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BLM Hollister Field Office  
Attn: CCMA RMP/EIS  
20 Hamilton Court  
Hollister, CA 95023

10 MAR -5 PM 12:35  
U.S. DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
HOLLISTER FIELD OFFICE  
HOLLISTER, CA 95023

RE: Comments Regarding the Draft Clear Creek Management Area (CCMA) RMP and EIS

**Purpose and Need**

NEPA Council on Environmental Quality (CEQ) regulations clearly state a new Resource Plan is only required if significant new information is available. The BLM does not have significant new information that authorizes this Draft Resource Management Plan and Environmental Impact Statement (Draft RMP/EIS)

The Draft RMP/EIS lists three main topics under the heading “Purpose and Need for the CCMA Resource Management Plan” (Draft RMP/EIS, pg. 4). The first bullet item is:

***“The EPA’s CCMA Asbestos Exposure and Human Health Risk Assessment (2008) provides significant new information that must be incorporated into the land use plan to evaluate the public health risk associated with the BLM land use authorizations.”***

While the EPA report may use new activity based sampling techniques, and different fiber detection methods, no significant new information is presented in a scientifically proven manner. The report estimates that activities within the CCMA pose an increased risk of cancer, yet no epidemiological data was presented by the EPA to prove this hypothesis.

A sound scientific study would include actual human health data from 150 years of use to normalize and test the methods of the estimations. Section 1502.22(b-3, 4) of the CEQ regulations state “a summary of existing credible scientific evidence which is relevant to evaluating the reasonably foreseeable significant adverse impacts on the human environment, and the agency’s evaluation of such impacts based upon theoretical approaches or research methods generally accepted in the scientific community.” The Draft RMP/EIS did not present other scientific view or data other than the EPA report.

The area has been known to contain naturally occurring chrysotile minerals for over 150 years, which is why there are numerous large mines that used to mine the chrysotile minerals in the area. Page 14 of the DEIS states: “CCMA is a 48-square-mile area that is part of the Atlas Asbestos Mine Superfund Site. Both the CCMA and the mine site are located on a formation of

*naturally occurring serpentine rock and soil which contain high concentrations of naturally occurring asbestos (NOA)."*

The area has been mined since the mid 1800's per the BLM (Draft RMP/EIS pg. 223). The BLM also has a report PTI Environmental Services from 1992<sup>1</sup> on the area that supplies similar information to the May 2008 EPA report. Neither report contains any scientific link to a real cancer risk from actual documented cases. And, neither report contains any action forcing statements mandating the BLM to take any action in regards to CCMA.

Both the EPA and BLM acknowledge that chrysotile may be less potent than amphibole. Page 20 of the DEIS states: "*The Federal government has concluded that all forms of asbestos are hazardous to humans, and that all can cause cancer; although the chrysotile form may be less potent than the amphibole family in causing mesothelioma.*"

Therefore, the Draft RMP/EIS "Purpose and Need" fails to set forth a problem that needs to be resolved, as it only states that there is a new EPA risk analysis. There has been no discussion of the problem to be solved, which is whether anyone is or has ever been harmed by the Chrysotile mineral present in the CCMA environment.. There is absolutely no data supplied within the DEIS indicating anyone has been harmed, or that the surrounding communities have higher incidences of disease of any kind.

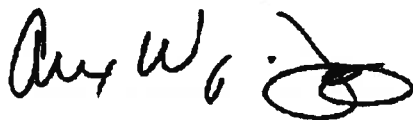
**Resolution:**

The BLM must remove the following statement from pages III and page 4 of the Draft RMP / EIS:

~~*The EPA's CCMA Asbestos Exposure and Human Health Risk Assessment (2008) provides significant new information that must be incorporated into a land use plan to evaluate the public health risk associated with BLM land use authorizations.*~~

Based on the above stated reasons, the CCMA must be returned to the existing Record of Decision (ROD) and amendments.

Respectfully,



Alex Wagner-Jauregg  
Timekeepers MC

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<sup>1</sup> "Human Health Risk Assessment for the Clear Creek Management Area", September 1992.