

# THE TRUMP ADMINISTRATION AND THE ENVIRONMENT

Effective Date	Decision Maker	Area of Environmental Law	Statutes Involved	Summary
1/30/2017	Executive Office of the President	Natural Resources	3 U.S.C. § 301	The Executive Office of the President has delegated authority to the Secretary of State to receive applications for Presidential permits for the construction, connection, operation, or maintenance of facilities for the exportation or importation of petroleum, petroleum products, coal, or other fuels to or from a foreign country, and to issue or deny such Presidential permits. As set forth, the Office of the President ordered the Secretary of State to issue a Presidential permit for any cross-border pipeline project that “would serve the national interest.”
1/30/2017	Executive Office of the President	Natural Resources	National Environmental Policy Act	The Executive Office of the President ordered the Secretary of the Army to instruct the Assistant Secretary of the Army for Civil Works and the U.S. Army Corps of Engineers, including the Commanding General and Chief of Engineers, to take all actions necessary and appropriate to review and approve, in an expedited manner, requests for approvals to construct and operate the Dakota Access Pipeline, including easements or rights-of-way to cross federal areas, permits or approvals, and such other federal approvals as may be necessary. In addition, the agencies are to determine that applications satisfy all applicable requirements of the National Environmental Policy Act.
1/30/2017	Executive Office of the President	Natural Resources	N/A	This Presidential memorandum directed the Secretary of Commerce to develop a plan where the construction of American pipelines uses materials and equipment produced in the United States to the maximum extent possible.
1/30/2017	Executive Office of the President	Various	NEPA	Creation of expedited process (environmental reviews and approvals) for high priority infrastructure projects. Upon request by the governor of a state or the head of any executive department or agency, or on his or her own initiative, the Chairman of the White House Council on Environmental Quality shall, within 30 days after a request is made, decide whether an infrastructure project qualifies as a “high priority” infrastructure project.
2/16/2017	Congress	Water	Surface Mining Control & Reclamation Act	This joint resolution nullified the "Stream Protection Rule" finalized by the Department of the Interior's Office of Surface Mining Reclamation and Enforcement on December 20, 2016. The rule attempted to address the impacts of surface coal mining operations on surface water, groundwater, and the productivity of mining operation sites.

# THE TRUMP ADMINISTRATION AND THE ENVIRONMENT

Effective Date	Decision Maker	Area of Environmental Law	Statutes Involved	Summary
2/28/2017	Executive Office of the President	Water	Clean Water Act	Directed the U.S. Environmental Protection Agency and the Department of the Army to review and rescind or revise the Clean Water Rule in an attempt to promote economic growth, minimize regulatory uncertainty, and show due regard for the roles of the Congress and the States under the Constitution.
2/28/2017	Environmental Protection Agency	Water	Clean Water Act	In accordance with the Executive Order, the U.S. Environmental Protection Agency and the Department of the Army announced their intention to review and rescind or revise the Clean Water Rule.
3/2/2017	Environmental Protection Agency	Natural Resources/Climate Change/Air	Clean Air Act	The U.S. Environmental Protection Agency provided notice that it is withdrawing requests that owners and operators in the oil and natural gas industry provide information on equipment and emissions at existing oil and gas operations (President Obama's Climate Action Plan: Strategy to Reduce Methane Emissions). The Environmental Protection Agency wanted to re-evaluate the need for the information that the agency was collecting through these requests, and reduce burdens on businesses while the Agency assesses such need.
3/4/2017	Environmental Protection Agency	Air/Climate Change	Clean Air Act	The U.S. Environmental Protection Agency announced that it is reviewing the 2016 Oil and Gas New Source Performance Standards and, if appropriate, will initiate reconsideration proceedings to suspend, revise or rescind this rule.
4/4/2017	Environmental Protection Agency	Air/Climate Change	Clean Air Act	The U.S. Environmental Protection Agency announced that it is reviewing and, if appropriate, will initiate proceedings to suspend, revise or rescind the Standards of Performance for Greenhouse Gas Emissions From New, Modified, and Reconstructed Stationary Sources: Electric Generating Units.
3/22/2017	Environmental Protection Agency	Toxics	Federal Insecticide, Fungicide, and Rodenticide Act	The U.S. Environmental Protection Agency rejected a petition to ban on the insecticide Chlorpyrifos, stating that the chemical needed further study. The U.S. Environmental Protection Agency also established permissible levels for residues of chlorpyrifos in pesticides.

