

University of Michigan Law School

University of Michigan Law School Scholarship Repository

Book Chapters

Faculty Scholarship

2019

Trump, Donald: Environmental Policy of,

Howard J. Bromberg

University of Michigan Law School, hbromber@umich.edu

Available at: https://repository.law.umich.edu/book_chapters/421

Follow this and additional works at: https://repository.law.umich.edu/book_chapters



Part of the [Environmental Law Commons](#), and the [Environmental Policy Commons](#)

Publication Information & Recommended Citation

Bromberg, Howard. "Trump, Donald: Environmental Policy of." In *Encyclopedia of Global Resources*. 2nd ed., edited by Craig W. Allin. Pasadena, Calif.: Salem Press, 2019.

This Book Chapter is brought to you for free and open access by the Faculty Scholarship at University of Michigan Law School Scholarship Repository. It has been accepted for inclusion in Book Chapters by an authorized administrator of University of Michigan Law School Scholarship Repository. For more information, please contact mlaw.repository@umich.edu.

ENCYCLOPEDIA OF
GLOBAL RESOURCES

Third Edition

Volume 4

Editor

Marianne Moss Madsen

University of Utah

SALEM PRESS

A Division of EBSCO Information Services, Inc.

Ipswich, Massachusetts

GREY HOUSE PUBLISHING

INDIANA UNIVERSITY
LIBRARIES
BLOOMINGTON

Cover photo: iStock/YinYang. Lake Moraine, Banff National Park Emerald Water Landscape, Alberta, Canada.

Copyright © 2019, by Salem Press, A Division of EBSCO Information Services, Inc., and Grey House Publishing, Inc.

Encyclopedia of Global Resources, Third Edition, published by Grey House Publishing, Inc., Amenia, NY, under exclusive license from EBSCO Information Services, Inc.

All rights reserved. No part of this work may be used or reproduced in any manner whatsoever or transmitted in any form or by any means, electronic or mechanical, including photocopy, recording, or any information storage and retrieval system, without written permission from the copyright owner. For information, contact Grey House Publishing/Salem Press, 4919 Route 22, PO Box 56, Amenia, NY 12501.

∞ The paper used in these volumes conforms to the American National Standard for Permanence of Paper for Printed Library Materials, Z39.48 1992 (R2009).

Publisher's Cataloging-In-Publication Data
(Prepared by The Donohue Group, Inc.)

Names: Madsen, Marianne Moss, editor.

Title: Encyclopedia of global resources / editor, Marianne Moss Madsen.

Description: Third edition. | Ipswich, Massachusetts : Salem Press, a division of EBSCO Information Services, Inc. ; Amenia, NY : Grey House Publishing, [2019] | Includes bibliographical references and index.

Identifiers: ISBN 9781642650563 (set) | ISBN 9781642653403 (v. 1) | ISBN 9781642653410 (v. 2) | ISBN 9781642653427 (v. 3) | ISBN 9781642653434 (v. 4) | ISBN 9781642650570 (ebook)

Subjects: LCSH: Natural resources—Encyclopedias. | LCGFT: Encyclopedias.

Classification: LCC HC85 .E49 2019 (print) | LCC HC85 (ebook) | DDC 333.703—dc23

FIRST PRINTING

PRINTED IN THE UNITED STATES OF AMERICA

Trump, Donald

BORN: June 14, 1946

BIRTHPLACE: Queens, New York

*Businessman and U.S. president Donald John Trump was born in Queens, New York, to Frederick (Fred) Trump and Mary MacLeod. Fred Trump, a real estate developer, brought Donald into the family real estate business. Through his business operations, Trump became a billionaire. Donald also became a television celebrity with the reality show *The Apprentice*. In one of the most unpredictable elections in American history, Trump became the 45th president of the United States. His administration aggressively promoted development of oil, gas, mineral, and coal resources. In doing so, he revoked numerous environmental protections.*

BIOGRAPHICAL BACKGROUND

Donald John Trump was born in Queens, New York, to Frederick (Fred) Trump and Mary MacLeod. Donald attended the New York Military Academy, a private boarding school. Subsequently he attended Fordham University, later transferring to the University of Pennsylvania. Fred Trump, a real estate developer, brought Donald into the family real estate business. Trump became the owner of Atlantic City casinos and developed hotels, golf courses, and condominiums. Despite several business bankruptcies, he built personal wealth in the billions of dollars. He became a television celebrity with the reality show, *The Apprentice*. Trump's flamboyant personal life of wives, mistresses, and mansions enhanced his celebrity status. In one of the most unpredictable elections in American history, Trump became the Republican Party presidential nominee and the 45th president of the United States on January 20, 2019.

