded out of the Washington Office. As some of you may know, Malcolm Jowers, NITM Team Leader, has retired. When the new NIMT leader is announced, the Regional Office will share the information with the Forests. The team will consist of local Forest resource managers; professionals in law enforcement, safety and health; and community relations personnel.

As the summer season approaches, your Forest and District offices may receive inquiries from Rainbow Family members, scouts, about potential gathering sites. Please prepare for these inquiries by refreshing your knowledge of the noncommercial group use regulations and Forest Service policy direction. District Rangers, receptionists, and permit administrators need to be very familiar with the requirements of the regulations and policies. All Forest Service employees are expected to be respectful and have a positive attitude towards the gathering and scouts.

Please note the following key points:

- Regulations for noncommercial group uses are found in 36 CFR 251 Subpart B. In particular, note 251.51 Definitions and 251.54 Special Use Applications.
- Noncommercial groups of 75 or more people are required to obtain a permit.



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- There are no fee, insurance or bonding requirements for a noncommercial group use permit.
- FS-2700-3b is the application and permit form for noncommercial group uses. The application information required on this form may also be provided on plain paper.

The enclosed information packet should be available as a handout for Rainbow Family members, scouts and others at the front desk at both Supervisors' Offices and District Rangers' Offices. It includes a copy of the noncommercial group use regulations and a blank FS-2700-3b form with a suggested cover letter. Please provide a cover letter with the permit application and a copy of the regulations to anyone inquiring about use of the National Forests for gatherings. Also enclosed are a question and answer guide to assist you in understanding the regulations, and the Washington Office May 9, 2001, policy direction letter regarding noncommercial group uses.

If a valid noncommercial group use application is received, please contact Donna Grosz **immediately**. Donna Grosz, acting Recreation Special Uses Program Leader (707-562-8857), is the regional point of contact for special use permitting questions regarding the 2004 annual gathering. Please notify Donna if you receive any inquiries from persons purporting to represent the Rainbow Family or inquiring about the gathering.

**Please note: The Forest Service must respond to valid applications within 48 hours or the permit is deemed automatically granted. *The 48 hours limitation means calendar hours not working hours.***

/s/ Jack A. Blackwell  
JACK A. BLACKWELL  
Regional Forester

Enclosures

cc: John Shilling, Marlene Finley, Dave Reider [REDACTED]  
[REDACTED], Lynn Bidlack, [REDACTED] c/o [REDACTED]  
Carolyn Holbrook, Ellen Hornstein

b6  
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United States  
Department of  
Agriculture

Forest  
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Pacific  
Southwest  
Region

Regional Office, R5  
1323 Club Drive  
Vallejo, CA 94592  
(707) 562-8737 Voice  
(707) 562-9130 Text (TDD)

File Code: 2720

Date: January 23, 2004

Route To:

Subject: 2004 Annual Rainbow Family Gathering - Noncommercial Group Use Special Use Authorization - Rainbow Family Scouting Parties

To: District Rangers thru Forest Supervisor, (Klamath, Lassen, Modoc, Plumas, Sequoia, Sierra and Shasta-Trinity National Forests)

**REPLY DUE FEBRUARY 19, 2004**

We anticipate the Rainbow Family will be submitting a special use application to conduct their annual gathering on National Forest System (NFS) lands in California this summer during the months of June and July. The interaction and relationships built during the next several months is extremely significant in creating a successful noncommercial group use event.

Rainbow Family scouts have begun the process of identifying potential sites. Typically, they travel in small groups and visit Ranger District offices to obtain information, gather maps, and explore potential sites. District Rangers, or the District contact, are to make the scout visits a priority in the following months to come.

Each Forest is to select one staff member to be the Regional Office (RO) contact; and one District staff member per District as a scout contact who will be available at any time to assist the Rainbow Family scout's. It is important to select an individual that has extensive knowledge and can explain the noncommercial group use regulations and process; Forest activities; and ability to locate and visit sites with the scouting party. When scouts arrive at the Forest or Ranger District offices, it is imperative that the Forest and District contacts treat them with respect and a positive attitude. I will not tolerate any inappropriate behavior towards the scouts.

Forests are to submit a list of the Forest and District contact names; email addresses; phone and cell numbers, and fax numbers to Donna Grosz, acting RO Recreation Special Uses Program Leader, at [dgrosz@fs.fed.us](mailto:dgrosz@fs.fed.us) by close of business on Thursday, February 19, 2004.

