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Comments:

I have a few key suggestions for the Forest Service's fixed anchor policy proposals.

****Consider Not Designating Fixed Anchors As Installations****

Designating fixed anchors as Installations, under the Wilderness Act, diverges greatly from historical norms, creating anger and political action that threatens the Wilderness Act itself. The 118th Congress has proposed [H.R.1380](<https://www.congress.gov/bill/118th-congress/house-bill/1380>) (PARC), [H.R.6492](<https://www.congress.gov/bill/118th-congress/house-bill/6492/text>) (EXPLORE), and [S.3266](<https://www.congress.gov/bill/117th-congress/senate-bill/3266>) (AORA) all seeking to amend the Wilderness Act to specifically exempt existing fixed anchor routes from Wilderness Act protection.

If Congress were to pass the proposed legislation, it would have the net effect of weakening the Wilderness Act according to the Forest Services' own [congressional testimony](https://www.wildernesswatch.org/images/wild-issues/2023/testimony_FS_french.pdf), "**creating new definitions for allowable uses in wilderness areas, as H.R.1380 would do, has the practical effect of amending the Wilderness Act, which could have serious and harmful consequences**". It is our view that the agency should pursue a rule making process, based in law, that designates fixed anchors as non-installations. It is our view that doing so would reduce the political need for such drastic legislation, and the threat it poses to the Wilderness Act.

Fixed Anchors are small in size, and are "substantially unnoticeable". Further, actions could be taken to minimize their visual appearance if deemed necessary by the agency. §2(c)(1) of the Wilderness act states that, "Wilderness... generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable". It is our view that Fixed Anchors can exist in harmony with the definition of wilderness under the Wilderness Act, and are not installations as originally envisioned by Congress.

I suggest the agency seriously consider the potential risks to the Wilderness Act posed by the recreation laws in congress when issuing the final rules.

****Regional Designations****

The uses and needs of each wilderness area are unique. Some areas are seeing large amounts of fixed anchors while others are not. It does not make sense to have a single rule around fixed anchors covering all wilderness areas. Instead, specific regions should be able to have different fixed anchor designations.

I propose the local authorities in the Forest Service can designate a section of wilderness with a certain fixed anchor policy. For example, they could designate one section with the rule that existing fixed anchors can be replaced by anyone but new fixed anchors must require review. Creating a designation would require a public comment period, so that the local stakeholders could be heard.

Regional designations allow fixed anchor policies to make sense for each local region and give stakeholders an opportunity to voice their concerns. They also can create common classifications, so that the policies of different regions use similar language and are understandable.

****Licensed Individuals / Organizations****

A fixed anchor policy where every anchor replacement or installation requires review is very impractical. Fixed anchor proposals would likely take years to be reviewed. If an accident occurs because existing fixed anchors cannot be replaced, then this will be a tragedy partially caused by the bureaucracy of this process.

I suggest that the Forest Service license particular individuals and organizations for anchor replacement and/or installation in certain regions. Once licensed, these actors may not have to seek case-by-case approval for certain pre-approved actions. There could be a periodic review of the licensees, or the licenses could expire after a certain period, to ensure that the licensees are still acting responsibly and following the specific guidelines of the region.

A licensing system is a reasonable proposition that will facilitate community discussion around fixed anchors and self-policing. If a local organization is licensed, then individuals seeking to establish new routes or replace existing anchors would naturally work with the local organization on their project, ensuring that there is community buy-in and the proper guidelines followed, or else the local organization could lose their license. It would greatly reduce the operational burden on the Forest Service.

Our last suggestion is that the Forest Service approaches fixed anchor policies lightly, addressing the highest need areas first before progressing to others. Much will be learned along the way, so it is best to start softly and increase restrictions if needed, rather than aggressively trying to implement policies across the country at once.

Signed,
Micah Carroll