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U.S. Fish and Wildlife Service
Division of Planning
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Mr. Jeff Rupert
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**RE: Access Fund Scoping Comments to the Wichita Mountains Wildlife Refuge
Comprehensive Conservation Plan**

Dear Mr. Rupert:

I write today on behalf of the Access Fund to provide scoping comments to the Comprehensive Conservation Plan (CCP) for the Wichita Mountains National Wildlife Refuge (“Refuge”). The Access Fund supports the Wichita Mountains Climbers Coalition (WMCC) and continued rock climbing as a compatible and appropriate use of the Wichita Mountains Wildlife Refuge (“Refuge”). The purpose for developing a CCP is to provide Refuge Managers with a 15-year plan for achieving refuge purposes and contributing toward the mission of the National Wildlife Refuge System, consistent with sound principles of fish and wildlife management, conservation, legal mandates, and US Fish and Wildlife Service (FWS) policies. Please consider the following scoping comments when identifying the primary issues to be addressed in the CCP for the future of Wichita Mountains WR.

The Access Fund and the Wichita Mountains Climbers Coalition

The Access Fund is the only national advocacy organization whose mission keeps climbing areas open and conserves the climbing environment. A 501(c)3 non-profit supporting and representing over 1.6 million climbers nationwide in all forms of climbing—rock climbing, ice climbing, mountaineering, and bouldering—the Access Fund is the largest US climbing organization with over 15,000 members and affiliates. Many of our members live and climb in Oklahoma and the Wichita Mountains National Wildlife Refuge in particular.



The Access Fund promotes the responsible use and sound management of climbing resources by working in cooperation with climbers, other recreational users, public land managers and private land owners. We encourage an ethic of personal responsibility, self-regulation, strong conservation values and minimum impact practices among climbers. Working towards a future in which climbing and access to climbing resources are viewed as legitimate, valued, and positive uses of the land, the Access Fund advocates to federal, state and local legislators concerning public lands legislation; works closely with federal and state land managers and other interest groups in planning and implementing public lands management and policy; provides funding for conservation and resource management projects; develops, produces and distributes climber education materials and programs; and assists in the acquisition and management of climbing resources. For more information about the Access Fund, visit www.accessfund.org.

The Access Fund's grant program regularly provides funding for management initiatives that raise awareness about climber responsibilities through stewardship projects, develop or support partnerships with resource management agencies and conservation organizations, reduce climber impacts on natural and cultural resources within the climbing environment, and develop understanding and knowledge about natural and cultural resource sensitivities where the information is used to open climbing areas or mitigate climbing impacts. In 1995, 1997, 1998, 2000, and 2004, the Access Fund provided grant funding totaling over \$10,000 in support of the Refuge for trail work, relationship building with the local climbing community, and informational brochures. The Access Fund's commitment to the continued conservation of the climbing resources and the preservation of the climbing opportunities at the Refuge is a top priority.

The Wichita Mountains Climbers Coalition (WMCC), an Access Fund Affiliate, was created in 1996 to represent the interests of rock climbers from Oklahoma, Texas, Kansas, Arkansas, and Missouri who frequent the Refuge, and to work directly with the FWS to protect the rock climbing resources and natural environment of the Refuge. In 1996 the WMCC also signed a memoranda of understanding¹ with the FWS in which the WMCC committed to assisting the USFWS in managing rock climbing activity at the Refuge by providing guidance on critical climbing issues, organizing volunteer conservation projects, establishing the Advisory Bolting Committee (ABC), and educating the climbing community on resource protection. Since that time, the WMCC and the Access Fund have provided substantial assistance to the Refuge on a number of important projects, including: design and printing of informational rock climbing brochures, installation of a climbing and backcountry bulletin board, development of a fixed anchor application and review process, and organization of trash cleanups and major trail building efforts. In addition, the WMCC has kept the climbing community informed about important conservation issues through the organization's website and newsletter.

