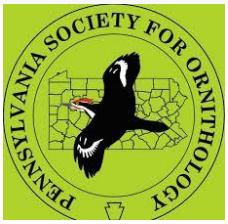

U.S. Fish and Wildlife Service
Douglas Hobbs
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703-358-2336

Date: May 13, 2024

Attn: Hunting and Wildlife Conservation Council Meeting (May 2024),
FWS-HQ-OC-2024-N025, FXGO16600926000-245-FF09X60000

Dear Members of the Hunting and Fishing Wildlife Council,

We, the undersigned 25 groups representing hundreds of thousands of supporters, write to urge the Hunting and Fishing Wildlife Council ("Council") to support the phase out of lead ammunition and tackle for hunting and angling on all public lands, including those managed by

the U.S. Department of Interior and U.S. Department of Agriculture. The best available science indicates lead prohibitions are more effective than voluntary measures to reduce the threats of lead poisoning to people and wildlife, and there are a range of safer, cost-effective alternatives available.

We appreciate December 15, 2023, letter from the Council to the Secretaries of the Department of Interior and Agriculture recognizing that lead contamination from hunting and fishing is an important conservation and wildlife health matter and recommending public-private partnerships to encourage voluntary measures, science based decision-making at the management unit level, and research into the development of alternatives to lead ammunition.[1] Incentives for non-lead ammunition and tackle have proven an important tool for reducing the reliance on lead equipment. However, because of the toxicity of lead at any level and its ability to accumulate in both human and wildlife predators, the complete phasing out of lead ammunition is the scientifically sound approach to reduce lead poisoning.

The Best Available Science Supports a Lead Phase Out

The U.S. Fish and Wildlife Service ("Service") has affirmed the well-established research that "the best available science… indicates that lead ammunition and tackle have negative impacts on both wildlife and human health."[2] Indeed, the Service has found that "[t]here is evidence of population-level impacts and potential population-level impacts to waterfowl and upland game bird species from lead fishing tackle and lead ammunition through direct ingestion."[3] The metal from lead ammunition has been shown to cause anemia and immune systema and neurological impairment because it bioaccumulates in animal tissue.[4] As a result, toxic levels can be reached if the lead continues to be absorbed.[5]

The negative impacts are widespread. Lead ammunition and tackle impacts iconic species such as the bald eagle, Endangered Species Act protected species, such as the endangered California Condor and whooping crane, and public health from the ingestion of lead tainted game meat.[6] Vultures and condors in particular make up one of the most threatened avian guilds in the world due, in part, to lead contamination.[7] Lead contamination is also considered to be a major threat for at least 8% of the vulture species on the IUCN Red list.[8] Because there is no safe level of lead in wildlife or humans, taking steps to reduce lead poisoning is of paramount importance.

The most effective methods to reduce toxic lead poisoning from lead ammunition and tackle would be to prohibit its use. Research analyzing the effectiveness of mandatory lead prohibitions versus voluntary incentives concluded that "a national ban on lead hunting ammunition similar to the waterfowl regulation would appear to be most efficient and effective for reducing lead poisoning in scavenging birds and other wildlife and reducing the risk of lead exposure to humans."[9]

Unfortunately, scientific research has repeatedly found that educational and voluntary efforts have proven less effective.[10] The Service has also found that educational and voluntary efforts cannot achieve successful lead reduction results: "we note that years of efforts toward educating hunters and encouraging non-lead use by the Service and other organizations have not yielded significant uptake of non-lead ammunition and tackle, despite some localized success stories."[11]

Phasing out lead ammunition and tackle, as the Service and states have effectively done on repeated occasions, has reduced the threats of lead poisoning and public health, and not disrupted hunting and fishing. In 1991, the United States banned the use of lead shot for waterfowl hunting. The ban has led to reduced rates of crippling in ducks and geese,[12] reduced detectable

blood lead concentration in ducks,[13] and a decrease in non-hunting duck mortality in the years following the ban.[14] Widespread waterfowl hunting has continued for decades without cognizable negative effects from the lead ammunition prohibition in waterfowl.

After lead shot was banned in the range of the California Condor in 2008, California saw a measurable decrease in lead exposure to predatory and scavenging raptors due to hunter compliance with lead ammunition regulations.[15] New Hampshire, Maine, Massachusetts, New York, Vermont, and Washington have instituted lead fishing tackle restrictions to protect wildlife, and these states have not experienced a measurable decrease in recreational fishing as a result.

