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Subject: FSM 2355 Climbing Opportunities #ORMS-3524 Solicitation to Comment

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Dear Sir or Madam:

I appreciate the difficult nature of your endeavor to regulate climbing and thank you for the opportunity to provide comment. I do so from the perspective of an experienced climber but also from a decades-long professional history of regulatory compliance affecting federal land and resource management, done while attempting to reconcile disparate objectives. My hope is to assist you in achieving a more workable solution.

“There is a tension in the Wilderness Act between realizing the act’s recreational purpose and preserving wilderness character in general and the Solitude or Primitive and Unconfined Recreation Quality in particular. Properly considering the effects of a potential action on the quality of the visitor experience is a vital part of management decisions arising from this tension. In these situations, the agencies need to be careful that the Solitude or Primitive and Unconfined Recreation Quality, as well as the quality of visitor experiences, does not slowly and incrementally erode over time.” (USDA Forest Service General Technical Report RMRS-GTR-340, Keeping It Wild 2, (Landres et. al., October 2015))

This is the issue at hand. Some sixty years after the passage of The Wilderness Act (the Act) we are to interpret how to manage the use of fixed climbing anchors in our designated wilderness. My intention in commenting is to provide the USDA Forest Service (USFS or the Agency) a better understanding of the nature of technical climbing in wilderness, and an improved framework for management that will be workable for the Agency and for users that meets both the intent and letter of the law, while being better defensible against the inevitable legal challenges.

The critical points I will attempt to make are:

- Technical climbing not only meets the definition of “solitude or a primitive and unconfined type of recreation,” it is often in fact a determining quality of wilderness and its preservation is therefore consistent with the mandate to “preserve wilderness character.” It in my opinion is the ultimate example of primitive and unconfined recreation and in many cases the highest use of a given resource.
- While the term “installation” was not defined by the Wilderness Act, it would be disingenuous to deny that fixed anchors are subject to regulation. However, comments made by those who passed the legislation are highly supportive of recreation and most concerned with landscape level intrusions. Management principles should recognize and reflect this intent.

- The standard of “the imprint of man's work substantially unnoticeable,” combined with the guiding principle of “except as necessary to meet minimum requirements for the administration of the area,” provide the basis for a more workable management framework than that proposed.
- The Agency in its proposed guidance has described two extremes within the world of technical climbing, “climbing that does not rely on use and placement of fixed anchors...” and “bolt-intensive climbing...” I will argue that the majority of technical climbing in wilderness falls somewhere in between these two extremes and that your proposed management plan cannot succeed without recognizing this.
- The Agency likely does not currently have the knowledge to determine what constitutes the “minimum necessary” to administer the Act nor does it have the technical expertise to perform minimum requirements analysis as proposed. It can through cooperative action gain this expertise.
- The Agency may successfully impose or negotiate a moratorium on new anchors but as written the policy leaves open the possibility of removal of existing anchors by the Agency. It is not in its best interest to initiate removal of existing fixed anchors lacking a local forest climbing management plan.
- The Agency at the Forest Supervisor and District Ranger level should engage with local climber organizations to develop workable management plans and to establish criteria for what is “necessary” and the “minimum requirement.” Additionally, forest rangers should seek training from these organizations in aspects of technical climbing.
- Climbing Management Plans should differentiate different types of climbing resources for different management standards and processes, as the Agency does for recreation site types. These resource types can be established using the monitoring criteria the Agency currently possesses. Resource types can then be managed using a programmatic MRA approach for administration purposes, where applicable, rather on a case-by-case basis.
- Consideration of a permit-based user system for climbing routes is generally unnecessary, may be counter to the concepts of unrestrained use and self-reliance, and may contribute to a higher risk level for wilderness climbers.
- The Agency should explore the applicability of the Other Features of Value Quality of wilderness as it may relate to historically and culturally significant climbing resources.

My experience.

My first technical climbing experience in designated wilderness was forty years ago in the Teton range, and I have continued this activity in the years ever since. I am a member of the American Alpine Club, but have also variously been a member of the Wilderness Society, the Sierra Club and related conservation groups. I have engaged in various primitive recreation activities in wilderness, including multi-day through hikes of the Daniel J. Evans Wilderness in the Olympic Peninsula, the multiple wilderness areas of the John Muir Trail, and the Collegiate Peaks Trail through the Collegiate Peaks Wilderness. Additionally, I have made numerous technical ascents within NFS Wilderness Areas including at Tahquitz and Suicide in the San Jacinto Wilderness, the Incredible Hulk in the Hoover Wilderness, in the Bridger Wilderness of the Wind River Range, the Sawtooth Wilderness, the Snow Creek Wall in the Alpine Lakes Wilderness, and countless ascents within my home areas, the Mount Olympus, Twin Peaks, and Lone Peak Wilderness Areas of the Wasatch Range.

I have also worked with land managers in the State of Texas in a formal role as a member of the Central Texas Climbers Committee, establishing a climbing management plan for Enchanted Rock State Natural Area and working on a similar plan for Hueco Tanks State Park and Historic Site, two premier climbing resources within the State. Both areas are preserved for multiple and sometimes competing uses and interests and are done so in a collaborative manner between the land managers and local climbers. This is the model for success.