# THE TRUMP ADMINISTRATION AND THE ENVIRONMENT

Effective Date	Decision Maker	Area of Environmental Law	Statutes Involved	Summary
3/22/2017	Environmental Protection Agency	Air/Climate Change	Clean Air Act	The U.S. Environmental Protection Agency announced its intention to reconsider the Final Determination of the Mid-Term Evaluation of greenhouse gas (GHG) standards for model year (MY) 2022–2025 light-duty vehicles and to coordinate its reconsideration with the parallel process to be undertaken by the Department of Transportation's National Highway Traffic Safety Administration regarding Corporate Average Fuel Economy (CAFE) standards for cars and light trucks for the same model years.
3/29/2017	Department of the Interior	Natural Resources	Mineral Leasing Act; Mineral Leasing Act for Acquired Lands; Federal Land Policy and Management Act; & Surface Mining Control and Reclamation Act	Ryan Zinke, the Secretary of the Department of the Interior, revoked the Obama Administration's three-year freeze and review of new mining leases on public lands pending an environmental review.
3/31/2017	Executive Office of the President	Natural Resources	N/A	Ordered each executive department and agencies to immediately review existing regulations that potentially burden the development or use of domestically produced energy resources and appropriately suspend, revise, or rescind those that unduly burden the development of domestic energy resources beyond the degree necessary to protect the public interest or otherwise comply with the law.

# THE TRUMP ADMINISTRATION AND THE ENVIRONMENT

Effective Date	Decision Maker	Area of Environmental Law	Statutes Involved	Summary
4/3/2017	Congress	Wildlife/Public Lands	1980 Alaska National Interest Lands Conservation Act; National Wildlife Administration Act of 1966, as amended by the National Wildlife Refuge System Improvement Act of 1997; 1964 Wilderness Act	This joint resolution nullified the rule finalized by the Department of the Interior on August 5, 2016, relating to non-subsistence takings of wildlife (e.g. grizzly bears and wolves) and public participation and closure procedures on National Wildlife Refuges in Alaska.
4/4/2017	Environmental Protection Agency	Air/Climate Change	Clean Air Act	The U.S. Environmental Protection Agency (EPA) announced that it is reviewing and, if appropriate, will initiate proceedings to suspend, revise or rescind the Clean Power Plan. The EPA's goal is to facilitate the development of U.S. energy resources, including oil and gas, and to reduce unnecessary regulatory burdens associated with the development of those resources.
4/4/2017	Department of the Interior: Office of Natural Resources Revenue	Natural Resources	31 U.S.C. § 9701	The Office of Natural Resources Revenue (ONRR) proposed to repeal the Consolidated Federal Oil & Gas and Federal & Indian Coal Valuation Reform Rule finalized on July 1, 2016. This "Proposed Valuation Rule" changes how federal oil and gas and federal and Indian coal lessees value production for royalty purposes. It also revises revenue reporting requirements. ONRR stated that the rule would lessen the burden on businesses by creating certainty and lowering royalty reporting costs.

# THE TRUMP ADMINISTRATION AND THE ENVIRONMENT

Effective Date	Decision Maker	Area of Environmental Law	Statutes Involved	Summary
4/5/2017	Executive Office of the President: Council on Environmental Quality	Natural Resources	NEPA	The Council on Environmental Quality withdrew its “Final Guidance for Federal Departments and Agencies on Consideration of Greenhouse Gas Emissions and the Effects of Climate Change in National Environmental Policy Act Reviews,” (the Guidance) for which a Notice of Availability was published on August 5, 2016. The Guidance had provided a framework for federal decision makers to be informed about a proposal's greenhouse gas emissions and climate change implications.
4/25/2017	Environmental Protection Agency	Water	Clean Water Act	By a letter dated April 12, 2017, the Administrator announced the EPA decision to reconsider the final rule that amends the effluent limitations guidelines and standards for the steam electric point source category under the Clean Water Act, published in the Federal Register on November 3, 2015. The earliest compliance date for the new, and more stringent, best available technology economically achievable effluent limitations and pretreatment standards is November 1, 2018, for each of the following waste streams: Fly ash transport water, bottom ash transport water, flue gas desulfurization waste water, flue gas mercury control wastewater, and gasification wastewater.
4/28/2017	Executive Office of the President	Various	Executive Order 13771 of January 30, 2017 (Reducing Regulation and Controlling Regulatory Costs) Executive Order 13778 of February 28, 2017 (Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the “Waters of the United States” Rule) Executive Order 13783 of March 28, 2017 (Promoting Energy Independence and Economic Growth).	Creation of an interagency task force to identify legislative, regulatory, and policy changes to promote agriculture, economic development, job growth, infrastructure improvements, technological innovation, energy security, and quality of life in rural America. Within 180 days of the date of this order, the Secretary of Agriculture, in coordination with the other members of the Task Force, shall submit a report to the President, through the Assistant to the President for Economic Policy and the Assistant to the President for Domestic Policy, recommending the legislative, regulatory, or policy changes that the Task Force considers appropriate.

