



# San Francisco Gem & Mineral Society, Inc.

Non-Profit, Educational Organization

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Phone (415) 564-4230

February, 26, 2010

CCMA RMP/EIS Comments  
Attention: Planning Coordinator  
Bureau of Land Management  
Hollister Field Office  
20 Hamilton Court  
Hollister, CA 95023

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Sirs,

The San Francisco Gem and Mineral Society (SFGMS) has been an organized group since 1935 and has over 400 members centrally located in the San Francisco Bay area in San Francisco. We are a non-profit organization dedicated to the education of the public, specifically:

*"To create, develop and encourage a general interest in and appreciation of the earth sciences and all allied subjects." (Articles of Incorporation) and to:*

*"...disseminate knowledge of mineralogy and the earth sciences... and to encourage study in these subjects through means of ...field trips for exploration, study and collecting of specimens..." (By-Laws)*

To this end, our members have been taking field trips to the Clear Creek Management Area (CCMA) since 1935 with many organized club trips spanning back through the years and beyond the living memory of existing club members. Our membership includes quite a number of geologists, gemologists, mineralogists, teachers and instructors in geology and gemology as well as a number of medical doctors and Ph.D.'s in the medical and biomedical fields and many other professionals in the Arts and Sciences. We feel we have a very legitimate claim for our continued access to the CCMA and would oppose any restriction therein as hampering our ability to fulfill our mission on behalf of all the people California as described above.

We consider the CCMA to be one of the premier gem and mineral areas in the country. *It is the only area in the world where gem quality benitoite gemstones and specimens may be found, and is the locality of discovery of a significant number of unique*

***minerals.*** Without access by knowledgeable people to explore and study this area, it is very likely that other unknown and potentially important minerals will remain undiscovered. We have a particular interest in the Benitoite Gem Mine and the jade and agate collecting areas located along Clear Creek and the Clear Creek Road. We have also visited many of the other mines in the area including many of the abandoned mines in search of gem material and collectable minerals. To our knowledge over the 75 years of our existence, none of our members have ever had any long term diseases from breathing asbestos dust from their visits to the CCMA.

Areas that are available for gem and mineral collecting and discovery are drastically shrinking – everywhere. The loss of so many collecting and study areas to urbanization and set asides for parklands or other use make it imperative to do everything reasonable to keep important and otherwise remote areas like the CCMA open and accessible to responsible and well informed individuals and organizations in pursuit of knowledge that benefits all people for all time.

We question many of the base assumptions and are very much concerned with the approach used in your draft environmental statement (DEIS) wherein you consider all types of naturally occurring asbestos as being of equal health risk, when there is growing evidence that such is not the case, and those risks being based on *occupational* health studies involving manufacturing of and manufactured asbestos products. We do not think, as it has not been demonstrated, that all serpentine soils exhibit the same toxicity as assumed in your consideration of alternatives, and we do not believe the occupational health studies you cite are applicable to the very limited exposures that might be encountered during our occasional studies within the CCMA. We also note the DEIS fails to identify or cite any actual case where an individual has contracted any of the negative health conditions specified as the cause for alarm for which this exercise is undertaken.

There are at least 20 different serpentine soil types within the CCMA with varying amounts of the various types of asbestos. A more comprehensive soil survey is needed to determine the amount of the various asbestos types to be found in the various serpentine soils. There are approximately 1,000,000 acres of serpentine soil areas throughout California spanning 44 of the 58 counties. Serpentine soils are known to occur in 19 states beyond California. A broad brush approach of lumping all serpentine soils as presenting an equal health hazard when considering alternatives for dealing with naturally occurring airborne asbestos, in our view, it is not an acceptable approach from a human or practicable standpoint when considering management alternatives by a land management agency. If you close the CCMA, will you do the same with all serpentine soil areas? By what criteria will you make exceptions?