¹ <http://www.wichitamountains.org/mou.html>



History and Management of Rock Climbing at the Refuge

The Wichita Mountains Wildlife Refuge is one of the finest rock climbing areas in the area and is an invaluable resource to climbers. The Wichita Mountains' high-quality granite, multi-pitch routes, and wilderness setting provide outstanding opportunities to climbers from Oklahoma, Texas, Kansas, Arkansas, and Missouri and is a climbing destination for climbers nationwide. The Refuge provides wildlife observation, wilderness solitude, and high quality climbing opportunities at unique locations such as Mt. Scott, The Narrows, Crab Eyes, Lost Dome, and other classic sites. As one of only a few climbing areas in this part of the country, the Refuge has an established climbing history dating back more than 50 years. One of the earliest known technical ascents at the Refuge took place in the 1940's with the first ascent of the route Great Expectations on Elk Slab in what is now the Charons Garden Wilderness Area. Since that time, hundreds of quality routes of varying degrees of difficulty have been established at the Refuge. A majority of these climbs were done in traditional style without the need for fixed anchors thus emphasizing wilderness adventure.

Prior to 1996, technical rock climbing had historically been an unregulated activity at the Refuge. Aside from general public use regulations, climbers were allowed to carry out their activities with no restrictions. However, as the popularity of rock climbing began to increase across the country in the late 1980's, so did the number of climbers visiting the Refuge. With increased usage, climbing impact became a concern for the FWS. In 1995, after much public input and evaluation to determine whether rock climbing is a compatible use of the Refuge, the FWS issued a "Finding of No Significant Impact for Technical Rock Climbing Wichita Mountains Wildlife Refuge" to

[e]nsure that this popular activity does not have a significant negative environmental impact or become incompatible with Refuge purposes, yet remains a viable activity which is critical for overall public and political support of the Refuge and Service.²

Consequently, new management policies and regulations for technical rock climbing went into effect in May 1996 to make sure that climbing resources and the natural environment of the Refuge were protected while climbing continued as a compatible use.³

² See <http://www.wichitamountains.org/fonsi.html>

³ See <http://www.wichitamountains.org/wmwrregulations.html>



Issues to be addressed in the Wichita Mountains Wildlife Refuge Comprehensive Conservation Plan

The Access Fund believes that the Refuge should consider the following issues when determining the scope for the CCP: 1) wildlife conservation and Refuge purposes, 2) compatible secondary uses of the Refuge including recreational access.

A. Refuge Purposes

The U.S. Fish and Wildlife Service has three basic objectives: (1) to assist in the development and application of an environmental stewardship ethic for our society, based on ecological principles, scientific knowledge of fish and wildlife, and a sense of moral responsibility; (2) to guide the conservation, development, and management of the Nation's fish and wildlife resources; and (3) to administer a national program to provide the public opportunities to understand, appreciate, and wisely use fish and wildlife resources. These objectives support the Service mission of conserving, protecting, and enhancing fish and wildlife and their habitats for the continuing benefit of the American people. The mission of the National Wildlife Refuge System is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.

The Wichita Mountains Wildlife Refuge is one of more than 500 National Wildlife Refuges managed by the U. S. Fish and Wildlife Service for the purposes of preserving native American wildlife. Originally set aside in 1901 as the Wichita Forest Reserve by President William McKinley, the Refuge was renamed in 1905 by Theodore Roosevelt as the Wichita Game Preserve. On June 4, 1936, Congress officially designated this unique area the Wichita Mountains Wildlife Refuge.

In the CCP the Refuge should ensure that the primary purpose—protecting wildlife resources—of the Refuge is protected. An important part of this objective is to ensure that public support of Refuge goals and objectives continues, and authorizing ongoing appropriate and compatible secondary uses of the Refuge are critical to this public support.

