



June 15, 2010

Lake Mead National Recreation Area
National Park Service
Denver Service Center – PDS
PO Box 25287
Denver, CO 80225

Re: Access Fund Comments to the Jimbilnan, Pinto Valley, Black Canyon, Eldorado, Ireteba Peaks, Nellis Wash, Spirit Mountain, and Bridge Canyon Wilderness Areas - Draft Wilderness Management Plan and Environmental Assessment

NPS Planners:

The Access Fund welcomes this opportunity to provide comments to the Jimbilnan, Pinto Valley, Black Canyon, Eldorado, Ireteba Peaks, Nellis Wash, Spirit Mountain, and Bridge Canyon Wilderness Areas - Draft Wilderness Management Plan and Environmental Assessment (“Lake Mead Wilderness Plan”), and this effort to provide reasonable and effective management direction for federally-designated wilderness within National Park Service/Bureau of Land Management-managed Lake Mead National Recreation Area. The Access Fund has specific concerns with the Lake Mead Wilderness Plan as drafted, especially with regard to the proposal to remove necessary fixed climbing anchors in the Bridge Canyon Wilderness Area, and we provide herewith suggestions for management alternatives that protect climbing access, wilderness values, and cultural resources at the Christmas Tree Pass area of Lake Mead National Recreation Area (“Lake Mead NRA”).

The Access Fund

The Access Fund is a 501(c) 3 non-profit advocacy and conservation organization representing the interests of American rock and mountain climbers. The Access Fund is the nation’s largest climber organization with over 15,000 members and affiliates. We advocate on behalf of approximately one million technical rock climbers and mountaineers nation-wide. Many of our members live and climb in Nevada including areas affected by this Lake Mead Wilderness Plan.

The Access Fund's mission is to keep climbing areas open, and to conserve the climbing environment. Preserving the opportunity to climb and the diversity of the climbing experience are fundamental to our mission. The Access Fund encourages an ethic of personal responsibility, self-regulation, and Leave No Trace practices among climbers; works closely with local climbers, land managers, environmental organizations, and other interest groups to manage and preserve climbing areas throughout the United States; develops and distributes climber education materials; acquires and manages land; and provides funding for conservation and impact-

mitigation projects, and for scientific research relevant to the climbing environment. The Access Fund is partners with the managing agencies involved with this Wilderness Plan. The NPS, BLM and US Forest Service (USFS) have signed memoranda of understanding with the Access Fund to;¹ these MOUs pledge to work cooperatively on management initiatives, and provide technical assistance and mutual support when needed. The NPS MOU, signed in June 2009, acknowledges that “climbing is managed successfully in a variety of park areas, including wilderness areas ... as well as many National Recreation Areas.”²

The Access Fund has a proud record of conservation work and activism in at Southern Nevada. For example, the Access Fund worked with Las Vegas climbers and public activists to defeat a housing development in 2002 that would have built hundreds of homes directly across from Red Rock Canyon National Conservation Area and its famous canyons. This proposal would have forever changed the dramatic Red Rocks viewshed.³ Since the 1990s the Access Fund has worked with the Bureau of Land Management (BLM) regarding various planning initiatives at Red Rock Canyon National Conservation Area including different fee programs⁴ and a current BLM wilderness plan for La Madre and Rainbow Mountain Wilderness Areas.⁵ The Access Fund has also sponsored several Adopt-A-Crag events at Red Rocks and we’ve hosted several conferences in the Las Vegas area for land managers and climbing activists. To learn more, see www.accessfund.org.

Given the significance of Christmas Tree Pass to the climbing community, the Access Fund supports reasonable and effective climbing management policies for this area that benefit climbing opportunities while providing the National Park Service and Bureau of Land Management with effective guidance to protect Lake Mead NRA resources and values. The Access Fund would like to offer assistance towards any future management planning initiatives that involve climbing at Lake Mead NRA. We’ve worked with land managers and planners on climbing management and general planning initiatives in the following ways:

- Work with local climbing organizations such as the Las Vegas Climbers Liaison Council (<http://www.lvclc.org/>).
- Advice on visitation, use patterns, and climbing techniques and tools.
- Helping conduct and/or undertake surveys of climbing activity to determine management preferences.
- Assistance with consultation and outreach at a local and national level through making available Access Fund membership mailing lists, website and newsletter.

¹ See http://www.accessfund.org/site/c.tmL5KhNWLrH/b.5000797/k.40E2/Collaboration_with_federal_agencies.htm.

² Id.

³ See <http://www.camp4.com/news/index.php?newsid=542> and <http://www.accessfund.org/atf/cf/{1F5726D5-6646-4050-AA6E-C275DF6CA8E3}/AF%20comments%20to%20Cielo%20ENRantado%20development%20proposal%20091802.pdf>.

⁴ <http://www.accessfund.org/atf/cf/{1F5726D5-6646-4050-AA6E-C275DF6CA8E3}/Access%20Fund%20comments%20to%20Red%20Rocks%20fee%20increase%20-%20111309.pdf>

⁵ See http://www.accessfund.org/atf/cf/{1F5726D5-6646-4050-AA6E-C275DF6CA8E3}/NV_Red%20Rocks%20Scoping_11_6.12.2007.pdf

- The Access Fund Climbing Preservation Grant program provides funds for research, monitoring, educational outreach, and stewardship projects at climbing areas on an annual basis. Specific components of this Wilderness Plan may be appropriate for Access Fund grant support.

In addition, please see the Access Fund publication *Climbing Management: A Guide to Climbing Issues and the Production of a Climbing Management Plan*.⁶ This publication has proven helpful to dozens of land managers across the country who seek solutions to climbing related management issues.

I. CLIMBING AT CHRISTMAS TREE PASS

Climbers sought wild and remote climbing experience at Christmas Tree Pass decades before Congress designated the area wilderness. Since at least the 1970s climbers have been drawn to the area's unique combination of scenic beauty, remarkable landscape, unique climbing challenges, and a remote wilderness feeling. Indeed, the Christmas Tree Pass area was profiled in national climbing magazines as early as 1976. Most of the climbing in the Lake Mead Canyon National Recreation Area ("Lake Mead" or "NRA") occurs in the Bridge Canyon Wilderness Unit (at least 75 routes), while a smaller percentage of the climbing lies in the Spirit Mountain Wilderness Area (currently about 15 climbs, most of which are short "single-pitch" climbs).⁷

