

Multi-Year Funding for Defending State's Resource Rights

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.

Updated: 2/9/2025

Successes: 9
Ongoing: 13
Losses: 6

| 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