

Wildlife Law

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Funding

Putting legal settlement funds to work for conservation

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Since 1987, the National Fish and Wildlife Foundation has put more than \$60 million in legal settlement funds to work for fish and wildlife conservation. These funds have come from wildlife-related violations of the Lacey Act, Migratory Bird Treaty Act, Endangered Species Act, Clean Water Act, Oil Pollution Act, and the Airborne Hunting Act, among others. Payments are the result of settlements from both civil and criminal cases and are paid in addition to any fines levied on the defendants payable to the U.S. Government, states, and the courts.

All settlement funds directed to the Foundation are dedicated back to conservation projects in the areas where the violation(s) occurred, or to directly assist conservation of the species of fish or wildlife impacted by the violation. In many cases, the Foundation uses these settlement dollars to raise additional funds through challenge grant programs. For example, in a settlement involving the Iroquois Gas pipeline, the Foundation was able to leverage \$2.25 million in settlements into more than \$7 million for 36 on-the-ground conservation projects in New York and Connecticut.

The Foundation's fiscal and programmatic assistance offers the courts and prosecutors an alternative where there is a public interest in putting settlement funds to work for fish, wildlife, and habitat conserva-

tion. Directing settlement and mitigation funds to the Foundation provides a number of distinct advantages to state and federal agencies:

- Funds directed to the Foundation are returned "to the ground" in a manner that aids the injured party, e.g., restoration and enhancement of degraded or destroyed fish and wildlife habitat. All parties to the settlement are able to see results from the legal action catalyzed by a credible, non-litigious third party whose mission is simply fish, wildlife, and plant conservation;
- The Foundation assumes financial responsibility for management of the accounts and cooperates with the U.S. Fish and Wildlife Service, state fish and game agencies, and other stakeholders to determine the best use of funds;
- The Foundation's involvement ensures accountability and efficiency with low administrative costs; and
- The Foundation and other conservation partners can, on a case-by-case basis, leverage these funds to provide additional dollars for the projects.

To date, settlement funds have acquired important wildlife habitat, restored degraded wetlands, launched valuable research, and purchased needed equipment in more than 30 states and territories. To learn more about the Foundation or its programs, please visit its web site at www.nfwf.org or call 202-857-0166.