



United States
Department of
Agriculture

Forest
Service

Santa Fe National Forest

1474 Rodeo Road
P.O. Box 1689
Santa Fe, New Mexico 87504-1689
505-438-7840 FAX 505-438-7834

File Code: 2720-1

Date: June 13, 2009

EX(b)(6)+
FA
Garrick Beck
[REDACTED]
Santa Fe, NM 87505

Dear Garrick:

Thank you for acting as a contact for the Rainbow Gathering and providing us with a non-commercial group use permit (the "permit") application received at approximately 6:00 p.m. on June 11, 2009. This response satisfies the Forest Service's 48 hour response requirement of 36 C.F.R. § 251.54(g)(3)(i).

To consider the application complete and begin processing of the permit the qualifying language that was added to the permit application in Section 6 would need to be removed and the name(s) supplied of those willing to sign the permit.

I understand that you believe that the language in 36 C.F.R. § 251.54 (g)(3)(iii) which states that: "... If an alternative . . . manner will allow the applicant to meet the eight alternative evaluation criteria, an authorized officer shall offer that alternative," obviates the regulatory requirement for signing a valid non-commercial group use permit. This is incorrect.

You refer to letters from Undersecretary Mark Rey, however, those letters are specific to the years 2007 and 2008. As the authorized officer I do intend to enforce the regulatory requirement for a non-commercial group use permit for the 2009 Rainbow Gathering. This permit is required by law, and is intended to protect the health and safety of the attendees, and to protect the environmental and archeological resources of the public lands to be reserved for the use of the Gathering under the permit.

Please refer to Regional Forester Corbin Newman's letter to you dated June 9, 2009 for further information on this subject.

Based on our conversation this afternoon I understand that while you are willing to strike the qualifying language from your permit application you are declining to provide the names of those who would sign the permit. Unfortunately the permit application is incomplete as it does not identify or designate the person who will sign the actual permit, therefore we hereby deny this application because it fails to meet the requirement in 36 C.F.R. § 251.54 (g)(3)(ii)(H).



Garrick, I appreciate your willingness to work with us to insure a safe and productive gathering. If you reconsider your decision and would like to re-apply, please contact me, or if there are others that would be willing to provide a complete application I will take that into consideration.

Sincerely,

A handwritten signature in black ink that reads "Erin Connelly". The signature is written in a cursive, flowing style.

ERIN CONNELLY
Acting Forest Supervisor
Agency Administrator

cc: Rainbow Attorney

Auth ID: #AUTH_ID#
Contact ID: #HOLDER_ID#
Expiration Date: #EXPIRATION_DATE#

FS-2700-36 (03/06)
CRB No. 0598-0082

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

EX (h)(6) + PA

1. APPLICANT INFORMATION:

Name of Group or Event: RAINBOW GATHERING Address of Group or Contact: 56 SANTA FE, NM 87505
(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: 505 - [redacted] 505 - [redacted] Evening Phone: () - 505 - [redacted]

2. DESCRIPTION OF PROPOSED ACTIVITY: July 4th Silent Circle & Prayer for World Peace, Community Village Councils, Workshops, Playshops, Kiddie Village, Calm, Environmental Education, & Acoustic Entertainment, Healing

3. LOCATION & DESCRIPTION OF NATIONAL FOREST SYSTEM LANDS & FACILITIES APPLICANT WOULD LIKE TO USE:
VENADO/PALOMOS SECTIONS 24, 25, N 1/2 of 26, E 2/3 of 23, 26 SE COR. of SEC 14 R1E T1N
& South 1/3 of 13, of R1E, T1N