Our use of the CCMA certainly does not fit within the parametric assumptions used in EPA's Risk Analysis study with regard to acceptable exposure levels, nor with actual real life experiences of those who have used the CCMA. We believe the EPA proposed acceptable cancer risk rates cited in your DEIS are what the EPA has used in the past for people, who because of their occupation, or where they live, are exposed to asbestos in a

continuous and cumulative manner and is not an appropriate value for occasional educational and recreational activities where persons, well informed of the potential risk, do so of their own free will. Most SFGMS member trips into the CCMA have been either day trips or two days with camping at the BLM campgrounds or staging areas. Many people who have lived and recreated in the CCMA for long periods of time have commented, over and over, that they have not seen any of their contemporaries developing cancers or long term diseases for which asbestos exposures are known causes. It is by no means certain that such limited individual access as ours will ever come close to the cumulative exposures suggested in the EPA Risk Assessment study.

We are aware that other Federal Land Management Agencies, in considering access policy over lands under their jurisdictions, routinely accept actual death rates for young healthy adults who knowingly and willingly accept inherent risk as a part of their recreational activities several orders of magnitude in excess of those proposed by The EPA for the CCMA. We believe the EPA proposed acceptable cancer risk rates are what EPA has used in the past for people who because of their occupation or where they live, are exposed to asbestos in a continuous and cumulative manner and is not an appropriate value for educational and recreational activities where persons, informed of the potential risk, do so of their own free will. There seems to be a large disconnect between the EPA Risk Assessment approach and that used by other Agencies in considering appropriate criteria for limiting access to areas historically set aside for public use.

Rather than arbitrary restriction of access into the CCMA, we feel strongly that there are better means of mitigation of the perceived hazard. We assume the BLM is well aware of the studies showing that overlayment on existing serpentine soil roads with non-serpentine gravels or other surface treatments can reduce the amount of natural occurring airborne asbestos particles raised by vehicular travel on such roads by as much as 98%. (See California Department of Toxic Substances: "Study of Airborne Asbestos from a Serpentine Road in Garden Valley, California"). This is a sensible, effective and inexpensive means of abatement, and we are curious as to why, if the concern here is primarily about asbestos exposure, has not the Clear Creek Road been so graveled and maintained in the past, followed up by studies to show effectiveness.

We believe that the Federal Land Policy Act of 1976, as amended, would dictate that BLM provide safe passage of the public land to users along public roads to meet the management goals outlined in your governing legislation and congressional intent. The section of the Clear Creek Road along the creek and some of the campgrounds associated with this road, which receives the bulk of public use, should be the primary candidate for remedial treatment, in keeping with the Federal Land Policy Act. This would help all users of the CCMA including BLM personnel. We see no reason that non-serpentine soils or gravels cannot be imported to surface the existing roadways and campgrounds. For those roads and trails where it is not practicable to provide surface treatment, we would advocate that the BLM develop a permit system for general public use based on user age and the frequency of access to the CCMA. The establishment of such dosage limits for exposures where *potential* hazards are identified is a common environmental and health safety practice. Many of our mineral collectors could then visit some of the more remote

mines to collect mineral specimens.

The CCMA is not a polluted wasteland of limited interest such that closure or significant restriction of access will not have strong negative impacts on many citizens who have historically enjoyed visits to this area. Ours is but one of many organizations, notwithstanding countless individuals, who will be hurt by loss or hinderance of access to this important resource. We feel, with due consideration of the objective facts, that the potential hazards to persons having occasional access to the area are overstated or misapplied. When intelligent people who are well informed of the risks involved with the use of particular public lands make informed choices in pursuit of such use, it is inappropriate to circumvent such choice through arbitrary intervention. In light of the vast areas of serpentine soils found throughout California and other states, including many urban and suburban areas where significant populations are exposed on a daily basis, it makes no sense to base any scheme for restricting access at any level to such a remote and lightly traveled area only on the basis of a *potential* hazard that is so ill defined as natural asbestos toxicity in serpentine soils. For years, the primary points of ingress to the CCMA have been clearly marked with warning signs informing all who enter of the conditions present in the area, No one enters ignorant of the issues or against their own free will. We therefore urge *extreme deference* in the selection of any plan alternative to the rights of citizens to continued access to the Clear Creek area.

Sincerely,

  
Kevin Anderson  
President, SFGMS