IMPACT ON RESOURCE USE

Trump won a surprising and narrow victory in the 2016 presidential election. One of his campaign



Donald Trump (Shealah Craighead/White House, via Wikimedia Commons)

promises was to double U.S. economic output from two percent to four percent, for example, by reinvigorating the coal industry. In this context, he sometimes mentioned rolling back environmental regulations, but it was not a central theme of his campaign. Environmental deregulation was traditionally popular with many Republican voters, but not necessarily with the majority of Americans. Losing the popular vote by several millions of votes, President Trump did not have the kind of political mandate that pundits believe necessary for radical reform. Nevertheless, it became evident within a few days of his inauguration on January 20, 2017, that Trump would reverse course as to the environment. He acted aggressively not only to dismantle the environmental legacy of President Barack Obama, his predecessor, but longstanding environmental protections as well.

His energy policies, which Trump labeled the "America First Energy Plan," and his environmental deregulation would become one of the distinctive hallmarks of the first two years of the Trump administration. Almost from the first day in office, the Trump administration issued a steady stream of executive orders, rule changes, and regulatory actions on these issues. His approach to natural resources was marked by three characteristics. First, he fully embraced a

pro-business, pro-industry approach to federal lands and resources. As with most of his agenda, Trump did not seek a consensus among the American people but instead sought to satisfy the plurality that elected him. He proposed a rapid increase of development on public lands and revival private industries that had been restricted because of their reliance on fossil fuels, such as the coal industry. Second, his directives took direct aim at the policies Obama had put in place. This entailed revoking most of the environmental protections that had been implemented in the years 2009 to 2016. Third, Trump selected, as heads of natural resource agencies, men who were vociferous critics of the same agencies. In line with these appointments, Trump cut the budgets of agencies protecting federal resources and the environment.

There is hardly a middle ground in viewing Trump's agenda on these issues. For environmentalists, Trump's agenda threatened America's landscape and the health of all Americans. For supporters, Trump was unburdening American resources, tied up by decades of bureaucracy and antigrowth environmentalism. They believed that massive deregulation would restore America's place as the world's greatest industrial power.

DEPARTMENT OF ENERGY AND CLIMATE CHANGE

Trump appointed Rich Perry as Secretary of the Department of Energy. Perry was the former long-term governor of Texas—an energy-rich state—who had called for abolishing the Department of Energy. Nevertheless, he operated the department in efficient fashion, avoiding the scandalous accusations leveled against other Trump appointments. The United States had developed vast new energy resources in the 21st century from oil technology, shale deposits, fracking, and natural gas. Trump and Perry talked of the United States obtaining energy independence, even “energy dominance” in the world. Trump claimed that reviving America's coal and nuclear power plants was necessary to accomplish this goal. He directed Perry to prevent shuttering of coal and nuclear plants throughout the country. Trump canceled funding for NASA's Carbon Monitoring System. The Trump Administration granted a building permit to the Keystone XL pipeline, which the Obama administration had denied. If built, the 1200-mile pipeline would have the capacity to

transport 800,000 of crude oil per day from the Athabasca oil sands in Alberta, Canada to U.S. refineries. However, actual construction was tied up in court challenges on environmental grounds. Permits were given to build natural gas pipelines in other national parks.

Perhaps the most distinctive action of Trump as to energy policy was withdrawing from the 2015 Paris Agreement on Climate Change. The Paris Agreement was a signature environmental achievement of Obama, in which 197 nations agreed to lower carbon emissions to fight global warming. Calling climate change a hoax, Trump announced the withdrawal of the United States from the Agreement on June 1, 2017.

ENVIRONMENTAL PROTECTION AGENCY AND POLLUTANTS

Trump appointed Scott Pruitt as Administrator of the Environmental Protection Agency (EPA). The EPA is the federal agency tasked with protecting the environment. Believing that environmental regulations had gone too far in inhibiting American industry, Trump and Pruitt unleashed a torrent of rules and reversals that decimated Obama's anti-pollution record. For example, the EPA rescinded the 2015 Clean Power Plan, which limited carbon dioxide emissions from coal power plants. The EPA rolled back provisions of the Clean Water Act, for example, excluding many tributaries, streams, and wetlands from the protections accorded statutorily defined “waters.” The EPA downscaled Obama administration rules aimed at increasing automobile efficiency. The Obama rule targeted an automobile efficiency at 54 miles per gallon; the new EPA rule set the goal at 34 miles per gallon. Other EPA reversals included eliminating the Particulate Matter Review Board, deleting content on the EPA website that referenced climate change, and ending Obama-era restrictions on methane gas emissions from oil and gas operations. As to the EPA rules that remained in force, the EPA cut back on enforcement. Although Trump praised Pruitt for his aggressive reversal of Obama policy, he had to remove Pruitt from office in 2018 ethical violations, such as requiring his staff to supply personal help for his household, spending

