



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington D.C. 20240



In Response, Refer to:
FWS/ANRS-NRCP/ESB46-008114

Jonathan Evans, Legal Director
Environmental Health Program
Center for Biological Diversity
1212 Broadway
Suite 800
Oakland, California 94612

Dear Mr. Evans:

Thank you for your letter of June 8, 2022, urging the U.S. Fish and Wildlife Service (Service) to prohibit the use of lead ammunition and lead tackle for all hunting and fishing on Service lands and waters. The Service is engaged on the important issue of lead use and impacts to wildlife and will continue to assess the best course of action moving forward.

We take seriously both our commitment to respond to your petition and our broader obligation to provide timely responses to advocacy organizations acting as the voice of members of the public that we serve.

After careful review of the petition, we respectfully reject your petition and decline to undertake a national rulemaking concerning lead ammunition and tackle on the National Wildlife Refuge System (Refuge System) in response to your petition. We are currently conducting an evaluation process on lead ammunition and tackle on refuges, and may take future action, which may include rulemaking.

The National Wildlife Refuge System Improvement Act of 1997 (Act) established hunting and fishing as priority public uses on national wildlife refuges, and the Service remains committed to facilitating those opportunities. The Act also requires that public uses be compatible with the conservation mission of the Refuge System and the specific purposes of each refuge where these activities occur. We will meet these directives as we determine the best course forward in addressing impacts to wildlife from the use of lead ammunition and tackle.

The best available science demonstrates that lead ammunition and tackle have negative impacts on both wildlife and human health. Accordingly, the Service is engaged in a deliberate, open, and transparent process of evaluating the future of lead use on the Refuge System. Throughout this process we will be working closely with our state partners and seeking input from other stakeholders and the public. We will use this process to determine a consistent approach to the issue of lead impacts that ensures compatibility with refuge purposes and best serves the public interest, but we have not reached a determination at this time. The science is clear that lead ammunition and tackle have negative impacts to multiple wildlife species and is a wildlife conservation issue that requires serious attention. Yet, while this scientific evidence shows lead ammunition and tackle have negative impacts throughout the Refuge System, and we have previously acted to regulate lead use at individual stations such as Patoka River NWR on this basis, concerns as to how we address the impacts of lead necessitate continued coordination with state agencies and hearing from stakeholders in order to appropriately shape any regulatory actions necessary.

The Service is coordinating closely with partners and stakeholders who are serving in advisory roles through two main groups. The first group is a Coordination Team composed of leadership from the Association of Fish and Wildlife Agencies (AFWA), several state conservation agencies, and the Service. This Team is expressly dedicated to finding the best methods of addressing the lead impacts issue through coordination of the combined experience and expertise of the Service and state agencies. A second group is a Wildlife Health Subcommittee formed by the Hunting and Wildlife Coordination Council (Council), chartered in February 2022. The Council was established to advise the Department of the Interior (DOI) and the Department of Agriculture (USDA) on critical outdoor recreation and conservation topics. The Council members represent a broad array of stakeholder groups, including conservation organizations, and collectively have a deep well of experience and expertise. The Wildlife Health Subcommittee will concentrate the attention of Council members with expertise on the issue of lead use and thus provide the Service with important advice and insight on the issue. These advisory groups will be critical to our continuing process and have already brought a larger set of perspectives to the table in shaping the Service's path forward.

During the evaluation process, we have taken the measured approach of not proposing any additional hunting or fishing opportunities that would indefinitely increase the hunting and fishing opportunities that allow for the use of lead ammunition or tackle in our annual rulemaking process. This is a temporary measure while we evaluate the use of lead, and it does not limit in any way what our options are going forward with respect to lead use or to our annual hunting and fishing rulemakings.

We will continue to evaluate the future of lead use on Service lands and waters. We will seek to determine an approach to the issue that is informed by the best available science, the best professional judgment of our agency personnel in the field, and stakeholder input to best serve our conservation mission and the public interest.

We hope that you will continue to advocate for what you consider to be in the public interest. We also hope that throughout our evaluation process you and other stakeholder groups will provide us with information on the issue of lead impacts to wildlife and feedback on any proposals we may put forward.

If you should have any further questions, please do not hesitate to contact Cynthia Martinez, Chief, National Wildlife Refuge System at Cynthia_martinez@fws.gov.

Sincerely,

Martha Williams
Director