



October 31, 2011

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RE: Access Fund Comments on the Draft Chugach State Park Management Plan

Dear Ms. Alvarez:

The Access Fund welcomes this opportunity to comment on climbing management within Chugach State Park (the “Park”). In the Draft Management Plan, rock and ice climbing are considered appropriate activities within the Park, but “the use of any permanent anchors is prohibited.” The best climbing management practices in use around the country recognize that climbing safely requires some degree of permanent (“fixed”) anchor use and prescribes the proper level based on site specific considerations. As explained in more detail below, the Access Fund is the only national non-profit organization dedicated exclusively to promoting climbing access through conservation, education, funding, and effective resource management planning. We have the interest, experience, and resources necessary to help develop an effective climbing management plan for Chugach.

The Access Fund

The Access Fund represents over 2.3 million climbers with five core programs performed on the national and local levels: Climbing Management Policy; Stewardship and Conservation; Local Support and Mobilization; Land Acquisition/Protection; and Education. We currently hold memorandums of understanding concerning climbing management/resource conservation with the National Park Service,¹ the Bureau of Land Management,² and the United States Forest Service.³

The Access Fund compiles and publishes the largest list of wildlife related closures in the country. We work with federal, state, and private land managers to develop and implement climbing management plans that are currently in use nationwide,⁴ and have hosted several national climbing management conferences attended by hundreds of land managers from across the country.⁵ In many instances, climbers actively assist⁶ land managers by maintaining trails, removing trash,⁷ and help locate, monitor, and report on species of concern.⁸

For twenty years the Access Fund has worked with federal, state, and private entities across the country to promote climbing access while protecting and preserving sensitive resources for future generations. The Access Fund understands the challenges involved with developing a climbing management plan. Accordingly, we publish a 78 page manual titled *Climbing Management: A Guide to Climbing Issues and the Development of a Climbing Management Plan*.⁹ To learn more about the Access Fund, see www.accessfund.org.

Climbing Management for Chugach State Park

In our experience a successful climbing management plan does the following:

- Complies with statutory and internal agency guidelines.
- Articulates climbing as a recreational experience, and describes the variety of climbing opportunities and values.
- Identifies management alternatives that address climbing impacts in a manner that is consistent with best management practices used elsewhere.
- Builds cooperative relationships between climbers and resource managers.
- Provides management direction necessary to protect resources and provide climbing opportunities.
- Provides information about status and contextual importance of resources values (including climbing activity), and provides information about use patterns and effects of climbing on identified resource values.
- Implements any necessary restrictions incrementally from indirect measures (outreach and education) to direct measures (specific access trail and climbing route closures).

The Access Fund is in a position to assist in a variety of ways: 1) Provide detailed site specific climbing management recommendations in consultation with local climbers; 2) Provide grants/funds for climbing related projects and conservation;¹⁰ 3) Organize volunteers and stewardship projects via an Adopt-A-Crag event; and 4) Connect resource managers with the most active climbers for advice on critical management needs.

Fixed Anchor Management

Based on maps and information provided by local climbers, Chugach State Park is extremely large and offers a wide variety of climbing opportunities. In most locations around the country, the appropriate use of fixed anchors is determined by the nature/quality of the rock/ice, availability of removable protection, and local ethics. No fixed anchor (whether a mechanical bolt, glue-in or pin) is truly “permanent,” as they all require occasional replacement to be used safely. Since 1991, the Access Fund has been working with federal, state, and local land management agencies to establish the best management practices for fixed anchor use generally and in wilderness areas.

In Denali National Park, over 2 million acres are designated wilderness and placing fixed anchors with a hand drill is permitted with no prior authorization required. Section 7.2 of Draft National Park Service Director’s Order 41 states that using fixed anchors in wilderness

is appropriate and some form of prior authorization may be considered.¹¹ The draft order outlines an approach that climbers, conservation organizations, and federal land managers have agreed upon for more than a decade. With some key revisions to clarify the various acceptable forms of prior authorization, the Access Fund supports this draft Directors Order.¹²

Many agencies play no active role in fixed anchor management and others set guidelines or establish a permitting process for installing and/or replacing fixed anchors. For risk management and administrative reasons, most land managers do not get involved with actually installing or paying for fixed anchors. The proposed climbing management plan for the Black Canyon of the Gunnison National Park requires route developers to submit descriptions of new routes including the number of fixed anchors installed, but does not require a permit or prior approval of each placement as long as all fixed anchors are placed in accord with Director's Order 41. This type of requirement may be a good model for Chugach State Park since it is less of an administrative burden and provides a record-keeping system to monitor fixed anchor use.