B. Climbing is an Appropriate Use of the Refuge

In the CCP the Refuge should authorize appropriate secondary uses such as rock climbing. Recreational rock climbing has long been considered a compatible secondary use of the Refuge.⁴ While rock climbing is not a priority “wildlife-dependent”

⁴ <http://www.wichitamountains.org/fonsi.html>



recreational use of Refuge System lands, this activity supports the general recreation purpose for which the Refuge was established. Continued climbing will have limited and localized impacts when managed by the regulations currently in place. Also, Refuge administration of climbing will require minor amounts of administrative time and funding. Climbing on the Refuge has long been officially permitted, and has long been managed successfully through Refuge staff and with the assistance of the Wichita Mountains Climbers Coalition and the Access Fund.

Refuge managers must find a use appropriate before undertaking a compatibility review of the use. Fish and Wildlife Service Guidance for Determining Appropriate and Compatible Uses states that

The refuge manager will decide if a new or existing use is an appropriate use. If an existing use is not appropriate, the refuge manager will eliminate or modify the use as expeditiously as practicable. If a use is not appropriate, the refuge manager will deny the use without determining compatibility. 603 FW 1.3.

If a use is found to be appropriate, then it must be determined to be compatible before it is allowed on a refuge. A refuge use is appropriate if the use meets at least one of the following three conditions:

1. It is a wildlife-dependent recreational use;
2. It contributes to fulfilling the refuge purpose(s), the Refuge System mission, or goals or objectives described in a refuge management plan approved after October 9, 1997; or
3. The refuge manager has evaluated the use following the guidelines in the appropriate use policy and found that it is appropriate. 603 FW 1.11A.

Climbing fits condition #3 for the Refuge as demonstrated in an analysis of the appropriate use guidelines below:

Refuge managers determine appropriateness of a use by evaluating the use against the following ten criteria outlined in 603 FW 1.11A(3):⁵

1. Does the Refuge have jurisdiction over the use?
2. Does the use comply with all applicable laws and regulations?
3. Is the use consistent with applicable Executive orders and Department and Service policies?

The answer to questions #1-3 is clearly “yes” as evidenced by past compatibility determinations authorizing climbing on the Refuge. Since authorized in 1995, no new

⁵ <http://www.fws.gov/policy/603fw1.html#section111>



laws, regulations, executive orders or policies have been established that would reclassify climbing as inappropriate at the Refuge.

4. Is the use consistent with public safety?

Climbing at the Refuge does not create an unreasonable level of risk to visitors or refuge staff, and the Refuge staff is not required to take unusual safety precautions to assure the safety of climbers, other members of the public, or Refuge staff. While there have been a few climbing accidents since climbing was last considered an compatible use of the Refuge, these accidents represent only a small fraction of the accidents (and associated costs/impacts to Refuge budget and staff with regard to search and rescue) caused by other secondary uses of the Refuge such as hiking and camping. Accordingly, climbing falls well below the standards practiced by the Refuge for what constitutes a reasonable level of risk for a secondary use of the Refuge.

5. Is the use consistent with refuge goals and objectives in an approved management plan or other document?

Climbing is consistent with Refuge goals and objectives as evidenced by existing Refuge documents (in place since 1995) that direct management policies to ensure that climbing “does not have a significant negative environmental impact or become incompatible Refuge purposes....” Nothing has transpired since 1995 to change the determination that climbing is a compatible use and consistent with Refuge goals and objectives since the 1995 Final Environmental Assessment for Technical Rockclimbing at the Wichita Mountains Wildlife Refuge.

6. Has an earlier documented analysis not denied the use or is this the first time the use has been proposed?

Climbing has never been denied as a use of the Refuge. The 1995 FONSI/EA analyzed climbing at length, and confirmed it as an compatible use of the Refuge.

7. For uses other than wildlife-dependent recreational uses, is the use manageable within available budget and staff?

8. Will the use be manageable in the future within existing resources?

The last thirteen years have proven that rock climbing is manageable within the Refuge’s available budget and staff, and its management will not divert efforts and resources away from the proper and reasonable management of other priority Refuge programs. In addition, the Refuge has successfully relied on volunteers (in particular, the Wichita Mountains Climbers Coalition) to aid in the management of climbing thus preventing the



diversion of efforts and resources from other priority management needs directly related to the Refuge's purpose.

