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Friday, June 03, 2005

Bob Beehler  
Bureau of Land Management  
20 Hamilton Court  
Hollister, Calif., 95023

Dear Mr. Beehler:

While I sympathize with the Bureau of Land Management's (BLM) desire to protect the public and reduce visitor risk, I disagree with the decision to close the Clear Creek Management Area for the concerns delineated in "Clear Creek Management Area Seasonal Use Restriction," EA-CA-190-05-21. While there are many reasons to disagree with this decision, the primary objection is that the decision is based on inaccurate information. Section II of that report delineates two reasons as the "need for the action:"

- Need to protect public from hazardous asbestos
- EPA Risk Assessment Indicates Higher than Previously Thought

The explanations provided with those reasons lack merit because they are based on inaccurate assumptions:

1. There is no scientific evidence demonstrating chrysotile etiology. In fact, the most recent study, conducted specifically with Calidria chrysotile, demonstrates that chrysotile "fiber is not associated with lung disease." (Bernstein)
2. The EPA Technical Memorandum, "Human Risk Assessment - Asbestos Air Sampling Clear Creek Management Area, California, September 15, 2004," fails to differentiate between serpentine and amphibole asbestos, thus assuming pathology for all asbestos. While pathology for amphibole asbestos is reasonably documented, no evidence exists for chrysotile etiology.
3. The "Risk Assessment" contains a statement that reads: "The studies indicate a higher risk to people from exposure to airborne asbestos in CCMA than EPA and BLM had previously thought." This statement is inaccurate because there is no evidence demonstrating "a higher risk to people from exposure to airborne asbestos in CCMA." In fact, the evidence regarding people exposed to airborne asbestos (chrysotile) in CCMA demonstrates that there is no risk. (Holmes)
4. The EPA IRIS database inclusion for asbestos "Asbestos (CASRN 1332-21-4)" only references chrysotile studies that included amphibole asbestos and other carcinogens. Such studies are inconclusive (as each admit) because they include amphibole asbestos and other carcinogens. Several of the referenced studies are even more inconclusive

because they include smokers as well. Conclusions based on guilt-by-association are structured on fallible logic. The EPA references avoid Calidria chrysotile, which is proven tremolite free.

5. Previous scientific studies demonstrate that there is no abnormal risk to humans associated with chrysotile exposure in CCMA. It is also well established that chrysotile from the CCMA region is free of amphibole asbestos. (Ilgren)
6. Neither the EPA nor BLM have demonstrated adequate evidence for risk associated with Calidria chrysotile, nor have they demonstrated chrysotile etiology.

Certainly, people sympathize with the need to reduce risk and protect the public. There is also recognition that the government need to avoid future litigation based on negligence. However, it is well established that Calidria chrysotile risk is extremely low. Decisions to close the People's land should be based on sound reasoning and/or good scientific data and its proper interpretation. This is even more critical in light of public land access becoming increasing restrictive. Additionally, in view of current litigation involving the Clear Creek Management Area, it would be prudent to maintain status quo, rather than cause the public to construed this decision as favoring one interest over another.

Please reconsider your decision and reopen the People's land.

Sincerely

Ray Iddings

cc: Brian White, BLM, Clear Creek Project Coordinator  
San Benito County Board of Supervisors, C/O Reb Monaco, Supervisor, District 4  
Congressman Sam Farr, C/O Alec Arago, District Director  
Salinas Ramblers Motorcycle Club, C/O Ed Tobin

**Reference:**

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