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78th Legislative Assembly
Oregon House of Representatives

House Committee on Agriculture and Natural Resources

Rep. Brad Witt, Chair
Rep. Susan McLain, Vice Chair
Rep. Wayne Krieger, Vice Chair

House Bill 2503

Vests sole authority to regulate hunting ammunition and fishing gear with Legislative Assembly with specified exceptions. Prohibits public bodies from regulating hunting ammunition, fishing gear and angling equipment unless authorized by statute.

Good morning, Chair Witt, Vice Chair, McLain and Vice Chair Krieger and Committee members,

I am Stan Steele, Chairman of the Oregon Outdoor Council. The Council represents the conservation interests of thousands of Oregon hunters, anglers, trappers and recreational shooters. The Council's primary goal is protect and promote our heritage sports and our wildlife resources for the enjoyment of present and future Oregonians.

This past year the contentious issue regarding the use of lead ammunition for hunting and lead fishing tackle found its way to Oregon. A couple of points that may be of interest to the Committee:

- In 2012, legislation was introduced in Washington (HB 2241) which would have restricted the use of lead sinkers and lead fishing tackle. The bill was defeated.
- In 2013, California enacted a statewide lead ammunition ban.

With the battle over the use of traditional ammunition and fishing tackle being waged in the legislatures and Fish and Wildlife Commissions of our Pacific Coast neighbors, it was obvious to many sportsmen that it would be only a matter of time before Oregon became embroiled in the political fray. It is here now, and HB 2503 is a responsible reaction to an irresponsible anti-hunting and anti-fishing political agenda. The discussion whether to ban the use of lead ammunition or fishing tackle to protect wildlife and human health is not new and has gained momentum through the tireless efforts and financial investments by the animal rights movement over the last decade. Anti-hunting, animal welfare non-profit

*Wildlife and Hunting Heritage
Conservation Council*

January 21, 2015

The Honorable Sally Jewell
Secretary of the Interior
1849 C Street NW
Washington D.C. 20240

Dear Secretary Jewell:

The Wildlife and Hunting Heritage Conservation Council's primary goal is to promote and preserve America's wildlife and hunting heritage for future generations. The Council's objectives and duties include providing advice and recommendations to the Secretary of the Interior about wildlife and habitat conservation endeavors that benefit wildlife resources and recreational hunting, and that stimulate sportsmen's and women's participation in conservation and management of wildlife and habitat resources through outreach and education. It is also our duty to advise on issues that affect opportunities on access to Federal lands for recreational shooting and hunting.

In July 2014, the Humane Society of the United States (HSUS) and 16 other organizations and individuals filed a petition requesting the Department of Interior (DOI) promulgate a rule to ban the use of traditional ammunition made with lead components and require that only alternative ammunition made with other metals be permitted for use on lands managed by the National Park Service (NPS) and the U.S. Fish and Wildlife Service (FWS) nationwide. The petition's review of the scientific literature includes evidence that individual animals of some wildlife species, in certain situations, can be harmed by ingesting spent lead ammunition or carrion that contains residues of lead ammunition. Although research on population-level effects is scarce, it also reveals that potential harm is limited to certain species and situations in which animals become contaminated by ingesting lead ammunition or its residues. There is no evidence suggesting that lead from ammunition is acting as a widespread environmental contaminant that harms wildlife by its presence on public lands, as asserted in the petition. We also reject the assertion that lead ammunition and residues present on public lands pose a health risk to humans; there is no evidence for such a claim nor a logical mechanism for visitors to be exposed to lead contained in spent ammunition.

A foundational principle for wildlife management is that management decisions and actions should be guided by the best available science. Concerning lead ammunition, the appropriate approach is to focus on those species and circumstances for which the science reveals adverse effects or a real potential for harm. Management solutions may then be crafted to achieve the best outcome for affected or vulnerable wildlife while minimizing impacts on other conservation objectives such as the continuation of hunting opportunities, traditions, and revenue streams. This approach has ample historical precedent; for example, the banning of lead ammunition for waterfowl hunting in response to scientific information about the circumstances of lead effects upon certain populations of ducks and other waterbirds. The case of the California

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condor in Arizona, referenced in the petition, is an example of science-based, targeted management that engages scientists, managers, sportsmen and women, and the shooting sports industry in a cooperative effort to reduce the exposure of condors to ammunition-sourced lead.