Please prepare for inquiries by refreshing your knowledge of the noncommercial group use regulations and Forest Service policy. The enclosed information packet includes a copy of the noncommercial group use regulations and a blank FS-2700-3b form. Also enclosed are a question and answer guide to assist you in understanding the regulations and the Washington Office May 9, 2001, policy direction letter regarding noncommercial group uses.

Again, I would like to emphasize that Donna must be called **immediately** if an application is submitted by anyone representing the Rainbow Family. Pursuant to the NCGU regulations, "All applications for noncommercial group uses shall be deemed granted and an authorization shall be



issued for those uses...unless applications are denied within 48 hours of receipt." *The "48 hours" limitation means calendar hours not working hours.*

If you have any questions, please contact Donna Grosz at 707-562-8857 or dgrosz@fs.fed.us.

/s/ Jack A. Blackwell  
JACK A. BLACKWELL  
Regional Forester

cc: John Shilling, Marlene Finley, Dave Reider, [REDACTED]  
[REDACTED], Lynn Bidlack, Carolyn Holbrook, Ellen.HORNSTEIN, [REDACTED]

b6  
b7C



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Date: January 23, 2004

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To: Forest Supervisor, (Klamath, Lassen, Modoc, Plumas, Sequoia, Sierra and Shasta-Trinity National Forests)

### REPLY DUE FEBRUARY 19, 2004

We anticipate the Rainbow Family will be submitting a special use application to conduct their annual gathering on National Forest System (NFS) lands in California this summer during the months of June and July. In the past, 10,000 to 15,000 people have shown up over the July 4<sup>th</sup> weekend which is the peak of the event. We hope to make this year's event in California a successful one for both the Forest Service and the Rainbow Family. Toward that end, we have held some early discussions with some of the organizers of the Rainbow Family event in which we were able to discuss a host of resource and cultural concerns and the Rainbow Family organizers provided us with some of their concerns and ideas.

One of the most important steps in making this event a success is to find the appropriate site for the event that meets the needs of the gathering without having critical impacts on the environment or other forest activities. Rainbow Family scouts have begun their process of identifying their potential sites. The scouts typically travel in small groups and visit Ranger District offices to obtain information, gather maps, and explore potential sites. They will likely narrow potential sites down to those that are the most desirable and present them at their spring council meeting, probably to be held around June 12-16. I expect each of our offices that are contacted by the scouts to be friendly and cooperative with them.

#### Coordination within the Region

Successful management of the Rainbow Family gathering will require excellent coordination between the Districts, Forests, Regional Office and Washington Office. To facilitate coordination within the Region, we are requesting that each Forest identify one staff member to be the Forest contact with the Regional Office and one District staff member on each District to be a scout contact. The scout contact on each District will need to be available at any time to assist the Rainbow Family scouts. Forests should submit the Forest contact and the District scout contact names; email addresses; phone and cell numbers, and fax numbers to Donna Grosz, acting RO Recreation Special Uses Program Leader, at [dgrosz@fs.fed.us](mailto:dgrosz@fs.fed.us) by close of business (COB) on Thursday, February 19, 2004.



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### Identification of Potential Sites

It is vital to find an appropriate site for the Rainbow Family gathering because many of the difficult problems that can occur during such a gathering can be minimized or avoided entirely if the gathering occurs in an appropriate site. The Rainbow Family organizers have provided to us the attached list of 19 sites that they were considering at the time of our meeting on January 10, 2004. As our discussions with the Rainbow Family organizers continue, we hope to discuss with them the relative benefits and detriments of a variety of sites so that we can jointly find the site which best meets the needs of the Forest Service and the Rainbow Family organizers. If the Forest Service and the Rainbow Family organizers are unable to agree on an appropriate site, then it is vital that the Forest Service have viable alternative sites identified for implementing the Forest Service noncommercial group use (NCGU) regulations.

We need the Forests' participation in the identification of appropriate sites. To that end, we are requesting that each of the National Forests (Klamath, Lassen, Modoc, Plumas, Sequoia, Sierra and Shasta-Trinity National Forests) review the sites on the attached list. In addition, we will need each Forest to identify two sites on their Forest, whether or not listed by the Rainbow Family, which the Forest Supervisor finds to be the most appropriate places for the large group gathering on the Forest. To summarize, please review and evaluate the list of sites attached for your Forest and identify two sites on your Forest which you recommend as the most appropriate.