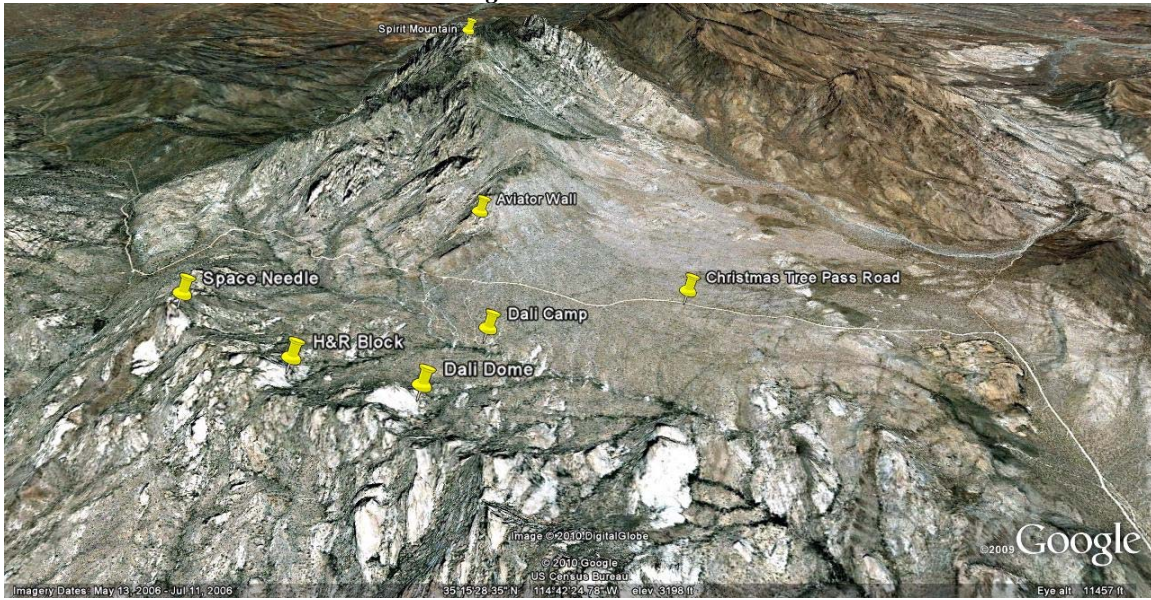
The Bridge Canyon Wilderness Area is generally the area known to climbers as the region south of Christmas Tree Pass and including crags such as Dali Dome, Space Needle, and H&R Block. The Aviator Wall is the main climbing attraction in the Spirit Mountain Wilderness unit. Climbers typically visit the Christmas Tree Pass area during wintertime months, and access their chosen climbs from a parking location off the Christmas Tree Pass Road near Dali Camp (where camping is no longer allowed).⁸

⁶ <http://www.accessfund.org/atf/cf/{1F5726D5-6646-4050-AA6E-C275DF6CA8E3}/CM-web.pdf>

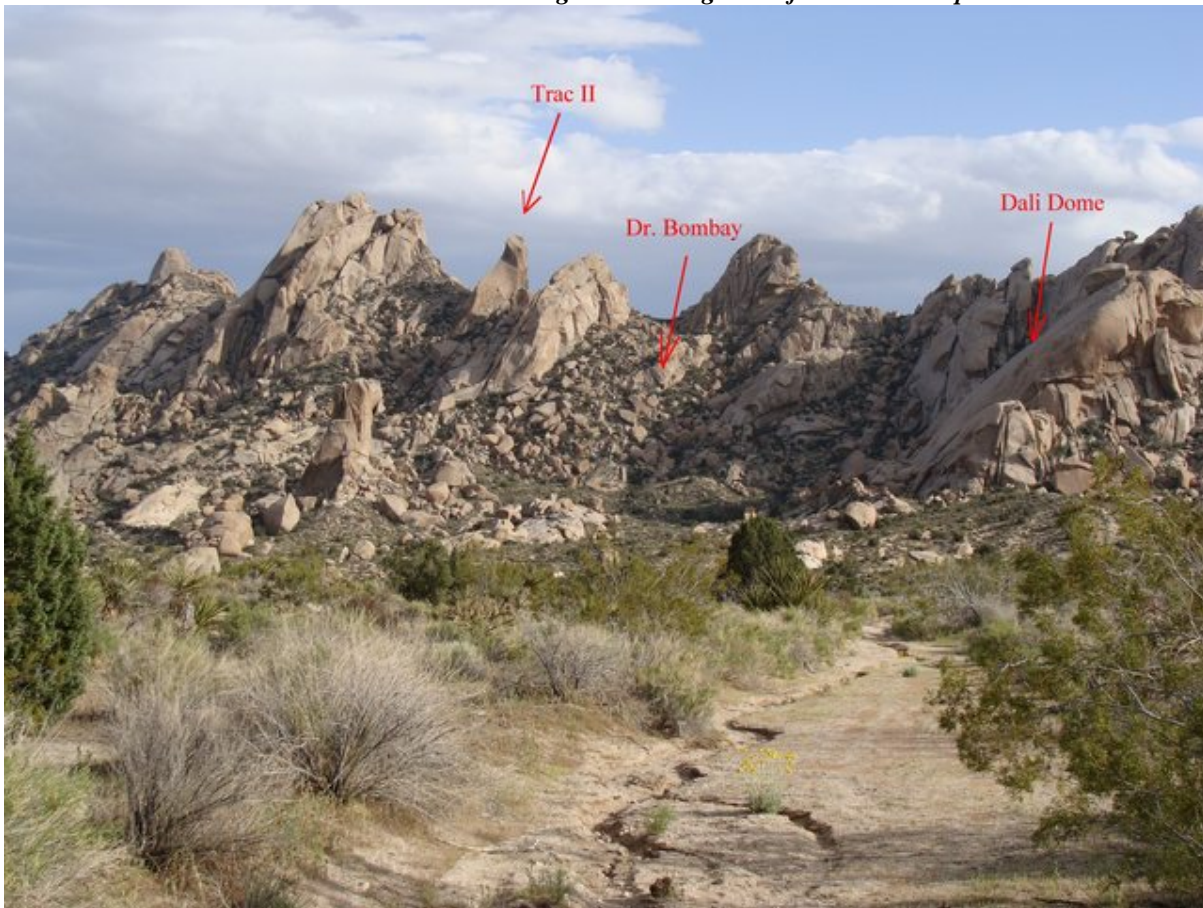
⁷ For a glossary defining terms such as "traditional" climbing, "sport climbing" and single pitch climb, see the Access Fund's publication "Climbing Management: A Guide to Climbing Issues and the Development of a Climbing Management Plan" found at <http://www.accessfund.org/atf/cf/{1F5726D5-6646-4050-AA6E-C275DF6CA8E3}/CM-web.pdf>.

⁸ For more background on the extent of climbing at Christmas Tree Pass, see the climbing guide "Christmas Tree Pass" by John Gonzales (2006). Additional online resources include: http://www.mountainproject.com/v/nevada/christmas_tree_pass/105797826, and <http://www.rockclimbing.com/cgi-bin/routes/page.cgi?g=North+America/United+States/Nevada&Submit=Go>.

