

Regulations Prohibit Use of Lead Projectiles for Big Game and Nongame Hunting in the Range of the California Condor

<http://www.dfg.ca.gov/wildlife/hunting/condor/>

After nearly a full year of public testimony, discussion, and environmental analyses, the Fish and Game Commission in December 2007 adopted regulations (Section 353, Title 14, CCR) that prohibit the use of projectiles (bullets) containing lead for hunting deer, bear, wild pig, elk, and pronghorn antelope in areas designated as California condor range. Additionally, the regulations (Section 475, Title 14, CCR) also prohibit use of lead in the same areas when hunting coyote, ground squirrels, and other nongame wildlife. These regulations went into effect July 1, 2008.

What are the lead projectiles that are prohibited?

The Commission has defined projectiles so that the prohibited bullets and other projectiles can be understood. A "projectile" is defined as *any bullet, ball, sabot, slug, buckshot or other device which is expelled from a firearm through a barrel by force.*

Additionally, for hunting nongame, projectiles include "shot" and "pellets"; lead in these projectiles is prohibited as well.

It will be illegal to use any projectile that contains more than 1 percent lead for hunting big game or nongame within the affected area. This includes centerfire as well as black-powder/muzzle-loader, and rimfire projectiles.

Lead Content in Projectiles

The Commission and Department are aware that trace levels of lead likely exist in any projectile as a result of the manufacturing process. Additionally, interpretation of the statute indicates the intent is to preclude risk to the condor from lead fragmentation. Therefore, the Commission has established a maximum amount of lead content in projectiles to be 1.0 percent by weight. In reality, it is understood that "non-lead" identified projectiles have far less than 1 percent lead content.

Where

The geographic area where lead is prohibited is exactly the same area described in the recently enacted AB 821- Ridley-Tree Condor Preservation Act (Nava) and entered into the Fish and Game Code as section 3004.5. To assist hunters in understanding and visualizing affected areas, the lead prohibition area is also known as deer hunt zones D7, D8, D9, D10, D11, D13, and most (but not all) of the South A zone.

Where can I find a list of legal projectiles for hunting?

The Department and Commission have developed a process to certify projectiles as meeting the “non-lead” threshold for purposes of these regulations. A listing of authorized projectiles acceptable for hunting within the affected area is posted at: <http://www.dfg.ca.gov/wildlife/hunting/condor/certifiedammo.html>

Ammunition manufacturers are required to undergo an application process to have their projectiles certified. Information regarding this process can be obtained on-line at: <http://www.dfg.ca.gov/wildlife/hunting/condor/nonlead/index.html>

What are the regulations for possessing lead projectiles within the affected area?

The Commission prohibited the possession of lead projectiles and a firearm capable of firing such projectiles, while big game or nongame hunting within the specified range. Otherwise, lead projectiles may be possessed.

The Department’s Law Enforcement Division will be interpreting and enforcing these regulations. If you have a scenario where you are not sure of legality, it is recommended that you contact a local DFG warden to seek guidance.

What about target shooting, “plinking”, or firearms for personal protection?

The Commission does not regulate these activities. Use of lead projectiles is legal unless another government entity has determined otherwise for lands they administer. The regulations prohibiting lead only relate to possession while engaged in specified hunting activities.

Are pellet rifles included in the non-lead ammunition ban?

Pellet rifles are not considered a firearm. Consequently, neither pellet rifles nor their projectiles would be included in the ban.

How will wardens check for compliance?

While hunting, any projectile in your possession may be inspected by wardens. On rare instances, a warden may seize the weapon for removal of the projectile under controlled conditions or fire the weapon into a medium to retrieve the projectile.

Information for Landowners, Ranchers, Farmers

How does this affect private lands and landowners in this area?

Landowners who are hunting big game or nongame species, or anyone authorized to hunt these species on private land, must also comply with the new regulation. The regulation applies to all public and private lands where hunting occurs.

How does this affect depredation permits to take offending wildlife?

The Department issues depredation permits for a variety of species for damage to crops and property. Depredation permit holders will also be required to use non-lead projectiles within the specified condor range.

A friend asks me to shoot ground squirrels on his property to reduce crop damage and minimize injuries to his livestock. Will the new ammunition requirements apply to this activity?

Yes.

How about the non-lead ammunition coupon program described in AB 821?

There is no funding to implement the coupon program. The program will not be implemented without funding.