Sikes Act History and Overview

Sikes Act Basics:

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Legislative Timeline

1949
Sikes Bill
• Authorized Eglin Field Reservation (FL) to issue hunting & fishing permits and retain fees for restocking
• Managed fish & game in cooperation with USFWS

1958
Engle Act
• Requires hunting and fishing on military installations to comply with state laws
• Ensures access to installations by state fish and game officials

1960
Sikes Act
• Extended provisions of 1949 Sikes Bill to all military installations
• Implemented Engle Act
• Authorized tripartite cooperative plans

1968
Amendments
• Appropriations authorized for first time
• Habitat enhancement & public outdoor recreation programs added to scope

1974
Amendments
• Habitat management, range rehabilitation, and ORV control made mandatory

1982
Amendments
• Scope expanded to include all T&E species

1986
Amendments
• Multiple-use natural resources management required
• Regularly review fish & wildlife plans

1997
Sikes Act Improvement Act
• Agreed to by DoD, USFWS, AFWA

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Sikes Act Improvement Act of 1997

- Enacted 18 November 1997
- Product of three-plus years of discussion
- Agreed to by DoD, USFWS, Association of Fish & Wildlife Agencies (AFWA)
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Overarching Requirements

• Secretary of Defense directed to carry out a natural resources program
  ▪ Previous program discretionary
  ▪ Previous program focused on fish & game conservation
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Overarching Requirements (continued)

• INRMP shall reflect “mutual agreement” of the parties
  ▪ Goal: agreement on entire plan
  ▪ Requirement: agreement on elements of plan within legal authority of the state and USFWS

• Sikes Act neither enlarges nor diminishes parties’ legal authorities
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State Authority on Federal Lands

- Management of fish & resident wildlife historically a state prerogative
- Congress may expressly preempt state law
- Sikes Act does not manifest such an intent
- States have concurrent authority to manage unless:
  - Actions discriminatory; or
  - Obstacle to accomplishing military mission
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Sikes Act Reauthorization

- Pending
- Possible Amendments
  - Better coverage of military installations under the Sikes Act
  - Enforcement of INRMPs