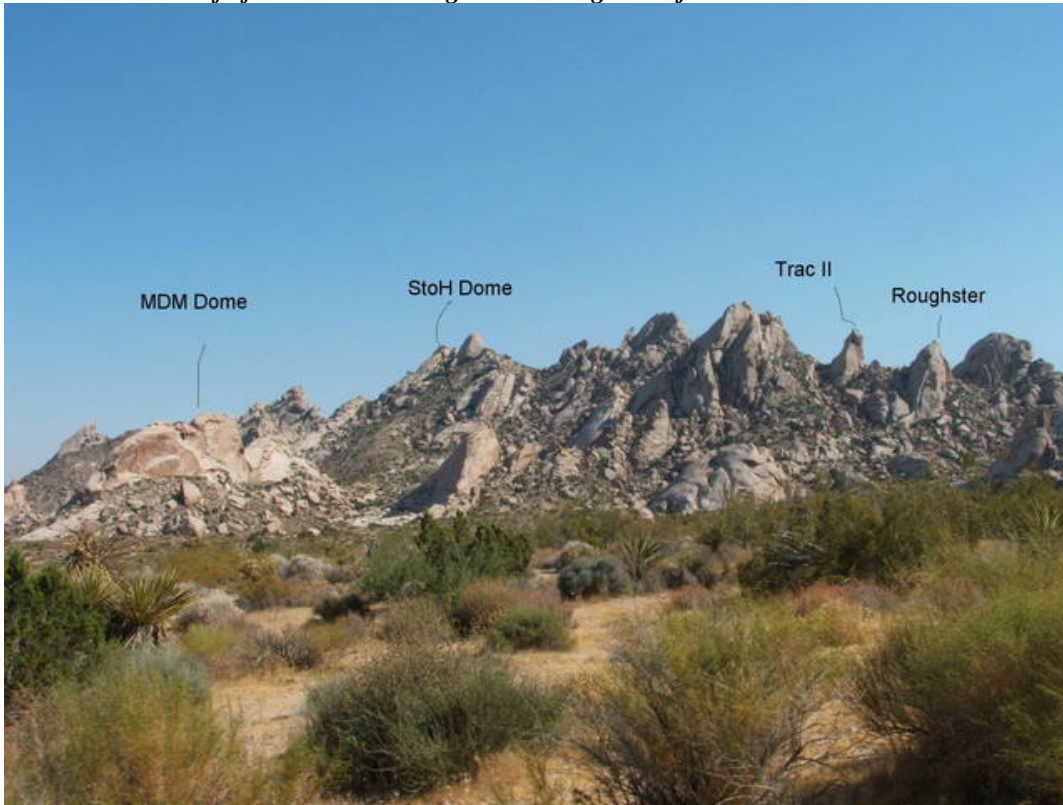
Climbing at Christmas Tree Pass



Christmas Tree Pass climbing area looking south from Dali Camp



The eastern half of the main climbing area looking south from Christmas Tree Pass Road



The Access Fund recognizes that recreational access must be balanced with proper management, which may include restrictions to protect the natural, cultural, and social resource values and the integrity of the landscape. However, it is important to note that Christmas Tree Pass contains some of the most unique wilderness climbing opportunities in the country which in fact far preceded the formal federal wilderness designation. Moreover, it is unusual to find a desert wilderness setting that climbers can visit during winter months and get the same remote feeling found at Christmas Tree Pass. The area is also a sanctuary for some climbers looking to escape busier places such as Joshua Tree National Park. Lake Mead NRA also hosts additional unexplored climbing areas that could provide unparalleled first-ascent potential for future climbers coming to Christmas Tree Pass. Accordingly, the NPS should accommodate climbing opportunities—including the use of fixed anchors—in the Lake Mead Wilderness Plan.

Because the Access Fund is concerned with the preservation of wilderness climbing opportunities at Christmas Tree Pass, we provide these comments to the proposed management Plan, flag problematic proposed use restrictions and management issues, and offer constructive planning suggestions—used commonly by other Department of Interior wilderness managers—for the appropriate direction of this Lake Mead Wilderness Plan.

II. THE LAKE MEAD NATIONAL RECREATION AREA

The Access Fund supports the general purpose of the Plan to preserve wilderness character, natural resources, and cultural resources in eight wilderness areas within the Lake Mead NRA. These specific values are in part what draws climbers seeking a remote climbing experience at

Christmas Tree Pass, and we thus support many of the objectives and proposals in the Lake Mead Wilderness Plan to ensure climbers retain the opportunity for future wilderness climbing experiences.

A. Controlling Law and Management Policy

The various laws and management policies governing Lake Mead NRA support continued climbing and fixed anchor use at Christmas Tree Pass. The NPS Organic Act⁹ directs the National Park Service “to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such a manner as will leave them unimpaired for the enjoyment of future generations.” The following laws and policies also govern climbing management policies for Lake Mead NRA.

1. Lake Mead NRA Enabling Law and Management Plans

In 1964 Congress passed enabling legislation creating Lake Mead National Recreation Area as a unit of the National Park System. That law directs the Secretary of the Interior to administer the area for the

*general purposes of public recreation, benefit, and use, and in a manner that will preserve, develop, and enhance, so far as practicable, the recreation potential, and in a manner that will preserve the scenic, historic, scientific, and other important features of the area....*¹⁰

Therefore, subject to any legal limitations, the National Park Service at Lake Mead NRA is directed by Congress to “preserve, develop, and enhance” recreational opportunities such as rock climbing in a manner that preserves “the scenic, historic, scientific, and other important features of the area.”

A 1986 General Management Plan¹¹ provides the overall management direction for the Lake Mead NRA. That GMP emphasizes long-term protection of park resources while *accommodating increasing visitor use* through a combination of providing new developed areas, improved access points, and acceptable levels of expansion in existing developed areas. The Lake Mead NRA General Management Plan also establishes land-based management zones and strategies for meeting the goals and general purposes of “public recreation.”¹² Thus, the Lake Mead NRA enabling law and 1986 GMP both direct NPS planners to provide for recreational opportunities such as climbing at Christmas Tree Pass.

⁹ 16 U.S.C. § 1; <http://www.nps.gov/legacy/organic-act.htm>.

¹⁰ *U.S. Public Law 88-639*. “Enabling Legislation,” Lake Mead National Recreation Area. 88th Cong., 653d sess., 8 October 1964.

¹¹ http://www.nps.gov/lake/parkmgmt/upload/GMP_voll.pdf.

¹² *Id.*

2. Clark County Conservation of Public Land and Natural Resources Act of 2002

The Clark County Conservation of Public Land and Natural Resources Act of 2002¹³ designated the nine wilderness areas in Lake Mead National Recreation Area and on adjacent BLM lands, creating, in part, the Bridge Canyon and Spirit Mountain Wilderness Areas which comprise the Christmas Tree Pass area of interest to climbers. In the Lake Mead Wilderness Plan, NPS planners focused on “provided direction on management of these areas, including livestock grazing, water rights, military overflights, Native American cultural and religious uses, wildlife management, and wildfire management.”¹⁴ However, in Title II of the law Congress emphasized instead that these wilderness areas and other public lands in the County should be preserved by “conserving primitive recreational resources.”¹⁵

Accordingly, the NPS should, as directed by Congress, continue to preserve the Christmas Tree Pass area to “benefit the public” by, in part, “conserving primitive recreational resources.” Rock climbing in the Lake Mead NRA constitutes a significant form of primitive recreational activity and the NPS should preserve climbing opportunities—and by extension the necessary tools and equipment to climb such as fixed anchors—at Christmas Pass as directed by the 2002 Clark County public land law.