The evaluation of each site should consider the preference factors listed below and the factors delineated by the Forest Service NCGU regulation. We will also need two maps for each of the sites deemed most appropriate on each Forest. The maps should mark and identify the site on a standard USGS topographical or other GIS map for reference. The first map should show a main access road (i.e., interstate, state or local highway, etc) into the area. The second map should be detailed showing road egress and ingress, water sources, open areas, etc of the sites. The maps should be in an electronic format. Please submit the selected site nominations and maps to Donna by COB on Thursday, February 19, 2004.

The preference factors are:

- Preferred locations would be areas that can have the environmental analysis (NEPA requirements) met through a categorical exclusion (CE), if possible.
- Preferred locations would be near adequate water supplies, both for swimming and drinking. Good spring sources for drinking and piping to kitchen areas are desirable.
- Parking space for 7,000-10,000 vehicles is needed. Ideally, this is best accomplished in a dry meadow that is 50-75 acres in size with easy access in and out of the area creating a one-way flow of traffic.
- Preferred locations would have open meadows of 50-100 acres, which are used for the main gathering area as well as various villages and kitchens. The meadow edges will be used for camping areas.
- Preferred locations would have road access of approximately 1½ lane in width with turnouts. The traffic would be one-way with easy ingress and egress. Road access should also be able to handle emergency vehicles.
- Preferred locations would be under an altitude of 9,500 feet.

- Preferred locations are not adjacent to paved roads or urban areas, but rather in a sparsely populated county accessed by miles of gravel road ending with a 1-2 mile hike into a high mountain meadow.
- Try to avoid the following areas – wilderness; Native American/tribal sensitive; threatened and endangered habitat; archeological, and high resource sensitive areas that cannot be adequately mitigated.

The factors that are delineated by the Forest Service non-commercial group use regulation are as follows (from 36 CFR 251.54):

- (A) Authorization of the proposed activity is not prohibited by the rules at 36 CFR part 261, subpart B, or by Federal, State, or local law unrelated to the content of expressive activity;
- (B) Authorization of the proposed activity is consistent or can be made consistent with the standards and guidelines in the applicable forest land and resource management plan required under the National Forest Management Act and 36 CFR part 219;
- (C) The proposed activity does not materially impact the characteristics or functions of the environmentally sensitive resources or lands identified in Forest Service Handbook 1909.15, chapter 30;
- (D) The proposed activity will not delay, halt, or prevent administrative use of an area by the Forest Service or other scheduled or existing uses or activities on National Forest System lands, including but not limited to uses and activities authorized under parts 222, 223, 228, and 251 of this chapter;
- (E) The proposed activity does not violate State and local public health laws and regulations as applied to the proposed site. Issues addressed by State and local public health laws and regulations as applied to the proposed site include but are not limited to:
  - (1) The sufficiency of sanitation facilities;
  - (2) The sufficiency of waste-disposal facilities;
  - (3) The availability of sufficient potable drinking water;
  - (4) The risk of disease from the physical characteristics of the proposed site or natural conditions associated with the proposed site; and
  - (5) The risk of contamination of the water supply;
- (F) The proposed activity will not pose a substantial danger to public safety. Considerations of public safety must not include concerns about possible reaction to the users' identity or beliefs from non-members of the group that is seeking an authorization and shall be limited to the following:
  - (1) The potential for physical injury to other forest users from the proposed activity;
  - (2) The potential for physical injury to users from the physical characteristics of the proposed site or natural conditions associated with the proposed site;
  - (3) The potential for physical injury to users from scheduled or existing uses or activities on National Forest System lands; and
  - (4) The adequacy of ingress and egress in case of an emergency;
- (G) The proposed activity does not involve military or paramilitary training or exercises by private organizations or individuals, unless such training or exercise are federally funded; and



(H) A person or persons 21 years of age or older have been designated to sign and do sign a special use authorization on behalf of the applicant.

Receipt of an application for a non-commercial group use permit

If any unit receives an application for a NCGU permit, it is vital that Donna Grosz be contacted immediately. Pursuant to the NCGU regulations, "All applications for noncommercial group uses shall be deemed granted and an authorization shall be issued for those uses...unless applications are denied within 48 hours of receipt." The "48 hours" limitation means calendar hours not working hours.