4. ESTIMATED NUMBER OF PARTICIPANTS & SPECTATORS FOR PROPOSED ACTIVITY:
Participants: 9,000 - 12,000 Spectators: 75+

5. STARTING & ENDING DATE & TIME OF PROPOSED ACTIVITY:
Start June 11, 2009 3:00 PM End July 30, 2009 11:59 PM

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.): SEE 36 CFR 251.54 (a)(3) IF AN ALTERNATIVE TIME, PLACE, OR PLANNED WILL ALLOW THE APPLICANT TO MEET THE RIGHT EVALUATION CRITERIA, AN AUTHORIZED OFFICER SHALL OFFER THAT ALTERNATIVE [BANNING ORDER] FOR 2 ATTACHED USDA LETTERS (DOCS, 2007) CONFIRMING THAT ALTERNATIVE & OVERLAPPING THAT PROCESS.
Name: _____ Address: _____
Day & Evening Phone: _____
Signature: _____ Date: _____

APPLICATION NOT VALID UNLESS SIGNED BY CONTACT

Jarvis Beck June 11, 2009
Signature of Contact Date

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...



United States Department of Agriculture

Office of the Secretary
Washington, D.C. 20250

MAY 28 2008

To All:

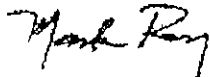
As we prepare for the 2008 Annual Rainbow Family Gathering in Wyoming, several Gatherers have suggested that it would be helpful to again clarify the Forest Service's approach to the 2008 Gathering:

The Agency's authority to require group use permits is in place and has been upheld by the Courts. However, the Forest Service does have discretion with respect to the enforcement of this authority. Pursuant to that discretion and a previously negotiated protocol recognizing the unique nature of the Rainbow Family, we will implement the following process to facilitate a Gathering in accordance with the Forest Service Regulations:

1. The Forest Service has forwarded several sites on the National Forests in Wyoming for the participants in the 2008 Gathering to consider as gathering sites.
2. The participants in the 2008 Gathering will select 2 or 3 alternate locations for the Forest Service to consider as soon as possible. Initial scouting of sites is being done in cooperation with local Forest Service personnel.
3. The Forest Service will quickly evaluate the sites (if other than the recommended Forest Service sites) and give the participants in the 2008 Gathering an answer on suitability before Spring Council.
4. Beginning at Spring Council and after a site has been mutually agreed upon, an operating plan would be prepared in advance of the Gathering in collaboration with the participants in the 2008 Gathering. The plan would be subject to mutual modifications as the Gathering sets up. For this purpose the Forest Service is committed to meeting on the land daily with Gatherers involved with the 2008 Gathering during the Gathering.
5. No permit would be issued. The Forest Service would exercise its discretion and refrain from any enforcement of a permit requirement provided that the operating plan is followed. Failure to comply with the operating plan will result in enforcement of the current regulations.

6. All laws will be enforced on the National Forests similar to other recreation gatherings and forest visitor use.
7. The Gathering will be managed thru the Forest Service Incident Command System for the purpose of addressing social and resource impacts.

Please feel free to circulate within the region and with Gatherers involved with the 2008 Gathering. Welcome home.



MARK REY

05/04/2007 18:00 FAX

0062



United States Department of Agriculture

Office of the Secretary
Washington, D.C. 20250

Dear Rainbow Family Spring Circle,

Based upon our conversations, as well as conversations with other Family Individuals over the last few weeks, I would like to offer the following clarification of the Forest Service's approach to the 2007 Gathering. The Agency's authority to require group use permits is in place and has been upheld by the Courts. However, the Forest Service does have discretion with respect to the enforcement of this authority. Pursuant to that discretion, and recognizing the unique nature of the Rainbow Family, we propose the following:

1. The Rainbow Family would recommend 2 or 3 alternate locations for the Forest Service to consider as soon as possible. Initial scouting of sites should be done in cooperation with local Forest Service personnel. In the future, this date should be much earlier to allow the Forest Service adequate time to analyze the potential sites.
2. The Forest Service would quickly evaluate the sites and give the Rainbow Family an answer on suitability before Spring Council.
3. Beginning at Spring Council, an operating plan would be prepared in advance of the gathering in collaboration with the Rainbow Family. The plan would be subject to mutual modifications as the Gathering sets up. No permit would be issued. The Forest Service would exercise its discretion and refrain from any enforcement of a permit requirement provided that the operating plan is followed. Failure to comply with the operation plan will result in enforcement of the current regulations.