3. National Management Guidance on Fixed Anchors in Wilderness

Climbing, including the use of fixed anchors, has a history that predates the Wilderness Act. Climbing and fixed anchor use around the Christmas Tree Pass area also predates the Clark County law establishing wilderness at Lake Mead NRA. The following management policies support the continued use of these necessary tools to enable a safe wilderness climbing experience at Christmas Tree Pass.

NPS Management Policies 2006

NPS Management Policies 2006 generally recognize the agency’s obligation to conserve and provide for the enjoyment of park resources and values. “The fundamental purpose of all parks also includes providing for the *enjoyment of park resources* and values by the people of the United States.”¹⁶ These NPS Management Policies also note that the “*enjoyment of park resources* and values by the people of the United States is part of the fundamental purpose of all

¹³ Clark County Conservation of Public Land and Natural Resources Act of 2002. Public Law 107-282.

¹⁴ Lake Mead Wilderness Plan and Environmental Assessment, at 13.

¹⁵ Id. See *Committee Reports, 107th Congress (2001-2002), House Report 107-750*, at http://thomas.loc.gov/cgi-bin/cpquery/?&sid=cp107aZxfH&refer=&r_n=hr750.107&db_id=107&item=&sel=TOC_16532&. Title II also emphasizes the continued preservation of “ecologically diverse habitat” and the “protection of air and water quality.”

¹⁶ NPS Management Policies – 1.4.3.1 Park Purposes and Legislatively Authorized Uses (2006). See <http://www.nps.gov/policy/mp/policies.html>.

parks. The Service is committed to providing appropriate, high-quality opportunities for visitors to enjoy the parks, and the Service will maintain within the parks an atmosphere that is open, inviting, and accessible to every segment of American society.”¹⁷ Thus, as a general matter, Lake Mead NRA should default to policies that allow low impact recreation such as climbing at Christmas Tree Pass.

USFS Negotiated Rulemaking Committee – Interagency Wilderness Policy Council

Because federal wilderness managers had no specific policies related to managing fixed climbing anchors in wilderness, in 2000 the United States Forest Service (USFS) convened a “negotiated rulemaking committee” to help resolve the issue and provide locals land managers with policy guidance. Although the committee did not reach a unanimous agreement on all issues pertaining to specific policy direction, the committee did agree to a set of general principles for managing fixed anchors.¹⁸ In 2001 the Interagency Wilderness Policy Council (senior wilderness officials from the NPS, USFS, BLM, and FWS) met and adopted in principle general and specific guidance provisions recommended by the USFS negotiated rulemaking committee. These provisions include the following:¹⁹

The use of anchors should be managed by the responsible federal land agencies so that their use is consistent with the requirements of the Wilderness Act of 1964. Management may include:

- Authorizing the placement of new permanent anchors.
- Authorizing the replacement of existing permanent anchors.
- Authorizing the removal of existing permanent anchors.
- Depending on the significance of the issue, the responsible agency can, with public participation, develop local plans to address issues related to climbing including authorizing the placement of new permanent anchors or the removal or replacement of existing permanent anchors.

Specific guidance provisions included the following:

- Motorized rock drills are prohibited in designated wilderness.
- Climbers may use and remove temporary anchors without restriction.
- Climbers may use existing permanent anchors without restriction.
- Agency authorization is required—following the establishment of a Forest Plan or a climbing management plan—to replace or remove an existing permanent anchor or to place a new permanent anchor.²⁰

¹⁷ Id. NPS Management Policies – 8.2 Visitor Use (2006).

¹⁸ See <http://www.fs.fed.us/t-d/pubs/htmlpubs/htm01232826/page03.htm> and <http://www.fs.fed.us/t-d/pubs/pdfpubs/pdf01232826/pdf01232826pt02.pdf>.

¹⁹ Phone conversation and email, Jeff Jarvis, BLM Division Chief, Wilderness, Rivers, and Trails, with Access Fund Policy Director Jason Keith August 31, 2001. Documents available upon request.

²⁰ Id.

BLM Instruction Memorandum No. 2007-084

The BLM is the only federal agency with national policy on managing fixed climbing anchors in designated wilderness. In 2007, the BLM issued Instruction Memorandum No. 2007-084, concerning “Use of Permanent Fixed Anchors for Climbing in Designated Wilderness Areas Managed by BLM.”²¹ This Memo supplements BLM Manual 8560 and provides guidance on the use of permanent fixed anchors in BLM’s designated wilderness areas. Memo 2007-084 recognizes that climbing is a legitimate and appropriate use of BLM Wilderness Areas, noting that climbing, including the use of fixed anchors, has a history that predates the Wilderness Act, and Wilderness Areas represent a unique resource. Climbers or others may not use power drills to place permanent fixed anchors in non-emergency situations, but climbers may use hand-powered drills to place permanent fixed anchors.

Under the BLM Memo, a manager may require visitors to get a permit or other authorization to replace or remove an existing permanent fixed anchor or place a new permanent fixed anchor. Managers may strive for low densities of climbing routes. Local BLM managers may prepare either wilderness management plans or supplemental climbing management plans that include climbing management direction. According to Memo 2007-084, the BLM will develop these plans with the aid of public involvement and collaboration and will solicit public review and comment. Local BLM managers may also develop additional guidance on the use of permanent fixed anchors and “identify instances where the use of permanent fixed anchors is appropriate or inappropriate in Wilderness Areas.”²² As you may know, the BLM in Las Vegas is currently guided by this Instruction Memo as they develop a wilderness plan for La Madre and Rainbow Mountain Wilderness Areas in Red Rock Canyon National Conservation Area.²³

NPS Director’s Order #41 and NPS Management Policies (2006) for Recreational Use Management in Wilderness

As noted, the National Park Service does not yet have specific guidance on fixed anchor management for NPS wilderness areas. Director’s Order #41 (NPS wilderness management policies) expired in 2003 and the agency has yet to issue an updated version.²⁴ The Access Fund

²¹ http://www.blm.gov/wo/st/en/info/regulations/Instruction_Memos_and_Bulletins/national_instruction/2007/im_2007-084_.html

²² BLM Memo 2007-084 illustrated examples to “demonstrate cases where the use of permanent fixed anchors may be appropriate” in Wilderness Areas include: 1) using permanent fixed anchors to reduce impacts on vegetation or soils, and 2) placing a few permanent fixed anchors to improve climbers’ safety on sections of routes where the use of removable hardware is not feasible. The BLM Memo also outlined examples to demonstrate cases where the “use of permanent fixed anchors may be inappropriate,” such as: 1) establishing new routes that contribute to an unacceptable density of climbing activity; 2) placing permanent fixed anchors on an existing climb that did not previously have permanent fixed anchors; and 3) installing a permanent fixed anchor near sensitive archaeological resources or raptor nesting site. See Id.