Donna Grosz, acting Recreation Special Uses Program Leader, is the Regional point of contact for issues regarding issuance of a noncommercial group use permit and can be reached at (707) 562-8857. Donna will be working with affected line officers as the permit and site selection process proceeds this year.

/s/ Jack A. Blackwell  
JACK A. BLACKWELL  
Regional Forester

cc: John Shilling, Marlene Finley, Dave Reider, [REDACTED], [REDACTED], [REDACTED]  
[REDACTED], Lynn Bidlack, Carolyn Holbrook, Ellen.HORNSTEIN,  
c/o [REDACTED]

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**2004 Rainbow Site Listing**  
**January 10, 2004**

[illegible]

[illegible]

**Rainbow Family Gathering  
Site Selection Description Write-Up  
Matrix Note Summary  
March 30, 2004**

**Priorities:**

Plumas NF recommendation of priorities is as follows:

Dry Flat #1  
Antelope Creek #2  
Squaw Queen Creek #3  
Red Mountain/Granite Basin #4  
Monitor Flat #5  
Howland Flat #6  
Bear Lake/Long Lake #7

**Site Specific Notes:**

- 1. Dry Flat:** This is a new site located immediately southeast of Antelope Lake. It is comprised of a large meadow, etc. Water availability is moderate in that no swimming opportunity exists unless participants travel back to Antelope Lake, approximately 3 miles. Some springs for potable water exist in the area; actual extent and quality is unknown. Access is good.
- 2. Antelope Creek:** This is a new site located immediately northeast of Antelope Lake. It is comprised of a large meadow, etc. Water availability is moderate in that no swimming opportunity exists unless participants travel back to Antelope Lake, approximately 3 miles. Some springs for potable water exist in the area; actual extent and quality is unknown. Access is good.
- 3. Squaw Queen Creek:** This is a new site located southwest of Antelope Lake. It is comprised of meadows surrounded by timber areas. Some springs for potable water exist in the area; actual extent and quality is unknown. No risk of contamination to water supplies is present due to location. The area of concern would be impact to archeological sites, which possibly could be mitigated due to avoidance. Access is good.
- 4. Red Mountain/Granite Basin:** This is a new site located south of Bucks Lake in Granite Basin, with two small lakes available. The risk of injury to participants as well as other Forest visitors is moderate at this site. Access is good. Availability of potable water is questionable.

**5. Monitor Flat:** This is a new site located immediately west of Onion Valley 15 miles south east of Quincy. The main concern is impact to private property in immediate vicinity, and access, should an emergency arise. Availability of potable water is questionable.

**6. Howland Flats:** This site is identified as being just north east of the community of LaPorte. It would be located in the same vicinity as the historic community of Howland Flat and the potential for damage to the historic town site is high. Access is good. Availability of potable water is questionable.

**7. Bear Lake/Long Lake:** This site is identified as being in the Lakes Basin area. The PNF does not allow overnight camping in this area and potential impacts to cultural resources would be high. Major concern with this site is that the watershed is the municipal water supply for the community of Graeagle, CA. In addition, the parking situation would be extremely poor and potential for conflicts with Forest users and lodges present in area would be high.

## Matrix Notes

1. **NEPA:** Can a CE be completed easily: Yes/No
2. **Availability of water for drinking and swimming:**
  - Good = Both available
  - Moderate = One available for drinking
  - Poor = None or very poor
3. **Parking:** Availability of parking in Dry Meadow = Good, Moderate, Poor
4. **Meadow:** Availability of large meadow (wet) for event itself = Good, Moderate, Poor
5. **Road Access:** Good, Moderate, Poor
6. **Elevation:** Actual elevation listed
7. **Remoteness:**
  - Yes/No as it pertains to whether or not the site is remote, i.e. not adjacent to paved roads
8. **Environmental Sensitivity:**
  - High = Impacts to resources will occur
  - Moderate = Impacts could occur but not likely
  - Low = Impacts to resources will not occur

Exhibit A  
Operations Plan

Rainbow Family of Living Light  
2004 Gathering

Noncommercial Group Use Permit  
\_\_\_\_\_ National Forest  
\_\_\_\_\_ Ranger District

This Operations Plan (O Plan) has been developed to identify authorized improvements and activities, and mitigate potential resource impacts associated with the 2004 Gathering of the Rainbow Family of Living Light Noncommercial Group Use Special Use Permit and is included as Exhibit A of the Special Use Application and Permit for Noncommercial Group Uses (Reference: 36 CFR 251.54) dated June XX, 2004.