What is wilderness?

The most relevant sections of text from the Act follow: the definition as “an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation;... and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.”

What is and is not allowed? The Act includes a Prohibition of Certain Uses as well as accompanying Special Provisions (except as necessary) and other protected activities as enumerated.

(c) Except as specifically provided for in this Act, and subject to existing private rights, there shall be no commercial enterprise and no permanent road within any wilderness area designated by this Act and, except as necessary to meet minimum requirements for the administration of the area for the purpose of this Act (including measures required in emergencies involving the health and safety of persons within the area), there shall be no temporary road, no use of motor vehicles, motorized equipment or motorboats, no landing of aircraft, no other form of mechanical transport, and no structure or installation within any such area.

What can we learn about the intent of the legislation?

The following passages are taken from the 30 July 1964 Congressional Record when the House Resolution (H.R. 9070) was passed. The following excerpts address the views of certain members regarding the role of recreation within wilderness. They and others emphasize both the threat of mining and man's large-scale development on natural areas as well as the pressing need to provide for recreation.

Congressional Record, House of Representatives, THURSDAY, JULY 30, 1964, p. 17427, NATIONAL WILDERNESS PRESERVATION SYSTEM, “Mr. ASPINALL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union to consider the bill (H.R. 9070) to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that Members speaking in general debate may have the privilege of including charts, tables, and other pertinent matter with their statements.”

Congressional Record, House of Representatives, THURSDAY, JULY 30, 1964, pg. 17443, Mr. Boland states “In emphasizing, above all, the importance of preserving the wilderness areas in perpetuity on the public lands of this country, I do not wish to detract from the use of wilderness those recreational pleasures

that go with it-of hunting, fishing, hiking, swimming, mountain climbing, camping, nature photography, and the general enjoyment of natural scenery and wildlife habitat.

In 1964, with our fast growing population in excess of 192 million, we, especially in the northeastern areas of the United States, are deeply aware of the disappearance of wilderness and other open space recreation resources. We are deeply aware of the rapidity, with which our land resources are being committed and developed to commercial uses. Opportunities to set aside and develop our lands for outdoor recreation uses are in many instances in danger of being lost forever. We must move with rapidity while there is yet time. Wilderness preservation is an essential part of an action program designed to secure permanent outlets for our outdoor recreation resource needs.

Wilderness recreation has values not present in any other type of recreation. Doctors have testified as to the therapeutic value of an experience in a natural area. Many witnesses in their pleas for passage of the wilderness bill have confirmed that both the intangible spiritual and therapeutic values and other benefits claimed for wilderness recreation are realities which greatly enrich the lives of those who experience them.

We should recognize that true wilderness is not a renewable resource. If these areas are not set aside and given permanent status and protection as wilderness by Congress, the influences of man are going to rapidly erode and consume all that we have."

P 17443: "Mr. GROSS. On page 17 of the bill, near the bottom of the page, the language is as follows: "has outstanding opportunities for solitude or a primitive and unconfined type of recreation." I wonder what "a primitive and unconfined type of recreation" might be. I trust this has nothing to do with topless bathing suits. Mr. ASPINALL. Mr. Chairman, will my colleague from Iowa yield to me? Mr. GROSS. Of course. Mr. ASPINALL. I knew in some way or other my genial colleague would get some humor into this debate, and I am glad to add that I do not think this has anything to do with topless bathing suits, or anything like that at all, nor nudist camps, but it just simply means that there will not be any manmade structures about in order to embarrass and handicap the enjoyers of this particular area."

P. 17444 "Mr. LIBONATI. Mr. Chairman, it is with a deep feeling of satisfaction that I join with the distinguished chairman, the gentleman from Colorado [Mr. ASPINALL] and his discerning Committee on Interior and Insular Affairs in support of H.R. 9070, which has for its purpose a far-reaching proposal to assume jurisdiction by our Government over some 9 million acres of the Nation's unspoiled wilderness areas in order to preserve their natural state and prevent encroachment.

The purpose of the act seeks to prevent exploitation of these lands by humans in our increasing population and the detrimental effects on these lands of our mechanical expansion. This act guarantees to this generation and future generations of Americans the enduring resources of the wilderness as well as a great contribution to the enjoyment and its unimpaired future use for recreational purposes only experienced in such areas. The use must be protected by certain standards of control or rules that will protect and not defeat the public purposes of recreational, scenic, scientific, educational, conservation, and historical uses."

P 17446: "Mr. REID of New York. Mr. Chairman, I rise in strong support of H.R. 9070, the wilderness bill. Last week the House passed the Land and Water Conservation Fund Act which would provide the means to enable the States and various of the Federal agencies to meet the needs of the American people for

outdoor recreation now and in the future. In large part this bill is consistent with the long-range program urged by the Outdoor Recreation Resources Review Commission which was chaired by Laurance S. Rockefeller. I supported the passage of this vital legislation, and it is my hope that it will stimulate the various States to plan thoughtfully their recreational systems, to acquire land, and to: Provide facilities for the ever-increasing needs of our expanding population.