²³ See also the Access Fund’s comments to the draft Red Rock Canyon NCA wilderness management plan: http://www.accessfund.org/atf/cf/{1F5726D5-6646-4050-AA6E-C275DF6CA8E3}/NV_Red%20Rocks%20Scoping_11_6.12.2007.pdf

²⁴ <http://home.nps.gov/applications/npspolicy/DOrders.cfm>

has worked with the Washington Office of the National Park Service²⁵ since the 1990s advocating for national guidance so that local land managers can bring consistency to their local fixed anchor policies when developing plans such as the Lake Mead Wilderness Plan.

As recently as 2005, NPS staff received input from Department of Interior (DOI) Solicitors on a draft policy for the management of fixed anchors in wilderness.²⁶ This draft policy outlined the following parameters:

- No prior authorization requirement (either route by route or programmatic) – the presumption is that in wilderness areas climbing is allowed and that fixed anchors can be placed in the context of a clean climbing ethic. “Clean climbing” techniques are deemed to be the norm in wilderness areas, but the NPS defines clean climbing to include placement of fixed anchors (though removable equipment is still preferred).
- Park managers have the authority to place restrictions and conditions on climbing activities (including placement and replacement of fixed anchors), but the administrative burden to do so is on the NPS and such restrictions must be promulgated under either a special rulemaking or via the NPS’ Superintendent’s Compendium.²⁷

Unfortunately, the formalization of specific fixed anchor guidance stalled when the NPS delayed re-execution of its wilderness management policies in Director’s Order #41; the Access Fund’s most recent communications with NPS Washington Office indicated that fixed anchors will not be included in the next DO #41 revision. According to the NPS website,²⁸ the sunset date for DO #41 has passed and the Order was superseded by Chapter 6 of Management Policies: “Wilderness Preservation and Management.” Chapter 6 is silent on the fixed anchor issue, but the policy document does outline the following as appropriate recreational use management for NPS wilderness:

Recreational uses in NPS wilderness areas will be of a nature that

- enables the areas to retain their primeval character and influence;
- protects and preserves natural conditions;

²⁵ The Access Fund has worked with the following NPS contacts on the fixed anchor in wilderness issue:

- Rick Potts - NPS Chief for Rivers, Trails and Conservation Assistance Program - 202-354-6904, Rick_Potts@nps.gov.
- Gary Oye – NPS Chief for Wilderness Stewardship & Recreation Management Visitor & Resource Protection, Washington Office - (202) 513-7090, Garry_Oye@nps.gov.
- Maura Longden (NPS) - Lake District Ranger, Yellowstone National Park, WY - 307-344-2401, maura_longden@nps.gov.

²⁶ Fax communication from Rick Potts (then NPS Chief for Wilderness Stewardship & Recreation Management) to Adam Cramer, Access Fund representative, Jan. 4, 2005. Documents available upon request.

²⁷ See Id.

²⁸ <http://www.nps.gov/applications/npspolicy/DOrders.cfm>

- leaves the imprint of man’s work substantially unnoticeable;
- provides outstanding opportunities for solitude or primitive and unconfined types of recreation; and
- preserves wilderness in an unimpaired condition.²⁹

Nothing suggests that climbing and the minimal use of fixed anchors impairs the primeval character of Christmas Tree Pass. Fixed anchors often protect natural conditions by limiting impacts to cliff-top ecologies, and are substantially unnoticeable except to climbers. As noted above, climbing represents an outstanding opportunity for solitude or primitive and unconfined types of recreation. Accordingly, climbers and a basic level of fixed anchor use at Christmas Tree Pass easily meets the standards set out in NPS polices regarding the “Recreational Use Management in Wilderness.”

III. LAKE MEAD WILDERNESS PLAN PROPOSALS

A. Fixed Anchor Removal in the Bridge Canyon Wilderness Area

The Lake Mead Wilderness Plan identifies “Impact Topics” for analysis, including “Wilderness Character” for potential affects to “apparent naturalness and opportunities for solitude.” The Access Fund has a long history of working on fixed anchor policies with land management agencies, and we are currently working with federal land management agencies³⁰ to develop nationwide guidelines for the use and placement of climbing fixed anchors in federally designated wilderness areas. Fixed anchors, especially bolts, are sometimes controversial. In our experience concerns about bolting are almost never related to the resource impacts that may be associated with the placement and use of these traditional climbing tools, but rather to philosophical convictions. The Access Fund maintains that any decisions regarding fixed anchors should be grounded in a firm understanding of resource capacity, associated impacts, and acceptable rates of change to the natural and social environment.

While developing climbing management polices at Lake Mead NRA that comply with the above-noted laws and policy guidance, the NPS also should acknowledge that the ability to explore the vertical wilderness at Lake Mead, and to climb technical routes that require some basic level of fixed anchor use, most closely fits Wilderness Act goals of providing “outstanding opportunities for solitude” and “primitive and unconfined type[s] of recreation.” Climbing anchors are necessary for climbers to experience the unique wilderness climbing challenges found at Christmas Tree Pass. Furthermore, the specific character of much of the rock at Christmas Tree Pass requires that some level of fixed anchor use be authorized if climbing is to take place at all. Many of the popular technical routes at Christmas Tree Pass have some fixed anchors and the

²⁹ 6.4.3 Recreational Use Management in Wilderness. See <http://www.nps.gov/policy/mp/policies.html>

³⁰ The US Forest Service is also poised to adopt the general findings of the 2000 negotiated rule making on fixed anchors in wilderness when it re-executes the agency’s wilderness management policies found in Forest Manual Section 2320. See note 18, *supra*. For current updates in this regard, The Access Fund’s USFS contacts in the Washington Office include the following: Chris Brown, Nat’l Dir. for Wilderness & WSRs - (202) 205-0925, cnbrown@fs.fed.us; and Terri Knupp, Wilderness Program Leader - (202) 205-1414, tknupp@fs.fed.us.

