



October 31, 2023

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Subject: Proposed Establishment of Everglades to Gulf Conservation Area (formerly called Southwest Florida Fish and Wildlife Conservation Area)

On behalf of the American Sportfishing Association (ASA), thank you for the opportunity to provide comments on the proposed establishment of the Everglades to Gulf Conservation Area. ASA is the nation's recreational fishing trade association and represents sportfishing manufacturers, retailers, wholesalers, and angler advocacy groups, as well as the interests of America's 54.5 million recreational anglers, over 4 million of whom reside in or frequent Florida. ASA also safeguards and promotes the social, economic, and conservation values of sportfishing in America, which result in a \$148 billion per year impact on the nation's economy. In Florida, the Fishing Capital of the World, this translates to a significant \$13.9 billion economic engine supporting over 120,000 jobs and makes clean waters, abundant fisheries, and access to fishing opportunities in the State of paramount importance to our industry.

The proposed Everglades to Gulf Conservation Area provides an outstanding opportunity to conserve and restore lands and waters that are critical to maintaining and improving fish habitats and water quality in southwest Florida. We applaud the U.S. Fish and Wildlife Service (FWS) for proposing this new Conservation Area, as it will provide tangible benefits to fisheries, water quality, and local ecosystems in the Greater Everglades, Myakka River, Peace River, Fisheating Creek, Caloosahatchee River, and coastal estuaries including Charlotte Harbor.

The Draft Land Protection Plan and Environmental Assessment indicates that up to 10% of the proposed Conservation Area may be acquired by fee-title interest and such lands would be administered as part of the Everglades Headwater National Wildlife Refuge Complex. This will allow FWS the opportunity to provide wildlife-dependent recreation opportunities, such as fishing, in the Conservation Area. We support this approach and are grateful to FWS for their consideration of fishing as a priority public use for fee-title lands in the Conservation Area. ASA is generally supportive of mirroring state fishing regulations and providing youth fishing opportunities in the Conservation Area as suggested in Draft Conceptual Management Plan. However, ASA would not support prohibitions on lead or

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traditional tackle in the Conservation Area that are not based on science demonstrating population level impacts to wildlife. Although such a prohibition is not proposed in the Draft Land Protection Plan and Environmental Assessment (or Draft Conceptual Management Plan), we raise this issue because of the June 2023 announcement by FWS to prohibit lead tackle and ammo in areas of expanded hunting and fishing opportunities in several National Wildlife Refuges, including Everglades Headwaters. ASA's detailed position statement on lead fishing tackle is enclosed. We look forward to working with the FWS, the Florida Fish and Wildlife Conservation Commission, and other partners on development of the Hunt and Sports Fishing Plan and Opening Hunt and Sports Fishing Package for fee-title lands acquired in the Conservation Area in the future.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Martha Guyas".

Martha Guyas
Southeast Fisheries Policy Director

Enclosure



Position Statement on Lead Fishing Tackle Approved October 2022

Lead has long been the most suitable metal for fishing sinkers and jigs, which are integral to many types of fishing and are a significant part of the recreational fishing economy. Recreational fishing is enjoyed by 55 million anglers annually, supporting over 800,000 jobs with a \$128 billion economic impact. The recreational fishing community is among the nation's leading conservationists, contributing \$1.7 billion annually to aquatic resource conservation through excise taxes, license fees and direct donations.

Various attempts have been made in recent decades, both at the federal and state levels, to restrict lead fishing tackle. These efforts are generally based on concerns over mortality of loons, which may incidentally ingest lost fishing weights from lake and river bottoms. On occasion, justification for restrictions is based on the concern that lead fishing tackle poses a risk to human and aquatic health through entering the water supply, which is entirely unfounded. Lead is only soluble in extremely acidic or basic waters, which would prohibit fish life and therefore not be areas in which anglers would go fishing.