The holder is authorized to provide temporary structures associated with information areas, kitchen areas, parking areas, medical areas, shade structures, group campfire pits, water pipelines, directional signing and other temporary facilities appurtenant to group camping and recreation.

**Health and Safety** (see 36 CFR 251.54(h))

1. The treatment of human waste is dependent on a number of factors including specific site features such as soil type, slopes, and depth of the water table. Therefore to assure the health and safety of participants and spectators to the gathering site, the following precautions will be taken:
  - a) Portable toilets will be positioned at major parking areas and concentrated use areas which are less than \_\_\_\_\_ feet from any surface water. The number of toilets to be installed at these locations will be determined by the Forest Service and the Holder based on anticipated use at each location. Number of toilets is estimated at 1 toilet per 25 people for overnight use. These toilets will be pumped and cleaned daily.
  - b) As an alternative to Portable toilets, Earth Pit Privies or Slit Trenches will be used. Earth Pit Privies or slit trenches will meet State of California and \_\_\_\_\_ County Health Department requirements (below-write up restrictions or direction on privies/trenches) :

- i. Privies or slit trenches will be constructed on upland sites. These should be approximately \_\_\_\_ inches wide and of an adequate length for the expected number of people. The distance between the bottom of the privy or slit trench, and seasonal high water table should not be less than \_\_\_\_ inches. Privies or slit trenches will be located at least \_\_\_\_ feet from surface water and down hill or down slope of any drinking water sources.
  - ii. The base of the privy or slit trench will be a minimum of \_\_\_\_ inches above the limiting zone or the seasonal high water table, and located at a minimum of \_\_\_\_ feet from steep drop-offs and \_\_\_\_ feet from lakes, streams or other surface waters.
2. To reduce the risk of illness and discourage wildlife, trash will be removed from the site daily in accordance with State sanitation requirements.
  3. Food shall be stored in such a manner as to discourage wildlife and protect the health and safety of participants.
  4. Biological Hazards generated at the CALM tent [REDACTED] will be stored in secure containers and disposed of at an appropriate medical waste disposal facility. No biological waste may remain on the site.
  5. Primary access roads will be kept clear of vehicles and other obstructions to facilitate administrative and emergency response.
  6. Drinking water should be filtered and treated. Complete daily [REDACTED] water testing for total coliform and fecal and e.coli as recommended [REDACTED] by the \_\_\_\_ County Health Department.
  7. To provide for emergencies associated with fires, injuries, or severe illness, a minimum of one and possibly two 1-acre areas within or directly adjacent to the permitted area will be designated as a helicopter landing site and will be kept open at all times.
  8. To prevent widespread illness, access points to drinking water will be signed and protected from upstream contamination.
  9. All dogs will be on a leash or within an enclosure at all times to prevent contamination of water sources, protect wildlife and provide safe travel for all participants and visitors.



10. To ensure the adequacy of ingress and egress in case of emergencies, all designated Forest roads will be kept clear of vehicles, and vehicle parking will be limited to just those "parking areas" approved and flagged. One vehicle is permitted at CALM to facilitate emergency evacuation either by car or to the helicopter landing site. Pedestrian traffic on Forest roads shall be for ingress and egress only. At no time shall pedestrian traffic block the roadway for administrative or emergency access.

### **Resource Protection**

#### **1. Parking**

- a. Parking areas will be pre-determined by the Forest Service and the holder, and flagged by the holder. The holder is responsible to assure that visitors park within the designated areas. Designated parking areas are: \_\_\_\_\_ as identified on the permit area map posted at information.
- b. To reduce the threat of noxious weed infestations, and oil and gas contamination of soils and ground water, restrict vehicles to designated parking areas.
- c. No parking on or along Forest roads (\_\_\_\_\_) on or along other access roads into the gathering site.

#### **2. Travel Routes**

- a. Foot bridges over (through) the (name of the creek, wet meadow, etc.) will be established every \_\_\_\_\_ feet as approved by the District Ranger, or designated representative, to minimize ... (\_\_\_\_\_) soil compaction, sedimentation, etc.)
  - b. All designated travel routes and use areas within \_\_\_\_\_ feet of surface water will be approved by the Forest Service.
  - c. No off-road motorized travel is allowed except in designated parking areas.
- OR** \_\_\_\_\_
- d. Travel by motorized vehicles up to \_\_\_\_\_ feet off designated open roads is allowed if no resource damages will be incurred. Heavy rutting of wet soils, cutting of green trees, running over small trees, etc. will not be allowed.

