

POLICY INITIATIVES OF PRESIDENT TRUMP'S CABINET:

SWEEPING CHANGES FOR ENVIRONMENTAL REGULATIONS

Volume 4 / May, 2018

The Dilenschneider Group

The Chrysler Building • 405 Lexington Avenue, 57th Floor • New York, N.Y. 10174

Telephone: (212) 922-0900

Website: www.dilenschneidergroup.com

As world attention is riveted on the U.S. pullout from the Iran nuclear deal and a possible meeting with North Korea's Kim Jong-un, a remarkable number of policy changes are being implemented on environmental issues likely to affect American businesses and consumers for decades even as, seems likely, the courts tone down some of the Trump initiatives.

According to the Federal Register, government press releases, speeches, memos, industry and environmental newsletters and talks with a number of experts, the Trump Administration deregulated, abandoned, changed, weakened, delayed or proposed changes to 67 environmental policies during the President's first year in office.

The Departments of Interior and Agriculture have announced 43 deregulatory actions, the Environmental Protection Agency has had 41, the Transportation Department has had 83 and Health and Human Services has had 54.

So, the Trump Administration is changing environmental policies in ways that are likely to affect American businesses and consumers for decades to come.

The unanswered question is to what extent the federal courts will tone down or even block the changes, as many are being contested.

Most Americans are unaware of the changes, as they have not received public attention. Those Americans who do know what has happened have been surprised at the speed with which the administration has pushed through changes in environmental regulation, often by executive order.

All that has made planning difficult for many businesses, retailers and consumers.

President Trump's first major action was approving the controversial Keystone XL pipeline. That was followed by his pulling the U.S. out of the Paris Climate Accords. His most recent high-profile move was proposing weaker fuel efficiency standards for new vehicles on the grounds this will make U.S. automobiles more competitive with those made in other countries.

California, however, is keeping the old tougher standards, which could put manufacturers in the untenable position of making one set of cars for the vast California market and another for the rest of the country.

Domestic automakers did want to ease up on standards, but they aren't pleased the Trump Administration went further than they intended.

But the administration, seeing the growing demand for fuel-hungry SUVs and pickup trucks, thinks it is doing what Americans want.

The administration is rolling back several regulations that impact climate change. (In fact, the administration has removed that phrase from many of its official websites, and in December President Trump dropped climate change from the list of national security threats.)

NASA's \$10 million budget for monitoring global carbon emissions has been eliminated even though Congress mandated it. The administration plans to shut down the cameras aboard DSCOVR (Deep Space Climate Observatory) that have taken high-resolution photos of the planet's sun-lit side every half hour since July 2015. And the administration is curtailing plans to do more extensive monitoring of climate changes around the globe.

The U.S. has been making progress toward energy independence, in part because of federal initiatives in renewable energy and energy efficiency. But the White House has proposed cutting Department of Energy funding for such projects by 72 percent.

President Trump wants to open coastal areas to oil and gas drilling with one exemption (at least so far) for Florida. The President also wants to auction off oil and gas leases for 77 million acres of federal waters within the Gulf of Mexico, the largest auction of its kind in U.S. history. The Bureau of Land Management is studying how and when to let developers into the Arctic National Wildlife Refuge. And President Trump has promised to dismantle the Clean Power Plan to let power plants burn more coal and create more coal jobs.

Under Administrator Scott Pruitt, the Environmental Protection Agency has proposed changing or has changed a long list of regulations. For example, he wants the EPA to only consider scientific studies that have publicly available data. Environmental groups protest that this will weaken the agency's ability to weigh all the factors in major decisions such as shutting down a power plant or regulating pesticides, since many studies contain proprietary information or personal health data.

One of Secretary Pruitt's most controversial changes was to drop what is called the "once in, always in" policy from the 1990s that locked in reductions of air pollution from industrial sources. Some industries have argued that if they can reapply for changes, they'll be motivated to increase efforts to reduce emissions. Environmentalists, however, contend this could allow backsliding in pollution controls.

Other agencies besides the EPA are changing rules that affect the environment. For example, the National Oceanic and Atmospheric Administration canceled a rule aimed at preventing endangered whales and sea turtles from becoming entangled in fishing nets off the West Coast.

Interior Department Secretary Ryan Zinke is moving to change endangered species regulations so that some 300 creatures will no longer be protected. Secretary Zinke is also reducing the size of 10 national monuments, including Bear Ears in southern Utah. Documents obtained under the Freedom of Information Act found that he plans to allow oil, coal and gas exploration, permit cattle grazing and increase timber cutting once the protections are lifted.

But Secretary Zinke pleased environmentalists – while angering cattle ranchers – when he supported the reintroduction of grizzly bears into the Northern Cascades and when the rusty patched bumblebee was listed as an endangered species – the first bumblebee to receive federal protection.

Unquestionably, President Trump's first 16 months have seen a major shakeup in environmental regulations. But it will take until at least the end of his presidency to find out whether most of the changes are permanent, or whether the courts will block him.