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First name: Andrew
Last name: Ball
Organization:
Title:
Comments: I am an avid rock, snow, and ice climber, and I appreciate that the USFS's ("Agency") draft regulations regarding fixed anchors in Congressionally designated Wilderness acknowledge climbing as a legitimate use of Wilderness. I've certainly found that to be the case. From summiting Pingora in the Bridger Wilderness in early morning alpenglow, to clawing my way to the rim of the Black Canyon of the Gunnison with dry, cracked lips and fingertips, Wilderness has been the venue for some of my most profound life experiences.

Common to all of those Wilderness climbing experiences is that each fulfilled the aims of the Wilderness Act. On all of my Wilderness climbing outings, I engaged in primitive and unconfined recreation, I left next to no impact, and experienced the kind of self-reliance that is near impossible to find in other settings. Also common to all of my Wilderness climbing experiences, is that every single one depended on fixed anchors/equipment, whether left by those before me-be it a modern bolt, a fixed sling, or a rusty piton predating the Wilderness Act itself-or those placed by me. The Agency's draft regulations-which render all of those pieces of fixed equipment prohibited by default-raise the question of whether I will ever be able to (legally) experience anything like those prior outings ever again. Thus, while I strongly support protecting designated Wilderness to ensure that there remain areas relatively untouched by humans for generations to come, I strongly oppose the Agency's draft regulations.

My opposition isn't just based on my own self-interest. I oppose the Agency's draft regulations because they are based on an interpretation of the Wilderness Act that is impermissibly broad, and because the draft regulations contemplate a regulatory regime that is unenforceable, hopelessly ambiguous, and unfunded. The Agency's draft regulations will thus inevitably result in arbitrary and capricious action and should be rejected outright. Short of that, the Agency must revise the regulations to provide those on the ground with clear timelines for the evaluation of existing and future/proposed fixed anchors and to clearly define now-ambiguous phrases like "bolt intensive."

To start, the Agency's definition of "installation" is impermissibly broad. Fixed climbing equipment is nothing like the other items the Wilderness Act explicitly prohibits, and it is absurd to think that Congress intended the word "installation" to cover fixed climbing equipment. In fact, as former Senator Udall has explained, the record is clear that those who actually voted to create designated Wilderness never intended that designation to prohibit the use of fixed climbing equipment. Plus, countless pieces of fixed equipment existed in countless Wilderness areas pre-designation. It is hard to see how those pre-existing pieces of fixed equipment weren't an impediment enough to prevent an area's initial designation, but are now significant enough to detract from wilderness character. The arbitrary overbreadth of the Agency's definition of installation is further illustrated by the fact that it logically encompasses all manner of other human impacts that the Agency has taken no steps to prohibit. Hiker-created footpaths (i.e. off-trail travel), hiker-created river crossings (via log or stone), windbreaks, heck, even micro-plastics from modern outerwear are all man-made and left behind by the installer after they leave wilderness. Thus, under the Agency's unlawful definition of installation, each of these should be prohibited unless allowed through the MRA process. Of course, it would be absurd to think that drafters of the Wilderness Act meant to prohibit these items from Wilderness when they decided to prohibit "other installations." The only conclusion, then, is that the Agency's definition of installation is itself absurd and should be revised to comply with the actual intent of the Wilderness Act. Properly considered, fixed climbing equipment is not an "other installation."

Now, I understand that the response to at least some of my concerns is that the Agency's regulations do not outright foreclose the use of fixed equipment. Instead, fixed equipment may be permitted if justified by an MRA. But the reality of the Agency's regulations is that they leave key terms/concepts undefined, provide no firm deadline for review of existing or proposed fixed anchors, and issue an unfunded mandate to Agency staff that is overworked and underpaid. Once again, the Agency's regulations seem destined for arbitrary and capricious Agency action. Therefore, the Agency should-at bare minimum-revise its draft regulations to:

*Define the concept of "bolt intensive." The definition could categorize routes/pitches with a certain number of pieces of fixed equipment as bolt intensive. For example, "bolt intensive" could mean pitches with more than 12 pieces of fixed equipment per 100 vertical feet (roughly 1 piece per 10 feet, plus anchors).

*Require that land managers approve or deny MRA submissions for existing or proposed fixed equipment within a certain number of days of the submission of the MRA application. If the land manager doesn't approve or deny the MRA submission in that time frame, the MRA should be deemed approved to ensure that administrative backlogs do not unintentionally stifle the exploration and enjoyment of our public lands.

*Establish through a system-wide MRA that in all Wilderness managed by the Agency climbers are permitted to place fixed equipment when necessary for retreat from vertical/technical terrain due to hazardous conditions, at the climber's sole discretion.

*Direct land managers to establish a commission made up of climbers and other Wilderness users to evaluate and approve or deny fixed equipment MRA submissions. The Agency should look to organizations like the Action Committee for Eldorado as a guide for how to manage climbing and the use of fixed equipment in a thoughtful, forward looking way.

Although these changes still fall short and will unreasonably and unlawfully restrict exploration of all parts of our wilderness areas-vertical spaces included-these changes will at least ensure that the Agency's land managers aren't left dealing with vague, arbitrary, and capricious guidance.
I'm grateful for the opportunity to comment on the Agency's proposed regulations (though it is your obligation), and I appreciate the Agency's acknowledgement that climbing is a legitimate use of Wilderness. But the Agency's draft regulations remain overbroad and improper and must be rejected, or I fear that I won't be able to share the views from the pointiest-peaks and the deepest canyons with my children that I've enjoyed in my life. I urge you to reconsider these regulations.

Sincerely,
Andy Ball
Denver, CO