

5 July 2020

Cheryl Probert, Forest Supervisor  
Nez Perce-Clearwater National Forests  
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via eMail:

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attn: Joslyn Osborn-Gaines, Executive Assistant  
Jeffrey Shinn, District Ranger/ICT

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cc: Leanne Marten, Regional Forester  
USFS Northern Region – Missoula, MT

Mailroom\_R1@fs.fed.us

**FREEDOM OF INFORMATION REQUEST: I ~**

**Rainbow 'Incident', Delegation of Authority**

Ms. Probert & Friends:

This is a Request under the Freedom of Information Act, 5 U.S.C. § 552, concerning the so-called "2020 Annual Rainbow Gathering" near the Iron Phone site in Nez Perce National Forest. Please provide the following documents:

- 1) *The 'Delegation of Authority' by the Regional Forester and/or the Forest Supervisor to one or more "Incident Commander[s]", for administration of Forest Service and other federal policies during the course of this event in June-July 2020.*
- 2) *Plans, directives, and/or memoranda which (a) identify all Federal, State, and local agencies on the "National Incident Management Team" ("NIMT"), and those representing member agencies in their official capacities; and which (b) define the respective missions and responsibilities of member agencies under federal authorities.*
- 3) *Any prior determination by USFS or other officials that a prospective 'Rainbow Gathering' in the Idaho region this summer was deemed an 'Emergency' situation, such that a Delegation of Authority was mandated in advance, and the findings of fact which supported this decision. These or related documents should state federal authorities for such action, and cite to the regulations & standards applied.*

Due to ongoing events and the timely nature of this information, this Request is presented by eMail for expedited Response, as soon as possible within the 10-day limit allowed by law.

We can agree on simple and workable means of communication in accord:

Your operational constraints during the Covid-19 crisis are understood; documents requested are already in digital format or easily rendered as such, and may be conveyed via direct email to the undersigned address. The normal requirement of Response by postal mail is hereby waived.

This FOIA Request is directed to the Supervisor's office because it deals with this current event and matters of record in Nez Perce-Clearwater National Forests. It is also forwarded to the USFS Northern Region office, where elements of prior policy were implemented, or may have originated.

Therefore these few items should be readily available, posing no problems or costs in search.

This Request calls for only a few responsive documents, within the page limits for free public inquiries, and averts the costs of printing and mailing hard copies. Accordingly we ask that FOIA fees be waived, and affirm that this information is sought "*for the general use and benefit of the public*". The Forest Service has long recognized **PCU•Free Assembly Project** in these purposes, and in the past has granted exemption from fees under applicable FOIA provisions.

Please reply by email to confirm receipt of this Request , and you can contact me at the phone number below... I will gladly discuss these matters and clarify as needed to proceed.

Thanks for your cooperation... I look forward to working with you.

Respectfully,

  
scottie addison, Coordinator  
- St. Louis, MO  
... sca@free-assembly.org