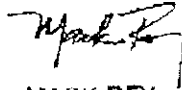
05/04/2007 18:00 FAX

2003

4. All laws will be enforced on the National Forests similar to other recreation gatherings and forest visitor use.
5. A declaration of emergency will be for the purpose of addressing resource impacts.

Please feel free to circulate with other individuals of the Rainbow Family.

Sincerely,



MARK REY

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

REA (P) 4/14

1. APPLICANT INFORMATION:

Name of Group or Event: **Rainbow Family Gathering**

Address of Group or Contact:

Name of Contact: **LISA LAW**

P.O. Box [REDACTED] SFNM 8750

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: () - [REDACTED]

2. DESCRIPTION OF PROPOSED ACTIVITY: Gathering of individuals for participation in Silent Circle & Prayer for World Peace, Community Villages, Councils, Workshops, Play shops, Kidcy vilage; CALM, Environmental Education, & Acoustic Entertainment, Healing

3. LOCATION & DESCRIPTION OF NATIONAL FOREST SYSTEM LANDS & FACILITIES APPLICANT WOULD LIKE TO USE: Parque Venador/Palomas/ Luterio Springs Sections 24,25,N1/2 of 26, E2/5 of 23, 26and S2/5 of sec 13 of R.1, E., T. 21, N. Section 19, 30, 20,31, S 2/5 of sec 17, 18 & N 1/2 sec. 21 of R.2, E., T. 21,N Section cor of sec 14 R.1E., T.21,N.

4. ESTIMATED NUMBER OF PARTICIPANTS & SPECTATORS FOR PROPOSED ACTIVITY:
Participants: 9,000-12,000 Spectators: 75+

5. STARTING & ENDING DATE & TIME OF PROPOSED ACTIVITY:
Start June 11, 2009 3pm End: July 30 2009 11:59 pm
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: **LISA LAW** Name:
Address: **P.O. Box [REDACTED] SFNM 8750** Address:
Day & Evening Phone: **505 [REDACTED]**
Day & Evening Phone: **505 [REDACTED]**
Signature: **[Signature]**
Date: **6/13/09**

Signature: _____
Date: _____

APPLICATION NOT VALID UNLESS SIGNED BY CONTACT

[Signature]
Signature of Contact Date **6/13/09**

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.

PART II PERMIT

Purpose:

Noncommercial group use permits do not grant or deny freedom of assembly or freedom of speech. The rights to freedom of assembly and freedom of speech are guaranteed by the United States Constitution. These rights are fully respected by the Forest Service. When noncommercial group use permits are issued, they regulate time, place, and manner with respect to the exercise of these rights by groups of 75 or more people on National Forest System lands. Noncommercial group use permits authorize the holder to use and occupy the National Forest System lands covered by the permit, subject to rights retained by the United States, including continuing rights of access, a continuing right of physical entry for inspection, monitoring, or for any other purposes consistent with any right or obligation of the United States, and the right to require common use of the land or to authorize use by others in any way that is not inconsistent with the privileges granted by the permit. The use and occupancy authorized by a noncommercial group use permit would not be allowed without the permit. The primary purposes of noncommercial group use permits include protection of National Forest System lands and resources, promotion of public health and safety, and allocation of space among competing uses of National Forest System lands.