At the other extreme, prior approval of each individual placement or replacement of any fixed anchor is required at Eldorado State Park (Colorado) and a local climbing organization manages the process, requests public comments, and submits recommendations.¹³ This process is unique to Eldorado's climbing history/ethics and is likely not a suitable model for Chugach State Park, but is offered as a comparison. The high concentration of climbing routes and activity and Eldorado's small size relative to Chugach are several factors which make their management plan viable. Some land managers rely on local climbers, non-profits and/or local climbing organizations to actually monitor, replace, and pay for fixed anchor installations. The American Safe Climbing Association¹⁴ has received permits at Arches National Park, Grand Teton National Park, Joshua Tree National Park, and Red Rock National Conservation Area to replace unsafe and aging fixed anchors. Local climbing organizations hold anchor replacement permits at climbing areas such as New River Gorge National River and Reimers Ranch County Park (Texas). A local or national organization could apply for a special use permit with Chugach State Park to manage anchor replacement much like the geo-caching management process in place at Chugach now.

Risk Management

Risk management, the process of evaluating and limiting exposure to potential liability, is a fundamental concern of land managers and owners. Liability is an important factor in recreation management for Chugach State Park. In regards to climbing management, the Access Fund has researched liability protection for land managers and land owners on a national scale and our manual on Risk Management provides useful information to consider.¹⁵

Below is a brief summary of the most common "layers" of liability protection:

State recreational use statute: This limits liability of a landowner who allows public access for recreational purposes. See AS § 09.65.200 and § 34.17.055 for reference to Alaska's statute.¹⁶

Sovereign immunity: The government cannot be sued without their permission (as expressed in a state's constitution, case-law, and statutes). One question to look into is whether Alaska State Parks have waived sovereign immunity and if so, for all recreational activities or just a select few.

Assumption of Risk: Another method of reducing risk is warning signage to inform users of the inherent dangers of climbing and/or waivers where all recreational users must expressly waive their right to sue the State Park for any injuries suffered from climbing.

Insurance: Several companies provide a variety of insurance options that protect a land owner/manager from suits by recreationalists.

Various Climbing Management Examples

The following State Parks have addressed climbing management and allow fixed anchors (in alphabetical order by state):

Colorado--Eldorado State Park

<http://parks.state.co.us/Parks/EldoradoCanyon/ParkActivities/RockClimbing>

<http://aceeldo.org/fhrc/>

Colorado--Jefferson County Open Space

http://www.co.jefferson.co.us/jeffco/openspace_uploads/climbing_management_guide.pdf

Idaho--Castle Rocks State Park

<http://www.climbingmanagement.org/state-local/idaho/castle-rocks>

Pennsylvania--Department of Conservation and Natural Resources

<http://www.dcnr.state.pa.us/forestry/rockclimbing.pdf>

New York--Adirondack Forest Preserve

<http://www.dec.ny.gov/outdoor/351.html>

North Carolina--Crowders Mountain State Park

<http://www.ncparks.gov/Visit/parks/crmo/rules.php>

North Carolina--Chimney Rock State Park

<http://www.ncparks.gov/Visit/parks/chro/rules.php>

<http://www.ncparks.gov/About/plans/master/main.php>

Tennessee--Foster Falls State Park

<http://www.seclimbers.org/modules.php?name=Content&pa=showpage&pid=31>

Vermont--Willoughby State Forest
<http://www.vtfpr.org/lands/willoughby/wilplan.pdf>

Washington--Beacon Rock State Park
<http://www.parks.wa.gov/parks/?selectedpark=Beacon%20Rock>

Some states have climbing management policies written into their state laws that direct agencies how to manage rock climbing:

North Carolina: http://www.ncparks.gov/Visit/rules/docs/rules_subchapter_12b.pdf

Washington: <http://apps.leg.wa.gov/WAC/default.aspx?cite=352-32-085>

Wisconsin: http://www.legis.state.wi.us/cr_final/01-011.pdf

Many land managers promote climbing and allow fixed anchor use without active management, permits, or a climbing management plan:

