

Response to CCMA Draft EIS 2009

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The EPA's risk assessment report was the main trigger for the development of the CCMA EIS. The risk assessment did not adhere to any of the riding tips referenced on the Hollister BLM website as shown below. This non-adherence fatally flawed the EPA's report.

The following is taken directly from the Hollister BLM's website regarding recreation at CCMA.

1. Avoid areas where it is dusty or windy.
2. If riding on OHV in a group, spread out along the trail, and don't ride in another rider's dust.

The following is taken directly from the EPA's Clear Creek Management Area Asbestos Exposure and Human Health Risk Assessment dated May 2008.

Motorcycle Riding: "Motocross" type bikes with rock and hand guards were used. A group of 2-3 riders wore personal air samplers while riding in single file along a specified route. The distance between riders varied depending on visibility, terrain, and safety considerations, with the ultimate objective to realistically simulate the behavior of recreational riders. **The second and third trailing riders rode in the dust cloud of the lead rider**, to the extent safe and practical. The average speed was approximately 18 mph, although this speed varied considerably due to rough terrain, which included serpentine barrens, stream crossings, steep hills, flat roads, and gullies. (Page B-1) (Bolded for clarity)

ATV (All Terrain Vehicle): Two to three 4-wheel-drive ATVs (also referred to as "quads") were used. The vehicles were driven in single file on approximately 15-20 mile loops at an average speed of about 15-20 mph. The distance between riders was based on terrain, visibility, and safety considerations. **The trailing rider(s) remained in the dust cloud of the leading rider**, to the extent safe and practical. (Page B-2) (Bolded for clarity)

CEQ regulations emphasize interagency **cooperation** before an environmental impact statement is prepared. The regulations also emphasize cooperative **consultation** among agencies. The above paragraphs show a serious omission of cooperation and consultation between the BLM and the EPA regarding the recommended riding habits of OHV users at CCMA. The EPA failed to adhere to the BLM's own recommendations for dispersed group OHV riding. This non-adherence would unquestionably lead to elevated fiber counts in the EPA's risk assessment for trailing riders.

This error/omission should have been brought to light by the BLM during the EPA's development of the "use scenario" in which the BLM participated in developing or should have participated in the development of the use scenario. The BLM also should have caught the error/omission during the review of the EPA's risk assessment in preparation for the development of the CCMA EIS.

#### Recommendation

The EPA's risk assessment has not been conducted with proper cooperation and consultation with the BLM. The BLM's EIS has not been developed with proper cooperation and consultation with the EPA. The EPA's risk assessment needs to be discarded/voided. The BLM's CCMA EIS needs to be discarded until a proper risk assessment conducted by the EPA with cooperation and consultation with the BLM.

This document is submitted on behalf of the Timekeepers Motorcycle Club.