Today, Mr. Chairman, we are considering an equally important piece of legislation which also is the outgrowth of the Rockefeller Commission's work-a bill to establish a National Wilderness Preservation System."

P. 17446 "Mr. OSMERS. Mr. Chairman, at long last Congress is recognizing that our Nation must safeguard a substantial undeveloped and unspoiled portion of our country for our people to use for recreation and enjoyment. We in New Jersey have certainly seen what happens when urban and suburban areas expand without adequate protection of the public interest and thorough planning for the future. This wilderness bill is basically an insurance program to prevent the inadvertent and improper development of lands owned by the Federal Government that should be made available for the use and enjoyment of the public.

It is vitally important that we preserve the recreational resources of our land. All Americans should have an opportunity to enjoy the wonders of nature that are still a part of our great land."

P. 17447 "Mr. ANDERSON. Mr. Chairman, I am immensely impressed with the urgent need for such legislation as the wilderness bill and the objectives that it seeks to attain. Personally, I am fully convinced that in view of the population explosion in our Nation, that steps must be taken now to preserve and set aside existing areas of natural beauty to meet the needs of not only our own generation, but future generations yet unborn.

Surely, we cannot continue to let our vast wilderness areas be rapidly ravaged by the advances of civilization. How much poorer civilization will be if we do not provide and protect specific examples of unmodified islands of nature for the use and fulfillment of man's recreational needs."

I will note that the comment from Mr. Boland is the only one I have found which directly mentions "mountain climbing." Mr. Aspinall, representative from Colorado and chairman of the Interior and Insular Affairs Committee which produced House Resolution 9070, stated in response to Mr. Gross' query that unconfined recreation "simply means that there will not be any manmade structures about." The comments from Mr. Libonati, Reid, Osmer and Anderson all speak strongly to the role of man's recreation in wilderness preservation, and as a driving force for its preservation. Wilderness is not only to be preserved, it is to be experienced and, as we shall see, provide "personal growth from facing and overcoming obstacles."

In performing a word search of the day's Congressional Record, I find the mention of the word "wilderness" 652 times, "preservation" 121 times, and "recreation" or "recreational" a combined 82 times. These citations support the premise that recreation, being one of the five wilderness criteria, is one of great importance to the bill's sponsors.

What, if anything, can we say about the awareness of these representatives of the state of climbing in particular in the America of 1964?

The climber John Middendorf provides an excellent article about the use and development of pitons, the predominant fixed anchors of the time, in America with emphasis on the 1950s and 1960s (<https://www.bigwallgear.com/p/1950s-usa-climbing-gear-notes-v2>). It is of interest to note the use of pitons as climbing technology by the U.S. Army in 1943, the vast array of equipment offered by Holubar in Colorado in 1950 and 1954, the mention of “1962 piton routes far from the road...” with reference to the now Lone Peak Wilderness, and the August 20, 1958 cover of Sports Illustrated magazine, “In one of the first nationwide media exposures to American climbing (1958), Jim McCarthy demonstrating aid techniques in the Gunks,” utilizing fixed anchors. With the ascents of Mount Everest in 1953 and K2 in 1954 one must assume that climbing was well within the consciousness of average Americans. Steve Roper and Allen Steck in their iconic “Fifty Classic Climbs of North America” say of the first ascent of El Capitan in Yosemite: “In both 1957 and 1958 a tremendous amount of publicity accompanied the climb... Metropolitan dailies, including the Oakland Tribune and the San Francisco Chronicle, dwelled on the climbers’ progress throughout the final push and plastered photos on their front pages.” Other significant ascents pre-dating the 1964 Act (https://en.wikipedia.org/wiki/History_of_rock_climbing) include the 1931 ascent of the Grand Teton North Face by Robert Underhill and Fritiof Fryxell, Harold Goodro’s 1949 ascent of Goodro’s Wall in Big Cottonwood Canyon, Utah, John Salathe and Allen Steck’s 1950 eponymous route on Sentinel Rock in Yosemite, Royal Robbins, Jerry Gallwas, and Mike Sherrick’s 1957 ascent of the Northwest Face of Half Dome in Yosemite, the 1958 ascent of The Nose of El Capitan by Warren Harding and various team members, Dave Rearick and Bob Kamps’ 1960 ascent of the East Face of Long’s Peak in Rocky Mountain National Park, and the 1961 ascent of the Salathe Wall on El Capitan by Royal Robbins, Chuck Pratt and Tom Frost. These ascents all took place in what is now designated wilderness, and all relied on fixed anchors for the ascent, descent, or both. In 1963 the Americans climbed Mount Everest, first by Jim Whitaker via the South Col route and then Willi Unsoeld and Thomas Hornbein established a new route to the summit via the West Ridge. Chris Jones’ *Climbing in North America* (ISBN 0-520-03637-9) provides wonderful detail about many of the landmark climbs of the era but can only touch the surface.