California—Joshua Tree National Park
<http://www.nps.gov/jotr/planyourvisit/climbing.htm>

Colorado--Castlewood Canyon State Park
<http://parks.state.co.us/Parks/CastlewoodCanyon>

Minnesota--Interstate State Park (Taylor's Falls)
http://www.dnr.state.mn.us/state_parks/interstate/index.html

Minnesota--Tettegouche State Park
http://www.dnr.state.mn.us/state_parks/tettegouche/index.html

Oregon--Smith Rocks State Park
<http://www.smithrock.com/aboutsr/parkinfo/index.html>
http://www.oregonstateparks.org/park_51.php

Texas--Enchanted Rock State Natural Area
http://www.tpwd.state.tx.us/spdest/findadest/parks/enchanted_rock/

Utah--Snow Canyon State Park
<http://stateparks.utah.gov/parks/snow-canyon/>

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The foregoing was offered as an example of the wide variety of climbing management practices currently in use around the country. Each climbing area presents unique challenges for land managers and climbers alike. The Access Fund can assist Chugach State Park to develop and implement a climbing management plan that strives to achieve a balance between resource protection and recreation. We strongly advise Chugach State Park to

reconsider the blanket prohibition of “permanent anchors” in the Draft Management Plan and add a provision for developing a climbing management plan that addresses current regulations, protects the natural environment, and allows fixed anchor use as appropriate for climbing within the different management areas of Chugach.

Thank you for your consideration of climbing management at Chugach State Park. The Access Fund looks forward to participating throughout the remainder of the planning process. Please keep us informed as the process proceeds. Feel free to contact me via telephone (303-545-6772 x113) or email (rd@accessfund.org) to discuss this matter further.

Best Regards,



R.D. Pascoe
Policy Director
The Access Fund

Cc: Brady Robinson, Access Fund, Executive Director
Joe Sambataro, Access Fund, Access Director

¹ See <http://www.accessfund.org/atf/cf/%7B1F5726D5-6646-4050-AA6E-C275DF6CA8E3%7D/AF%20NPS%20MOU.pdf>

² See <http://www.accessfund.org/atf/cf/%7B1F5726D5-6646-4050-AA6E-C275DF6CA8E3%7D/AF%20BLM%20MOU.pdf>

³ See <http://www.accessfund.org/atf/cf/%7B1F5726D5-6646-4050-AA6E-C275DF6CA8E3%7D/2009%20USFS%20MOU.pdf>

⁴ See generally <http://www.climbingmanagement.org>

⁵ *Id.*

⁶ The Access Fund sponsors approximately 130 Adopt a Crag events annually across the country. Adopt a Crag—the Access Fund’s signature stewardship program—exists to unite local climbing communities in partnership with land managers to conserve local climbing areas. Adopt-a-Crag events typically include activities such as litter clean-ups, trail construction and restoration, erosion control, and invasive weed removal. See <http://www.accessfund.org/site/c.tmL5KhNWLrH/b.5000889/k.166C/AdoptaCrag.htm>

⁷ In July 2011, the Access Fund launched a new Conservation Team that will spend ten months a year travelling the country addressing conservation issues.

⁸ *Examples include:* Luther Rock, Lake Tahoe, CA; Pinnacles National Monument, CA; Eldorado Canyon State Park, CO; Jefferson County Open Space, CO; Acker Rock, OR.

⁹ See <http://www.accessfund.org/atf/cmp>

¹⁰ See <http://www.accessfund.org/grants> for guidelines and application process

¹¹ See http://www.accessfund.org/atf/cf/1f5726d5-6646-4050-aa6e-c275df6ca8e3/2_NPS_DRAFT_WILDERNESS_DIRECTORS_ORDER_72.PDF

¹² See http://www.accessfund.org/atf/cf/%7B1f5726d5-6646-4050-aa6e-c275df6ca8e3%7D/AF_POSITION_STATEMENT_NPS_DO41_022211A.PDF

¹³ See <http://aceeldo.org/flhrc/>

¹⁴ See <http://www.safeclimbing.org/>

¹⁵ See <http://www.accessfund.org/riskmanagement>

¹⁶ See <http://www.nationalaglawcenter.org/assets/recreationaluse/index.html>