1. Use under this permit shall begin on **JUNE 11, 2009 and end on JULY 30, 2009**. The permit shall not be extended.
2. **RAINBOW FAMILY GATHERING**, Lisa Law, as an individual participant of the Rainbow Family Gathering (the holder) is hereby authorized to use, subject to the terms of this permit, National Forest System lands described as or shown in attached **Exhibit A**. This permit covers section of and areas within approximately **5500 acres and/or 21 miles area**. Please see attached map.
3. The holder is authorized to conduct the following activities and install the following improvements in the permitted area: **activities** - silent circle, prayer circle, community village, councils, workshops, play shops, kiddie village, environmental education, acoustic entertainment.
Improvements: Also see operating plan for specifics- surface waterline, slit trenches, temporary kitchen facilities, medical facility, dispersed camping, parking areas
4. The holder shall conduct the authorized activities according to the attached approved plans and specifications, **Exhibit B**. The holder shall not install any improvements not specifically identified and approved in clause 3, in exhibits attached to this permit, or by the authorized officer during the activity authorized by this permit.
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.

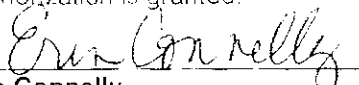
9. The holder shall be liable for any injury, loss, or damage, including fire suppression costs and environmental harm or injury to natural resources, that arises in connection with the use and occupancy authorized by this permit.
10. The holder shall indemnify and hold harmless the United States for 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 persons who sign this permit are not subject to any individual liability under this permit as a result of that signature. They provide their name solely to allow notice of actions pertaining to the permit to be communicated to the holder and to give the permit legal effect. At least one of the persons who sign this permit shall be available to the Forest Service from the date this permit is issued until the use authorized by this permit has concluded.
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 30 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. Exhibits attached: (A) Map, (B) Operating Plan.**
18. The above clauses shall control if they conflict with additional clauses or provisions.
19. Cultural Resources Protection (D001RO). The holder, contractor, or lessee shall be responsible for the protection from damage of all identified cultural resources within the area which may be affected by their actions. In addition, the holder, contractor, or lessee shall be liable for all damage or injury to the identified cultural resources caused by their actions. The holder, contractor, or lessee shall immediately notify the agency Project Administrator if any damage occurs to any cultural resource and immediately halt work in the area in which damage has occurred until approval to proceed has been granted by the Project Administrator after consultation with the Forest Archeologist. All provisions of the Region 3 Cultural Resources Damage Assessment Handbook are incorporated by reference herein.
20. Native American Grave Protection and Repatriation Act (X003RO). Pursuant to the Native American Grave Protection and Repatriation Act (NAGPRA) 25 USC 3002(d); 43 CFR Part 10.4, if any human remains, funerary objects, sacred objects, or objects of cultural patrimony are discovered during the course of ground disturbing activity, the holder will immediately cease

activity in the area of the discovery and will make a reasonable effort to protect the remains and objects. The holder will provide immediate telephone notification of the discovery to the Forest Service, and will follow up with written confirmation to the authorized officer. The holder will not resume the activity that resulted in the discovery until the authorized officer gives written approval. Approval to resume the activity, if otherwise lawful, will be given thirty (30) days after certification by the authorized officer of the holder's written confirmation of the discovery, or at any time that a written binding agreement is executed between the Forest Service and the affiliated tribes adopting a recovery plan for the remains and objects.

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

U.S. DEPARTMENT OF
Forest Service

HOLDER:
By: 

Authorization is granted:
By: 
Erin Connelly
Deputy Forest Supervisor
Santa Fe NF

Date: 6/13/09
Title: 8:40 PM

Date: June 13, 2009

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

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not 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. The time required to complete this information collection is estimated to average 15 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.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.

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.