Running Water/Drinking Water

- a. To protect riparian vegetation and prevent compaction around water sources, no camping shall occur within 100 (increase to counties value if higher; 100 is the minimum) feet of surface water.
- b. Discourage excavating or digging around drinking water sources to prevent erosion of the bank. Use temporary collection techniques (such as rocks, logs, or tarps) to collect drinking water at the source.

4. Forest Areas

- a. Sensitive areas (archaeological sites, wetlands, habitat for sensitive species, etc) will be flagged by the Forest Service and identified as closely as possible on the map at the information area. The holder is responsible for assuring that participants and spectators do not camp or congregate or remove any potentially historic or pre-historic items or features from these areas (i.e., plants, old bottles, rusty cans, obsidian flakes or grinding rocks).
- b. Collection of edible and medicinal plants and plant parts should be conducted in a sustainable manner, with no more than \_\_\_\_% of the plant product removed in any given area.

5. Latrines

- a. Privies or slit trenches will not be constructed within 300 (increase to counties value if higher; 300 is the minimum) feet of surface water. Privies or slit trenches will not be located in areas that contain riparian vegetation. Privies or slit trench locations will be designated by the District Ranger or designated representative.

6. Kitchens

- a. Gray water disposal will be at least \_\_\_\_ feet from surface water and will not be located within areas that contain riparian vegetation. Kitchen waste/wash water (gray water) will be disposed of at least \_\_\_\_ feet from surface water. Food scraps will be removed with the trash to discourage wildlife.
- b. No washing with soap or detergents in any surface water.

7. Signing

- a. The signing of parking areas, information sites, kitchens, medical facilities, activities, sanitation, services, restricted areas, and travel routes in the gathering area will be done by the Rainbow Family of Living Light as necessary.

- b. Areas restricted from use for environmental reasons will be signed and flagged by the Rainbow Family of Living Light after consultation with the District Ranger, or designated representative, to identify areas of concern. These areas will also be designated on the map posted at the Information area to help notify participants and spectators.

#### 8. Fires

Campfires will be attended at all times.

- b. Due to predicted or unpredicted weather conditions, an "Open Fire Closure" is a possibility when conditions warrant. If a fire closure is issued, no open fires, and/or warming fires, will be allowed except by specific written authorization by the District Ranger, or designated representative. All cooking shall be accomplished with camp stoves fueled by propane, white gas, etc. Smoking will be allowed only within vehicles.
- c. Because the event occurs over the July 4<sup>th</sup> holiday, participants and spectators should be aware that fireworks are prohibited within the National Forest.

#### 9. Straw and/or Hay

- a. Ensure that all straw and/or hay brought into the gathering site is certified "weed free" to help prevent noxious weeds.

## Rehabilitation

4. Privies or slit trenches will be filled and seeded.

**Signatures:**

### Permit Holder

**Date**

**Authorized Officer**

Date \_\_\_\_\_

## Ranger District

## National Forest

## DECISION MEMO

Rainbow Gathering Large Group Permit

\_\_\_\_\_  
Ranger District \_\_\_\_\_ National Forest

\_\_\_\_\_  
County, STATE

### Background

The Forest Service received a request on [REDACTED] for a large group event special use permit from "Individuals Assembling for Expressive Activity and Meditation for Peace" signed by [REDACTED]. This group is commonly known as the "Rainbow Family". Each summer the Rainbow Family organizes a "gathering" at a selected site (usually a National Forest) for the purpose of information exchange, educational activities, prayer, meditation, contemplation and jubilation.

Members of the Rainbow Family have met informally with Forest Service representatives over the past weeks to talk about potential sites for their [REDACTED] annual gathering and to seek ways to avoid adverse environmental impacts. They estimate about 20,000 people could attend the event over the weekend of the 4<sup>th</sup> of July with attendance gradually building prior to the event and then tapering off over the rest of the summer.

The proposed activity is a temporary encampment in [REDACTED]. The request includes areas for parking as indicated on the attached map.

The permit would authorize the group's occupation of the site. State and County requirements will be coordinated through the individuals assembling and the associated agencies.

