

How President Trump Kept His Campaign Promises Bigly:

His Environmental Regulatory Reform Agenda

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TRUMP'S REGULATORY REFORM GOALS

- Reverse Obama Policies (Forever?)
- + Deconstruct Administrative State
- + Fix the Courts

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Source: https://en.wikipedia.org/wiki/Make_America_Great_Again

[Jobs,
Infrastructure &
Development]

TRUMP'S VIEW OF ENVIRONMENTAL REGULATIONS

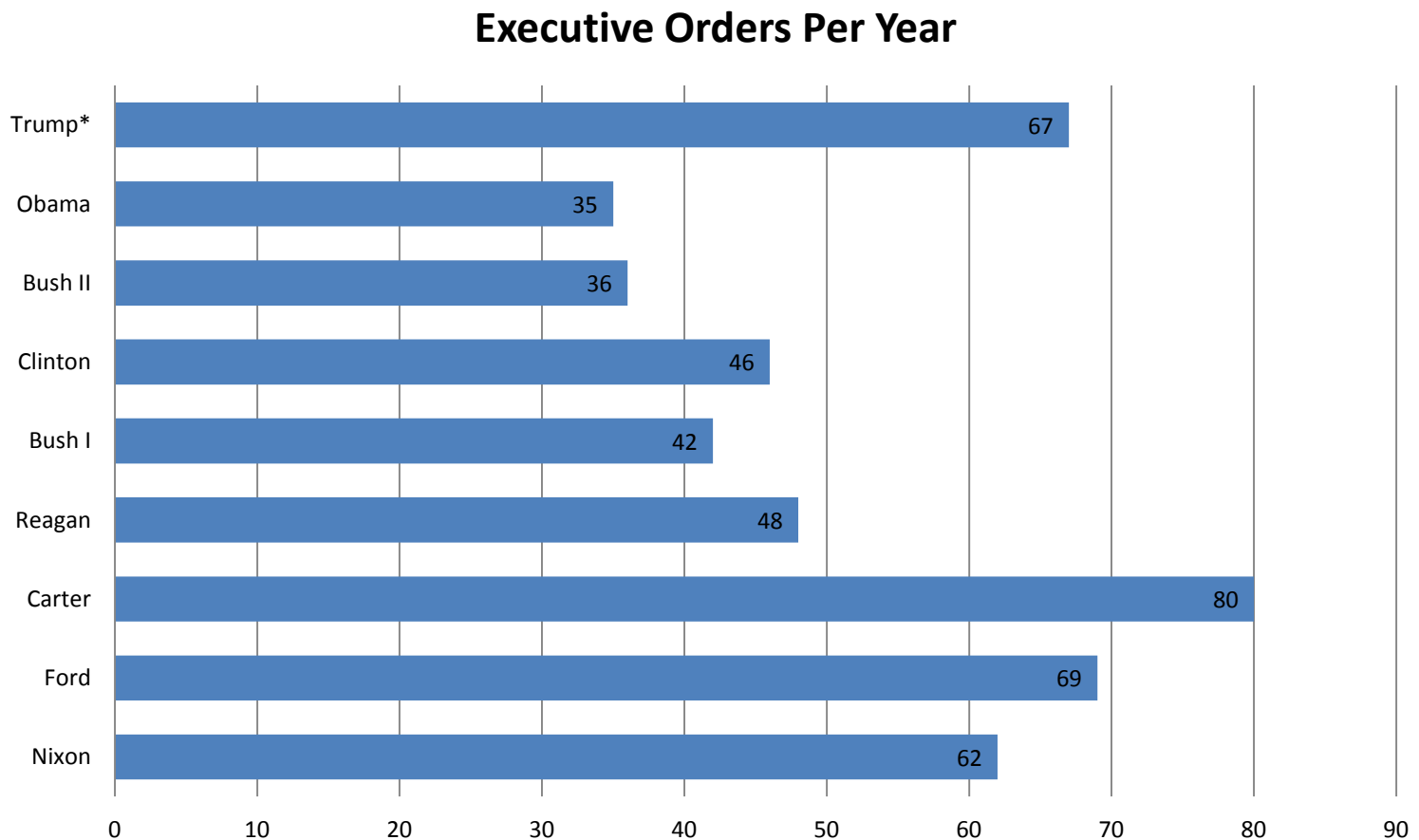
- Job Creation
- Policies to Promote Infrastructure and Industry
- Customer Service Mentality



Source: <http://www.studentprintz.com/wp-content/uploads/2015/08/OX4A4606web.jpg>

REVERSE OBAMA POLICIES

Aggressive Use of EOs, Presidential Memo, and CRA



* Through Sept. 20, 2017. Source: <http://www.presidency.ucsb.edu/data/orders.php>

RULE (MOSTLY) BY EXECUTIVE ACTION

Water

Stream Protection (CRA)
WOTUS (EO)

Endangered Species Mitigation/HCP Policies (EO)

Climate Change Energy Independence (EO)

Public Lands BLM 2.0 (CRA)

Permitting

One Federal Decision (EO)
High Priority Infrastructure (EO)
Keystone Pipeline (PM)
Dakota Pipeline (PM)



Source: https://upload.wikimedia.org/wikipedia/commons/7/70/U.S._President_Donald_Trump_signed_executive_orders_in_White_House_Oval_Office_on_January_23%2C_2017.jpg

Red Tape

Pay as You Go / “2 for 1” Rule (EO)
Regulatory Reform Task Force (EO)

LIMITATIONS OF EXECUTIVE ORDERS

- Authorized by the Constitution or a valid congressional statute
- Check on Executive Overreach:

Federal Judiciary and Congress



DECONSTRUCTING THE ADMINISTRATIVE STATE

In 3 Easy (?) Steps

Step 1: Change Leadership - Key Appointments

Step 2: Enact Regulatory Reform

Step 3: Defund Agencies

PRUITT'S AGENDA- “BACK TO BASICS?”

- ✓ Centralize Power Away from EPA Regions
- ✓ Delegate Regulation and Enforcement to States aka “Cooperative Federalism”
- ✓ Regulatory Review and Cost-Benefit Analysis
- ✗ Sue-and-Settle Gone
- ✗ Cut Red Tape
- ✗ Climate Change
- ✗ Settle, Seek Abeyance, or Passive Defense of Inherited Cases

INTERIOR'S NEW SHERIFF



Source: <http://www.wideopenpets.com/the-new-interior-secretary-rode-a-horse-to-work/>

- Welcome Western, Land-Based Business to the Table in D.C
- Promote (All) Domestic Energy

Federal Lands: **Multiple-Use Means Multiple-Use**

FIXING THE COURTS

The Gorsuch effect?

Re-evaluation of
Chevron Deference to
Agency Interpretations



Will this be counter-productive to interests of permittees?

PREDICTIONS

- Agency staff resistance
- Rise of the Judiciary
- Interim
confusion/chaos/
unintended delay
- New Legislative
Reforms



QUESTIONS?



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