It is the Council's opinion that the HSUS petition, if granted, could lead to additional petitions to expand the ban to cover other Federal lands and for other purposes. We believe this would be wholly unwarranted and would respectfully counsel caution in considering the petition of a group which is philosophically opposed to sport hunting.

Moreover, there is simply no credible evidence to support the petitioners' claim that consuming game harvested using traditional ammunition presents a human health risk. There is not a single documented case in the United States of a hunter having elevated blood lead levels, let alone lead poisoning, as a result of hunting with traditional ammunition. A study from 2008 by the U.S. Centers for Disease Control and Prevention (CDC) on blood lead levels of North Dakota hunters confirmed that consuming game harvested with traditional ammunition does not pose a human health risk. In looking more closely at the CDC study results, perhaps most telling is the fact that the average lead level of the hunters tested was lower than that of the average American. In other words, if you were to randomly pick someone on the street, chances are they would have a higher blood lead level than the hunters in this study. While it might be argued that the petition's recommended ban would "solve" the problem by eliminating input of ammunition-sourced lead on lands managed by the NPS and FWS, this sweeping approach is unnecessary, unwarranted, and fraught with adverse consequences. Banning the use of traditional ammunition for hunting and target shooting without scientific justification would have a serious adverse impact on wildlife conservation and habitat funding and drive hunters out of the field and target shooters off the firing line.

Traditional ammunition accounts for 95 percent of all ammunition sold in the United States. The cost of alternative ammunition can be burdensome, especially for those families who rely on wild game harvested from public lands as a staple source of nutritious and affordable food. A traditional ammunition ban for use on Federal lands would also violate tribal treaties and would constitute an undue burden on tribal members on fixed incomes who rely upon traditional ammunition for subsistence hunting.

Alternatives can cost nearly twice as much as conventional ammunition, and its availability can be a serious problem. There are simply no alternative ammunition options available for about half the rifle hunting calibers; and for those calibers where alternatives are available, supplies can be limited. For example, only one percent of ammunition sold is metallic center-fire alternative ammunition and of that, much is steel core ammunition used for target shooting rather than for hunting. The problem of supply is exacerbated by interpretations of Federal law that defines some alternative ammunition products for the hunting market as "armor piercing ammunition."

Approximately seventy percent or more of ammunition sold in the United States is for non-hunting purposes, primarily target shooting. The cost differential for alternative ammunition is particularly acute for recreational target shooters because they consume considerably more ammunition in pursuit of their sport. No universally usable alternative ammunition option exists for the most commonly used small game hunting and target shooting ammunition, 22 caliber rimfire.

The Pittman Robertson excise tax revenues raised from the sale of ammunition are a primary source of conservation funding. In 2013 alone hunters contributed \$864 million for wildlife conservation programs through this tax, and over \$9 billion since 1937. If ammunition sales decline, so will this vital source of conservation funding.

Hunting license sales would also decline following the proposed ban, reducing another vital revenue stream for conservation. Hunting license fees are the largest portion of the hunting community's contributions to the state fish and game departments, currently yielding more than \$1.1 billion per year. The proposed ban would trigger major reductions in this vital revenue stream, negatively affecting the very wildlife addressed in this petition.

The Council believes that the requested ban is not in the best overall interest of wildlife and habitat conservation and is contrary to the foundations of the North American Model of Wildlife Conservation. The body of scientific literature on the use of traditional ammunition does not support the petitioners' contention that the continued use of traditional ammunition will broadly and negatively affect wildlife populations on lands managed by the NPS and FWS. The proposed ban would unnecessarily and inappropriately restrict access opportunities on and to Federal lands for recreational shooting and hunting, place an economic burden on hunting families that diminishes their access to nutritious and affordable food, and reduce vital income streams on which conservation depends. The Council respectfully urges the Secretary of the Interior to deny the petition and instead, to encourage science-based, targeted, and collaborative approaches that support a full range of conservation objectives.

Sincerely,

A handwritten signature in cursive script that reads "John Tomke". The signature is written in dark ink and is positioned below the word "Sincerely,".

John Tomke, Chair
Wildlife and Hunting Heritage Conservation Council

cc:
Dan Ashe, Director USFWS
Jonathan Jarvis, Director NPS