



COUNSEL TO GREAT COMPANIES

OSB Environmental & Natural Resources Section

Changes in Environmental Law under the Trump Administration

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What We Will Cover

- **Laura Kerr:** Overview of Changes in Environmental Law under the Trump Administration
- **Susan Jane Brown and Travis Joseph:** Changes to the National Environmental Policy Act (NEPA) and other federal natural resources laws
- **Zak Kearns:** Changes in climate policy

What I Will Cover

- **Executive Actions Shaping Environmental Law**
- **Reversing or Weakening of Existing Environmental Regulation**
- **Federal Enforcement Trends**
- **Funding for Federal Agencies**

Executive Actions Shaping Environmental Law

- **Executive Actions may include:**
 - Executive Orders
 - Presidential Memoranda
 - Proclamations
 - Overturning of past executive actions
- **Trump's Executive Actions to Date**
- **Example:**
 - Executive Order 13771: “Presidential Executive Order on Reducing Regulation and Controlling Regulatory Costs” (January 30, 2017)

Reversing and Weakening of Existing Regulation

- **Tactics used by federal agencies include:**
 - delaying the implementation of rules;
 - reversing rules through subsequent rulemaking; and
 - declining to defend agency rules
- **Potential Roadblock: The Federal Judiciary**
- **Examples:**
 - Waters of the United States Rule
 - Regulation of methane emissions in the oil and gas industry
- **How has Oregon responded?**

Federal Enforcement Trends

- Federal Enforcement Priorities
- Federal Enforcement Trends
 - More limited enforcement role
 - Less aggressive enforcement
 - Reduced oversight of state enforcement programs
- Example:
 - Harley-Davidson Clean Air Act Settlement
- Impact in Oregon

Funding for Federal Agencies

- Trump's FY 2018 Budget Proposal
 - “A New Foundation for American Greatness”
- Agency Budgets for FY 2018
- Potential Impacts in Oregon

Questions?



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