

Multi-Year Funding for Defending State's Resource Rights*Updated: 2/9/2025*

Successes: 9
Ongoing: 13
Losses: 6

Existing Litigation Where the Multi-Year Appropriation has been the Primary Source of Funding
Note: This only includes cases primarily funded with MYA. Any cases funded with other historical funding sources default to MYA if the historical funding source cannot cover.

Matter Name	Summary	Status
ANCSA 17(d)(1) Revocation Delays	Challenge to delays in revoking ANCSA Section 17(d)(1) withdrawals covering 28 million acres	Partial success - settlement
Fortymile Rivers Quiet Title Actions (navigability)	Assertion of State ownership to submerged lands underlying North Fork and Middle Fork, Fortymile River, AK	Success
Koyukuk River Quiet Title Actions (navigability)	Assertion of State ownership to submerged lands underlying portions of the Koyukuk and the Bettles Rivers	Ongoing
Mulchatna family of rivers Quiet Title Actions (navigability)	Continued actions to formally recognize strategic navigability for title waters	Ongoing
Mendenhall Lake Quiet Title Actions (navigability)	Continued actions to formally recognize strategic navigability for title waters	Loss (at Motion to Dismiss)
Texas v. EPA (GHG emissions standards)	Challenge to new Clean Air Act rules regarding passenger vehicles and trucks	Ongoing
Formerly Used Defense Site and other Federal Site Cleanup	Suit to compel cleanup of formerly used defense and other federally contaminated sites located on Alaska Native Claim Settlement Act lands	Partial success - evaluating further action
ESG investment rule	Coalition of states challenging the Department of Labor's ESG rule	Loss
SEC GHG Disclosure Rule	Multi-state challenge to an SEC rule requiring heightened disclosures relating to greenhouse gases.	Partial success - ongoing
Kenai Refuge Rule	Challenge to federal rules that attempt to regulate the means and methods of hunting	Loss
NPS Rule	Challenge to federal rules that attempt to regulate the means and methods of hunting	Loss
Ice Seals Critical Habitat finding	Challenge to the expansive critical habitat designation for bearded and ringed seals	Success Dt. Ct.; appeal ongoing
Polar Bear Incidental Take under ESA	Defense of incidental take regulations issued by the U.S. Fish and Wildlife Service	Partial success - action remanded
Ringed Seal Delisting	Challenge to National Marine Fisheries Service 90-day finding regarding SOA's petition to delist ringed seal	Loss
Definition of Water's of the U.S.	Multi-state challenge to new rule defining what waters, wetlands and even permafrost are covered under the Clean Water Act	Partial success - ongoing
Clean Water Act 401 certification rule	Multi-state challenge to the new Clean Water Act 401 certification	Stayed
Amicus brief in <i>Sackett</i> case	Urge Supreme Court to adopt Scalia's test for waters of the U.S.	Success
Biden Oil and Gas Leasing Moratorium (LA Case)	Coalition of States challenging Biden administration moratorium on oil and gas leasing activities	Success
NAAQS	Coalition of states challenging new Clean Air Act Rules that stretch far beyond the authority provided in federal law	Partial success - ongoing
EPA Methane Rule	Coalition of states challenging new rules on methane that create undue burdens and go far beyond authority provided in federal law	Stayed
GHG Social Costs (MO Case)	Coalition of States challenging Biden administration use of social costs modelling in GHG emission costs	Loss
Tongass Roadless Rule	Challenge the reinstatement of the Roadless Rule on the Tongass	Stayed
FHWA emissions rule	Multi-state challenge to FHWA's rule requiring states to create and monitor emission targets on the transportation system (separate and apart from Clean Air Act)	Success
Clean Air Act, 111(d), State Implementation Plan Regs.	Multi-state challenge to new rules taking away discretion from states on how to comply with emissions rules and shortening the time for compliance.	Stayed
LNG Export Ban	Multi-state challenge to recent ban on all LNG exports.	Success
Tribal Reserved Water Rights	Multi-state challenge to the new tribal reserved water rights rule that expands water rights beyond what federal law authorizes	Ongoing
BLM Land Conservation Rule	Challenge to land conservation rule that violates federal law.	Stayed
Glacier Hwy/DOT Culvert Maintenance	Defending state action to clean a culvert without getting a 404 permit.	Success
Quiet Title Actions/Navigability	Cases to defend or assert Alaska's ownership to the beds of navigable waterways	Not yet filed
PLO 5150	Anticipated litigation	Not yet filed
ESA actions	Anticipated administrative and court actions	Not yet filed
Ambler	Anticipated further litigation regarding Ambler decisions	Not yet filed
NPS hunting regulations	Anticipated litigation (not related to subsistence)	Not yet filed
WOTUS	Anticipated further litigation regarding definition of waters of the U.S.	Not yet filed

Total Anticipated Costs through June 30, 2026: \$550,000
Total Anticipated Costs: \$2,022,000