

ANNOTATED DOCUMENT
DRAFT 5/25/94

Based on DRAFT resulting from April meeting in Washington, D C.

Strike throughs and new text (in bold) are the individual recom-
mendations of Doug Scott

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"Climb the mountains and get their good tidings "
-- John Muir

INTRODUCTION

The following recommendations acknowledge and honor the unique and special qualities of federally designated and proposed wilderness areas ~~as well as~~ **Wilderness Study Areas**. In these areas, it is recognized that the federal land managers' primary responsibility is to prevent the impairment of wilderness resources and wilderness character, while **providing for public use and enjoyment of these areas as wilderness and to preserve the wilderness areas in perpetuity for the future enjoyment of wilderness-users**

MAJOR CONCLUSIONS

** Within wilderness areas, wilderness climbing offers " outstanding opportunities for solitude or a primitive and unconfined type of recreation " [Wilderness Act, Sec 2(c)]

** Mountain climbing has a long and well-recognized history as a major use of wilderness areas in all regions of the country

Documentation

1 The Wilderness Society prepared a very detailed response to an October 1948 survey by the Legislative Reference Service of the Library of Congress 1 In response to the question "What do you consider permissible uses of wilderness areas?", the Society's Executive Secretary, Howard Zahniser (who conceived and was principal draftsman of the Wilderness Act) said --

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"The specific uses of wilderness that are permissible include hiking (with or without pack animals), canoeing and boating with paddle or oar, horseback travel, mountain climbing, skiing (especially ski touring) and such other activities which may be part of the outdoor living when one is dependent upon equipment he carries on his own back or on pack animals and is unaided by motorized transportation (emphasis added) " ²

2 The Legislative Reference Service's analyst summarized the results of the survey --

"The permissible use [of wilderness area] most generally mentioned of course is for recreation. In general terms many [respondents] state in effect that any use which is consistent with the preservation of the natural state is permissible

"Among the recreational uses listed are hiking, picnicking, camping, nature study, mountain climbing, winter sports including skiing, ski touring, skating, and cross-country snowshoeing, canoeing, boating, sailing, painting, photographing, horseback riding, ecological recreation, hunting and fishing." (emphasis added) ³

3 In the Department of Agriculture's formal legislative report on S. 4 (the Wilderness Bill) on the eve of its passage in the Senate in 1963, Secretary of Agriculture Orville L. Freeman stated

"Recreation uses of these wilderness-type areas are of the kind, including hunting and fishing, normally associated with wilderness enjoyment " ⁴
A use obviously "normally associated with wilderness enjoyment" to the authors and congressional sponsors was mountain climbing

4 In May 1972 the Chief of the Forest Service issued a report by a special committee of agency personnel reviewing the agency's wilderness policy. In its report, the committee " concluded that Congress intended the visitor should have outstanding opportunities to choose the solitude or primitive and unconfirmed recreation activities he needs or desires. These would range from simple contemplation, undisturbed by man's influence, to hiking, camping, mountain climbing, etc., in the place and manner of his choice unconfined by facilities, rigid controls, or excessive numbers of competing visitors" (emphasis added) ⁵

Leaders of agencies which manage wilderness and leaders of wilderness advocacy groups were among the early climbers in national parks and wilderness-areas .. including, in some cases, the use of pitons and other anchors in rock climbing

Documentation

Early wilderness climbers included John Muir and other founders of the Sierra Club and Bob Marshall and other founders of The Wilderness Society (Marshall was also Chief of Recreation of the Forest Service)

Like the concept of wilderness protection, the techniques of mountain climbing have evolved and continue to evolve

Many who participated intimately in the conceptualization, drafting and enactment of the Wilderness Act were early users of anchor devices in climbing in parks and wildlands

David Brower (first ascent, with anchors, of Shiprock Executive Director of the Sierra Club throughout the period of the drafting and legislative action on the Wilderness Act)

Dick Leonard (many ascents in the Sierras, member of the Board of Directors of the Sierra Club and the Governing Council of The Wilderness Society)

John Dyer (first ascent, with anchors, of Shiprock, with his wife, Polly, involved in reviewing wording of drafts of the Wilderness Act and active in The Mountaineers (Seattle)

- ** National and regional climbing organizations and their leaders were a prominent part of the national coalition succeeded, which conceived, drafted, and after an eight-year effort, succeeded in convincing Congress to achieve enactment of the Wilderness Act in 1964.