Access Fund believes that some level of fixed anchor use must be allowed at Christmas Tree Pass, and that the appropriate level of use should be established on a location-by-location basis depending on specific resource considerations

The Access Fund's primary concerns regarding the Lake Mead Wilderness Plan relate to the provisions in Alternatives B and C that propose an unprecedented removal of the necessary means (the use of fixed anchors) to rock climb at Christmas Tree Pass. The following direction is included in both Alternative B and C:

Climbing bolts by Willow Springs would be removed. The bolts do not receive much use, are not NPS sanctioned, and are not consistent with the area's wilderness character.³¹

As illustrated above, Christmas Tree Pass hosts over 90 specific rock climbs, many with fixed anchors, and some that were established as far back as 35 years ago. Several of these climbs receive traffic regularly and most get climbed at least occasionally. Moreover, at no time has the placement of these anchors required prior authorization by the NPS. There is no national NPS rule or permit requirement regarding fixed anchors, and this Plan will be the first management initiative at Lake Mead National Recreation Area affecting the longstanding legitimate activity of rock climbing. While the NPS currently lacks specific national guidance to local units for the management of fixed anchors in wilderness, NPS practice around the country is well-established and may be instructive for the current Lake Mead Wilderness Plan. See below in Section IV several examples used by other Department of Interior (DOI) units who balance climbing access with the preservation of wilderness values.

B. Cultural Resource Management in the Spirit Mountain and Bridge Canyon Wilderness Areas

The Lake Mead Wilderness Plan also identifies as an "Impact Topic" the potential affects to "Archeological Resources" because "ground disturbance associated with proposed actions, such as for new designated routes and developed access points (typically not used by rock climbers) could disturb currently unidentified archeological resources." The Plan also identifies "Ethnographic Resources" as an Impact Topic "because of potential impact to traditional cultural properties such as Spirit Mountain that may result from increased visitation." Importantly, the Lake Mead Wilderness Plan does not justify its proposals to remove climbing bolts due to a concern that climbing will negatively impact cultural resources. Indeed, Preferred Alternative B proposes "improved access" to "higher use areas" with cultural resources such as "the route from Christmas Tree Pass to the top of Spirit Mountain, and the eastern end of Grapevine Canyon in Bridge Canyon."³²

³¹ Lake Mead Wilderness Plan and Environmental Assessment, at 81 and 97.

³² Lake Mead Wilderness Plan and Environmental Assessment, at 76.

Numerous laws,³³ regulations, and NPS management policies³⁴ provide direction for the protection, preservation, and management of cultural resources on public lands. These laws and policies establish what must be considered in management planning, and how cultural resources must be managed in future undertakings resulting from the approved plan regardless of the final alternative chosen. With regard to the resources found on the Spirit Mountain Wilderness (“traditional cultural property” designation), of particular importance is the National Historic Preservation Act of 1966 (NHPA) which requires in Section 106³⁵ that federal agencies with direct or indirect jurisdiction over undertakings take into account the effect of those undertakings on properties that are listed on, or eligible for listing on, the National Register of Historic Places.³⁶

The Lake Mead Wilderness Plan notes that current public use in the area (which presumably includes rock climbing) does not pose a threat to the “ethnographic resources of interest in the Bridge Canyon and Nellis Wash Wilderness Areas,” and “current use levels do not pose immediate concerns; however, use of these areas may increase in the future.”³⁷ The Access Fund

³³ Applicable laws and regulations include the NPS Organic Act (1916), the Antiquities Act of 1906, the National Historic Preservation Act of 1966 (1992, as amended), the National Environmental Policy Act of 1969, the National Parks and Recreation Act of 1978, the Archeological Resources Protection Act of 1979, the Native American Graves Protection and Repatriation Act of 1990, and the Curation of Federally Owned and Administered Archeological Collections (1991).

³⁴ Applicable agency policies relevant to cultural resources include Chapter 5 of *NPS Management Policies*, and the *Director’s Order 28: Cultural Resource Management Guideline* (NPS 1998).

³⁵ Note that on April 23, 2010 The Access Fund gave the National Park Service and Bureau of Land Management notice of its status as a consulting party and requested copies of all documents generated for the purpose of fulfilling the requirements of Section 106 of the National Historic Preservation Act of 1966, 16 U.S.C. 470(f), as amended. By May 14 2010 the NPS nor BLM had responded.

³⁶ Under the Advisory Council’s regulations a determination of either *adverse effect* or *no adverse effect* must also be made for affected, National Register eligible cultural resources. An *adverse effect* occurs whenever an impact alters, directly or indirectly, any characteristic of a cultural resource that qualify it for inclusion in the National Register. A determination of *no adverse effect* means there is an effect, but the effect would not diminish in any way the characteristics of the cultural resource that qualify it for inclusion in the National Register. See <http://www.achp.gov/regs.html>.

³⁷ Lake Mead Wilderness Plan and Environmental Assessment, at 22-23. The EA at 32 also notes the following:

The Yuman tribes, which include the Mohave, Hualapai, Yavapai, Havasupai, Quechan, Paipai and Maricopa, have rights guaranteed by various treaties in the geographic area in which the wilderness areas are located. Some mountains and canyons located along the Colorado River have been identified as Traditional Cultural Properties and are listed in the National Register of Historic Places because of their significance to the Yuman tribes. This area is sacred to the members of these tribes, and they continue to use the area according to their traditions. The agencies will honor those legally established rights and cooperate with tribes holding those rights. Wilderness area managers will routinely consult with tribes and their representatives on a government-to-government basis in managing wilderness resources and uses.

The NPS also consider but dismissed a few impact from detailed analysis, including “Indian Trust Resources” because

the resources of Lake Mead National Recreation Area are preserved and managed for the benefit of all Americans, as are other units of the national park system....The planning team has concluded that there are

agrees with the statement in Alternative C that “the creation of designated routes and increased visitor use in localized areas” would like cause “negligible to minor adverse impacts,” and we support the proposed direction in the Plan to establish and monitor “user capacity indicators and standards should help prevent any moderate adverse impacts to archeological sites.”³⁸

Notwithstanding the lack of any conflicts between climbing and cultural resources at Lake Mead NRA, Department of Interior practice is well established regarding the management of climbing and protection of cultural resources. Most land managers post closure information at the resource (sometimes discretely to discourage unnecessary attention), and either implement physical barriers to protect specific locations or establish a practice of closing all climbing routes within a 50-foot buffer of a discrete cultural resource site (and communicate such to the climbing community). See various examples in Section IV below for managing both climbing access and cultural resource protection.

IV. ESTABLISHED DEPARTMENT OF INTERIOR MANAGEMENT SOLUTIONS THAT BALANCE CLIMBING, WILDERNESS AND CULTURAL RESOURCES

As noted above, despite coming close to establishing national policy on the issue of fixed climbing anchors in designated wilderness areas, the NPS has a long track record at the local level managing fixed anchors in wilderness. At no time has the NPS ever actually *removed* large numbers of fixed anchors from a climbing area to preserve wilderness character. Any such removals, if at all, would have been to address very localized social issues (near a trail), to protect cultural resources (no climbing within 50 feet of a discrete archaeological resource), or to protect sensitive natural resources (limit climbing within established buffers for sensitive flora/fauna). There are bans on *new* fixed anchor placements in DOI wilderness areas such as at Joshua Tree National Park, but these bans have long been considered interim polices pending the re-execution of Director’s Order #41 and the establishment of a permit system authorizing new fixed anchor placements.³⁹ Please consult the following examples which effectively balance these management challenges.

