



United States
Department of
Agriculture

Forest
Service

Medicine Bow - Routt
National Forests and Thunder
Basin National Grassland

2468 Jackson Street
Laramie, WY 82070-6535
<http://www.fs.fed.us/r2/mbr>

File Code: 6270-1

Date: July 7, 2006

Scott C. Addison
Coordinator
PCU Free Assembly Project
7027 Mitchell Ave., /A
St. Louis, MO 63117

Dear Mr. Addison:

This letter responds to your June 24, 2006, Freedom of Information Act request in which you requested the following documents related to "the nascent 'Rainbow' gathering in the Routt National Forest:"

- Application for Noncommercial Group Use, Form FS-2700-3b or equivalent, including any cover letter or attachments, as submitted for this gathering by one or more unknown persons on or about June 20, 2006.
- U.S. Forest Service response letter denying this application and stating grounds, as issued on June 22, 2006 by Mary Peterson, Supervisor of Medicine Bow-Routt National Forests.
- Concurrent special use/and or "priority" permits, or other contracts in effect for activities in the area during June-July 2006, which conflicts with the proposed or intended 'Red Park' gathering site. Include applications or proposals as submitted and amended leading to approval, documents showing relevant use fees received and contract payments made, and map(s) showing the location of activities in-progress or planned in the area during this period.

Enclosed is the application for a Special Use Permit for the Rainbow Gathering submitted on June 20, 2006, and Medicine Bow-Routt National Forest Supervisor's letter of denial dated June 22, 2006 (3 pages). The applicant's personal information has been redacted from the application per Exemption 6 of the Freedom of Information Act, which protects personal privacy interests. This redaction is subject to appeal under FOIA law. Appeal information will be forthcoming from the Regional Office in Denver.

Enclosed are four outfitting and guiding permits, with associated applications and maps, and two Term Grazing Permits which address the third bullet point above (81 pages). These documents are for permits in Little Red Park and Big Red Park, where the illegal gathering is occurring.



2) 36 CFR 251.54(3)(ii)(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.

Two outfitter/guide operations (Steamboat Lake Outfitters and Poulter Camps), issued pursuant to 36 CFR 251, currently operate within the proposed site. These authorizations were issued in 2001 and 2006, respectively. Both businesses have proposed operations during the dates requested on your special use application. One business guides motorized tours, and the other is a youth camp with youth hiking/camping activities. The activity proposed conflicts with other scheduled or existing uses in the area.

3) 36 CFR 251.54(2)(iv) – Applications for noncommercial group uses must be received at least 72 hours in advance of the proposed activity.

Your application was submitted only after violation notices were issued to individuals for illegal occupancy without special use authorization. The Forest Service has attempted to communicate with the Rainbow Family concerning this year's event since September, 2005. No application was received by the Forest Service until you submitted yours on June 20th, well after the number of occupants exceeded 75 people.

I feel that if an application had been received earlier, and coordination and communication between the Forest Service and the Rainbow Family had been maintained, this situation could have been avoided. An event of this magnitude and impact to natural resources and other forest users requires proper planning. Environmental and social concerns may have been avoided if earlier application was made.

Your request for a special use permit in this area is denied. We will do our best to help you find an appropriate alternative location. I am aware that other locations were considered at your Rainbow Family spring council. Perhaps one of those would suffice as an alternative location. Please feel free to contact Tom Florich, Permit Administrator, at 970-879-1870 or myself at 307-745-2300.

Sincerely,


 MARY H. PETERSON
 Forest Supervisor



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File Code: 2720-1
Date: June 22, 2006

Dear [REDACTED]

This letter is in response to the special use application (Form FS-2700-3b) for a noncommercial group use special use authorization which was submitted on June 20, 2006 for the Rainbow gathering. The application was handed to Forest Service personnel at 5:20 p.m. at the Hains Peak/Bears Ears District Office in Steamboat Springs, CO.

I am denying your special use permit application because we find that the site selected is unsuitable due to fire hazard risk, public safety concerns, and social conflicts with existing special use permits, and because the Rainbow Family has not coordinated with the Forest Service in a timely manner in submitting an application for this event.

I have reviewed your application in accordance with the Secretary of Agriculture's regulations at 36 Code of Federal Regulations (CFR) 251.54(g)(3). There are eight criteria that must be met in order to approve an application. I am denying your application because it does not meet all the criteria as described below.