9. Does the use contribute to the public's understanding and appreciation of the refuge's natural or cultural resources, or is the use beneficial to the refuge's natural or cultural resources?

Climbing is an activity that greatly contributes to the public's understanding of the Refuge's resources because it brings visitors closer to the natural environment—both in the front and backcountry—where climbers witness and appreciate first-hand the wildlife for which the Refuge was established. In addition, the significant volunteer stewardship projects undertaken by the WMCC is of great benefit to the Refuge's resources because they help to protect the natural environment from the impacts caused by all priority and secondary uses of the Refuge.

10. Can the use be accommodated without impairing existing wildlife-dependent recreational uses or reducing the potential to provide quality, compatible, wildlife-dependent recreation into the future?

The Refuge provides access roads, hiking trails, parking lots, signs, restroom facilities and staff to maintain these facilities and enforce regulations related to the management of existing wildlife-dependent recreational uses. These facilities are maintained to meet the needs of the public engaged primarily in activities other than climbing. Rock climbing requires minor, if any, expenditures of funds and personnel for administration, maintenance, and law enforcement. Rock climbing has occurred at the Refuge in the past un-managed and self-regulated by the climbing community without conflict or burden on the resources of the Refuge. Accordingly, continuing climbing as a secondary use of the Refuge will not impact the availability of resources at the Refuge.

Successful climbing management at the Refuge over the past thirteen years (and existing management documents finding that climbing has no significant impact) is evidence that climbing does not impair existing wildlife-dependent recreational uses. No publicly-available data suggests that climbing will affect the potential for the Refuge to provide quality, compatible, wildlife-dependent recreation into the future for existing wildlife-dependent recreational use.

Climbing at the Wichita Mountains Wildlife Refuge is Exceptional and Unique

In sum, an analysis of FWS guidelines shows that climbing is an appropriate use at the Wichita Mountains Wildlife Refuge. However, even if climbing is found to be inconsistent



with one of the ten appropriateness standards found in 603 FW 1.11A(3)), climbing fits the exception found in 603 FW 1.11B⁶ as follows:

[where the USFWS] may not find uses appropriate if they are illegal, inconsistent with existing policy, or unsafe.....if the answer is "no" to any of the other questions..... we will generally not allow the use. However, there may be situations where the refuge has exceptional or unique recreational resources, such as **rock climbing**, that are not available nearby, off the refuge, and the use requires insignificant management resources. In such cases, we may further consider a use.

Climbing at the Refuge is “exceptional,” “unique” and requires insignificant management resources. Accordingly, climbing should be considered an appropriate use of the Refuge notwithstanding any analysis of 603 FW 1.11A(3)) that finds to the contrary. For climbers, the Wichita Mountains Wildlife Refuge is unique within the Refuge system in terms of its vast geographical area and mountainous landscape (obviously, unusual in the Plains States). Further, the Refuge has long received high public use more akin to a national park (visitation at the Refuge rivals Yellowstone NP). Over 1.5 million visitors come to the Refuge annually to hike, photograph, camp, fish, climb, backpack, picnic, and view wildlife. Moreover, the fact that wildlife abounds on the Refuge is another way that it is unique as a climbing area; while climbing sometimes occurs in areas with wildlife, the Refuge’s extraordinary scenery (physical, flora and fauna) represents a unique climbing experience found nowhere else. Also, climbing in a federally-designated wilderness cannot be found for hundreds of miles, the closest being in Colorado’s Sangre de Cristo Mountains nearly 600 miles away. The opportunity to climb in a wilderness setting cannot be found anywhere else in Oklahoma or nearby States, making the Wichitas a truly exceptional and unique experience. Accordingly, climbing, if necessary, fits the exception found in 603 FW 1.11B.

