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Comments: USFS Manual 2300 Comment

The proposed Forest Service Manual 2300 adopts a new outlook on bolted climbing anchors that pivots from a half-century of accepted bolt use, thereby risking to alienate a major outdoor recreation constituency, America's rock climbers. A management plan that bans or severely restricts the use of bolt anchors, while implemented in the spirit of environmental preservation, will have the unintended effect of greater environmental damage. I would like to address the effects on stewardship, the environment itself and the preservation for future generations. I would finally like to address the administrative and legal concerns with the proposed draft.

Impact on Stewardship

One might question why land managers should accommodate a seemingly small user group like climbers. Climbers, by virtue of their outdoor activity, are more vested in the outdoor resource than the average visitor to natural sites. Climbers, unlike windshield visitors, literally get in touch with nature: They hike to the climbs, they touch and feel the stone, they physically engage with the resource. They do not simply park in a finished campground or hike along a trail and gaze at nature from afar with a camera in hand.

Climbing organizations work closely with land managers to preserve the natural resources--to limit their own impact and to mitigate the impact of other users. My local climbing advocacy group, the Climbing Association of Southern Arizona (CASA), has earned national recognition for its environmental stewardship in Coronado National Forest (CNF). Where unappreciative "ordinary" visitors leave their mark in litter and graffiti, CASA regularly organizes climbers to clean it up. Climbers under CASA's leadership and CNF's imprimatur implement significant erosion control projects that preserve the environment from erosive impact by climbers, hikers and photo-op visitors alike.

Severely restricting or prohibiting protective bolts will render climbing in many areas inaccessible or unsafe, as not all rock types and formations lend themselves to "clean" removable protection. Restrictions will drive climbers out, and as climbers abandon these restricted crags, they will have less interest in stewardship projects to preserve them. The litter and graffiti will rebound, the social trails will proliferate and replace well-built, erosion-resistant ones, and climbing advocacy groups will no longer be a resource the Forest Service can lean on. Additionally, climbing traffic will concentrate on other crags outside of NPS or USFS jurisdiction, shifting and magnifying the environmental impact on those crags.

Impact on the Environment

People believed a generation ago that bolt anchors in rock represented a kind of "defacement" and negative environmental impact. Land managers and environmentalists have since learned bolt anchors often mitigate unwanted negative impacts.

The Shawangunks famously clung to a no-bolt ethic for generations. The Mohonk Preserve recently determined that popular, high-traffic climbs suffered undue erosion as a result. The Preserve implemented a program to establish fixed bolt anchors on these climbs to mitigate the damage (<https://gunksclimbers.org/gunks-news/2017-june-near-trapps-anchors/>, <https://gunksclimbers.org/gunks-news/2016-gunks-trapps-fixed-anchors-update/>). Webbing anchors running from trees over the cliff edge inflicted erosion along the top, damaging soil and plant life. The repeated anchoring to trees injured the trees as well. Now the bolted anchors obviate the damage. The metal bolts do not unduly damage the rock and the repeated makeshift temporary anchors that did so much

damage are no longer necessary. How would have thought bolt anchors would save the soils and flora?

A number of popular climbing areas employ bolted anchors to reduce wear on trees and the mineral resources. Rappel stations at some areas, like Seneca Rocks, sit beside trees that previously served as rappel anchors for countless parties. Now the bolts preserve the trees by transferring the load to the stone.

Impact on "Preservation for Future Generations"

When I backpacked in the National Park backcountry in the 1980s, I was told only five percent of park visitors actually get off the developed areas into the wilderness. Few people get to experience and appreciate the beautiful natural resources the United States holds for them. The roads, visitor centers, developed campgrounds and RV parks, the public bathroom facilities and other footprints of modern civilization are the only way most Americans can access the splendor of our natural spaces. The rationale for such installations is that providing access to these natural spaces, albeit peripheral, gives the people an opportunity to embrace the resource and develop an interest in maintaining it. "Windshield tourism" may not be the ideal way to experience our natural spaces, but it at least gives the people a glimpse of what they are entrusted to preserve for future generations.

Rock climbing used to be a fringe outdoor pursuit, but the advent of climbing gyms has availed it to people across the country who might never have taken it up. Urban gyms and indoor walls in the Great Plains and Deep South afford people the opportunity to adopt climbing, even if the nearest rock outcropping lies hundreds of miles away. The natural outgrowth from indoor gyms is the desire for these climbers to venture outside onto real rock. This phenomenon has made climbing a more mainstream activity and the number of climbers at the crags has grown significantly. This obviously poses environmental impact challenges, but it also presents an opportunity for increased advocacy.