A. Zion National Park

Zion National Park, a Department of Interior unit near Lake Mead National Recreation Area, effectively balances cultural resources, designated wilderness, and rock climbing is. Zion’s recent 2007 Backcountry Management Plan provides

direction for management of natural and cultural resources within the context of wilderness and backcountry management policies, with primary focus on visitor use and impacts to wilderness values and resources and administrative actions to mitigate

no Indian trust resources within the wilderness areas at Lake Mead National Recreation Area. Therefore, the subject is not included as an impact topic.

³⁸ Lake Mead Wilderness Plan and Environmental Assessment, at 122.

³⁹ Indeed, Joshua Tree National Park compendium and Backcountry/Wilderness Plan actually authorize new wilderness fixed anchors with a permit, but the park as not yet developed the permit system this creating a de facto ban. See Section IV below.

associated impacts. This plan treats any proposed or recommended wilderness the same as officially designated wilderness, based on NPS *Management Policies 2006* (6.3.1).⁴⁰

Zion's BMP (90% of which was recommended wilderness during the plan process and became designated wilderness in 2009) authorizes *limited* climbing closures ("kept to the minimum area and duration necessary") to address cultural resource concerns, and allows fixed anchors so long as they don't detract from the general visitor's experience:

Specific climbing routes will be closed (seasonal or permanent) to address a specific resource concern. Examples include nesting species, hanging gardens, or archeological sites. Closures will be kept to the minimum area and duration necessary to protect the affected resource.

.....

Climbers will be encouraged to use rock climbing protection, slings, and other equipment that blend with the natural surroundings. If anchors detract from the aesthetics of the cliff faces of ZION and thus general visitor's experience, additional management actions will be taken. The use of chalk is allowed, however climbers will be encouraged to be sensitive to this issue. It is also the responsibility of climbers to ensure that their ropes are not left on walls for long periods of time. If problems persist, management actions could include requiring the use of natural colored anchor material, closing area, and/or the creation of a climbing management plan.

....

Bolts should be considered the tool of last resort by visitors who are creating anchors. As mentioned above climbers, canyoneers, and others creating anchors will be encouraged to use natural colored anchor material (slings and hangers). The park will continue to monitor bolting in the backcountry.⁴¹

B. Rocky Mountain National Park

Rocky Mountain National Park's 2001 Wilderness/Backcountry Management Plan is one of the National Park Service's most direct and comprehensive statements of the agency's wilderness fixed anchor policy:

A wide range of equipment and hardware has been developed over time to be used as protection for the climber. Hammer driven pitons which widened and scarred cracks have been generally replaced by removable devices, assisting in "clean climbing" practices. However, the exploration of steeper, more difficult face climbing has led to an increase in the placement of fixed, artificial protection (e.g., bolts) by some climbers.

⁴⁰ See <http://www.nps.gov/zion/parkmgmt/zion-backcountry-management-plan-and-environmental-assessment-available-for-review.htm/>

⁴¹ See <http://www.nps.gov/zion/parkmgmt/zion-backcountry-management-plan-and-environmental-assessment-available-for-review.htm> at 36 and 37.

The use of removable and fixed anchors, as well as other climbing equipment, is appropriate in wilderness. However, fixed anchors must be placed judiciously and closely managed in order to prevent the degradation of wilderness resources and character. Where anchor points are necessary for climber safety, the use of removable equipment is desired and highly recommended. Fixed anchors should not be placed merely for convenience or to make an otherwise "unclimbable" route climbable.

Fixed anchors (e.g., webbing, bolts, pitons, chains) currently in place may remain. They may be replaced, or removed, by individual climbers, during a climb, or the NPS, during park operations. Safety remains a responsibility of the climber. The NPS will not, as policy or practice, monitor fixed anchors to evaluate their condition or accept any responsibility for fixed anchors.

The placement of new fixed anchors may be allowed when necessary to enable a safe rappel when no other means of descent is possible, to enable emergency retreat, during self rescue situations. The infrequent placement of new fixed anchors is allowed when ascending a route to connect terrain that is otherwise protected by removable anchors (e.g., one crack system or other natural feature to another) or when there are no features which will accommodate removable equipment but the occasional placement of a fixed anchor may provide a modicum of safety during the ascent (e.g., traditional face climbing). New, bolt intensive climbing routes (e.g., sport climbs, bolt ladders) are not appropriate in wilderness and should not be created.

The Park may place and maintain fixed anchors for administrative and emergency purposes. When a climber determines the need for anchor placement or replacement, this must be accomplished in compliance with regulated and permitted standards (e.g., power drills prohibited). At this time there is no permit or approval system in place, or proposed, with regard to the placement of fixed anchors; however, one may be developed and implemented if the Park determines it is necessary, through research and monitoring, to protect natural and cultural resources.⁴²

C. Yosemite National Park

Yosemite National Park manages what is probably the biggest overlap of climbing activity and designated wilderness in the country. In fact, thousands of Yosemite's climbing routes are in designated wilderness. The park has no climbing management plan, and Yosemite's current wilderness plan is silent on fixed anchor management. Yosemite's fixed anchor policy is to allow hand-placed bolts, but enforce the wilderness ban of power drills through the superintendent's compendium.⁴³

⁴² See http://www.nps.gov/romo/parkmgmt/wilderness_backcountry_plan.htm, 2-39 - 2-40.

⁴³ See Yosemite National Park's compendium at <http://www.nps.gov/yose/parkmgmt/upload/compendium.pdf>

D. Joshua Tree National Park

Joshua Tree National Park has long managed climbing access, cultural resources, and designated wilderness. With regard to cultural resources, like many DOI units around the country, Joshua Tree has a policy whereby “climbing within 50 feet of rock art is prohibited.”⁴⁴ The current policy at Joshua Tree is that fixed anchors may be replaced, anchor for anchor, in wilderness. However, a permit is required to place new fixed anchors in wilderness.⁴⁵ The park has yet to develop this permit, thus creating a *de facto* bolting ban. Joshua Tree has excellent online resource for climbers to access regarding various climbing policies in the park.⁴⁶

E. Red Rock Canyon National Conservation Area

Perhaps one of the best models for the NPS to use when devising climbing policies for the Lake Mead NRA Wilderness Plan is to look at Red Rocks near Las Vegas where the Bureau of Land Management also has a policy that “climbing within 50 feet of rock art is prohibited.”⁴⁷ The BLM at Red Rocks also, as you know, is currently developing a wilderness plan that is considering permits for the placement of new fixed anchors.⁴⁸

F. Bureau of Land Management – Utah, Monticello and Moab Field Offices

In Southern Utah, the NPS manages literally thousands of climbing routes that are in proximity to countless cultural resource sites. Management practices employed by the Moab⁴⁹ and Monticello Field Offices include the authorization for “the establishment of new routes and placing of bolts and anchors.” Additionally,

- No climbing would be allowed on routes which may impact cultural resources. As the BLM learns of climbing routes which are in conflict with the protection of cultural resources, they would be closed. Known cultural sites would be signed to alert climbers about restrictions.