Loon populations are stable or increasing throughout their range and are assessed as a species of least concern by the International Union for Conservation of Nature¹. While the death of individual animals is unfortunate and should be minimized, it is important to recognize that, with rare exception, fish and wildlife are managed at the population level in the United States. A 2018 literature review found modest impacts on loon populations in a single state, but otherwise that *"evidence for population-level impacts in other fish and wildlife species is lacking or inconclusive."*² Additionally, a 2019 study by the California Research Bureau found, *"there is not enough research or data reported by wildlife rehabilitation centers at this time to conclude that the rate of ingestion of lead-based fishing tackle poses a threat on a population level to any specific species."*³

Several states, mostly in the northeastern U.S., have implemented restrictions on the sale and/or use of lead sinkers and jigs of a certain size (Table 1). While ASA continues to question the merit of these restrictions given the overall health of loon populations, nevertheless, if the supposition behind banning lead tackle is to protect loons, states have already implemented regulations to that end. Therefore, any additional lead tackle restrictions would need to be based on a different objective. Outside of loons, which again are recognized as a species of least concern, there is no documented evidence of lead fishing tackle contributing to human or animal health risks.

While markets exist for weights made of alternative metals, namely tin, steel and tungsten, these alternatives carry tradeoffs of cost and/or performance (Table 2). Different machinery, molds and processes are required to manufacture lead and non-lead products. Transitioning the

¹<https://www.iucnredlist.org/species/22697842/132607418>

²https://www.fishwildlife.org/application/files/9515/3719/5026/AFWA_Lead_Fishing_Tackle_Review_2018_FINAL.pdf

³<https://fisheries.legislature.ca.gov/sites/fisheries.legislature.ca.gov/files/CRB%20Report%20Lead%20Fishing%20Tackle%2002-2019%20online.pdf>

industry to non-lead alternatives is not as simple as replacing the material that is fed into the manufacturing process. Therefore, any restrictions that would limit the available use of lead tackle would require significant time and costs to industry, leading to higher costs to consumers. These higher costs may deter fishing participation, harming fishing-dependent businesses and communities across the country, as well as reducing conservation funding provided by license fees and excise taxes. Therefore, such restrictions must be based on a high standard of need.

Given the accompanying negative impacts to fishing opportunity and the industry, ASA opposes restrictions on lead fishing tackle that are not based on science demonstrating population level impacts to wildlife. Should clear population level impacts be found, regulations are best handled by state fish and wildlife agencies – given that they hold authority for the conservation of the living resources within their state’s borders and even on most federal lands within them – and should be tailored to have the smallest negative impact on fishing as possible to achieve conservation goals.

ASA supports factual education programs that promote voluntary use of non-lead alternatives. We also support buy back/trade in programs that allow anglers to voluntarily transition from lead to non-lead tackle. While education and incentive programs may have merit, **ASA maintains that as long as there is no proof of a negative impact on wildlife or the environment, anglers should be able to choose what type of tackle works best for their needs.**

Table 1. States with current lead fishing tackle restrictions

State	Items Banned	Size	Scope
New Hampshire	Jigs and sinkers	1 ounce or less	Statewide ban on sale and use in freshwater
New York	Sinkers	1/2 ounce or less	Statewide ban on sale
Maine	Sinkers	Under 2.5 inches in length or weighing under 1 ounce	Statewide sale and use
Massachusetts	Jigs and sinkers	Less than an ounce	Statewide ban on sale, but not use
Vermont	Sinkers	1/2 ounce or less	Statewide sale and use
Washington	Weights or jigs	1 1/2 inch or less along the longest axis	Use at Select lakes

Table 2. Descriptions of alternative materials to lead

Alternative	Description	Price as of 10/22 (For comparison, lead = \$1.00/lb.)
Tin	Only substitute for split shot sinkers, though it has a lower specific gravity, which requires more, or larger, forms be used to match the equivalent weight of a lead sinker or jig.	\$9.00/lb.
Steel	Like tin, steel has a lower specific gravity than lead and requires a larger sinker or more sinkers to approach the performance of lead. It is significantly harder, has a higher melting point and cannot be used for split shot sinkers, which constitute nearly half of the sinker market in the U.S. Only alternative with a comparable price point to lead.	\$0.75/lb.
Tungsten	Has a higher specific gravity than lead, but because of its hardness, cannot be used for split shot.	\$18.00/lb.