Fixed Anchor Permits Should Continue at the Refuge

Fixed anchors are a traditional, compatible and essential safety tool for climbers at the WMWR and should continue to be authorized at the Charons Garden Wilderness Area through existing regulations. Fixed anchors (otherwise know as “bolts”⁷) have sporadically been placed and used by climbers at the WMWR for over 50 years to ensure a modicum of climbing safety. Fixed anchors are necessary where natural features do not

⁶ The fact that “rock climbing” is specifically enumerated in this guideline further underscores that climbing is an appropriate use of the Refuge because the WMWR is the only refuge in the system that has climbing resources. To wit: this exception was created to ensure that climbing continues specifically at the WMWR despite any future analysis that might find climbing inappropriate at the Refuge.

⁷ For more information, see <http://www.accessfund.org/pdf/CM-web.pdf>



provide opportunities for the use of removable safety equipment. Fixed anchor use in the Charons Garden Wilderness Area of the WMWR predates the Wilderness Act and is sometimes the minimum tool necessary to provide safety for climbers. Properly managed, fixed anchors are an acceptable use of wilderness and compatible with the purpose of the WMWR. The Refuge, assisted by the WMCC's Advisory Bolting Committee (ABC), has for thirteen years effectively regulated the use of fixed anchors to ensure the protection of WMWR resources.⁸ The Refuge should continue this successful bolting policy for managing fixed anchors at the Refuge and the Charons Garden Wilderness Area. Continuing this fixed anchor policy will provide for reasonable climbing opportunities at the Refuge and maintain consistency with the other federal wilderness management agencies and Interagency Wilderness Policy Council recommendations.⁹

Climbing is a Compatible Use of the Refuge

The Refuge Recreation Act (RRA) requires that any recreational use on areas of the National Wildlife Refuge System be “compatible” with the primary purposes for which the area was acquired or established. In determining compatibility, the RRA requires that sufficient funding be available for the development, operation and maintenance of recreational uses that are not directly related to the area's primary purposes.¹⁰ The RRA also requires that recreational uses not interfere with the primary purposes for which the areas were established, and that funds are available for the development, operation, and maintenance of these permitted forms of recreation.

As part of this CCP process that Refuge may conduct compatibility review as outlined in 603 FW 2.¹¹ Because this same analysis was essentially conducted in 1995 finding technical climbing a compatible use of the Refuge,¹² and no new evidence of a change in conditions has been made public to alter the 1995 determination, the Refuge should consider climbing a compatible use of the WMWR. However, if another compatibility analysis is conducted as part of the CCP process, sound professional judgment—through an analysis of all available information from both inside and outside the Refuge—should result in a finding that climbing is compatible at the Refuge because history shows (i.e.,

⁸ See <http://www.wichitamountains.org/abc.html>

⁹ For more information on the history and current status of federal efforts to manage fixed anchors in wilderness, see the following PowerPoint presentation by the Access Fund:
<http://www.accessfund.org/fixedanchor.ppt>

¹⁰ <http://www.fws.gov/refuges/policiesandbudget/16USC460k.html>

¹¹ <http://www.fws.gov/policy/603fw2.html>

¹² <http://www.wichitamountains.org/fonsi.html>



the successful management of climbing the last thirteen years and the absence of any significant change in conditions) that:

- Available resources (funding, personnel, and facilities) are adequate to develop, manage, and maintain climbing to ensure its compatibility with Refuge values;
- Climbing will not materially interfere with or detract from the fulfillment of the System mission or the purposes of the Refuge (i.e., no degradation of the ecological integrity of the Refuge);
- No compensatory mitigation is needed to make climbing compatible at the Refuge; and
- There is no conflict with existing wildlife-dependent recreational uses at the Refuge.