Documentation

Early and avid supporters of the Wilderness Bill were listed by Howard Zahniser, Executive Secretary of The Wilderness Society, as part of his testimony at a U.S. Senate hearing on the proposed Wilderness Act in 1958. Among those listed --

*"National Organizations
Supporting the Wilderness Bill*

*Federation of Western Outdoor Clubs
[a coalition of many smaller western
hiking and climbing organizations]
Sierra Club*

*"State, Regional and Local Organizations
Supporting the Wilderness Bill*

*Adirondack Mountain Club
Appalachian Mountain Club
California Alpine Club
Cascadians of Yakima [Washington]
Green Mountain Club
MAZANAS [Portland, Oregon]
The Mountaineers [Seattle, Washington]
North Cascades Conservation Council
Obsidians [Eugene, Oregon] 6*

- ** Like most human uses of wilderness areas, wilderness climbing can be dangerous. Like many other wilderness users, climbers provide their own protection through activity-specific safety equipment and techniques.
- ** Wilderness management agencies provide or permit certain, very limited facilities and/or installations to assure that public use of wilderness will entail minimal impairment of the wilderness resource and character and to provide for

user safety. These include construction of trails, installation of trail signs and installation of trail bridges, for example

Documentation

1 In the Sierra Club's 1949 analysis provided to the Legislative Reference Service, David Brower and other Club leaders asserted that "effective administration of wilderness demands a nice balance between use and preservation--which are, in actuality, incompatible. Practically, we have to find a compromise that assures the least damage per man per visit "

2. The 1972 review of Forest Service wilderness policy included this overview of man-made modifications in wilderness areas to protect the wilderness resource and provide a modicum of user safety --

" a fundamental purpose for wilderness is to have some places in the country where natural processes operate freely without control or direction, where the ecosystem will be unmodified. We recognize, and Congress recognized that this is an ideal that cannot be fully reached. However, we must aim to come as close to the ideal as feasible, rather than setting up an approximation of natural conditions as the goal.

* * * * *

" the wilderness exists to provide benefits, to be used as wilderness, particularly for scientific-educational purposes and for recreation and inspiration. This means some modification is unavoidable, but, management of these primary wilderness uses must seek to minimize the impact this use will have " (emphasis in original) ⁸

** Fixed anchors are now common equipment for certain types of wilderness climbing in certain kinds of terrain, having replaced previously-used equipment (pitons) which had greater adverse impact on the resource

** Like trails and trail bridges, fixed anchors are not, in themselves, " permanent improvements ", rather they are temporary " installations " which make possible the reasonably safe use of wilderness -- as wilderness -- by wilderness climbers

Documentation

In its 1972 review of Forest Service wilderness policy, the committee of agency officials observed

"As we approached this wilderness policy review, a number of questions or comments presented to the committee by Forest Service people seemed to be based on myths or misconceptions about what Forest Service policy actually is or how the public may view some management actions. The committee feels it is necessary to discuss some of these misconceptions before our conclusions and recommendations concerning the 'real' policy can be objectively considered "

"Myth No 2" identified by the Forest Service committee is closely analogous to the issue raised by anchors in wilderness climbing -- this issue of providing minimum man-made facilities in order to serve the purposes of the Wilderness Act (which include recreational use)

"Myth No 2: Forest Service wilderness trail policy leads ;to the tearing out of most trail bridges, permits existing trails to log in until they are impassable, and prohibits the construction of new trails

The committee answered this myth as follows

"Statements in FSM [Forest Service Manual] 2320(1) and 2323 11c clearly recognize that trails and bridges are accepted facilities in National Forest Wildernesses when they are necessary to administer the area for wilderness purposes and to enable the public to use the Wilderness without damaging it "

And the committee added this relevant comment on the forces behind such a "myth"

"We believe that a few people, unsympathetic to the wilderness concept, may have deliberately added fuel to this question. There are indications that others who are trying to block a particular Wilderness proposal have promoted this myth to encourage support for their position " 9

** Like other minimum installations, fixed anchors, where appropriate, must be " substantially unnotceable " and must not have a substantial adverse impact on the " primeval character and influence " of the wilderness area

** In specific terrain within a specific wilderness area, fixed anchors are " installations ." which " are necessary to meet minimum requirements for the administration of the area for the purposes of this [Wilderness] Act ", the purposes of which include providing " . outstanding opportunities for solitude or a primitive and unconfined type of recreation " such as wilderness climbing

Documentation

In September 1969, the House of Representatives passed H R 850, to designate the Desolation Wilderness, Eldorado National Forest, Colorado. The its debate, the House approved an amendment which in-cluded within this wilderness area two long-established dams and reservoirs. The debate on this amendment was particularly helpful as a congressional review of the "purity" of wilderness areas. The bill, as amended, become law

In this debate, Rep John P Saylor -- who was the original sponsor of the Wilderness Act in the House, said

"The definition of a wilderness as contained in section 2(c) of the Wilderness Act does not by definition exclude these [dams and reservoirs]. Quoting the definition, Rep. Saylor commented that "This language of the act in defining a wilderness area conclusively points up the fact that it was intended that some wilderness areas would be proposed for inclusion in the wilderness preservation system which did contain the imprint of man's work provided it was substantially unnoticeable " 10