Even though “mountain climbing” is mentioned just once on July 30, 1964, it would seem that climbing would have been well within the consciousness of these men, in particular the chair from Colorado. I would assume that they would have regarded it as one of the forms of “primitive and unconfined recreation” they were seeking to protect. Though they would be unlikely to having full understanding of the use of piton craft in its execution or the potential for fixed anchor proliferation, they did seem to be more concerned with bigger issues of preservation. They speak of limiting man’s encroachment. Mr. Libonati states “The purpose of the act seeks to prevent exploitation of these lands by humans in our increasing population and the detrimental effects on these lands of our mechanical expansion.”

In summary, the sponsors of the Act seem to have placed a significant importance on man’s ability to experience and interact with wilderness. They were most concerned with uncontrolled mineral resource extraction and with the encroachment of human habitation, i.e. landscape level impacts.

My comments below are in regard to specific sections of text within the Proposed FSM 2355 Climbing Directives, FSM Chapter 2350:

2355.03 – Policy

“4. Climbing has long been an important and historically relevant form of primitive or unconfined recreation consistent with the wilderness character of many NFS wilderness areas. Climbing or climbing-related activity in wilderness must be restricted or prohibited when its occurrence, continuation, or expansion would adversely impact wilderness character.”

RESPONSE: The second sentence is prejudicial, may be contradictory to the intent of the Act as well as Agency policy, of itself serves no administrative purpose, and should be removed. I will argue here that climbing is consistent with activities defined by the Agency as a “wilderness character,” a “wilderness quality,” and a “wilderness criteria.” The needless prohibition of climbing would remove a critical quality of wilderness.

USFS MRAF Instructions 6/1/2023, Step 2: Alternatives defines one of the four wilderness criteria as:

“Outstanding Opportunities for Solitude or a Primitive and Unconfined Recreation - The Wilderness Act states that wilderness has “outstanding opportunities for solitude or a primitive and unconfined type of recreation.” This quality is important because it provides chances to be by oneself and offers opportunities for primitive recreation, personal challenge, and self-discovery while allowing visitors to be removed from the constraints of civilization. To preserve this quality, it may be necessary to reduce visitor encounters, reduce signs of modern civilization inside wilderness, remove agency-provided recreation facilities, reduce management restrictions on visitor behavior, or take action to improve opportunities for solitude or primitive and unconfined recreation.”

USDA Forest Service General Technical Report RMRS-GTR-340, Keeping It Wild 2, (Landres et. al., October 2015) expands this idea by saying: “This means that wilderness provides outstanding opportunities for recreation in an environment that is relatively free from the encumbrances of modern society, and for the experience of the benefits and inspiration derived from self-reliance, self-discovery, physical and mental challenge, and freedom from societal obligations. This quality focuses on the tangible aspects of the setting that affect the opportunity for people to directly experience wilderness. It directly relates to “personal experiences in natural environments relatively free from the encumbrances and signs of modern society” described in the above definition of wilderness character. The Solitude or Primitive and Unconfined Recreation Quality is preserved or improved by management actions that reduce visitor encounters, reduce signs of modern civilization inside wilderness, remove agency-provided recreation facilities, or reduce management restrictions on visitor behavior.”

This report also champions primitive recreation that “provides the ideal opportunity for physical and mental challenges associated with adventure, real consequences for mistakes, and personal growth from facing and overcoming obstacles” (Borrie 2000, Dustin and McAvoy 2000) (USDA Forest Service RMRS-GTR-340. 2015).

These statements arguably speak directly to technical climbing more-so than any other allowable activity within wilderness. Wilderness climbing often involves significant overland travel, wild camping, steep approaches onto ever-steepening technical terrain, the possibility of a summit, a descent of some nature often involving great personal risk, and a welcome return to some degree of creature comfort. The acknowledgement of climbing as one of the most basic primitive and unconfined recreation types is therefore in and of itself a “wilderness criteria,” by definition of the Act and according to Agency

guidance. It is evident that we are lacking sufficient guidance if we were to conclude the mere act of climbing “would adversely impact wilderness character.” END RESPONSE

2355.03 – Policy

“5. The placement, replacement and retention of fixed anchors and fixed equipment are permissible in wilderness when it is determined that they are the minimum necessary to facilitate primitive or unconfined recreation or otherwise preserve wilderness character. Existing fixed anchors and fixed equipment may be retained pending completion of a Minimum Requirements Analysis, as funding and resources allow, to determine whether they are the minimum necessary for administration of the area for Wilderness Act purposes (FSM 2355.32).”

RESPONSE: The statement that “Existing fixed anchors and fixed equipment may be retained pending completion of a Minimum Requirements Analysis...” would seem to indicate that fixed anchors “will be retained” pending an MRA but the language might be interpreted to allow Forest Supervisors or District Rangers to unilaterally remove fixed anchors. This language should be changed to read “Existing fixed anchors and fixed equipment shall be retained pending completion of a Minimum Requirements Analysis...” Unilateral removal by Agency personnel would be very unproductive. Removal should first require analysis.