EX(b)(6) + PA

Auth ID: CUB310009
Contact ID: RainbowFamily
Expiration Date: JULY 30, 2009

FS-2700-3b (03/06)
OMB No. 0596-0082

**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

1. APPLICANT INFORMATION:

Name of Group or Event: **Rainbow Family Gathering** Name of Contact: Lisa Law
Address of Group or Contact: P.O. Box [REDACTED], Santa Fe, NM 87504

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]) [REDACTED] - [REDACTED] Evening Phone: ([REDACTED]) [REDACTED] - [REDACTED]

2. DESCRIPTION OF PROPOSED ACTIVITY: Gathering of individuals for participation in Silent Circle & Prayer for World Peace, Community Villages, Councils, Workshops, Play shops, Kiddy village, CALM, Environmental Education, & Acoustic Entertainment, Healing

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

Township 21 North, Range 1 East
S1/2 section 13, SE1/4 section 14, E1/2 section 23, section 24, section 25, section 26, section 27, section 28, section 30,
N1/2 section 34, N1/2 section 35.
Containing 5,280 acres +/-

Township 21 North, Range 2 East
S1/2 section 17, S1/2 section 18, section 19, section 20, section 30, section 31.
Containing 3,200 acres +/-

Township 20 North, Range 2 East
N1/2 section 6
Containing 320 acres +/-

Total Acreage: 8,800 +/-

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

Participants: 9,000-12,000

Spectators: 75+

EX(b)(6) + PA

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

Start	June 11, 2009	3pm	End:	July 30, 2009	11:59 am
	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: Lisa Law

Name: Lindsey Dearborn

Address: P.O. Box [redacted]
Santa Fe, NM 87504

Address: [redacted]

Day & Evening Phone: [redacted]

Day & Evening Phone: [redacted]

Signature: [redacted]

Signature: [redacted]

Date: 6/17/09

Date:

APPLICATION NOT VALID UNLESS SIGNED BY CONTACT

[redacted]

Signature of Contact

Date: 6/17/09

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.

PART II PERMIT

Purpose:

Noncommercial group use permits do not grant or deny freedom of assembly or freedom of speech. The rights to freedom of assembly and freedom of speech are guaranteed by the United States Constitution. These rights are fully respected by the Forest Service. When noncommercial group use permits are issued, they regulate time, place, and manner with respect to the exercise of these rights by groups of 75 or more people on National Forest System lands. Noncommercial group use permits authorize the holder to use and occupy the National Forest System lands covered by the permit, subject to rights retained by the United States, including continuing rights of access, a continuing right of physical entry for inspection, monitoring, or for any other purposes consistent with any right or obligation of the United States, and the right to require common use of the land or to authorize use by others in any way that is not inconsistent with the privileges granted by the permit. The use and occupancy authorized by a noncommercial group use permit would not be allowed without the permit. The primary purposes of noncommercial group use permits include protection of National Forest System lands and resources, promotion of public health and safety, and allocation of space among competing uses of National Forest System lands.

1. Use under this permit shall begin on **JUNE 11, 2009 and end on JULY 30, 2009**. The permit shall not be extended.
2. The holder is hereby authorized to use, subject to the terms of this permit, National Forest System lands described as or shown in attached **Exhibit A**. This permit covers section of and areas within approximately **8800 acres**. Please see attached map.
3. The holder is authorized to conduct the following activities and install the following improvements in the permitted area: **activities** - silent circle, prayer circle, community village, councils, workshops, play shops, kiddie village, environmental education, acoustic entertainment.
Improvements: Also see operating plan for specifics-
surface waterline, silt trenches, temporary kitchen facilities, medical facility, dispersed camping, parking areas
4. The holder shall conduct the authorized activities according to the attached approved plans and specifications, **Exhibit B**. The holder shall not install any improvements not specifically identified and approved in clause 3, in exhibits attached to this permit, or by the authorized officer during the activity authorized by this permit.
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 persons who sign this permit are not subject to any individual liability under this permit as a result of that signature. They provide their name solely to allow notice of actions pertaining to the permit to be communicated to the holder and to give the permit legal effect. At least one of the persons who sign this permit shall be available to the Forest Service from the date this permit is issued until the use authorized by this permit has concluded.
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 30 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. Exhibits attached: (A) Map, (B) Operating Plan**
18. The above clauses shall control if they conflict with additional clauses or provisions.
19. **Cultural Resources Protection (D001RO).** The holder, contractor, or lessee shall be responsible for the protection from damage of all identified cultural resources within the area which may be affected by their actions. In addition, the holder, contractor, or lessee shall be liable for all damage or injury to the identified cultural resources caused by their actions. The holder, contractor, or lessee shall immediately notify the agency Project Administrator if any damage occurs to any cultural resource and immediately halt work in the area in which damage has occurred until approval to proceed has been granted by the Project Administrator after consultation with the Forest Archeologist. All provisions of the Region 3 Cultural Resources Damage Assessment Handbook are incorporated by reference herein.

