

**UPDATED - 3/29/2017**



## Trump Anti-Climate Executive Order

### Summary

Donald Trump has signed an executive order to begin the process of dismantling the Obama Administration's key actions tackling the climate crisis and protecting clean air, including the Clean Power Plan and other safeguards issued under the Clean Air Act, the National Environmental Protection Act, and other authorities. Trump's so-called "Executive Order on Promoting Energy Independence and Economic Growth" includes directives to review and rescind or amend specific rules, guidance documents, and executive orders, as well as a requirement that agencies review all of their actions that "potentially burden" the development of domestic energy resources. In particular, the Order targets the EPA's Clean Power Plan and Carbon Pollution Standards for new power plants; EPA and Interior Department (through the Bureau of Land Management or BLM) methane rules for oil and gas development; the BLM fracking rule; Interior Department rules on oil and gas development in national parks (through the National Park Service) and on certain wildlife refuges (through the Fish and Wildlife Service); the social cost of carbon metric in rulemakings to account for harms from carbon pollution; the Council of Environmental Quality's guidance on the analysis of climate change impacts under NEPA; the Interior Department's pause of federal coal leasing and review of the federal coal program; President Obama's overarching Climate Action Plan and Methane Strategy; and four additional climate-related Obama executive orders and directives.

### Specific Elements:

- **Clean Power Plan and Carbon Pollution Standards:** The order directs the EPA to: 1) review and, if appropriate, propose rules to revise or rescind the Clean Power Plan (which regulates existing power plants) and the Carbon Pollution Standards (which regulates new power plants); and 2) notify the Attorney General so that the Department of Justice may inform the U.S. Court of Appeals for the D.C. Circuit of this administrative review and request it to put the pending litigation over these rules on hold. **\*\*NOTE:** DOJ requested the Court to hold these cases in abeyance immediately after the Order was signed.

- **Social Cost of Carbon and other GHGs:** The Order disbands the Interagency Working Group on the Social Cost of Carbon (which includes all greenhouse gases) and withdraws all of the group's technical documents that provide estimates for the social costs of carbon, methane and nitrous oxide emissions. These social cost metrics assign a dollar value on the damage caused by each additional ton of greenhouse gas pollution, and are essential tools for calculating the benefits of U.S. climate policies and harms from policies favoring fossil fuels. The Order directs agencies instead to revert to a 2003 OMB guidance document which provides no estimate for the costs of greenhouse gas pollution. Further, it blocks agencies from considering any climate change impacts caused to other countries due to U.S. greenhouse gas emissions.
- **Climate Guidance under the National Environmental Policy Act:** The Order directs the Council on Environmental Quality to rescind its guidance requiring agencies to consider the impacts of climate change in environmental reviews for major federal actions, which are required under the National Environmental Policy Act.
- **Repeal of the Obama Climate Action Plan and Methane Strategy:** The Order revokes President Obama's Climate Action Plan and the Methane Strategy, both of which encompassed numerous policies to promote investment in renewable energy, improve the efficiency of buildings, invest in climate change science research, prepare for the impacts of climate change, and reduce methane emissions.
- **Revocation of Other Obama Climate-Related Directives:** The Order revokes four other climate-related directives: (1) E.O. 13653, Preparing the United States for the Impacts of Climate Change (Nov. 1, 2013), which directed federal agencies to incorporate climate-resilience considerations into their operations; (2) Presidential Memorandum -- Power Sector Carbon Pollution Standards (June 25, 2013), which directed the development of the Clean Power Plan and Carbon Pollution Standards; (3) Presidential Memorandum -- Mitigating Impacts on Natural Resources from Development (Nov. 3, 2015), which aimed to improve communities' resilience to flooding and other extreme weather events; and (4) Presidential Memorandum -- Climate Change and National Security (Sept. 21, 2016), which directed agencies to ensure that climate change-related impacts are fully considered in the development of national security policies and plans.
- **Coal Leasing Moratorium:** The Order directs the Interior Department to lift the moratorium on coal leasing on public lands and to amend or withdraw Secretarial Order 3338 (Jan. 15, 2016), which established the leasing moratorium and required the review and reform of the federal coal program to consider its climate impacts and its failure to provide a fair return to taxpayers. **\*\*NOTE:** The day following the Order, Interior Secretary Zinke cancelled both the moratorium and the environmental review, and the Sierra Club and its allies filed suit to reverse that decision.

- **Fracking on Public Lands:** The Order directs the Interior Department to review and propose rules to revise or rescind BLM's 2015 rule providing safeguards for land and water when operators conduct hydraulic fracturing operations on public and tribal lands.
- **BLM Methane and Waste Prevention Rule:** The order directs the Interior Department to review and propose rules to revise or rescind its rule reducing waste of natural gas and methane pollution from public lands by curbing flaring, venting, and leaks.
- **EPA Methane Regulations:** The order directs EPA to review and propose rules that revise or rescind its standards limiting methane pollution from new oil and gas equipment.
- **National Park Service and Fish and Wildlife Service Regulations:** The order directs the Interior Department to review and propose rules that revise or rescind recently updated regulations governing oil and gas development in national parks and certain wildlife refuges.
- **Review of All Agency Actions that Could Burden Energy Production:** The order instructs each agency to review all existing regulations and policies and identify all actions that "potentially burden" the development or use of domestic energy resources, particularly oil, natural gas, coal and nuclear resources. Agencies must work with OMB to send reports to the White House, within 180 days, recommending actions to eliminate identified burdens.