- 1) 36 CFR 251.54(F)(4) - *The proposed activity will not pose a substantial danger to public safety. Considerations of public safety must not include concerns about possible reaction to users' identity or beliefs from non-members of the group that is seeking an authorization and shall be limited to the following:* (4) *The adequacy of ingress and egress in case of an emergency.*

The area that you have proposed for this year's event is accessed by one road (FSR 505). In light of the current fire conditions, I feel that this single route of ingress/egress is not adequate. Historically, large and multi-fire days begin in July and concurrently when ERC's (Energy Release Components) are at or above the 90th percentile. Historical fire occurrences of the past five years have happened annually in and around Big Red Park. Beetle mortality in the stands surrounding Big Red Park is approximately 60-70 percent across the landscape. The fuel moistures and conditions (arrangement) associated with these conifer stands show the potential for large fire growth. This is especially true should any wind be assisting fire spread. Large fire acreages burned on the Routt National Forest in 2002 within the spruce component where beetle mortality existed in similar conditions to what exists currently in both spruce and lodgepole. Stage one fire restrictions are expected to be in place within the week in your requested area.



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Use Code: #USE_CODE# 311
Expiration Date: #EXPIRATION_DATE#

RECEIVED

JUNE 20, 2006

U.S. DEPARTMENT OF AGRICULTURE
Forest Service
SPECIAL-USE PERMIT FOR
NONCOMMERCIAL GROUP USE
(Ref.: 36 CFR 251.54)
Authority: Organic Act of 1897, 16 U.S.C. 551
PART I - APPLICATION

Medicine - Bow - Routt N.F.'s
Steamboat Springs Office

1. APPLICANT INFORMATION:

Name of Group or Event: Carbon Gathering Address of Group or Contact: SHUT UP AND FUCK ME CAMP
(whichever is applicable)

Name of Contact:
The contact shall be available to the Forest Service from the date this application is signed until it is accepted, rejected, or denied.
Day Phone: [REDACTED] Evening Phone: () -

2. DESCRIPTION OF PROPOSED ACTIVITY:

Lambert Gathering, The annual gathering of the family of light and children's march for peace

3. LOCATION & DESCRIPTION OF NATIONAL FOREST SYSTEM LANDS & FACILITIES APPLICANT WOULD LIKE TO USE:

Doc's Park
T-11 N R-85 W Section 24, 25, 30
Range 84 T-11 Section 30

4. ESTIMATED NUMBER OF PARTICIPANTS & SPECTATORS FOR PROPOSED ACTIVITY:

Participants: 35,000 Spectators: just the media and forestry

5. STARTING & ENDING DATE & TIME OF PROPOSED ACTIVITY:

Start: 6/15/06 Mon End: Aug 15 noon
Date Time Date Time

6. NAME OF PERSONS WHO WILL SIGN A SPECIAL USE PERMIT ON BEHALF OF THE GROUP (May be same as contact listed in item 1.):

Name: [REDACTED] Name: [REDACTED]
Address: [REDACTED] Address: [REDACTED]
Day & Evening Phone: () - () - [REDACTED] Day & Evening Phone: () - () - [REDACTED]
Signature: [REDACTED] Signature: [REDACTED]
Date: 6/22/06 Date: [REDACTED]

APPLICATION NOT VALID UNLESS SIGNED BY CONTACT

[REDACTED] Signature of Contact
6/22/06 Date

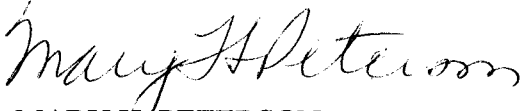
Received

18 U.S.C. § 1001 makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction. Anyone who knowingly or willfully makes or uses any false writing shall be fined not more than \$10,000 or imprisoned not more than five years, or both.

Medicine - Bow - Routt N.F.'s
Steamboat Springs Office

The applicants' personal information has been redacted from these documents under Exemption 6 of FOIA law which protects personal privacy interests. The redaction and withholding of information is subject to appeal under FOIA law. Appeal information will be forthcoming from the Regional Office in Denver.

Sincerely,

A handwritten signature in cursive script that reads "Mary H. Peterson".

MARY H. PETERSON
Forest Supervisor

Enclosures

cc: Diann C Ritschard, Tom Florich