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August 8, 2022

Katherine Harrigan
Public Comments Processing
Attn: FWS-HQ-NWRS-2022-0055
U.S. Fish and Wildlife Service
5275 Leesburg Pike MS: PRB (JAO/3W) Falls Church, VA 22041-3803

Re: 2022-2023 Station-Specific Hunting and Sport Fishing Regulations (FWS-HQ-NWRS-2022-0055)

Dear Ms. Harrigan:

Attorneys for Animals, Inc. (AFA) is a Michigan non-profit and 501(c)(3) organization of legal professionals and animal advocates. Founded in the 1990s, we actively follow legislative, administrative, and policy actions related to the welfare of animals, both in Michigan and nationwide.

We comment in support the FWS proposal to limit the use of lead ammunition in the National Wildlife Refuge System that are under consideration in the proposed rule. However, we believe that the phase-in should be accelerated based on a review of the best science. We also comment in opposition to extending hunting and fishing in National Wildlife Refuges.

We support the acknowledgment that “the best available science, analyzed as part of this proposed rulemaking, indicates that lead ammunition and tackle may have negative impacts on both wildlife and human health, and that those impacts are more acute for some species. Therefore, while the Service continues to evaluate the future of lead use in hunting and fishing on Service lands and waters, this rulemaking provides a measured approach in not adding to the use of lead on refuge lands. The Service will seek input from partners in methods to address the use of lead and commits to a transparent process in doing so.”

We take issue, however, with the statement that lead ammunition and tackle “*may* have negative impacts” on wildlife and on human health (emphasis added). The best available science is more decisive in concluding that the effects of lead ammunition is detrimental to wildlife and to humans.

A 2016 meta-study stated: “Our understanding of the deleterious impacts of this form of lead exposure on wildlife and humans will change little with further scientific research, no more evidence is required. The same rationales that were used to remove lead from gasoline, paints, and household items should be applied to lead-based hunting ammunition, nationally and internationally. This is now a socio-political issue.”ⁱ

In January 2017, the (outgoing) Interior Secretary ordered a phase-out of all lead ammunition and fishing tackle **by January 2022**, finding that “[e]xposure to lead ammunition and fishing tackle has resulted in harmful effects to...wildlife” and that hunting with lead ammunition poses “an ongoing risk

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to upland or terrestrial migratory birds and other species that ingest spent shot directly from the ground or as a result of predating or scavenging carcasses that have been killed with lead ammunition and left in the field.”ⁱⁱ The incoming administration revoked the order. ⁱⁱⁱ

Recently, the Center for Biological Diversity, Texas Physicians for Social Responsibility and the Sierra Club filed with FWS a PETITION TO PHASE OUT LEAD AMMUNITION AND FISHING TACKLE ON NATIONAL WILDLIFE REFUGES^{iv} by September 30, 2024.

We urge FWS to begin the formal rulemaking process to accomplish the phase out within that timeline.

Opposition to extending hunting and fishing opportunities:

The proposed rule ignores the long-term trend toward non consumptive uses and the declining population of hunters and fishers.^v

AFA respectfully asserts that this Rule demonstrates a bias of crafting policies governing national lands substantially for the benefit of a small and decreasing percentage of the US population while simultaneously decreasing similar use and opportunities for the majority of Americans.

According to the 2016 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation (FHWAR):

- Numbers: the number of hunters dropped by 2 million from 2011 to 2016, while the number of non-consumptive users rose sharply by 20 percent in the same period.^{vi} Wildlife watchers totaled 86.0 million, while anglers and hunters *combined* totaled only 47.3 million (35.8 million and 11.5 million respectively), or 55% of the non-consumptive total.
- Expenditures: non-consumptive users spent \$75.9 billion, which is more than either fishers or hunters, and nearly 50% of total expenditures of all Wildlife-Related Recreationists.

Very Truly Yours,



Beatrice M. Friedlander, J.D.
President, Board of Directors

ⁱ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5161761/>

ⁱⁱ <https://www.documentcloud.org/documents/3479687-Director-s-Order-219-Use-of-Nontoxic-Ammunition.html>

ⁱⁱⁱ <https://www.doi.gov/sites/doi.gov/files/elips/documents/3346%20-%20Revocation%20of%20the%20Unites%20States%20Fish%20and%20Wildlife%20Service%20Director%27s%20Order%20No.%20219%20%28Use%20of%20Nontoxic%20Ammunition%20and%20Fishing%20Tackle%29.pdf>

^{iv} [Petition to Phase Out Lead Ammunition and Tackle on Wildlife Refuges \(biologicaldiversity.org\)](https://www.biologicaldiversity.org/petition-to-phase-out-lead-ammunition-and-tackle-on-wildlife-refuges)

^v [FHWAR Quick Facts: 2016 \(census.gov\)](https://www.census.gov/library/publications/2018/demo/fhw-16-nat.html)

^{vi} United States, Department of Commerce, Census Bureau. “National Survey of Fishing, Hunting, and Wildlife-Associated Recreation (FHWAR): 2016.” Oct. 2018, <https://www.census.gov/library/publications/2018/demo/fhw-16-nat.html>