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Ninth Circuit Court upholds NPS authority to manage rivers in Sturgeon hovercraft case

Anchorage, AK — The Ninth Circuit Court ruled today to uphold the National Park Service’s authority to manage boating activities on navigable rivers within park boundaries in Alaska. The Court stated, “we again conclude that the federal government properly exercised its authority to regulate hovercraft use on the rivers within conservation system units in Alaska.”

Trustees for Alaska, a nonprofit law firm, represented thirteen conservation groups in the case, *Sturgeon v. Frost*, by filing an [amicus brief](#) supporting NPS efforts to enforce safety and other park regulations on waters within the park boundaries.

“Today’s decision aligns with centuries of law supporting federal authority over navigable waters and other public lands,” said Katie Strong, staff attorney at Trustees for Alaska. “The decision reaffirms the NPS has authority to manage navigable waters in Alaska’s national parks—specifically those meant to preserve wild rivers—because that’s what Congress intended.”

NPS regulates rivers and lakes within national parks throughout the United States. John Sturgeon, a hunter seeking to operate his hovercraft within Yukon-Charley Rivers National Preserve — an activity barred by Park Service regulations — argued that Congress withdrew NPS authority over waters in Alaska. Mr. Sturgeon argued that a provision of the Alaska National Interest Lands Conservation Act (ANILCA) stripped the NPS of the power to regulate navigable waters within Alaska’s national parks.

The Ninth Circuit originally upheld NPS authority in this case in 2014; the Supreme Court remanded the question back to the Ninth Circuit in 2016. Today’s ruling clarified the Ninth Circuit’s reasoning, noting that under multiple legal theories NPS has authority to regulate waters within Alaska’s National Parks.

Trustees for Alaska represents the following conservation organizations as *amicus*, or friends of the court, in this case: National Parks Conservation Association, Defenders of Wildlife, The Wilderness Society, American Rivers, Center for Biological Diversity, Sierra Club, Wilderness Watch, Denali Citizens Council, Copper Country Alliance, Alaska Quiet Rights Coalition, Northern Alaska Environmental Center, Friends of Alaska National Wildlife Refuges, and Alaska Wilderness League.