



New York Sportsmen's Advisory Council

May 7, 2021

To: Honorable Members of the New York State Assembly
State Capitol Building Albany, NY 12247

Honorable Members of the New York State Senate
State Capitol Building Albany, NY 12247

Subject: **Opposition to Assembly Bill A5728 & Senate Bill S5058**

Honorable Members of the New York State Assembly and Senate:

The New York Sportsmen's Advisory Council (NYSAC) fundamentally opposes legislation that would ban the use of traditional ammunition. **As such, we respectfully request that you oppose A5728 & S5058**, legislation that would amend Section 1. Subdivision 3 of Section 11-0901 of the environmental conservation law to prohibit the taking of wildlife with the use of lead ammunition on wildlife management areas, state forests, forest preserves, state parks or any other state-owned land that is open for hunting, and the land area contributing surface water to the New York city water supply. We are aware of only one similar prohibition across the country (Assunpink WMA in New Jersey) and are concerned that the proposed bills are not based on sound science. If enacted, this legislation poses to significantly and negatively impact both hunters and conservation funding for the state.

NYSAC exists to serve as the link between the New York Legislative Sportsmen's Caucus and the hunting, trapping, angling and shooting community. In this role, we work to ensure that the leadership and membership of the Caucus have the necessary facts and information on issues of importance to New York's 2.1 million sportsmen and women.

Lead ammunition bans have become a priority issue for many raptor rehabilitation facilities after solitary cases arise of birds consuming fragments from lead bullets or shotgun pellets and later succumb to lead poisoning.¹ The proponents of traditional ammunition bans then argue that lead poses a myriad of human health risks, claiming that the consumption of game meat could lead to elevated lead levels in the body, potentially resulting in lead poisoning. In addition to the consumption argument, these proponents argue that the use of traditional ammunition can lead to drinking water contamination. Despite the claimed risks to human health and safety, an individual would have to eat significant "blood-shot burger frequently to maintain enough metallic lead in your digestive system for these fragments to be a dangerous source of lead poisoning."² By extension, the argument that lead bullets will somehow cause human health concerns in the state's water supply simply does not

¹ *Lead in Venison: Gray Toxin or Red Herring?* Deer and Deer Hunting, 2020. Attached as addendum.

² IBID.

hold up, when even directly consuming game meat shot with lead bullets has been proven to not have any deleterious effects.

Wildlife management decisions must be left under the sound discretion of the Division of Fish and Wildlife (DFW) – not the legislature. As the primary manager of the State’s fish and wildlife resources, the DFW is charged with managing wildlife at the population-level, not the individual-level. Having said that, there does not appear to be any evidence that wildlife populations have been negatively impacted by the use of lead ammunition, and we therefore submit that A5728 and S5058 are not science-based proposals.

Nontraditional ammunition is also significantly more expensive than lead shot and is not as readily available for purchase as traditional ammunition. The proposed bills would serve to unduly hinder the recruitment of more hunters, which would thus threaten the conservation funding system that supports the DFW. In 2020 alone, New York’s sportsmen and women contributed \$69.05 million for conservation through revenue derived from license sales and excise taxes on sporting-related goods in the unique “user-pays, public-benefits” structure known as the American System of Conservation Funding. With traditional ammunition already in short supply across the nation and prices skyrocketing, a legislative mandate to use nontraditional ammunition that is practically unavailable on today’s market would force sportsmen and women to stop hunting should they be unable to source lead free ammunition for their particular firearm. To that effect, fewer license sales and purchases on sporting-related goods means that the state would be losing its much-needed conservation funding due to an arbitrary law that if passed, will be in conflict with existing scientific research.

Additionally, these bills discourage hunters from using the real estate that is held in their own interest leaving only a few burdensome options, such as: purchasing expensive, hard to find ammunition if they would like to continue with their pursuits on public lands; beginning the arduous task of knocking on doors to identify a property owner that will let them hunt on their private property; or, paying an often exorbitant rate to lease private property to hunt, should any be available. At a time when hunting licenses have been on a generally declining trend across the nation, these bills only intend to institute additional hurdles for sportsmen and women to participate in their time-honored traditions.

For the numerous reasons stated above, **we respectfully request that you oppose A5728 and S5058.**

Thank you in advance for your action regarding this matter. I will be happy to address any questions or concerns you may have. Please feel free to contact me at any time.

Respectfully Submitted,

William Wilbur

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