



United States
Department of
Agriculture

Forest
Service

Southwestern Region
Regional Office

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File Code: 6270-1-1
Date:

Mr. Scott Addison
Coordinator
PCU Free Assembly Project
9858 Rivermont Drive
St. Louis, MO 63137

RE: Freedom of Information Act Request, Case Number 338

Dear Mr. Addison:

This is our final determination of your Freedom of Information Act (FOIA) request dated June 17. Your request was received in the Southwestern Region FOIA Service Center on June 30. It has been assigned Case Number 338. Please include this case number in all communications regarding your request.

You are requesting "selected agency documents related to the 'Rainbow Gathering' now convening on the Santa Fe National Forest" including:

- 1) "Noncommercial Group Use applications and signed permits received on or after June 10, 2009 for the Rainbow Gathering;
- 2) FS letters of notification denying or granting such applications, any processing documents related to their screening or handling under agency review, and the NGU permit as approved, with appending terms and Operation Plan;
- 3) Prior personal correspondences to and from the Offices of the Supervisor, Regional Forester or authorized personnel - before June 10, 2009 and since July 2008 - concerning the 2009 Rainbow Gathering in New Mexico, the NGU permit rules, and related policies as applied."

You clarified that the records you are seeking for item 3 are those documents concerning the deliberative process that was used in making the decision to require the issuance of a non-commercial group use permit. You further clarified on July 2 that the records you are seeking for that item are documents of communications between those purporting to represent the Rainbow Family and the employees of the Southwestern Regional Office and the Santa Fe National Forest (NF).

The Santa Fe NF provided 19 pages of responsive records to you on July 1. Enclosed are an additional 52 pages of responsive records, of which 30 pages are released in their entirety and 22 pages are released in part. The mailing addresses, e-mail addresses, telephone numbers, and other personally identifying information for individuals have been withheld pursuant to the Privacy Act, 5 U.S.C. §552a, and Exemption 6 of the FOIA, 5 U.S.C. §552(b)(6), because the addresses do not contribute significantly to the public understanding of the operations or



activities of the government and release of the information could reasonably be expected to constitute an unwarranted invasion of personal privacy.

Pursuant to Title 7 Code of Federal Regulations (CFR), Subtitle A, Part 1, Subpart A, Appendix A, there is no charge for these records because the amount for search and review time and the number of copies falls below the minimum amount required for the Forest Service to collect fees.

The FOIA provides you the right to appeal this decision to withhold information. Any appeal must be made in writing to the Chief, USDA, Forest Service, Mail Stop 1143, 1400 Independence Avenue, SW, Washington, DC, 20250-1143, and received by the Chief within 45 days from the date of this letter. The term "FOIA APPEAL" should be placed in capital letters on the front of the envelope or on the subject line of an e-mail to wo_foia@fs.fed.us. You may also fax an appeal to (202) 260-3245.

We feel that this fully satisfies your request with the Southwestern Region FOIA Service Center.

Sincerely,

CORBIN L. NEWMAN, JR.
Regional Forester

Enclosures

cc: Sara Campney, Jennifer M Cramer