Switching away from lead ammunition and fishing tackle has positive impacts on human health. According to the World Health Organization, there is no safe level of lead exposure and hunters and anglers ingesting or interacting with wildlife containing or exposed to lead potentially suffer negative health outcomes.[16]

Alternatives to Non-Lead Ammunition and Tackle are Widely Available

Research and development of non-lead alternatives has been ongoing for decades and resulted in a range of available and effective options. More than 60 different manufacturers in a wide range of calibers offer non-lead ammunition for purchase,[17] and non-lead fishing tackle, such as weights and lures, is also widely available.[18]

Non-lead ammunition has the same, or superior, performance and accuracy as traditional lead-based products. Non-lead ammunition is extremely effective and reduces the threat of lead contamination for hunters and fishers.[19]

The transition to non-lead ammunition and tackle has not hindered the ability of the public to hunt and fish on public lands and will not do so in the future.

Conclusion

We encourage the Council to push for additional lead restrictions to protect wildlife and human health. The best available science indicates lead prohibitions are more superior to ineffective voluntary measures to reduce the threats of lead poisoning to people and wildlife. When there are a range of safer, cost-effective alternatives available, further delays based on incorrect scientific evidence only result in the tragic continued poisoning of America's wildlife and families.

Please feel free to contact any of the undersigned for additional information or clarification.

Sincerely,

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Laura Jackson
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Juniata Valley Audubon Society

Laura Jackson
President
Save our Allegheny Ridges

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[1]Letter from the Hunting and Wildlife Conservation Council to the Secretary of Interior and Secretary of Agriculture (Dec. 15, 2023), https://www.fws.gov/sites/default/files/documents/HWCC%20lead%20Haaland%20Vilsack%20final%20signed%2012%2018%2023.pdf.

[2] National Wildlife Refuge System; 2023-2024 Station-Specific Hunting and Sport Fishing Regulations, 88 Fed. Reg. 74050, 74051 (Oct. 30, 2023), https://www.regulations.gov/document/FWS-HQ-NWRS-2023-0038-18571.

[3] *Id*. at 74054

[4] Elmore, D., Wolfe, D., & Allen, K. *Effects of Lead Ammunition and Sinkers on Wildlife*. Oklahoma State University (2023), https://extension.okstate.edu/fact-sheets/effects-of-lead-ammunition-and-sinkers-on-wildlife.html#.
[5] *Id.*
[6] 88 Fed. Reg. at 74,053; *see also* Finkelstein, M.E. et al., *Lead exposure risk from trash ingestion by the endangered California condor (*Gymnogyps californianus*)* Journal of Wildlife Diseases (2015) 51:901–906, https://doi.org/10.7589/2014-10-253.; Finkelstein, M.E. et al., *Linking cases of illegal shootings of the endangered California condor using stable lead isotope analysis*. Environmental Research. (2014) 134:270–279, https://doi.org/10.1016/j.envres.2014.07.022.
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[9] Schulz, J. H., et al., *Policy comparison of lead hunting ammunition bans and voluntary nonlead programs for California condors*, Wildlife Society Bulletin 47:e1448 (2023), https://doi.org/10.1002/wsb.1448.
[10] *Id*.
[11] 2022-2023 Station-Specific Hunting and Sport Fishing Regulations, 87 Fed. Reg. 57108, 57115-57116 (Sept. 16, 2022), https://www.federalregister.gov/documents/2022/09/16/2022-20078/2022-2023-station-specific-hunting-and-sport-fishing-regulations.
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[16] World Health Organization, *Lead poisoning* (Aug. 11, 2023), https://www.who.int/news-room/fact-sheets/detail/lead-poisoning-and-health#:~:text=There%20is%20no%20known%20safe,symptoms%20and%20effects%20also%20increase.
[17] California Department of Fish and Wildlife, *Certified Nonlead Ammunition*, https://wildlife.ca.gov/Hunting/Nonlead-Ammunition/Certified.
[18] Minnesota Pollution Control Agency, *Where to buy lead-free tackle* (updated Jan. 2024) https://www.pca.state.mn.us/air-water-land-climate/where-to-buy-lead-free-tackle.
[19] Hunting with Non-Lead, *Choose Efficiency and Safety*, https://huntingwithnonlead.org/ .