RK (b)(6) + PA

20. Native American Grave Protection and Repatriation Act (X003F0). Pursuant to the Native American Grave Protection and Repatriation Act (NAGPRA) 25 USC 3002(d); 43 CFR Part 10.4, if any human remains, funerary objects, sacred objects, or objects of cultural patrimony are discovered during the course of ground disturbing activity, the holder will immediately cease activity in the area of the discovery and will make a reasonable effort to protect the remains and objects. The holder will provide immediate telephone notification of the discovery to the Forest Service, and will follow up with written confirmation to the authorized officer. The holder will not resume the activity that resulted in the discovery until the authorized officer gives written approval. Approval to resume the activity, if otherwise lawful, will be given thirty (30) days after certification by the authorized officer of the holder's written confirmation of the discovery, or at any time that a written binding agreement is executed between the Forest Service and the affiliated tribes adopting a recovery plan for the remains and objects.

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

U.S. DEPARTMENT OF AGRICULTURE
Forest Service

HOLDER: Rainbow Family

Authorization is granted:

By: [Redacted]
Lisa Law

By: Erin Connelly
Erin Connelly
Deputy Forest Supervisor
Santa Fe NF

Date: 6/17/09

Date: 6/17/09

By: [Redacted]
Lindsay Dearborn

Date: 6/17/09

By: _____

Date: _____

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

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not 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 05AB-0082. The time required to complete this information collection is estimated to average 15 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.

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OPERATING PLAN

**2009 RAINBOW FAMILY GATHERING
Exhibit B
As made part of permit CUB310009**

June 23, 2009

This Operating Plan has been developed in cooperation between the Forest Service and Rainbow Family Gathering participants to address public health and safety, allocate space among competing uses, and protect National Forest System resources associated with the 2009 Rainbow Family Gathering. This Operating Plan is consistent with applicable law and the Santa Fe National Forest Plan.

The Forest Service will attempt to hold daily meetings at noon at Information to discuss proposals for any necessary amendments of this operating plan. This operating plan will be posted at Welcome Home, Information, and other suitable public information centers within the Rainbow Gathering site.

HEALTH and SAFETY

1. Gathering participants are responsible for their own health and safety, including coordination with area medical facilities for emergency services and evacuation plans.
2. Emergency vehicles will be allowed ingress and egress quickly without unnecessary delays.
3. Emergency helicopter landing zones have been identified to accommodate emergency evacuation of Flight For Life needs at Wetherhill and Manuel's Cabin. Areas designated as landing sites in cooperation with Rainbow Family Gathering participants shall remain clear of campsites or other facilities within 200 feet of the center.
4. An emergency plan will be developed by the Forest Service in coordination with Rainbow Gathering participants for use in the event of fire, flood, or other natural disasters.
5. Victims of any non-life threatening injury or illness discovered by the Forest Service at the gathering will be referred to individual Rainbow Gathering first aid volunteers who have identified themselves to the Forest Service. These first aid volunteers agree to report any contagious outbreaks to the Forest Service and appropriate health agencies. Gathering participants have the right to refuse medical service from any entity.
6. Biological Hazards generated at first aid stations will be disposed of at an appropriate medical waste disposal facility. No biological hazardous waste will be buried or left on the site.
7. Trash will be removed from the site in accordance with State/County sanitation requirements. The County transfer station is open Wednesday and Saturday from 8:00 AM until 5:00 PM. Only paper and wood trash will be burned.
8. Drinking water should be filtered or boiled or treated. Periodic testing of drinking water systems for total coliform and fecal e-coli will be performed as County or

State requirements dictate. Gathering participants may have an independent entity test water.