Indoor gyms and their outreach programs have brought climbing to erstwhile underrepresented demographics. Introductory climbing programs for at-risk youth and people of color are giving these underrepresented groups access to a world many would otherwise not enjoy. Gym-sponsored trips take urban youth to real crags where they can ply their new gym skills on stone, all while experiencing natural spaces unavailable to them in the urban world. These new rock climbers become vested in their outdoor resources in a way that most urban denizens cannot. Natural spaces are no longer a hypothetical construct that we should preserve "somewhere out there." These natural places become tangible resources that people want to protect and enjoy.

Some environmental advocates favor the "somewhere out there" approach and promote blocking off wilderness areas from all human contact, preserving nature in its purest form for future generations. This approach may work for the fraction of ecology PhD's in America, but it places these natural places at risk down the road. When we lock away natural places and keep people out to varying degrees (an effect that an arduous climbing management plan may have for a significant number of stakeholders), people become divested of those resources. These natural spaces become locked away in a sort of safety deposit box for the future. Rather than natural spaces, they become a land trust. A generation or two down the road, Americans who have developed no connection to that distant resource may open the vault and sell it off to developers or extractive industries. It will simply be a piggy bank to be broken and raided down the road. If we open these lands to reasonable recreation, without undue restrictions that could effectively close down that recreation, we get more people personally invested in these lands' preservation.

Legal and Administrative Issues

The first concern is the addition of increased detailed, regulatory oversight on climbing activities. The proposed Forest Service Manual 2300, Chapter 2350 establishes granular oversight of the placement of fixed anchors on non-wilderness NFS lands, an accepted and non-scrutinized practice for half a century. Such a change to regulation in the face of historical practice necessitates legislative action, not mere regulatory adjustment. (The

courts consistently consider historical practices when reviewing laws and the execution thereof. The Supreme Court coincidentally heard arguments last week on how much latitude an Executive Branch agency may regulate activities in executing an act of Congress [*Loper Bright Enterprises v. Raimondo*; *Relentless, Inc. v. Department of Commerce*]).

Congress established wilderness designation and preservation standards in the Wilderness Act of 1964. Those preservation standards apply more stringent usage restrictions to wilderness than to non-wilderness lands. Verbiage in the proposed Forest Service Manual 2300, Chapter 2350, applies new, stringent management standards to non-wilderness areas outside of the scope of the Act. Sections 2355.03.3 through 6 address climbing specifically within designated wilderness. Sections 2355.03.1, 2, 2, 7, 8 and 9 speak to fixed anchors on National Forest Service (NFS) land in general, calling for a climbing management plan in non-wilderness and wilderness areas alike. Sections 2355.04e.2 and 2355.21 call for a climbing management plan on non-wilderness NFS lands at the District Ranger's discretion based upon vague criteria of adverse effects or use conflicts. Section 2355.31 explicitly calls for fixed anchor restriction and strict scrutiny on non-wilderness lands.

The climbing community is not opposed to management plans, but a sound plan must include provisions that explicitly protect the constituents' interests. The current plan grants great latitude to the District Manager and bureaucratic staff (unelected officials) with no provisions for constituent appeal beyond a comment period. Section 2355.03.7 notes USFS personnel are not responsible for monitoring the condition of fixed anchors, nor are they charged with replacing unsafe anchors. That would fall to the climbers themselves. However, the Manual empowers USFS Ranger personnel to require those climbers to apply for permits to replace said anchors. The government staff has the power to review and ultimately deny such applications without any first-hand knowledge of the anchors in question. The process devolves from one of resource and safety management to simple administrative fiat. Furthermore, trends show that the USFS does not have the resources to review and approve the applications in a timely manner, delaying safety corrections for an indeterminate length of time (since the Manual does not specify a timeliness or responsiveness standard). An example on Mt. Lemmon illustrates the point: a local climbing organization applied for a permit to conduct erosion control at a popular roadside destination; the application has been under review for seven months with no estimated time of decision. Without holding government officials accountable to a response timeline, a permit request can be effectively pigeon-holed indefinitely. A slow response to a request to install bolts on a new climb may pose a simple inconvenience to climbers. However, a delayed review on a request to replace unsafe fixed anchors poses a risk to constituents, as less experienced climbers may unwittingly continue to use an unsafe anchor during the review process. I would like to see verbiage that holds the government accountable to review permit applications in a specified timeframe, and that an explicit appeals process be included as well.

Climbers, being strong environmental stewardship advocates, value their collective relationship with US Government land managers and will gladly work with them to preserve our natural resources. Climbers are not opposed to well drafted resource management plans, but insist such plans consider historical practice, responsiveness to the constituents and the all the potential effects, positive and negative, such plans could engender. Draft Forest Service Manual 2300, Chapter 2350, in its current state, while a good start, fails to meet the standard as currently written.

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