

Steve Marshall
Alabama Attorney General



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Page 1 of 2

Attorney General Steve Marshall Announces Victory in Upholding Trump Administration Endangered Species Act Reforms

(MONTGOMERY) – Alabama Attorney General Steve Marshall announced a victory in federal court to keep in place vital reforms to the Endangered Species Act begun under the Trump administration that reduce regulatory burdens on private property rights while still promoting important protections for endangered species. On Wednesday, the U.S. Ninth Circuit Court of Appeals granted a motion by an Alabama-led coalition of states and a group of private landowners to retain Trump administration rules making federal Endangered Species Act regulations on landowners more predictable and sensible.

“While the federal government, states, and landowners all wish to safeguard our environment, over the last decade we have witnessed an expansion of federal regulation that was both unlawful and unnecessary,” said Attorney General Marshall. “Agencies claimed powers Congress never gave them and imposed burdens on private property rights that did not benefit the environment. This federal overreach triggered a number of successful lawsuits by states and landowners. Alabama has led in several of these legal challenges, and we continue to advocate in court for a transparent and commonsense implementation of the Endangered Species Act through our support of the Trump administration’s reforms which are now under attack.

“Predictably, environmentalist groups have sought to roll back the clock and reinstitute draconian enforcement rules of the Endangered Species Act, beginning with a major legal challenge in California. Due to concerns that the Biden administration would refuse to defend the Trump administration’s well-reasoned reforms, I joined with fellow attorneys general in intervening in the federal lawsuit to protect them. Our concerns were proved legitimate when the Biden administration abandoned defense of the rules, and a federal court vacated them, despite never having identified any legal infirmity in the rules. We took that ruling to the Ninth Circuit, and the federal appeals court agreed that the district court clearly erred in vacating the reforms. The rules are thus now back in effect as the litigation proceeds in federal district court.

“We will continue to defend the fair and balanced Endangered Species Act reforms first instituted under President Trump as Alabama and our coalition of states target federal bureaucratic overreach that is aimed at forcing government edicts without regard to their destructive impact on private property rights.”

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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 U.S. Ninth Circuit Court of Appeals ruling can be read [here](#).