# THE TRUMP ADMINISTRATION AND THE ENVIRONMENT

Effective Date	Decision Maker	Area of Environmental Law	Statutes Involved	Summary
5/3/2017	Executive Office of the President	Natural Resources	Outer Continental Shelf Lands Act	Statement of U.S. policy to encourage energy exploration and production on the Outer Continental Shelf in order to maintain the nation's position as a global energy leader and foster energy security and resilience for the benefit of the American people, while ensuring that any such activity is safe and environmentally responsible.
5/11/2017	Department of the Interior	Public Lands	Federal Land Policy and Management Act	The U.S. Department of the Interior is conducting a review of certain National Monuments designated or expanded since 1996 under the Antiquities Act of 1906 in order to implement Executive Order 13792 of April 26, 2017. This executive order directs the Secretary of the Interior to review and determine whether each designation or expansion conforms to the policy stated in the executive order and to formulate recommendations for Presidential actions, legislative proposals, or other appropriate actions to carry out that policy.
5/19/2017	Department of Transportation: Federal Highway Administration	Air/Climate Change	82 Fed. Reg. 5970, 5970-6050 (Jan. 18, 2017).	The Department of Transportation announced the indefinite delay of specific portions of the National Performance Management measures; Assessing Performance of the National Highway System, Freight Movement on the Interstate System, and Congestion Mitigation and Air Quality Improvement Program Final Rule (PM#3) (RIN 2125-AF54) and announces the initiation of additional regulatory proceedings for those portions. As such, this document delays the effective date for these provisions and announces that FHWA will be publishing an NPRM in the Federal Register in the coming weeks pertaining to the GHG measure. The effective date is delayed until such rulemaking on the GHG measure is completed.
5/22/2017	Environmental Protection Agency	Toxics	Comprehensive Environmental Response, Compensation, and Liability Act	The Environmental Protection Agency (EPA) stated that it will be prioritizing the Superfund program by increasing federal oversight over regional administrators. The EPA also announced that it is establishing a task force to provide recommendations on how the agency can restructure the cleanup process, realign incentives of all involved parties to promote expeditious remediation, reduce the burden on cooperating parties, incentivize parties to remediate sites, encourage private investment in cleanups and sites, and promote the revitalization of properties across the country.

# THE TRUMP ADMINISTRATION AND THE ENVIRONMENT

Effective Date	Decision Maker	Area of Environmental Law	Statutes Involved	Summary
6/5/2017	Executive Office of the President	Water	N/A	President Trump proclaimed June 2017 as National Ocean Month, calling on Americans to reflect on the value and importance of the oceans not only to their security and economy, but also as a source of recreation, enjoyment, and relaxation.
6/5/2017	Executive Office of the President	Public Lands	N/A	President Trump proclaimed June 2017 as Great Outdoors Month, calling on Americans to explore the great outdoors while acting as stewards of the country's lands and waters.
6/14/2017	Environmental Protection Agency	Air	Clean Air Act	The Environmental Protection Agency (EPA) delayed the effective date of the Risk Management Program Amendments (these Amendments attempted to improve chemical process safety and assist local emergency authorities in planning for and responding to chemical accidents) for an additional 20 months, to allow EPA to conduct a reconsideration proceeding and to consider other issues that may benefit from additional comment. The new effective date of the rule is February 19, 2019.