

TRUMP'S ASSAULT ON CLEAN ENERGY AND CLIMATE; THE FIRST 65 DAYS

MSEF, Municipal and State Energy Edge Forum
March 26, 2025
David Duperrault

▶ *"We are driving a dagger straight into the heart of the climate change religion"*

Lee Zeldin, EPA Administrator, March 12, 2025

▶ Trump Signed Five Executive Orders On Inauguration Day,
January 20, 2025

- ▶ 1. Declaring an Energy Emergency.
- ▶ 2. Unleashing American Energy.
- ▶ 3. International Environmental Agreements.
- ▶ 4. Alaska's Resource Potential.
- ▶ 5. Wind Energy.

Carrie Jenks And Sara Dewey, "Environmental And Energy Executive Orders: Initial Insights And What We're Watching," Environment & Energy Law Program, Harvard Law School.

- ▶ 1. Declaring an Energy Emergency.
- ▶ This Executive Order (EO) declares a national energy emergency under the National Emergencies Act (NEA), asserting that the US energy supply is “far too inadequate,” citing economic and national security concerns.

<https://www.whitehouse.gov/presidential-actions/2025/01/declaring-a-national-energy-emergency/>

► 2. Unleashing American Energy.

- This EO outlines policy priorities including increasing domestic fossil energy and critical minerals production.
- Requires agencies to review existing regulations and suspend, revise, or rescind any that are identified as barriers to domestic “energy” development.
- Rescinds Biden-era orders related to energy and climate policy, calls for reforms to the permitting process, directs expedited review of liquefied natural gas (LNG) projects, and more.

<https://www.whitehouse.gov/presidential-actions/2025/01/unleashing-american-energy/>

▶ 3. International Environmental Agreements.

- ▶ This EO orders the US ambassador to the United Nations to withdraw from the Paris Agreement under the United National Framework Convention on Climate Change (UNFCCC), and
- ▶ Revoke any financial commitments previously made by the US under the UNFCCC.
- ▶ Implies immediate withdrawal but the process takes one year.

<https://www.whitehouse.gov/presidential-actions/2025/01/putting-america-first-in-international-environmental-agreements/>

► 4. Alaska's Resource Potential.

- This EO directs agencies to support development and extraction of oil, natural gas, timber, and mineral resources in Alaska, including
- Oil and gas leasing in the Arctic National Wildlife Refuge and the National Petroleum Reserve
- Expedited approval of the Alaska LNG project on Alaska's North Slope.

<https://www.whitehouse.gov/presidential-actions/2025/01/unleashing-alaskas-extraordinary-resource-potential/>

► 5. Wind Energy.

- This memorandum withdraws the Outer Continental Shelf from wind energy leasing, and
- Pauses federal leasing and permitting of onshore and offshore wind.

<https://www.whitehouse.gov/presidential-actions/2025/01/temporary-withdrawal-of-all-areas-on-the-outer-continental-shelf-from-offshore-wind-leasing-and-review-of-the-federal-governments-leasing-and-permitting-practices-for-wind-projects/>

► Reversing Environmental Justice Policies

- A series of EOS and other actions that
- Cut off funding for climate and EJ programs;
- Effectively close all offices and terminate all employees with environmental justice functions;
- Rescind 1994 EO directing federal agencies to identify and address effects of federal programs and policies on minority and low-income populations;
- Rescind Justice40 program directing funds to disadvantaged communities;
- Remove the Climate and Economic Justice Screening Tool from government websites.

<https://www.morganlewis.com/pubs/2025/02/executive-actions-substantially-reverse-environmental-justice-policies-and-practices>

- ▶ Environmental Litigation Freeze
- ▶ January 30, 2025, memo temporarily paused all environmental litigation to allow for review and potential reconsideration by the new administration

G. Rovner, S. Slack And J. Lieblich, Foley & Lardner, The Trump Administration: Developments In Environmental Policy, 27 February 2025

► Federal Funding Whiplash

- Office of Management and Budget (OMB) on 1-27-2025 issued a memo directing all federal agencies to begin a review of all funding, and “pause” all grants, loans, and other financial assistance.
- Amid an explosion of opposition, litigation and confusion, OMB quickly rescinded the memo.
- Chaos continues to reign—conflicting directives, court injunctions, uncertainty.

E. Del Pozo, C. Cahill, Shipman & Goodwin, Federal OMB Funding Freeze And Litigation Primer, originally published 2-12-25, updated,

- ▶ 1. Clean Air, Land, and Water for Every American;
- ▶ 2. Restore American Energy Dominance;
- ▶ 3. Permitting Reform, Cooperative Federalism, and Cross-Agency Partnership;
- ▶ 4. Make the United States the Artificial Intelligence Capital of the World; and
- ▶ 5. Protecting and Bringing Back American Auto Jobs.

2-4-25, EPA Administrator Lee Zeldin Announces 5 Key Pillars of the “Powering The Great American Comeback” Initiative

- ▶ EPA Administrator Lee Zeldin announced the overhauling of the “Endangerment Finding,” a 2009 rule that declared greenhouse gases constitute a threat to public health and human welfare under the Clean Air Act.
- ▶ The reconsideration of this finding will involve a massive overhaul of the regulations established under this rule, including vehicle emissions rules,

Audrey Fahlberg, EPA Administrator To Overhaul Obama-era Finding On Greenhouse Gases, In Major Deregulatory Move,” National Review, 3-12-25

- ▶ “EPA Launches Biggest Deregulatory Action In U.S. History;
- ▶ Administrator Zeldin Announces 31 Historic Actions To Power The Great American Comeback”

EPA News Release, 3-14-25

► UNLEASHING AMERICAN ENERGY

- Reconsideration of regulations on power plants (Clean Power Plan 2.0); on the oil and gas industry; Mercury and Air Toxics Standards; Greenhouse Gas Reporting Program; on the Steam Electric Power Generating Industry; wastewater regulations for oil and gas development; and the Risk Management Program rule.

EPA News Release, 3-14-25

- ▶ LOWERING THE COST OF LIVING FOR AMERICAN FAMILIES
- ▶ Reconsideration of light-duty, medium-duty, and heavy-duty vehicle emissions regulations; the Technology Transition Rule; Particulate Matter National Ambient Air Quality Standard; National Emission Standards for Hazardous Air; Overhauling the “Social Cost of Carbon;”
- ▶ Redirecting enforcement resources to EPA’s core mission to relieve the economy of unnecessary bureaucratic burdens (Enforcement Discretion)

EPA News Release, 3-14-25

▶ ADVANCING COOPERATIVE FEDERALISM

- ▶ End “Good Neighbor Plan” which led to the rejection of State Implementation Plans;
- ▶ Work with states and tribes to resolve backlog with State and Tribal Implementation Plans;
- ▶ Reconstitute Science Advisory Board and Clean Air Scientific Advisory Committee;
- ▶ Expedite state permit reviews and update coal ash regulations.

EPA News Release, 3-14-25

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