### Decision

I have decided to issue the permit with the following mitigating requirements. [REDACTED]

### Reasons for Categorically Excluding the Proposed Action

In accordance with Council on Environmental Quality regulations found at 40 CFR 1508.4, I find that this decision can be categorically excluded from the requirement to prepare an environmental assessment (EA) or an environmental impact statement (EIS). The proposed action falls within the category of action described in Forest Service Handbook 1909.15 - Environmental Policy and Procedures Handbook, under Chapter 30, Section 31.1b.8: Approval, modification, or continuation of minor, short-term (one year or less) special uses of National Forest System lands. Based on past experience with Rainbow Family gatherings on other

National Forests, the effects of implementing this action will result in little or no environmental effects to either the physical or biological components of the environment.

In addition, no extraordinary circumstances exist that would require preparation of an EA or EIS. Specifically there are no adverse effects on:

a. Federally listed threatened, or endangered species or designated critical habitat, species proposed for federal listing or proposed critical habitat, or Forest Service sensitive species [redacted]

b. Flood plains, wetlands, or municipal watersheds.

c. Congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas.

d. Inventoried roadless areas

e. Research natural areas.

f. American Indians and Alaska native religious or cultural sites. [redacted]

g. Archeological sites or historic properties [redacted]

## Public Involvement

## Findings Required By Other Laws

National Forest Management Act. This proposal complies with the Goals, Management Area Direction, and Standards and Guidelines of the [redacted] Forest Plan [redacted], as amended.

Clean Water Act. Water quality protection requirements, including Best Management Practices, will be incorporated into the permit..

National Historic Preservation Act. [redacted]

Endangered Species Act. [redacted]

**Implementation Date**

This decision may be implemented immediately. This decision is not subject to administrative review in accordance with 36 CFR 215.12 (f).

**For Further Information Contact:** [REDACTED]

[REDACTED]

**Delegation of Authority for Management of  
the 2004 National Rainbow Family Gathering**

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Incident Commander (IC), [REDACTED] of the 2004 National Rainbow Family Gathering, is hereby delegated full responsibility for management of that event.

The Incident Commander, or the designated representative, is delegated authority to manage the 2004 National Rainbow Family Gathering, which will occur on the \_\_\_\_\_ National Forest during June and July, 2004. The IC has the authority and responsibility to prepare for and manage this event within the framework and guidelines of the law and Forest Service policy and direction set forth in this delegation. Additionally, information will be made available as needed to clarify further the IC's authority and responsibilities. The IC and the Incident Management Team (IMT) are authorized to begin working on the event immediately.

The IC's primary performance objectives and guidelines are as follows:

**1. Event Management:**

- a. Manage this event as a non-commercial group use under special use authorities and the non-commercial group use regulations. Mobilize the needed resources to manage the event effectively and efficiently.
- b. Implement the non-commercial group use permit and operating plan. All actions must be well documented, and a final report on the event will be required.
- c. Internal and external relationships and communications are extremely critical and will have to be established and maintained throughout the event, including key Forest Service personnel; cooperating Federal, State, and local agencies, and members of the Rainbow Family.

**2. Fire**

- a. Ensure that the IMT communicates that fireworks are prohibited on National Forest System lands.
- b. If fire restrictions, or any other orders, go into effect during the time the IMT is managing the event, enforcement of the restrictions at the event will be the IMT's responsibility.

**3. Human Resources:**

- a. Ensure that the safety of employees, assigned personnel, the public, and event participants is considered throughout the event.
- b. Incident personnel will follow applicable U.S. Department of Agriculture civil rights guidelines.

**4. Information:**

- a. Conduct Incident Information to ensure it meets the communication objectives established by the Forest Supervisor.
- b. Adequately staff and manage an incident information function for internal and external information exchange through implementation of the communication plan. The \_\_\_\_\_ National Forest will provide a contact list to ensure that agency cooperators, local officials, and the public are kept informed of the progression of the event.
- c. Coordinate with \_\_\_\_\_, District Ranger, or the acting District Ranger, and \_\_\_\_\_, the Incident Information Officer (IIO) for this event.
- d. Coordinate with the IIO to manage media contacts pursuant to agency policy. The IIO will transmit an electronic or facsimile update daily to all interested parties.
- e. The IMT's IIO is responsible for preparing daily updates and obtaining approval of their release. Updates and press releases should be reviewed by the \_\_\_\_\_ National Forest liaison.
- f. IIO will manage media contacts pursuant to agency policy.