

The Clear Creek Management Area (CCMA)

San Benito County, California

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CCMA is a 75,000 acre tract of BLM-administered public land in southern San Benito County, California, located midway between King City to the west and Coalinga to the east, approximately a 3-hour drive south of San Francisco. The dominant geological feature of CCMA is a 30,000 acre intrusion of serpentine along fault systems in surrounding Franciscan (metamorphosed marine sediment) rocks. The serpentine itself yields high quality chrysotile asbestos, and the contacts between the Franciscan rocks and serpentine yield a host of collectible mineral species including multiple varieties of garnet, jadeite, clinocllore, **benitoite (California's State Gemstone)**, neptunite, perovskite, fresnoite, joaquinite, artinite, magnetite and others. CCMA is located at about 5000 feet elevation. It is hot and dry in the summer months, but temperatures can fall below freezing in the winter. Vein systems in and around CCMA contain mercury ore (cinnabar) and chromite which were commercially worked until the mid-20th century. The famous mercury mining complex at New Idria is just outside the CCMA boundary. Chrysotile was mined commercially until about 1990, when political and economic pressures forced closure of the mines. Largely as a result of these commercial activities, an extensive net-work of unpaved roads developed through the area, and these roads have facilitated rockhounding and motorcycling. The area has been a favorite of rock-hounds since the beginning of the 20th century when benitoite was discovered there, and mineralogists and rockhounds from all over California have historically trekked there in the spring and fall months. Beginning in the 1970's BLM actively developed CCMA as an off-road motorcycling venue. Until the closure in 2008, it was considered one of the Top 10 off-road locations in the country. Hunters find deer and wild pigs in the areas on the periphery of the serpentine zone. During the 19th century the bandit, Joaquin Murrieta, made at least one of his hideouts near this area, and there is on-going historical and archaeological interest in such places.

In the 1980's (for reasons which are not entirely clear) the Environmental Protection Agency began focusing its attention on naturally-occurring chrysotile in CCMA. This is significant in that EPA's charter had previously been to ameliorate the effects of industrial pollution on the environment. Using more stringent criteria than those used by OSHA, EPA forced the closure of the chrysotile mines in and around CCMA. Studies undertaken at that time, however, did not suggest any elevated health risks (even by EPA standards) associated with recreating in CCMA, so rockhounding, biking and hunting continued as before. Undeterred, EPA came back in

budget and manpower requirements for CCMA to zero and to remove any sense of urgency in moving the RMP process forward.

BLM issued its Draft RMP for CCMA in November 2009. As expected, off-roaders would be barred under any of the alternatives that were being meaningfully considered. The Draft did include language in the "Preferred Alternative" suggesting that rockhounds would be minimally affected. For the next 3 years efforts were made to pacify the off-road community; California Parks Dept OHV Division commissioned an independent consultant to do a sanity check on the EPA study; the consultant determined EPA was greatly exaggerating the risk; EPA apparently caused the firing of the Parks Dept employee who commissioned the study; Governor Brown had a statement issued by the Parks Dept endorsing EPA's study; changes occurred in BLM's California management; etc, etc. The Final RMP was published in April 2013. Under this plan, off-roading is banned at CCMA, and only a few roads are open to facilitate site-seeing at Joaquin Rocks (remember Joaquin Murrieta?). The language assuring minimal effects on rockhounds is missing, without explanation. On behalf of ALAA and other clubs, this author filed a Protest within the allotted 30-day timeframe, and we are awaiting BLM's response. The Protest requests insertion of language acknowledging that BLM will issue special permits allowing access to additional roads within CCMA for purposes of rockhounding. It also challenges the validity of BLM's actions at CCMA under NEPA and the scientific integrity of the EPA study.

To be continued



- 1950's CCMA increasingly popular with rockhounds
- 1969 Stanford prof identifies San Benito Evening Primrose as new species
- 1970's BLM and motorcyclists jointly promote CCMA as off-road venue
- 1984 Asbestos detected in LA drinking water from California Aqueduct
 - Traced by EPA to runoff from Atlas Mine
- 1987 California Air Toxics "Hot Spots" Information and Assessment Act
 - Requires stationary sources to report the types and quantities of certain substances routinely released into the air.
 - Goals of the Act are to collect emission data, to identify facilities having localized impacts, to ascertain health risks, to notify nearby residents of significant risks, and to reduce those significant risks to acceptable levels.
- 1991-96 Atlas Mine remediated (shut down) to prevent runoff
- 1992 Study of CCMA in conjunction with Atlas was basis for "dry season" closures.
 - Study did not find compelling reasons to limit recreation in CCMA
 - Study did not differentiate asbestos types.
 - Used "PCM" technology. (Phase Contrast Microscopy)
 - EPA committed as part of Atlas project to re-study CCMA w/updated technology
- September 1993 Revised RMP issued by BLM
 - Implements "dry season closures"
 - Recreation otherwise permitted
 - Essentially ignored EPA
- 1993-2003 Management changes at BLM Hollister

- 2004/5 New EPA study done using “PCME” technology
 - Revised statistical methods
 - Test runs done during “closure” months
 - Activity-based scenarios to emulate asbestos intake
- May 1, 2008 Emergency Closure
 - Public Hearings
- November 2009 Publication of Draft RMP
 - Includes rockhounding access by permit
 - More consultations
 - Extensive complaints, lobbying by motorcycle contingent
 - Cal Parks commissions independent confirmation of EPA study
 - Introduction of HR 6286
- March 2013 Publication of Final RMP / Commencement of Protest Period
 - No reference to rockhounding access
- November 2013 Resolution of protests still pending
 - CCMA unlikely to re-open in 2013
 - Access by permit 5 days/year
 - Rockhounding access to be based on “adaptive management”

Political Issues

- Pervasive “Wilderness” influence in politics and government administration
 - Wild Lands Policy now implemented via RMP process
 - 5-year process > de facto wilderness in CCMA
 - Right-of-Way regulations to force out private in-holders
 - Democratic Party is in bed w/ wilderness lobby
- Bad faith use of Endangered Species Law
 - Proliferation of species in academia
 - Currently more than 2000 “endangered” species in US
 - FWS currently seeking protection of sage grouse in Nevada
 - Active use of endangered species to obtain legal standing
 - Center for Biological Diversity
 - Native Plant Society
- Junk Science guiding government policy
- Bad faith implementation of NEPA processes
- Political intimidation of state/local agencies by federal agencies