

Steve Marshall
Alabama Attorney General



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Attorney General Steve Marshall Announces Victory in Alabama-Led Defense of Trump-Era Endangered Species Act Rule Reform

(MONTGOMERY) – Attorney General Steve Marshall announced a victory in Alabama’s years-long defense of Trump-era Endangered Species Act regulations. On Monday, a federal court in California denied a request by environmental groups to set aside the Trump administration’s rules and revive the heavy-handed environmental enforcement of the Obama administration. The court’s decision serves to preserve the more balanced enforcement rules of the Trump administration nationwide, including in Alabama.

“In 2016, Alabama led a coalition of states to challenge unlawful environmental regulations by the Obama administration that went far beyond what the text of the Endangered Species Act allowed and imposed unfair burdens on private property rights,” said Attorney General Marshall. “That case settled in 2018 when the federal government promised to reconsider the rules.

“As promised, in 2019 the Trump administration enacted new regulations that made the Endangered Species Act work better to protect both wildlife and property rights. The regulations eased burdens on landowners while providing them incentives to care for the wildlife on their property – a win-win for Alabama’s landowners and the great diversity of wildlife in our State.

“Predictably, the Trump regulations were challenged in federal court in California by a set of radical environmental groups and blue states who opposed the regulations’ cooperative approach to environmental protection. In response, Alabama once again led another coalition of states to intervene to defend the rules. That turned out to be necessary because the Biden administration abandoned defense of the rules, and the federal court vacated them, despite never having identified any legal infirmity with them. We sought relief from the U.S. Court of Appeals for the Ninth Circuit, which [agreed](#) that the district court had erred.

“Yesterday, the district court again remanded the rules to the federal agencies to consider as they work on proposing a new set of regulations. But this time the court rejected the environmental groups’ request to vacate the challenged regulations, meaning the Trump regulations will remain in place until new regulations are finalized – a process that is expected to take two years as the agencies provide time for stakeholders, including states and landowners, to provide comments on any proposed changes.

“Without our intervention, the rules we fought so hard for likely would have been unlawfully vacated as the Biden administration rolled over to appease the environmental groups. And stakeholders likely would have been deprived of their right to participate in the process of shaping any changes to current rules. But because we were there, the rule of law was vindicated.”



Attorney General Marshall was joined by attorneys general from Alaska, Arkansas, Idaho, Kansas, Missouri, Montana, Nebraska, North Dakota, Utah, West Virginia, and Wyoming, as well as the Arizona Game and Fish Commission, in defending the Endangered Species Act reforms.

A copy of the federal district court's ruling can be read [here](#).