

Trump strips California of power to set auto emission standards

18 September 2019



The White House has stripped California of its right to set its own vehicle emissions standards and banned other states from setting similar rules.

The waiver allowed the state - America's most populous - to set stricter standards than the federal government.

President Trump says the move will cut car prices and the impact on emissions will be minimal.

But it is likely to spark a legal battle over states' rights.

California has already taken steps to block the administration's efforts.

"We will fight this latest attempt and defend our clean car standards," said Governor Gavin Newsom in a statement on Tuesday.

This is the latest clash between the Republican president and the state, a West Coast fortress of liberal Democrats.

Skip Twitter post by @realDonaldTrump



Donald J. Trump



@realDonaldTrump

Replying to @realDonaldTrump

...far safer and much less expensive. Many more cars will be produced under the new and uniform standard, meaning significantly more JOBS, JOBS, JOBS! Automakers should seize this opportunity because without this alternative to California, you will be out of business.

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End of Twitter post by @realDonaldTrump

Report

What do the rules mean?

California's ability to set its own rules dates back to the 1970s when Los Angeles was blanketed in choking smog.

The state was allowed to set tougher emission standards than the federal government as long as it could provide a compelling reason for why such a waiver was needed. In 1977, other states were allowed to adopt California's stricter standards.

The Golden State's rules have largely become the de-facto benchmark nationwide because car manufacturers do not design different sets of vehicles to meet standards in other states. The state accounts for about 12% of all vehicle sales.

Emissions control methods first used in California, such as catalytic converters and regulations on oxides of nitrogen, have become commonplace throughout the US.

Thirteen other states and the District of Columbia have already adopted California's stricter exhaust pipe greenhouse gas standards - together representing about a third of the US car market.



The Los Angeles skyline, shrouded in smog

In July, under the waiver system, California conducted secret negotiations with Ford, Honda, Volkswagen and BMW of North America.

The car-makers pledged to produce fleets meeting a standard of 50 miles per US gallon (4.7 litres per 100km), against the current 37 mpg level, by 2026.

Increased fuel efficiency means vehicles burn less petrol and emit fewer greenhouse gases into the atmosphere.

Emissions from transportation, including cars and trucks, are the largest single source of greenhouse gases in the US, according to the US government.

But some analysts expect manufacturers to wait for the outcome of litigation on the new standards before they make any changes to their cars.

Trump and the environment

Mr Trump's announcement is his latest move to roll back Obama-era environmental protections.

In June 2017, Mr Trump pulled the US out of the Paris Agreement, a climate pact forged under his predecessor involving nearly 200 countries.

In December of last year, under guidance from the White House, the Department of the Interior unveiled plans to allow oil drilling on millions of acres that have been off-limits to protect the greater sage grouse, a near-threatened species that spans 10 states in the US. That same month, the Environmental Protection Agency (EPA) said it would end rules limiting carbon emissions on new coal plants, soon after the president dismissed a report by his own government warning of future devastating economic consequences to the US from climate change.



Climate change: How 1.5C could change the world

Also under Mr Trump, federal bodies have supported freezing emissions requirements for new cars and trucks at 2020 levels until 2026. The administration was reportedly planning to issue separate rules to reverse Obama-era fuel economy requirements in the next few weeks. Globally, the US was last year ranked 10 out of 180 countries in terms of air quality and 27th in overall environmental performance, **according to a Yale University study**.

Trump v California, again



Analysis

By Anthony Zurcher

North America reporter

The state of California is a giant, Democrat-blue thorn in Donald Trump's side. Its new governor, Gavin Newsom, has been an outspoken critic of the president. Its attorney general, Xavier Becerra, has launched a fusillade of legal challenges to White House policies. In 2018, California voters overwhelmingly opted for Democratic congressional candidates, helping to wrest control of the US House of Representatives away from the Republican Party. California, in effect, has positioned itself as the progressive counterpoint to Trump's conservative politics - a case study in how to do things differently on a wide range of policies, including healthcare, the environment, immigration and education. Now the president - who seems to take every bit of criticism personally - is pushing back. Car regulations are one of the ways California, by itself one of the world's largest economies, can effectively set national standards regardless of federal action. With this attempt to clip the state's wings, Mr Trump is sending a message about who calls the shots. He's also upping his criticism of California's growing homeless problem - suggesting the progressive model has some glaring flaws. California Democrats aren't going to go down without a fight, however - one that will surely end up in the courts. This episode is simply the latest chapter in a dispute that is far from over.

What's the response?

Governor Newsom called the president's announcement "a failed attempt to assert power" and "a continuation of a political vendetta against CA and our progress".
Skip Twitter post by @GavinNewsom



Gavin Newsom



@GavinNewsom

Today's actions represent another act in Donald Trump's political theater. A failed attempt to assert power. A continuation of a political vendetta against CA and our progress.

Bad news for him -- we will prevail. See you in court.

<https://twitter.com/ABCPolitics/status/1174358165502058496>



ABC News Politics



@ABCPolitics

"We will prevail!"