The application of the Minimum Requirements Analysis process is in itself a strained exercise here. For example, the Arthur Carhart Minimum Requirements Decision Guide at its outset says: “First, describe the situation that may prompt action and describe why it is a problem or issue. Then, answer the following questions to determine if administrative action is necessary in wilderness:” The process is written with the presumption that the Agency is the action proponent, requiring consideration of action alternatives and analysis of the minimum requirement to achieve the goal, yet the Agency is not the proponent of fixed anchor installation and is generally not qualified to make these decisions alone. With outside technical assistance, the Agency can become qualified to approve a management plan as an “action” and perform MRA on the adoption of the plan.

What is “necessary?”

It could be tempting to conclude that nothing is necessary, but I have shown that wilderness climbing itself meets the definition of a “necessary action” as it is one of the wilderness criteria provided in the Act. We must now consider whether or not a specific climb or route qualifies as a “necessary action.” Is the Agency positioned to decide that a given climb is not necessary and the need can be met by a different climb, perhaps one not located in wilderness? As a general rule I would say no. One of the characteristics of technical climbing that “provides the ideal opportunity for physical and mental challenges associated with adventure, real consequences for mistakes, and personal growth from facing and overcoming obstacles” is the fact that each route is unique. No two offer the exact same challenge or experience. The Agency would do well to only propose a route is not necessary where some other wilderness criteria is substantially impaired.

How do we reach an agreement on what constitutes the “minimum necessary” as part of minimum requirements analysis? We should consider here fixed anchors used both for ascent and descent.

The Agency acknowledges the Special Provisions that do in fact allow “permanent improvements” for the purpose of allowing “unconfined recreation” in a regulated manner (See for example 2323.13f - Transportation System relating to bridges and trails). These allowed “permanent improvements” or installations are in support of human powered travel, of which climbing in all its forms is a subset, and a more primitive and unconfined form thereof.

Further, USDA Forest Service General Technical Report RMRS-GTR-340, Keeping It Wild 2, (Landres et. al., October 2015) addresses monitoring criteria for “wilderness character.” The Undeveloped Quality section (p. 45) states “The most common types of infrastructure found in wilderness facilitate recreational use, and include system trails, bridges, designated camping areas and associated structures, and in some cases toilets. These types of infrastructure degrade both the Undeveloped Quality and the Solitude or Primitive and Unconfined Recreation Quality, but their primary purpose is related to recreation and they are therefore monitored only in the latter quality. The first monitoring question and associated indicators for the Undeveloped Quality reflects this distinction and focuses on trends in nonrecreational physical developments.”

It should be noted here that none of the above “common types of infrastructure” cited in Agency guidance are mentioned anywhere in the Act. The Agency has interpreted their allowance through special provision on its own volition. The Agency is thus in the position to allow “permanent improvements” in support of wilderness climbing, and should seek to do so in a manner consistent with the Solitude or Primitive and Unconfined Recreation Quality as follows.

The statement that infrastructure allowed under Special Provision degrades the Solitude or Primitive and Unconfined Recreation Quality is rarely true in the case of climbing fixed anchors as they relate to climbers themselves, as climbers are well aware of the history of their pursuit and should they discover signs of a previous ascent it serves to pique their interest or present them with opportunity. The Solitude or Primitive and Unconfined Recreation Quality may be degraded for other user groups, however, should they encounter this infrastructure. This does suggest an avenue for management criteria that considers the Undeveloped Quality and the impact of climbers and their fixed anchors on other user groups. The Agency has not appropriately considered the application of this Quality to different users and their differing exposure.

The Solitude or Primitive and Unconfined Recreation Quality section of RMRS-GTR-340 advises that “The Wilderness Act states in Section 2(c) that wilderness has “outstanding opportunities for solitude or a primitive and unconfined type of recreation.” There has been much discussion and debate about the meaning of these words among wilderness managers and scholars (Dawson and Hendee 2009). Early wilderness writings of Aldo Leopold, Robert Marshall, Sigurd Olson, Howard Zahniser, and others paint a rich picture about the type of experience envisioned in wilderness environments. These writings strongly enforce the vital roles of solitude, self-reliance, and freedom as central to the idea of wilderness. In this monitoring strategy, the Solitude or Primitive and Unconfined Recreation Quality encompasses outstanding opportunities for people to experience solitude or primitive and unconfined recreation in wilderness, including the benefits and inspiration derived from physical and mental challenge.”

The four monitoring indicators listed in Table 10 under the Solitude or Primitive and Unconfined Recreation Quality might be helpful in considering the management of fixed anchors as they relate to the presence of climbing as a wilderness criterion. They are: Remoteness from sights and sounds of human activity inside the wilderness, Remoteness from sights and sounds of human activity outside the

wilderness, Facilities that decrease self-reliant recreation, and Management restrictions on visitor behavior.

The remoteness from sights and sounds of human activity outside the wilderness indicator addresses “the sight and sound of (1) automobiles and off-road vehicles on nearby travel routes, (2) airplanes, (3) development and use of inholdings, (4) air and light pollution, and (5) urbanization from high ridges and peaks.” The availability of “cell-phone coverage” is also a consideration in evaluating and monitoring Solitude or Primitive and Unconfined Recreation Quality.