9. A hand washing station will be present at each kitchen area.
10. Minimum kitchen dish washing procedures should be a four bucket system followed by a trickling water non-dip final rinse. The first bucket should be for compost, the second bucket for warm water pre-wash, the third bucket for a hot soapy wash, the fourth bucket for a hot clear rinse, followed by a rinse using trickling disinfected water, or bleach water buckets. Dishes should be allowed to air dry.
11. To assure the health and safety of visitors to the gathering, the following actions should be followed:
 - a) Portable toilets should be utilized when feasible. The toilets will be pumped and cleaned as needed.
 - b) As an alternative to portable toilets, slit trenches or earth pit privies may be used. The trenches or privies must meet State or County requirements for temporary campsites.
 - 1) Slit trenches should be constructed on upland sites. They should be located at least 300 feet from standing surface waters or perennial streams, at least 300 feet away from kitchens, and down slope from any drinking water sources. Trenches should be approximately 12 inches wide and of an adequate depth and length for the anticipated number of people. Topsoil and sod should be stored for rehabilitation. Buckets of lime or wood ash shall be available at all trench or privy sites. Trenches or pits shall be closed when they fill to within 12 inches of the surface. Disinfectant hand wash stations will be provided at each location.
12. Due to endemic rabies in this area, all dogs, cats and any livestock should be vaccinated for rabies, per State and County ordinances. Any encounters with wild animals that exhibit unnatural behavior should be reported to the Forest Service.
13. If Gathering participants identify dead or defective trees that present a hazard to gathering infrastructure or participants, they will be discussed with a Forest Service resource adviser and mitigation will be jointly developed.

RESOURCE PROTECION

14. Sensitive areas such as wetlands, sensitive species, and archeological sites will be flagged by the Forest Service in cooperation with Rainbow Gathering volunteers. Gathering participants may not park, camp, or congregate within these areas or remove items from these areas (plants, items over 50 years old like bottles, cans, etc.)

15. To prevent disturbance to wildlife that utilize water sources in the area, no camping will occur within 300 feet of any streams, lakes, or ponds..
16. Gray water and compost pits from kitchens will be at least 100 feet from any surface water or running stream channel and will not be located in areas that contain riparian vegetation. Gray water and compost pits should be covered at all times with 4 millimeter polyethylene, ash or lime and will be marked so as to prevent people from falling into them.
17. Bathing or swimming areas will be suggested by the Forest Service in cooperation with Rainbow Gathering volunteers.
18. Water diverted from one live source should not be introduced to another live source (no stream to stream, spring to spring transfer.)
19. Gathering participants will monitor all activities to ensure that soap, disinfectants, medical waste, or any other foreign material is not introduced into lakes, streams, or other surface waters.
20. Gathering participants will do minimal excavation or digging out around drinking water sources. Temporary collection techniques (such as rocks, logs, or tarps, etc.) will be used to collect drinking water at the source.
21. Log and/or rock crossings will be constructed to minimize impacts to stream banks and will be removed at the conclusion of the gathering.
22. Campfires will be attended to at all times. A shovel and at least one five gallon container of water should be placed at each campfire location. Campfires must serve as community fires– individual campfires will not be used. Fire pits should be completely contained and should not exceed a 12 foot diameter. All top soil and sod will be stored and covered for protection.
23. If local conditions dictate, a District wide or larger fire order prohibiting open fires may be issued. If such an order is issued, all cooking and warming must then be accomplished with camp stoves fueled by propane or white gas, or in kitchens approved by a Forest Service resource adviser; and smoking may only occur in vehicles or areas designated by the Forest Service.
24. No fireworks of any kind will be used on National Forest System lands.
25. Only dead and down firewood may be used. Cutting of green vegetation requires prior approval of the Forest Service.
26. Livestock fences will not be cut or damaged; gates will be kept closed.
27. Sensitive archaeological sites are present in and around Parque Venado.