⁴⁴ See <http://www.nps.gov/jotr/planyourvisit/climbing.htm>.

⁴⁵ <http://www.nps.gov/jotr/parkmgmt/upload/compendium-2.pdf>

⁴⁶ See <http://www.nps.gov/jotr/planyourvisit/climbing.htm>.

⁴⁷ See http://www.NPS.gov/nv/st/en/fo/lvfo/NPS_programs/NPS_special_areas/red_rock_NRA/recreation/rockclimbing.html.

⁴⁸ See our comments to that draft plan here: http://www.accessfund.org/atf/cf/{1F5726D5-6646-4050-AA6E-C275DF6CA8E3}/NV_Red%20Rocks%20Scoping_11_6.12.2007.pdf.

⁴⁹ Fisher Towers and Mary Jane Canyon are within the Richardson Amphitheater/Castle Rock Hiking, Climbing and Equestrian Focus Area (part of the Colorado Riverway SRMA) which is managed to enhance non-motorized opportunities. Thus, all three areas are managed for primitive recreation opportunities which coincide with managing these areas for wilderness characteristics. See Moab Field Office, Resource management Plan, Record of Decision: http://www.blm.gov/pgdata/etc/medialib/blm/ut/moab_fo/rmp/rod_approved_rmp.Par.24543.File.dat/Moab%20Final%20Plan.pdf, at 28.

- When placing fixed anchors, climbers should limit their impact by all reasonable means. All fixed anchors should be camouflaged to minimize visual impact. Climbers should refrain from placing bolts where removable protection is feasible and safe. The use of chalk would be allowed. Climbers should avoid slings or use rock-colored webbing as permanent anchors. Alteration of the rock surfaces by gluing, chipping, or chiseling would not be allowed. Gardening, or removal of vegetation, would be prohibited.⁵⁰

G. Bureau of Land Management – California, Bishop Field Office

The BLM’s Bishop Field Office manages extensive cultural resources with thousands of climbing user-days. The Volcanic Tablelands, which hosts extensive rock art and other cultural resources,⁵¹ is an especially popular place for climbers as it’s one of the country’s most popular wintertime bouldering areas.

H. USDA Forest Service

The USDA Forest Service also regularly manages climbing in a way that protects cultural resources. Two prominent USFS climbing areas that employ strategies to protect specific archeological sites (they are many others) include the Red River Gorge⁵² in Kentucky’s Daniel Boone National Forest (where the USFS also manages wilderness), and Maple Canyon in Utah’s Manti-La Sal National Forest.⁵³

V. EDUCATION/COMMUNITY OUTREACH

For this Lake Mead Wilderness Plan to be successful the NPS should work with the climbing community directly to foster understanding, appreciation, respect, and a sense of ownership for the natural and cultural resources of Lake Mead NRA. Climbers have a long tradition of resource stewardship and support for natural and cultural resource protection. This tradition can be harnessed to support NPS planning, through consistent outreach, and an emphasis on education. A climber outreach program is a critical component to any effective climbing management initiative. Nearly all climbers will choose to “do the right thing” if they know the appropriate behavior. For example, signage educating climbers regarding Leave No Trace principles, parking locations, camping options, access routes and trails should be posted at Christmas Tree Pass parking lots and trailheads to effectively inform recreational users as to acceptable practices.

⁵⁰ See Monticello Field Office, Bureau of Land Management Indian Creek Corridor Plan and Environmental Assessment, Special Recreation Area Management Plan and EA: http://www.blm.gov/pgdata/etc/medialib/blm/ut/monticello_fo/recreation/indian_creek_corridor.Par.6702.File.dat/CEA.pdf, at 24-25.

⁵¹ See <http://www.NPS.gov/ca/st/en/fo/bishop/bouldering/index.html>.

⁵² See Guidelines for Low Impact Climbing” (http://www.fs.fed.us/r8/boone/recreation/climb_impacts.shtml); “Heritage Resources Sites”: (<http://www.fs.fed.us/r8/boone/heritage/sites.shtml>).

⁵³ See <http://www.fs.fed.us/r4/mantilasal/contact/ferron.shtml>

Many longtime Christmas Tree Pass climbers live close by in Bullhead City and Las Vegas, but others live further away in Arizona, California, and elsewhere. The Las Vegas Climbers Liaison Council⁵⁴ represents the climbing community in the larger Las Vegas area, many of whom have already met NPS planners at public meetings for this Plan. In addition, other non-affiliated Christmas Tree Pass climbers have been in contact with the NPS with regard to this Plan. The Access Fund supports consistent communication with park stakeholders. By soliciting input from the climbing community directly on any proposed management initiative the NPS will secure a key partner that can provide insight into specific resource issues and conditions, labor for building trails or other infrastructure, support for regulation compliance, and a good relationship with one of the largest user groups at Christmas Tree Pass.

VI. SUMMARY

This draft Lake Mead National Recreation Area Wilderness Plan proposes many positive actions to preserve wilderness values and cultural resources in the Lake Mead NRA. However, the Plan unnecessarily restricts a longtime wilderness activity—climbing at Christmas Tree Pass—by proposing a large removal of the necessary tools to experience safely the unique wilderness climbing found here. With some significant revisions, the draft Lake Mead Wilderness Plan could fulfill National Park Service wilderness management obligations, gain crucial support from the climbing community, and preserve important wilderness climbing opportunities found only at Christmas Tree Pass. However, the current draft fails to connect NPS efforts to ensure the conservation of wilderness character at Lake Mead with the need to restrict climbing anchors.

Bolt removal on this scale is also unprecedented and unnecessary. The Plan should reconsider its proposal to remove climbing bolts at the Willow Spring area of Bridge Canyon Wilderness, and expand planning alternatives beyond the Plan’s “no action” alternative (which many climbers would no doubt oppose because they’d support more wilderness protections for the area), and Alternatives B and C, both of which would remove all the bolts in the area.

* * *

I hope the above information helps the NPS identify appropriate management alternatives for the Lake Mead Wilderness Plan and clarifies ways in which the Access Fund can be of assistance. Please do not hesitate to contact me if you require more information, or would like to discuss any of the points covered in this comment letter. The Access Fund looks forward to working with the NPS and any interested parties throughout the planning process for the Lake Mead Wilderness Plan. Christmas Tree Pass is an important and unique wilderness climbing resource. We hope our comments will provide a meaningful contribution to both the substance and clarity of this Wilderness Plan regarding planning goals, objectives, strategies, and the preservation of wilderness climbing opportunities.

⁵⁴ See <http://www.lvclc.org/>.

Best Regards,

Jason Keith
Policy Director
The Access Fund

Cc: The Honorable Harry Reid, United States Senate
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Lynn Robison, Bullhead City Climber
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