A Vision for the Future of Wichita Mountains WR

The vision the Access Fund has for the future of the Refuge is that climbing remain an appropriate and compatible use. To ensure this vision, we make the following recommendations:

- Backcountry areas make up the largest and most visited part of the public use portion of the WMWR and experience heavy public use, but are the least managed. The Refuge should install informational kiosks at all backcountry trailheads to provide important information to the public, including regulations, trail maps, wildlife information and materials promoting natural resource protection.
- The WMWR should install sign-in registers at all backcountry trailheads to monitor backcountry use and advance public safety.
- Large groups should be required to get a permit to effectively manage both social and natural resource impacts.
- There should be no changes to current regulations allowing for rappelling that is associated with a climbing ascent (when descending from a climb or incases where rappelling is effective in minimizing impacts); however, “sport rappelling” (a relatively new activity unrelated to traditional climbing that is currently prohibited in the area known as “The Narrows”) should be managed by limiting group sizes (by permit) and expanding the rappelling prohibition to include the area know as the “Forty-Foot Hole.”



- “Bouldering,”¹³ the practice of climbing on small rock formations or boulders that are short enough in height that ropes and gear are not necessary, is a compatible climbing activity with extraordinary and unique opportunities at the Refuge. Because no ropes are used, boulderers often use “crash pads” (four to six-inch thick foam pads) to cushion their descents. Crash pads are placed on the ground under “boulder problems” and misuse of pads can sometimes cause localized impacts. While bouldering activity and associated impacts at the Refuge is minimal, the WMWR may want to limit the use of crash pads to areas with hard, non-vegetated surfaces (i.e., rock, gravel, compact soil).
- “Aid climbing” is a form of climbing where the method of ascent involves some piece of equipment—the rope, a piton, a nut, or sling—to aid the climber’s ascent (unlike “free climbing” where climbers use their hands and feet to climb up the rock using only natural features). Traditional aid climbing (a very small percentage of climbing activity) often employs the use of hammers, pitons and fixed anchors which can cause impacts. The Refuge should manage the use of hammers in aid climbing the same way it does fixed anchors: through a permit and the Advisory Bolting Committee.

Conclusion

The unique climbing experience found at the Wichita Mountains Wildlife Refuge is inextricably intertwined by wildlife values. Climbers appreciate the natural environment at the Refuge and it is the presence of wildlife that, to a significant extent, makes climbing at the Refuge so special. Similar to other users of the Refuge (hikers, campers, picnickers), climbing, including the use of fixed anchors, is an invaluable longstanding, appropriate, compatible secondary recreational use of the WMWR. Based on the information provided herein, climbing should be allowed to continue at the Refuge because detailed studies have already found climbing to be a compatible use of the WMWR, and because climbing meets FWS “appropriateness” criteria outlined in 603 FW 1. In the mid-1990s the Refuge developed reasonable and effective management policies and regulations to ensure that climbing continues as a compatible secondary recreational use of the WMWR. During the more than 50 years as a public recreational use, climbing has never been determined to be incompatible with the purpose of the WMWR, and today evidence abounds that climbing is both compatible and appropriate at the Wichita Mountains Wildlife Refuge.

Climbing was last certified by the FWS as a compatible use of the WMWR in 1995. Since that time climbing has become even more compatible as a result of the successful

¹³ For more information, see <http://www.accessfund.org/pdf/BoulderingPaper.pdf> and <http://www.accessfund.org/pdf/CM-web.pdf>.



efforts of the WMCC and the FWS to manage climbing activity and mitigate potential resource impacts. The WMCC and the Access Fund stand ready to continue playing a constructive role in assisting the Refuge on climbing management issues to ensure the preservation of both wildlife resources and compatible and appropriate secondary uses of the Refuge

If you have any questions or comments regarding the Access Fund or rock climbing in general, please don't hesitate to contact me 1-888-863-6237, x102; jason@accessfund.org. Please keep the Access Fund on the mailing list to receive subsequent planning updates for this project. We very much appreciate your thoughtful consideration of this important matter.

Sincerely,

Jason Keith
Policy Director
The Access Fund

Cc Dr. Benjamin N. Tuggle, Regional Director, USFWS, Region 2
U.S. Senator James M. Inhofe
U.S. Senator Tom Coburn
U.S. Representative Tom Cole
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