28. Forest archaeologists will be present to help avoid effects on this resource by ground disturbing activities such as digging fire pits and latrines. Rainbow Gathering participants will not pick up or move any artifacts.
29. Vegetation transect markers (metal stakes) in the Parque Venado will be identified and marked with flagging or another method and will be left undisturbed.
30. The San Pedro Parks Wilderness is subject to applicable regulations. Motorized and mechanized (wheeled) vehicles are not allowed; and party size is limited to 15 in the Wilderness Area.

SITE REHABILITATION

31. All parking areas, Bus Village, trails and areas of concentrated use in the gathering site will be scarified to a depth of 2-4 inches unless deemed unnecessary by the Forest Service and gathering participants and if deemed necessary, will be seeded with a native seed mix approved by the Forest Service. Seeding will be accomplished following the gathering at a time approved by the Forest Service.
32. Slit trenches and latrines will be filled and covered with the native material originally removed from the pit and from the surrounding area, and mounded with excess material to allow for settling. Any surface waste will be removed from the area.
33. Gathering participants will remove and recycle all trash at an established sanitary landfill. Contracts may be made by individuals with local trash hauling companies.
34. Any abandoned vehicles will be removed from National Forest System lands at the cost of the owners.
35. All structures not previously existing at the gathering site (bridges, swings, lean-tos, ovens or art) will be dismantled or scattered to achieve a natural appearance.
36. Any unauthorized (user created) trails will be returned to as natural a state as possible. If necessary, existing trails will be returned to a width specified by the Forest Service, and the appropriate water controls will be installed.
37. All water lines constructed by Gathering participants will be removed from the gathering site and adjacent areas.
38. Fire pits will be filled with native material originally removed and mounded with excess material to allow for settling. Rocks will be scattered to give a natural appearance to the landscape.
39. Other site specific needs will be identified during a walk through the gathering site with Gathering volunteers and the Forest Service on the morning of July 6 and with Information and Welcome Home stations by noon on July 8.

40. When site rehabilitation is completed to the satisfaction of the Forest Service, a letter to that effect will be written to the Rainbow Family.

SPACE ALLOCATION

41. Sufficient limited use parking areas will be provided for Rainbow Gathering participants who are disabled, volunteers for emergency response, temporary supply drop-off by attended vehicles, ongoing shuttle services from remote parking areas, and Forest Service administrative purposes. Areas will be designated by the Forest Service in cooperation with Rainbow Gathering volunteers.
42. Wetland areas will not be used for parking.
43. All four wheels of parked vehicles must be completely off the road.
44. Whenever feasible, vehicles should be parked facing out toward the road to expedite egress.
45. Unauthorized vehicles parked in areas reserved for specific purposes or that interferes with the ingress/egress of emergency vehicles are subject to citation or towing at the owner's expense.
46. The Forest Service in cooperation with Gathering volunteers will institute a one-way system of travel. On Forest Road 70 parking will be limited to the south side of the road between Welcome Home and Palomas Trailhead. There will be 10-12 individually marked parking areas on the North side of the road between those two points. They will be well marked as "Rainbow Parking".
47. Pursuant to the exemption in Closure Order 10-322, clothing is optional within the Gathering site except that areas within view of Forest Roads 69, 70, 103 and State Highway 126 will be identified as "No Nudity" areas.
48. Leashing of animals within the Rainbow Gathering site is optional as long as they are under effective voice control, except that Rio Arriba County ordinances requiring that dogs be on leash at all times will apply on Forest Roads 69, 70, 103 and State Highway 126.
49. Rainbow Gathering participants and their animals will not harass wildlife or livestock.
50. No camping will be allowed in the closure area on Forest Road 70. The area is 2 ½ miles in length and is signed on both ends.