These indicators would tend to support remote climbing opportunities regardless of whether or not they are reliant on fixed anchors. These routes are normally not within the means of other user groups to observe in any detail. They generally cannot observe the fixed anchors that may be present and so the infrastructure present degrades neither the Undeveloped Quality nor the Solitude or Primitive and Unconfined Recreation Quality to the actual observer.

On the other hand, there are many climbing opportunities in wilderness that do not well meet the remoteness criteria listed above, nor the Undeveloped Quality. The canyons of the Wasatch offer an excellent example of this. Given the location of the wilderness boundaries very near the canyon roads, many climbs using fixed anchors are accessible to the general public, but so then are the climbs themselves near automobiles, roadway noise, the urban interface, cell phone coverage, etc. The Agency must consider that these routes are in settings whose wilderness character are already compromised and provide greater leeway towards a greater density of both fixed anchors and user numbers.

The Agency should concentrate its regulatory effort towards high-density fixed gear on climbing routes in remote wilderness settings that are intrusive upon trails readily accessible to other user groups. This subset most offends the Undeveloped Quality. Again, the Agency must take a more nuanced approach in its application of the Solitude or Primitive and Unconfined Recreation Quality standard as it applies to the location of fixed anchors.

As I will discuss below regarding 2355.21 – Climbing Management Plan, the Agency cannot perform the Minimum Requirements Analysis without external assistance. In many cases Forest Rangers already work with local climbing organizations. Locally the Salt Lake Climbing Alliance performs this function. The American Alpine Club and The Access Fund also work in this manner and should be called upon to provide assistance where needed or provide a referral. These same organizations should be approached for technical climbing training for forest personnel where it might expedite this process, particularly the MRA analysis. As example, the members of the Central Texas Climbers Committee provided technical climbing training to the then-superintendent of Enchanted Rock State Natural Area in concert with development of the climbing management plan there. This was very effective in fostering communication between users and land managers, expediting processing times, and easing workloads.

END RESPONSE

2355.03 – Policy

“6.

- a. Climbing that does not rely on use and placement of fixed anchors and fixed equipment, that is consistent with Leave No Trace principles, and does not concentrate human activity constitutes primitive and unconfined recreation and may occur in wilderness unless prohibited by a closure order. This type of climbing includes the use of temporary anchors and equipment that can be removed, such as slings, cams, nuts, chocks, stoppers, and removable pitons.
- b. The placement of a fixed anchor or fixed equipment does not necessarily impair the future enjoyment of wilderness or violate the Wilderness Act, but the establishment of bolt-intensive climbing opportunities may be incompatible with the preservation of wilderness character.”

RESPONSE: The term “Leave no Trace” is not found in the Act. The USFS Forest Service Manual FSM 2300 - RECREATION, WILDERNESS, AND RELATED RESOURCE MANAGEMENT CHAPTER 2320 - WILDERNESS MANAGEMENT also does not use the term “Leave No Trace” so it is inappropriate to enforce that concept to the activity of climbing, nor is it consistent with the definition of wilderness or its established management practices.

The Agency’s MRAF Instructions (6/1/2023) state “The Wilderness Act contains no provision that allows the use of “faster, cheaper, and easier” as a criterion for authorizing any of the prohibited uses. The only criteria are: 1) that such uses are the minimum necessary for wilderness administration, and 2) that wilderness character is preserved. Agency policies may define or even expand upon these criteria.” and “Select the alternative that collectively minimizes the existing or future degradation to all qualities of wilderness character and thus preserves wilderness character overall.”

While the Leave No Trace program is laudable as a public relations tool, it is not an enforceable standard in this context. This term should be removed from 6.a.

NFS herein arbitrarily proclaims that only “climbing that does not rely on use and placement of fixed anchors and fixed equipment, that is consistent with Leave No Trace principles, and does not concentrate human activity constitutes primitive and unconfined recreation.” In actual practice it is often only the first ascensionist of a given climbing route who would encounter such conditions, and who paradoxically would be most likely to place said fixed anchors. Given the time, effort, exposure and risk involved in placing fixed anchors, the inclination is towards minimizing their placement, in essence inherently meeting the minimum requirement standard. Yet, these routes are repeated multiple times by subsequent parties who, knowing their chances of success are therefore greater, still are able to encounter essentially that same sense of primitive and unconfined recreation.

Section 6.b. is consistent with the Wilderness Act and USFS management guidelines. Paragraphs 6.a. and 6.b., however, describe two extreme ends of the climbing experience. Most climbing in wilderness in my four decades of experience lies somewhere in between the two, utilizing some limited number of fixed anchors to safeguard progress supplemented by temporary or “natural” protection, and often relying on fixed anchors to enable descent or retreat. It is this majority that is at jeopardy by your proposed policy because it does demonstrate a thorough understanding of the state of technical climbing.

