

Phasing in the Use of Nonlead Ammunition

Wildlife Resources Committee Meeting
September 17, 2014
Sacramento, CA



Overview

- The law and signing message
- Summary of outreach
- DFW perspective on availability
- Starting point proposal and revisions
- Review draft regulatory text



Highlights of the law and signing message

- Maintain existing Condor zone restrictions
- Maintain certification process
- Establish regulations by July 2015 that phase-in requirements
- Full implementation by 2019
- Implement as soon as *practicable*
- In a manner *least disruptive* to hunters



Outreach to date

- 14 meetings**
- 12 cities
- Eureka to San Diego
- Presented to WRC
January 15, July 28

Major comments:

- Firearms for personal protection
- Availability of nonlead
- Dove, quail, and snipe
- Licensed game bird clubs



CDFW perspective on availability

- Ammunition in general is in short supply
- Product vs retail availability
- Nontoxic shot in sizes used for waterfowl is widely available
- Nontoxic shot in smaller sizes is produced but is not widely available
- Nonlead centerfire ammunition is generally available, but concerns about available volume
- Nonlead rimfire ammunition extremely limited
- Starting point phasing reflects this perspective



DFW starting point and revised proposal

Original: 2015 - Nonlead required for:

- Wildlife Areas and Ecological Reserves
- Bighorn sheep

Revised:

- No changes from starting point proposed



DFW starting point and revised proposal

Original: 2016 - Nonlead required for:

- Larger (most) game birds, including turkeys (waterfowl size shot)
- Small game mammals (by shotgun)
- Non-game, depredation and furbearers (by shotgun)

Revised:

- *Except on Licensed Game Bird Clubs (2019)*



DFW starting point and revised proposal

2019 - Nonlead would be required for the take of all wildlife:

- All big game
- All remaining game birds
- Small game mammals (by rifle/handgun)
- Non-game, depredation and furbearers (by rifle/handgun)
- Muzzleloaders

Revised:

- *Now includes Licensed Game Bird Clubs*



Pause to review draft language



Draft regulatory text — to facilitate discussion w/ handouts

(c) General Provisions.

(1) Except as otherwise provided in this section, it is unlawful to possess any projectile containing lead in excess of the amount allowed in subsection (b)(3) and a firearm capable of firing the projectile while taking or attempting to take wildlife. The possession of a projectile containing lead in excess of the amount allowed in subsection (b)(3) without possessing a firearm capable of firing the projectile is not a violation of this section.

(2) Shotgun ammunition containing pellets composed of materials approved as nontoxic by the U.S. Fish and Wildlife Service, as identified in Section 507.1 of these regulations, is considered certified.

(3) Nothing in this section is intended to prohibit the possession of concealable firearms containing lead ammunition, provided that the firearm is possessed for personal protection and is not used to take or assist in the take of wildlife.



Draft regulatory text

(d) Phased Approach to Prohibit the Use of Lead Ammunition for the Take of Wildlife.

(1) Effective July 1, 2015, except as provided in subsection (c), it shall be unlawful to use, or possess with any firearm capable of firing, any projectile(s) not certified as nonlead when taking:

(A) Nelson bighorn sheep as authorized by Fish and Game Code Section 4902; or

(B) All wildlife in any wildlife area or ecological reserve, as described in sections 551, 552 and 630 of these regulations.



Draft regulatory text

(d) Phased Approach to Prohibit the Use of Lead Ammunition for the Take of Wildlife (Cont.)

(2) Effective July 1, 2016, except as provided in subsection (c), it shall be unlawful to use, or possess with any shotgun capable of firing, any projectile(s) not certified as nonlead as described in subsection (c)(2) when taking:

(A) Upland game birds as included in Fish and Game Code Section 3683, except for dove, quail, snipe, and any game birds taken under the authority of a licensed game bird club as provided for in sections 600-600.4 of these regulations;

(B) Resident small game mammals as defined in Section 257 of these regulations;

(C) Fur-bearing mammals as defined by Fish and Game Code Section 4000;

(D) Nongame mammals as defined by Fish and Game Code Section 4150;

(E) Nongame birds as defined by Fish and Game Code Section 3800; or

(F) Any wildlife for depredation purposes, regardless of whether the take is authorized by a permit issued pursuant to sections 401 or 402 of these regulations.



Draft regulatory text

(d) Phased Approach to Prohibit the Use of Lead Ammunition for the Take of Wildlife (Cont.)

(3) Effective July 1, 2019, except as provided in subsection (c), it shall be unlawful to use, or possess with any firearm capable of firing, any projectile(s) not certified as nonlead when taking any wildlife for any purpose in this state.



Draft regulatory text

(e) Condor Zone. [This subsection shall be repealed effective July 1, 2019]

Methods of take. Notwithstanding subsection (c)(3), it is unlawful to use, or possess with any firearm capable of firing, any projectile or ammunition containing any projectile not certified as nonlead when taking or attempting to take any big game as defined in section 350, nongame birds, or nongame mammals, in the area defined as the “California condor range” in subsection (a) of Fish and Game Code Section 3004.5.



Questions or comments?