hundreds of thousands of dollars on first-class flights, and using his influence to obtain a job for his wife.

DEPARTMENT OF INTERIOR AND PUBLIC LAND USE

Ryan Zinke, congressman from Montana, was President Trump's choice as Secretary of the Department of the Interior. The Department of the Interior, and in particular its sub agency, the Bureau of Land Management, has oversight of vast acres of publicly-owned land, constituting one-eighth of the nation's land mass. The Bureau of Land Management follows a policy known as multiple-use sustained yield, in which a balance is struck between, on the one hand, conserving federal land as wilderness and for recreational purposes, protecting American Indian rights, and fostering archeological practices, and, on the other hand, using available natural resources such as oil, gas, minerals, and timber. There is a certain tension between conservation and utilization of resources. The Trump Administration made no secret that it favored utilization of resources over conservation, claiming that energy development on federal land would boost the economy and that some conservation rules had become counter-productive. To carry out this agenda, the Bureau of land Management proposed the largest auction of oil and gas leasing in American history, covering 77 million acres of off-shore oil deposits. President Trump issued an executive order allowing increased oil, gas, and coal development at 27 national monuments. A moratorium on new coal leases on federal land was revoked. Similarly, Trump reduced, by an unprecedented 85 percent, the acreage at the Bears Ears National Monument, which had been designated a monument by Obama. Reversing an Obama moratorium, Zinke authorized drilling in all offshore coastal areas, with the exception of Florida. Millions of acres of federal land were opened for various mining operations, including uranium. However, Zinke extended a ban on mining in Montana's Paradise Valley. Obama-era regulations to collect royalties by coal and petroleum developers were reduced. In December 2018, Trump issued an executive order to expand logging on public lands. The Republican tax law of 2017 opened the Arctic National Wildlife Refuge to oil and gas drilling, although freezing waters could hamper oil-spill clean-up operations. As to wildlife species, the Department of Interior proposed sweeping changes to the 1973 Endangered Species

Act. These changes factored the costs to industry in the decision as to designating animal species as protected species. Along those lines, oil and gas drilling was permitted on lands that threatened the endangered sage-grouse bird. Like Pruitt, however, Secretary Zinke was compelled to resign in 2018 for ethical violations.

Some local and state officials applauded the Trump Administration for relinquishing control of federal lands to local government and industry. Conservative groups praised Trump for fostering the American system of federalism, in relinquishing control or resources gained by federal overreach. Other state officials, however, following the lead of California, New York, and numerous environmental groups, filed hundreds of lawsuits challenging the legality of Trump's environmental policies. These lawsuits alleged that many of the actions of the EPA and the Department of the Interior were overbroad in their reversal of anti-pollutant precedents, represented a refusal to enforce their own agency standards, would irreparably harm the environment, and could cause toxin-related disease and death to thousands of Americans.

Howard Bromberg

FURTHER READING

- Cutler, David and Francesca Dominici. “A Breath of Bad Air: Cost of the Trump Environmental Agenda May Lead to 80 000 Extra Deaths per Decade.” *JAMA (Journal of the American Medical Association)*. 319(22): 2261–2262. 2018. doi:10.1001/jama.2018.7351
- Koh, Harold. *The Trump Administration and International Law*. New York: Oxford University Press. 2019.
- Percival, Robert et al. *Environmental Regulation: Law, Science, and Policy*, 8th ed. New York: Wolters Kluwer, Aspen Publishers, 2018.
- Percival, Robert, “Environmental Law in the Trump Administration.” *4 Emory Corporate Governance and Accountability Review* 225 (2017).
- Trump, Donald. *Great Again: How to Fix Our Crippled America*. New York: Simon & Schuster. 2015.
- Turner, James and Andrew Isenberg. *The Republican Reversal: Conservatives and the Environment from Nixon to Trump*. Cambridge University Press; Massachusetts. 2018.