Descent anchors, generally allowing rappelling, may be looked upon by the uninitiated as an item of convenience but they should be considered as both a safety feature and a natural resource protection

feature. Fixed rappel anchors in the form of bolts or other metal hardware have been demonstrated to reduce damage to trees that might otherwise be used as an anchor. Additionally, rappel descent has the advantage of greatly reducing erosion from a walk-off descent. Such descents would often otherwise take place in steep and loose terrain.

The need for safe retreat is an aspect of wilderness climbing that is sadly overlooked by this proposed policy. Regardless of the intention of scaling a rock wall or peak and descending in fine fashion, it is often the case that adverse weather, accident or injury, or inability to manage the difficulties encountered will result in retreat rather than success and an uneventful descent by other means. In such cases it is almost always necessary to descend by means of some form of fixed anchors. Such anchors may or may not be readily removeable, nor may it be desirable to do so. END RESPONSE

“7. Forest Service personnel are not responsible for the placement or replacement, or assessing or ensuring the safety, of fixed anchors and fixed equipment on NFS lands. Climbers are responsible for placement and replacement of fixed anchors and fixed equipment when those activities are authorized by a land management plan or climbing management plan.”

RESPONSE: Wholeheartedly agreed. END RESPONSE

“9. When consistent with applicable law and directives, the applicable land management plan, and the applicable climbing management plan, issue and administer recreation special use permits to increase visitor climbing opportunities and enhance visitor education and awareness of low-impact climbing practices (FSM 2721.53; FSH 2709.14, Ch. 50 and 80).”

RESPONSE: The Notice of Availability stated this objective as follows: “and that the issuance and administration of special use permits are encouraged to enhance visitor access to climbing opportunities and visitor education concerning low impact climbing practices (proposed FSM 2355.03, para. 9).”

The notice says “encourage” whereas the policy does not. The policy seems more intent on relying on a permit system to manage user numbers than to encourage access.

USDA Forest Service General Technical Report RMRS-GTR-340, Keeping It Wild 2, (Landres et. al., October 2015) when describing the Solitude or Primitive and Unconfined Recreation Quality states on page 52: “Managers may face difficult decisions protecting resources while providing outstanding opportunities for solitude or primitive and unconfined recreation. For example, administrative sites or a minimal system of trails may be considered necessary for managing recreation while still allowing people to use and enjoy wilderness. However, administrative sites and trails concentrate visitors and reduce outstanding opportunities for solitude. Similarly, a bridge across a river may be considered necessary for allowing visitor access to a portion of the wilderness, yet this bridge also reduces outstanding opportunities for primitive recreation. Last, imposing more regulations on visitor behavior may be considered necessary to reduce the physical impacts of recreation and improve opportunities for solitude, but such regulations reduce outstanding opportunities for unconfined recreation.” It goes on to say “Properly considering the effects of a potential action on the quality of the visitor experience is a vital part of management decisions arising from this tension. In these situations, the agencies need to be

careful that the Solitude or Primitive and Unconfined Recreation Quality, as well as the quality of visitor experiences, does not slowly and incrementally erode over time.”

In the case of wilderness climbing, users generally tend to be self-regulating on their resource demand, though the ever-increasing user numbers are indisputable. In the case of technical rock climbing, the implementation of a permit system would be onerous for both the Agency and the user, and would greatly distract from the sense of “unconfined recreation.” Remote technical climbing relies on continuous decision making that often involves uncertain and changing weather conditions. Restrictive permits would infringe on the safety-based decision-making process required.

Permits are most applicable where a highly desirable summit is the objective. In these cases, a permit system would serve to further the wilderness experience, improve safety, and help to preserve the resource. User permits are effective in managing camping or bivy sites related to climbing resources, not the climbs themselves. Rocky Mountain National Park and Grand Teton National Park have successfully managed user numbers in this manner for many years. END RESPONSE

“2355.21 – Climbing Management Plan

12. Restrict or prohibit the placement or replacement of fixed anchors and fixed equipment in wilderness unless specifically authorized based on a case-specific determination that they are the minimum necessary for administration of the area for Wilderness Act purposes (FSM 2355.32).”

RESPONSE: The blanket restriction or prohibition of “the placement or replacement fixed anchors and equipment” policy is problematic in at least two significant ways.

First, it has been demonstrated that climbing is a form of “solitude or primitive and unconfined recreation,” which is itself one of the defining characteristics of wilderness. A blanket restriction or prohibition of fixed anchors would severely restrict both the ability to pursue wilderness climbing and the ability to do so in a safe and natural resource protective manner. The lack of fixed anchor descent systems would inevitably lead to greater land erosion, resulting in vegetation damage and impaired water quality.

The Agency has at 2355.1 stated that climbing opportunities mostly occur on NFS lands with a development scale of 0, 1, or 2, meaning there are little or no developed recreation facilities supporting the activity. As a result, other forest users are unlikely to encounter these climbing activities close up and are unlikely to be aware of any fixed anchors that may be present. This is consistent with the definition of land with “the imprint of man’s work substantially unnoticeable.”

