

# Assembly California Legislature



**JAMES GALLAGHER**  
ASSEMBLY MEMBER, THIRD DISTRICT

Ms. Meredith Williams  
Deputy Director  
California Department of Toxic  
Substances Control  
1001 I Street  
Sacramento, CA 95814-2828

Dear Deputy Director Williams,

We are writing in regard to the designation of "Fishing Weights and Gear" as a product category in the 2015 Priority Work Plan of the Department of Toxic Substances Control (DTSC). We are very concerned with various aspects of this designation. Particularly, we are concerned about the lack of concrete evidence backing this decision and the adverse economic effects incurred on consumers and the sport fishing industry if DTSC decides to regulate or ban these products.

The rationale for putting fishing weights and gear in a product category does not seem compelling. There have not been any reports of increased lead exposure amongst sports fishers and the Work Plan presents evidence that is either mere conjecture or speculation. The Plan states that "lead poisoning associated with the ingestion of lead fishing weights has been well documented", yet the Plan fails to cite any scientific study backing this claim. Before designating "priority products", there needs to be some evidence suggesting that the specified product is causing harm and therefore requires further study and regulation.

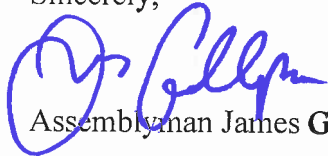
More formal research should be conducted before taking strong regulatory action. You have stated that the designation is meant to "open up the conversation". However, this designation does not seem to open up a deliberative process or more inquiries into the scientific merits of including fishing weights and gear as a priority product in the first place. In fact, when a similar form of regulation was petitioned by the Center for Biological Diversity to the United States Environmental Protection Agency in 2012 the Agency did not find "unreasonable risk" from lead fishing gear.

Aside from the dearth of scientific evidence to support including fishing tackles and weights as a priority product for potential regulation, the cost to Californians who enjoy fishing and our outdoors will be too onerous. The numbers of recreational anglers are already declining. At most, there are around two million fishing licenses bought through the Department of Fish and Wildlife each year. The cost of those licenses increase every year and imposing regulations that would raise the cost of sport fishing even more would make fishing cost prohibitive for many outdoorspeople. According to the California Department of Fish and Wildlife, fishing contributes

over \$4.9 billion annually in economic activity. If sports fishers were to decline, so would the purveyors of fishing gear who rely on outdoor recreation and tourism. With lead alternatives rising in the market and the niche impact of these products concerning at a minimum less than one-percent of the state's population, regulating this small product segment seems superficial with respect to the impact of other consumer products. There is also a risk that manufacturers of fishing gear would exit the California market altogether if they must develop two different production and distribution systems.

We look forward to hearing from you and having a designated Priority Work Plan staff member work with my office as you move forward with the Plan, and as you assess the need for this designation. Please do not hesitate to contact us at (916)-319-2003 to further discuss this issue. Thank you for your attention to this matter.

Sincerely,



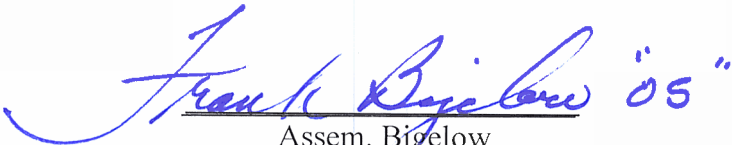
Assemblyman James Gallagher, 3<sup>rd</sup> District



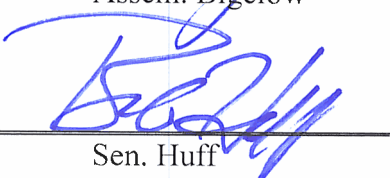
Assem. Waldron



Assem. Grove



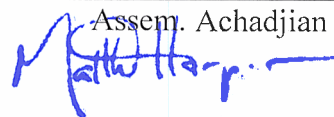
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Sen. Huff



Assem. Achadjian



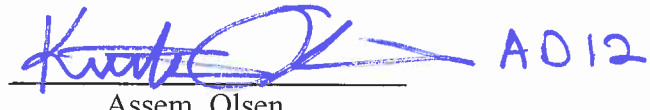
Assem. Harper



Sen. Berryhill



Sen. Vidak



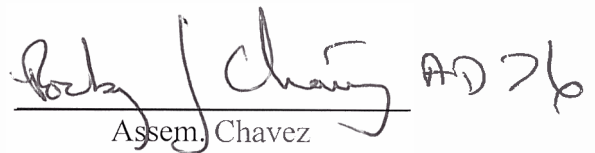
Assem. Olsen



Assem. Brough





Assem. Dahle

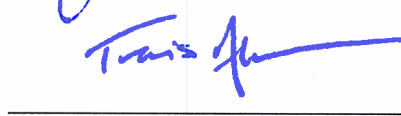


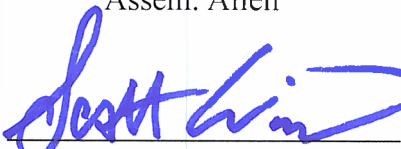
Assem. Chavez

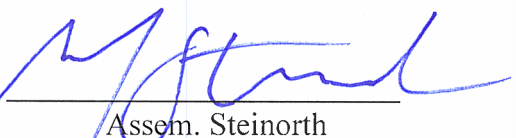
  
Sen. Nielsen

  
Assem. Mathis

  
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Assem. Steinorth

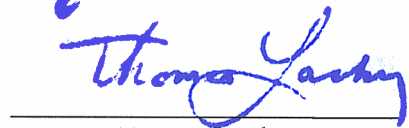
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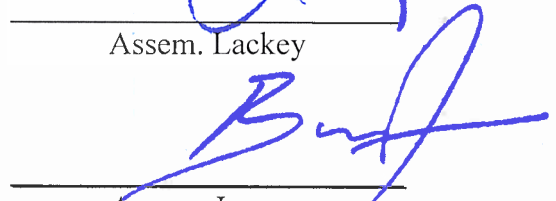
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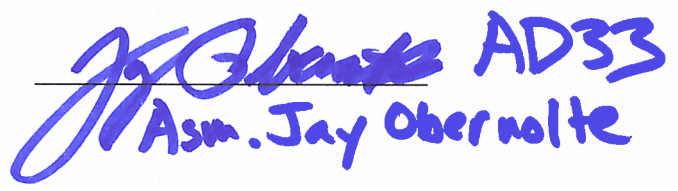
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Assem. Kim

  
Assem. Lackey

  
Assem. Jones

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Asm. Jay Oberholte

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Assem. Gaines

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