

Sikes Act History and Overview



Sikes Act Basics:

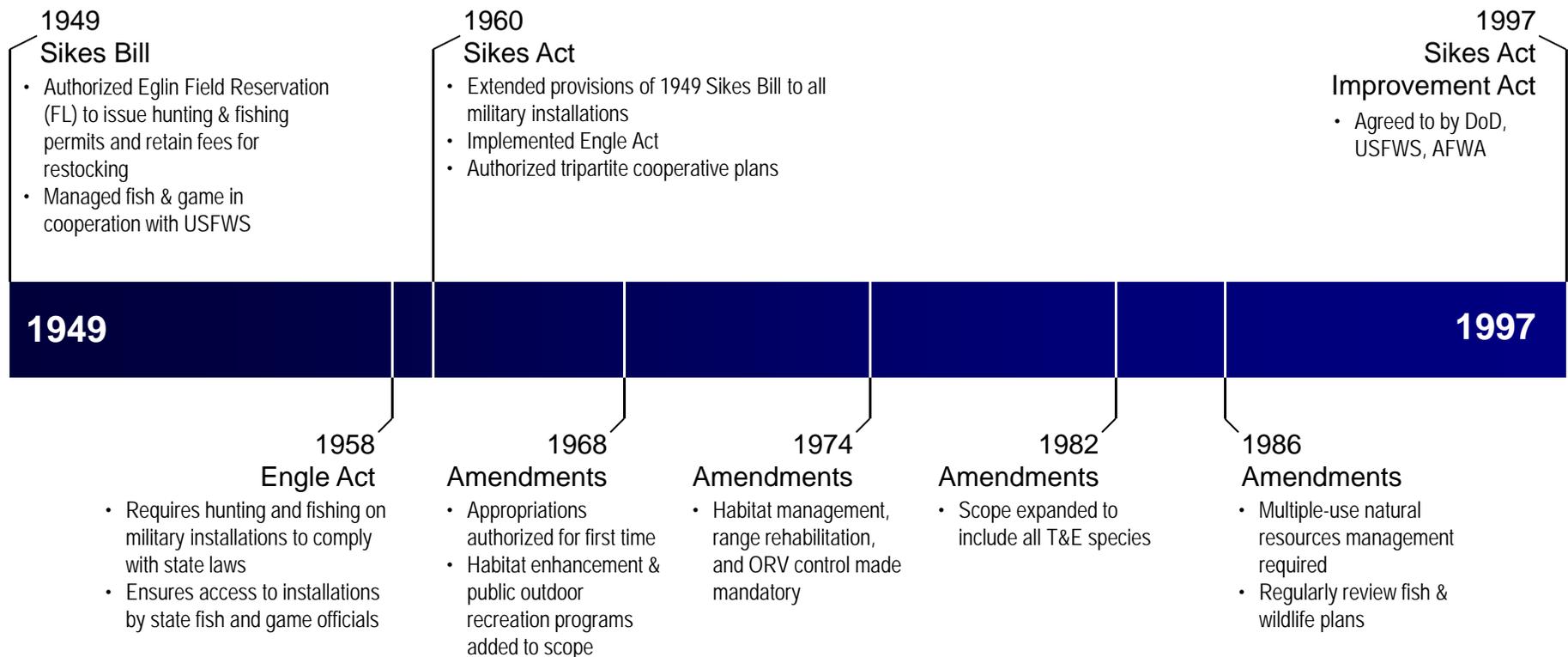
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Legislative Timeline

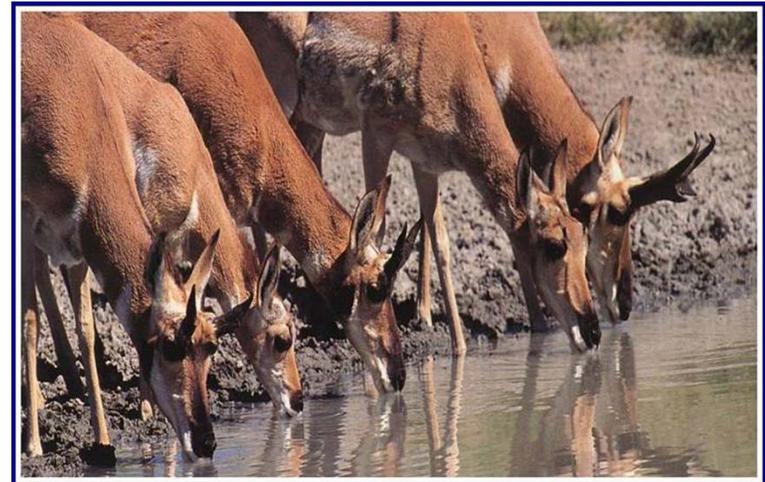


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Sikes Act Improvement Act of 1997

- 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