The requirement that they be “specifically authorized based on a case-specific determination that they are the minimum necessary for administration of the area” presents a myriad of problems. The greatest practical impediment to this policy is that the Agency is not staffed with qualified personnel to make the determination as to what meets the standard of “minimum necessary.” Simply denying applications due to lack of resources would be contrary to the wilderness characteristic of “solitude or primitive and unconfined recreation.”

Additionally, the Agency appears to underestimate the number of users engaged in wilderness climbing and the amount of existing fixed anchors and equipment. Relying on case-specific minimum

requirements analysis would greatly overburden both Agency and user. Where Minimum Requirements Analysis is indicated, the Agency should refer to its MINIMUM REQUIREMENTS ANALYSIS FRAMEWORK Instructions (MRAF Instructions 6/1/2023) which state “It may be appropriate to apply the MRA process to a recurring action that has the same purpose, effect, or environmental/social context each time it is undertaken (aka a “Programmatic MRA”). A Programmatic MRA’s determination should include sideboards and/or limitations for any non-conforming uses rather than simply allowing a particular non-conforming use for a specific action.” 2355.3 – Climbing Management, paragraph 2. wisely calls for the Agency to “Coordinate with climbing organizations and members of the climbing community in implementing and obtaining compliance with restrictions and prohibitions on climbing.” This should be broadened to include supporting technical analysis of what is the “minimum necessary.” Management plans need to recognize the variety of climbing resources in wilderness and offer flexibility in how they are treated. END RESPONSE

“2355.31 – Placement, Replacement, and Retention of Fixed Anchors and Fixed Equipment Outside Wilderness

3. Restrict the placement and replacement of fixed anchors and fixed equipment to established climbing opportunities and to approved new climbing opportunities that have been evaluated for natural and cultural resource impacts. Allow placement and replacement of fixed anchors only for purposes of belay, rappel, traverse, resource protection, or aiding in ascent and descent. Do not allow extensive or arbitrary placement and replacement of fixed anchors and fixed equipment without regard to rock features that provide natural opportunities for ascent and descent, such as where fixed anchors and fixed equipment are placed or replaced at a location that is otherwise climbable purely to make the climb easier, as opposed to at a location that is not otherwise climbable to enable a climber’s ascent and descent of a climbing route identified in the applicable climbing management plan.”

RESPONSE: The first requirement regarding evaluation for “natural and cultural resource impacts” must in some way be qualified. My experience in working with Federal land managers tells me that you do not have the resources to perform this function, and it will be used as an easy way to deny a request. The requirement to get approval for each and every placement of fixed anchors in advance is in itself equally onerous. Management plans must look at climbing resources on a landscape scale rather than on an individual basis.

I am in agreement regarding the types of placements you would allow, as well as reliance on natural opportunities. The use of the phrase “purely to make the climb easier” might be problematic when considering what is referred to as aid climbing, where an ascent includes terrain that cannot be passed without putting body weight onto fixed anchors.”

“2355.32 – Placement, Replacement, and Retention of Fixed Anchors and Fixed Equipment in Congressionally Designated Wilderness”

RESPONSE: As much of this text is repetitive, I will refer you to previous comments. “Case-specific” determinations are not a workable solution, nor is minimum requirements analysis at this level. You

must look at resources on a larger scale, develop management principles suitable to that scale, and utilize programmatic analysis where applicable. END RESPONSE

Other Features of Value Quality

In reviewing the USDA Forest Service RMRS-GTR-340 Technical Report, I note the inclusion of the Other Features of Value Quality Section 2(c) of the Wilderness Act, which defines wilderness as an area that “may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.” Incorporating these unique features, where they exist, in wilderness character monitoring can provide a more complete picture of wilderness character. The report states “Use of this quality is not required. Unlike the other qualities that apply to every wilderness, the Section 2(c) definition notes that other features may be present; they are not required to be present. However, if features exist that are truly integral to wilderness character, then this quality would be used in monitoring.”

To help staff consider this quality, they are instructed to ask “Does the feature define how people think about the wilderness or how they value the wilderness?” and “Is the feature nationally recognized (for example, through an official designation such as the National Register) or considered a priority heritage asset (for example, identified as significant in an agency plan)?”

I would propose that the Agency should consider that it may in fact be managing wilderness climbing resources that would meet the definition of Other Features of Value, and these could be designated and monitored in their climbing management plans. As an example, the Wind River Range of Wyoming is considered one of the premier alpine climbing venues in America, largely located within wilderness, and many of the climbing routes and features have been a significant part of American climbing history and culture for decades, often preceding passage of the Act. This is how climbers perceive the intrinsic value of the Bridger Wilderness. As to a means of national recognition, consider theirs and others’ inclusion in Fifty Classic Climbs of North America (Steve Roper and Allen Steck, ISBN 0-87156-262-6), Great American Rock Climbs (Richard DuMais, ISBN 1-884709-04-4), and the magnificent Fred Beckey’s 100 Favorite North American Climbs (Fred Beckey, ISBN 978-0-9801227) for examples. It may be time to explore legislation designating certain climbing features as having a significant historical and cultural context.

Thank you again for this opportunity to provide input.

Sincerely,

Robert K Price

Robert Price