

# DEPARTMENT of the INTERIOR

news release

FISH AND WILDLIFE SERVICE

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## FUNDING PROSPECTS IMPROVED FOR STATE WILDLIFE CONSERVATION PROJECTS

Millions of dollars in Federal funds for wildlife conservation, tied up for months in a lawsuit over environmental impact statements, may begin to flow again under a recent court order, Interior Secretary Cecil D. Andrus said today.

Andrus said the Fish and Wildlife Service, an Interior agency, was pleased with the court's ruling, which he said would remove "some of the uncertainty in all 50 States and Puerto Rico on their fiscal situation and their ability to plan conservation projects." He said the Fish and Wildlife Service could renew State projects 20 days after submitting environmental assessments or impact statements to the plaintiffs.

In dismissing the suit brought by animal welfare groups against the Service, Federal District Court Judge Charles R. Richey ruled on May 3 that requiring 182 impact statements on past conservation projects would be of "merely historical interest." He also found that cutting off reimbursement to the States for work already performed would be "punitive and not in conformity with the public interest or the purposes of the Federal environmental laws."

The Fish and Wildlife Service has already submitted environmental assessments on 15 projects that expired during the winter and will submit 62 more this week. The plaintiffs can reopen the case if they feel the assessments are inadequate in meeting the requirements of the National Environmental Policy Act. If the court determines that an environmental impact statement (EIS) is required, no Federal funding or other action can be taken for at least 90 days or longer.

The lawsuit was filed in March 1978 by the Committee for Humane Legislation and Friends of Animals who claimed that the program authorized by the Pittman-Robertson Act violated the National Environmental Policy Act. The P-R Act established a continuing cooperative program between the Federal Government and the States for the selection, rehabilitation, and improvement of areas of land or water for wildlife restoration. The program is funded by Federal excise taxes on sporting firearms, ammunition, and hand guns and archery equipment.

The Fish and Wildlife Service prepared an EIS on the Federal program but the plaintiffs then requested detailed information on each of the 600 State projects. Subsequently, the plaintiffs asserted that 182 of the 600 projects needed individual EIS's, claiming that each was a major Federal action with significant impacts on the human environment. The projects in question involved every State and three-fourths of the Federal money. In 1979, \$82.2 million will be available to the States for P-R projects.