

Data Submitted (UTC 11): 1/10/2024 5:36:37 PM

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Comments: Good morning,

My name is Cody Sargeant and I am a land use attorney based out of California. I am also an avid climber, hiker, and frequent recreator in national parks and forests.

The proposed modifications to the agency's interpretation of the Wilderness Act is alarming and short-sighted for several predominate reasons.

First, the agency has a responsibility under the Wilderness Act to not only protect natural resources, but also protect valid forms of wilderness recreation. As has been reiterated by several non-profit groups (e.g., the Access Fund), this interpretation will severely limit the ability of climbers to recreate in wilderness areas. The delegation of authority to local climbing management rangers is too broad a delegation for such an important issue and is likely to result in several of these local rangers banning hardware altogether for sake of efficiency or cost-reduction. As the agency likely knows, the overwhelming majority of rock climbing routes in wilderness areas rely on permanent hardware for safe ascents. Accordingly, restrictions on the ability to place or maintain such hardware will result in the vast majority of routes becoming unclimbable, or result in climbers being put in more dangerous situations when climbing these routes. This is not a protection of this valid form of recreation.

Second, these additional procedures are short-sighted and will likely result in a more significant impact to natural resources. For instance, on many (if not most) climbing routes, permanent hardware has been used to reduce the use of trees, brushes and semi-permanent slings (i.e., tat) for protection and anchors. This has been the practice for decades to protect this natural wildlife -- constant rubbing of ropes against trees has resulted in the death of many trees in the past. If the installation and maintenance of permanent hardware were to be restricted, climbers would undoubtedly return to their practice of using existing features (often in methods that harm those resources) for safe passage up climbing routes. Accordingly, the implementation of this policy would cut against the very policy the agency uses to justify it -- protection of natural resources.

Finally, the agency has failed to adequately substantiate this policy. Per Section 706(2)(A) of the Administrative Procedure Act, agencies may not take any action that is "arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law." While the USFS has attempted to justify this policy by claiming that a proliferation of permanent hardware jeopardizes natural resources, it fails to substantiate this claim. Permanent climbing hardware is generally less than an inch or two large, is placed predominately hundreds of feet above the ground out of the view of other visitors/recreators, and do not impact any sensitive species or habitat. Unlike the construction of trails, bathrooms, bridges which involve destruction of sensitive habitat, the installation of climbing hardware has little to no environmental impact. The agency has the burden of showing that its action is not arbitrary and capricious and, as of yet, this burden has not been satisfied.

For the foregoing reasons, I respectfully ask that the USFS not move forward with this policy and to continue to leave the choices regarding how and when to install hardware up to the climbing community -- a community that has decades of experience doing so without resulting in any significant environmental impacts.

Thank you for your time and consideration.

Best,

Cody