The future Chairman of the Interior and Insular Affairs Committee, Rep Morris K Udall, also a sponsor of the original Wilderness Act, said

"It would be nice to have our national wilderness system absolutely pure and completely free of any sign of the hand of man * * * [But] in the interest

of public health and safety and to protect the natural resources there may sometimes be lookout towers and patrol cabins * * * Whether some prior existing imperfection -- something less than absolute purity -- is to be accepted .. should be determined by whether its inclusion will significantly contribute to the implementation of this policy of national wilderness preservation.. " 11

The future Speaker of the House of Representatives, Rep Thomas Foley, said

"I would agree it is difficult to establish absolutely pure wilderness areas there are few areas in the country which do not have some existing structures, some existing roads or trails If we took an absolutely purist approach to this I believe there would be few of the great areas now in our wilderness system now [sic] that could meet the qualifications 12

~~**--Climbing,--including--the--infrequent--use--of--fixed--anchors,--in--a--manner--that--does--not--significantly--impact--wilderness--resources--or--values,--is--an--historic--and--appropriate--type--of--primitive--recreation--in--wilderness--areas--~~

SPECIFIC RECOMMENDATIONS:

** The wilderness planning process, including public participation and application of the Limits of Acceptable Change management concept, should be used to determine an acceptable level of fixed anchor use while preserving wilderness resources and values in a specific wilderness area The resulting wilderness plan should incorporate this information to determine the appropriate level of fixed anchor use for that wilderness area

** In determining whether fixed anchors should be allowed in specific terrain within a specific wilderness area, the wilderness manager should determine that these will be --

" minimum ", that is, " substantially unnoticeable ", an insignificant impact on the "wilderness character" fo the area, and the minimum tool " necessary to meet minimum requirements for the administration of the area, and

" necessary .", that is, essential for the reasonably safe exercise of " a primitive and unconfined type of recreation " by wilderness climbers

These determinations should be made with maximum public involvement, including by the climbing community, in locally prepared management plans tailored for each wilderness area

** Based on the findings of the wilderness planning process, options for management of fixed anchors may include, but are not limited to, resource impact monitoring, voluntary limits on use, user education, use restrictions, permitting, area closures, and removal

IMPLEMENTATION

[TEXT MISSING]

FOOTNOTES

1 The Preservation of Wilderness Areas, An Analysis of Opinion on the Problem, C Frank Kayser, Regional Economist, Legislative Reference Service, Library of Congress, August 24, 1949, 114 pages Printed as a congressional document (No 19) by the Committee on Merchant Marine and Fisheries, House of Representatives, Washington, D C The questionnaire is reprinted on pages 113-114 of this publication

2 A Statement on Wilderness Preservation in Reply to a Questionnaire, Memorandum for the Legislative Reference Service, Library of Congress, (Written by Howard Zahniser, Executive Secretary and Editor), The Wilderness Society, Washington, D C , March 1, 1949 Reprinted in National Wilderness Preservation Act, Hearings before the Committee on Interior and Insular Affairs, United States Senate, 85th Congress, First Session, on S 1176 (the "Wilderness Bill"), June 19 and 20, 1957, United States Government Printing Office, Washington 1957, pages 165-197 This quote is at page 192

3 Preservation of Wilderness Areas, C. Frank Kayser, Legislative Reference Service, *Ibid* , p 53

4 Establishing A National Wilderness Preservation System for the Permanent Good of the Whole People, and for Other Purposes, Report of the Committee on Interior and Insular Affairs, United States

Senate to accompany S 4, Senate Report No 109, 88th Congress, 1st Session Page 21

5 Report, Committee to Review Forest Service Wilderness Policy, transmitted to John R McGuire, Chief, USDA Forest Service under cover letter dated May 17, 1972 Unpublished, available in files of Doug Scott

6 National Wilderness Preservation Act, Hearings before the Committee on Interior and Insular Affairs, United States Senate, 85th Congress, Second Session, on S. 4028 (the "Wilderness Bill"), July 23, 1958, United States Government Printing Office, Washington 1958, pages 120-121

7 Wilderness A Squandered Heritage, A Statement on Wilderness Policy prepared by Sierra Club, compiled by Charlotte E Mauk and David R Brower, unpublished typescript; available in files of Doug Scott

8 Report, Committee to Review Forest Service Wilderness Policy, *Ibid* , page 20

9 Report, Committee to Review Forest Service Wilderness Policy, *Ibid* , page 29

10 Debate on H R 850, House of Representatives, September 24, 1969, in Congressional Record (Daily Edition), Pages H8379-H8380

11 *Ibid.*, Page H8380

12 *Ibid* , Page H8385