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Comments:

I have been climbing for nearly 50 years. I have worked as a Wilderness Skills Instructor and guide for the National Outdoor Leadership School. I have spent many days (and nights) climbing in national forest Wilderness areas around the United States, both backcountry Wilderness (e.g., Cirque of the Towers, Wind River Range; the Palisades Group, Sierra Nevada range) and frontcountry Wilderness (e.g., 90 Foot Wall and Eagle Lake Cliff, Desolation Wilderness, Lake Tahoe Basin Management Unit of the Tahoe National Forest). I worked for 13 years as Policy Analyst for the climbers' advocacy group, The Access Fund, and in that role was appointed to a formal advisory committee by the USDA Forest Service to provide recommendations on how to interpret and manage fixed anchors under the Wilderness Act. All of which is to say that I believe I understand the nuances of this fixed-anchors-in-Wilderness issue as well as anyone.

So I feel on solid ground in saying that the proposed change in regulation here is a huge and unwarranted mistake in terms of both policy and on-the-ground resource management - and it's not required by either the Wilderness Act itself or the Act's implementing regulations.

Fixed anchors -- various bits of man-made material left behind by climbers either to descend via rappel from technical routes or to provide a margin of safety while ascending - are the sine qua non of technical climbing and mountaineering. You can't allow technical climbing as a traditional and appropriate use of Wilderness without allowing also the use of fixed anchors. It's that simple. And resource agencies should not be regulating (and assuming liability for) when and how climbers handle the extraordinary risks that are part-and-parcel of this activity.

The Congressional Record affirms that technical climbing is one of the uses of Wilderness expressly considered and approved under the Wilderness Act itself as a type of "primitive and unconfined recreation." The original intent of Congress was to continue to allow climbing and the use of its safety equipment in Wilderness. Nowhere does the Act or the Congressional Record contemplate interpretation of any sort of climbing safety equipment as an "installation" under the Act.

Even if one were to interpret fixed anchors for technical climbing a "non-conforming use" under the Act, this use is not ipso facto prohibited in Wilderness. Statutes designating wilderness areas may accommodate existing uses or conditions that are widely understood or interpreted to not conform to wilderness standards. In fact, many nonconforming uses and conditions have been permitted to remain in designated wilderness areas. The Wilderness Act explicitly allows continued motorized access by aircraft and motorboats in areas where such uses were already established, for example. Numerous wilderness statutes have permitted existing infrastructure (e.g., cabins, water resource facilities, telecommunications equipment) to remain in place and have authorized occasional motorized access to operate, maintain, and replace it. Statutes have also allowed new infrastructure developments within designated wilderness areas. Although such authorizations are usually for a specific area, some statutes have provided more general allowances, such as for maintaining grazing facilities or for fish and wildlife management by a state agency in all areas designated in the statute.

It's unclear why the Forest Service feels that after nearly a century of technical climbing in what are now designated national forest Wilderness areas this interpretation of fixed anchors under the Act and proposed regulations based on that interpretation are now required. If it's simply that the growth in popularity of technical climbing has been documented to be degrading Wilderness values, the impacts of this activity can be properly and effectively addressed through local resource management plans utilizing social encounters standards and other Wilderness management criteria.

#### Specific recommendations:

Clarify that technical climbing is considered analogous to off-trail (cross-country) hiking, skiing or horseback riding under the Wilderness Act; that fixed anchors are required for virtually all types of climbing and for virtually all conditions and circumstances where climbing is enjoyed; and, that fixed anchors, like cairns and tree blazes, are traditional and appropriate in Wilderness anywhere climbing was an established use prior to designation as Wilderness.

Clarify that technical climbing necessarily involves the use of safety anchors for ascent, descent, and for other circumstances such as rescues, and that all responsibility for safety while climbing - including where and when to place a fixed anchor -- is borne entirely by the climber unless otherwise provided for under a local management plan or program developed cooperatively with climbers.

Scrap the interpretation that fixed anchors are "installations" under the Wilderness Act. At best this interpretation is a stretch and at worst it undercuts original congressional intent. Issue agency-wide direction which clarifies that fixed anchors for technical climbing are not considered installations under the Act and are generally permitted in Wilderness but should be managed under either a Climbing Management Plan or more general resource management plans to ensure this use does not degrade Wilderness character and values. Clarify that a Minimum Requirements Analysis (MRA) is not necessary for continued use and placement of fixed anchors in Wilderness.

Clarify that "bolt-intensive face climbs" (i.e., sport climbing) are not appropriate for designated Wilderness, and that use of battery-powered equipment to place fixed anchors in Wilderness is prohibited unless specifically authorized under a Minimum Requirement Analysis and Special Use Permit.

Clarify that while MRAs are not required for management of climbing and fixed anchor use in Wilderness, planning documents may make programmatic decisions about restrictions of climbing and/or fixed anchor use at the unit-wide level or within designated management zones to preserve Wilderness character and values, including traditional use of the area for technical climbing.

Clarify that no Special Use Permit is required for technical climbing or placement of fixed anchors without the use of battery-powered equipment while climbing, unless resource monitoring reveals that Wilderness character and values are being degraded by this use. Where levels of climbing use are determined to have clearly exceeded required standards for resource protection or are otherwise degrading Wilderness character, regulate this use under a use-specific or general resource management plan or program, which may include requirement of a Special Use Permit for placement or removal of new fixed anchors.

#### In summary

Under existing law and consistent with Congressional intent, climbing and the use of technical safety equipment to accomplish it is a traditional, unique and welcome use of Wilderness under the Wilderness Act. However, climbing and use of technical safety equipment, including use of fixed anchors, must be managed to protect Wilderness character and values.

There may be some places in Wilderness where climbing use should be restricted or prohibited to better support other purposes or values of a designated Wilderness Area. Some Wilderness purists have advanced the idea that there should be some places in designated Wilderness where the imprint of humans is not merely "substantially unnoticeable" but where it does not exist at all. There is no language in the Wilderness Act and the Congressional Record pertinent to the Act specific to or supporting this idea. But if the establishment of zero human imprint zones were required statutorily or through management planning in order to meet minimum standards for a specific Wilderness Area, local resource or use management plans could provide for managing

certain resource areas in that designated Wilderness where technical climbing -- or any other form of primitive and unconfined recreation -- will not be allowed. Such determinations must be made through proper administrative procedure and resource planning.