



State vs. Federal Wildlife Actions- APHA as Participant

- 2015-2016
 - NPS finalizes statewide 2015 Rule- specific and general preemption of state management and hunting regs
 - Opposed by the state
 - Opposed by federal RACs
 - Opposed by some SRC
 - Opposed by hunting NGOs
 - Supported by Sierra Club, Humane Society et. Al
 - USFWS finalizes “Kenai NWR” Rule- bans specific hunting practices on refuge
 - Opposed by the state
 - Opposed hunting NGOs
 - Supported by Sierra Club, Humane Society et. Al
 - USFWS Finalizes statewide Rule- specific and general preemption of state management and hunting regs
 - Opposed by the state
 - Opposed by federal RACs
 - Opposed by some SRC
 - Opposed by hunting NGOs
 - Supported by Sierra Club, Humane Society et. Al
- 2017
 - State, APHA/SAF & SCI sue over NPS & AKUSFWS Rules
 - State and SCI sue over KNRW rule
 - Congress strikes down AKUSFWS rule via Congressional Review Act. (CRA)
 - APHA petition for rulemaking to overturn NPS rule
 - Litigation over NPS rule informally stayed pending rulemaking
- 2018-2019
 - Litigation proceeds slowly on KNWR & dismissed as moot as to AKUSFWS matter (due to CRA)

- NPS rulemaking proceeds slowly
- 2020
 - NPS Rule repealing 2015 Rule finalized
 - Litigation filed by state and SCI on KNWR proceeds
 - Environmental NGO's sue over 2020 NPS Rule- APHA/SAF, SCI and State intervene to defend 2020 rule
- 2021
 - District Court adverse decision on KNWR litigation- parties appeal to 9th circuit
 - Litigation proceeds slowly on NPS 2020 Rule
- 2022
 - April 18th- Catastrophic Ninth Circuit KNWR ruling adverse to the state imbuing federal managers with "plenary" wildlife management authority on federal lands in AK
 - August-November - Judge Gleason hears and rules in litigation on 2020 NPS Rule
 - Remands rule but keeps rule in place pending NPS rule making "remand without vacatur"
 - Cites KNWR precedent to include NPS AK Preserves
 - State and all parties appeal decision to 9th circuit
 - October - State petitions SCOTUS to overturn KNWR decision after Ninth Circuit denies rehearing
 - APHA et al. file amicus in support of state petition
 - SCI files response brief in support of state petition
 - 13 states file amicus in support of state petition
- 2023
 - NPS releases proposed rule to overturn 2020 Rule and essentially restore 2015 Rule
 - Preempts specific methods and means
 - Bans predator hunting on Preserves
 - Comment Period ends March 10th 2023