California Gov. Gavin Newsom says President Trump revoking California's waiver on emissions standards is an "aggressive move against the state" and a "demonstrable move to assert power and dominance"
[http://
abcn.ws/30wpWq5](http://abcn.ws/30wpWq5)



4,452
4:53 AM - Sep 19, 2019
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End of Twitter post by @GavinNewsom

Report

Echoing the governor, California Attorney General Xavier Becerra vowed to head back to court. Mr Becerra has already sued the White House more than 50 times on a variety of issues including the proposed border wall, the reversal of the Affordable Care Act, and other environmental standards. At a press conference in Sacramento on Wednesday, Mr Becerra took a veiled jab at Republicans. "Our message to those who claim to support states' rights is, 'Don't trample on ours,'" Mr Becerra said. "We cannot afford to backslide in our battle against climate change." Among car manufacturers, Mr Trump's decision could prompt a split reaction. Though automakers had previously lobbied the White House to relax standing environmental regulations, some manufacturers are reportedly worried that the legal challenges expected to result from the administration's intervention will add to existing market turmoil. Moreover, some carmakers contend that without significant increases in fuel efficiency, US vehicles will be less competitive globally, ultimately resulting in job loss. Public support for stricter greenhouse gas emissions is strong. And according to a Washington Post-Kaiser Family Foundation poll released last week, 67% of Americans say they support state governments setting stricter fuel efficiency targets than the federal government.



Governor of California Gavin Newsom has said he will fight any challenge from the White House

Trump revokes waiver for California to set higher auto emissions standards

By [Kevin Liptak](#) and [Gregory Wallace](#), CNN

Updated 2109 GMT (0509 HKT) September 18, 2019

Washington (CNN) President [Donald Trump](#) announced Wednesday he was revoking California's authority to set its own vehicle emission standards, the latest move in the Trump administration's ongoing fight with the Golden State and attempts to chip away at former President Barack Obama's environmental

legacy.

"The Trump Administration is revoking California's Federal Waiver on emissions in order to produce far less expensive cars for the consumer, while at the same time making the cars substantially SAFER," [Trump tweeted](#).

The President made the announcement while visiting California for fundraisers. He was in his hotel in Los Angeles when he sent the tweets.

California's waiver under the Clean Air Act allowed it to set standards tighter than the federal standards, which have been adopted by more than a dozen states and became the de-facto nationwide standard, because automakers do not design different sets of vehicles to meet different standards in different states.

The Trump administration has long been at odds with California, especially on environmental issues. Talks between California environmental regulators and the administration broke down earlier this year. Yet this summer, the state negotiated an agreement with several automakers to design cars to meet standards higher than those set by the federal government.

Gov. Gavin Newsom, a Democrat, said on Tuesday the Trump administration "has abdicated its responsibility to the rest of the world on cutting emissions and fighting global warming" and is acting "on a political vendetta."

The state's attorney general threatened a lawsuit if the administration goes through with the plan.

Attorney General Xavier Becerra said at a news conference following the announcement that the administration's plan is "desperate."

The Trump administration is also working on replacing Obama-era federal vehicle-emission standards.

"This will lead to more production because of this pricing and safety advantage, and also due to the fact that older, highly polluting cars, will be replaced by new, extremely environmentally friendly cars," Trump wrote in an additional tweet. "There will be very little difference in emissions between the California Standard and the new U.S. Standard, but the cars will be far safer and much less expensive."

"Many more cars will be produced under the new and uniform standard, meaning significantly more JOBS, JOBS, JOBS! Automakers should seize this opportunity because without this alternative to California, you will be out of business," he added.

"We embrace federalism and the role of the states, but federalism does not mean that one state can dictate standards for the nation," Environmental Protection Agency Administrator Andrew Wheeler said Tuesday.

The Auto Alliance, an industry group that contends the Obama-era standards were unrealistic, said it would take a closer look at the Trump administration's approach.

"Automakers support year-over-year increases in fuel economy standards that align with marketplace realities, and we support one national program as the best path to preserve good auto jobs, keep new vehicles affordable for more Americans and avoid a marketplace with different standards," said Dave Schwietert, the group's interim CEO and president.

Jeff Alson, who spent four decades at the EPA including in the Office of Transportation and Air Quality, said "there is no legal basis" for revoking the waiver.

"If the courts allow this unprecedented reversal, and the Trump EPA massively rolls back the federal Clean Car Standards, then President Trump will have done more to destroy the planet than any other president in history," said Alson, who is now with the Environmental Protection Network, a group of former agency employees.

This story is breaking and will be updated.

Trump angered environmentalists from the get-go
02:31

Trump's rollback of climate change regulations will be felt far beyond his presidency

By [Drew Kann](#), CNN

Video by Lacey Russell and Alex King, CNN

Updated 1433 GMT (2233 HKT) September 4, 2019

(CNN)In almost every corner of his administration, President Donald Trump has veered sharply from the policies of his predecessor -- and even past Republicans.

But his rollback of regulations designed to limit global warming is one of the clearest ways he has worked to erase a cornerstone of President Barack Obama's legacy.

From [promising to leave the landmark Paris climate accord](#) to [relaxing restrictions on power plant emissions](#), Trump has attempted to remove many of the guardrails installed by the Obama administration to limit the emissions of greenhouse gases.

These rollbacks come at a critical time. Earth just endured [its hottest month on record](#), and [Greenland's massive ice sheet is melting an alarming rate](#).

Last fall, the world's top climate scientists warned that [we have barely more than a decade to drastically cut global carbon emissions](#), to avoid facing the worst consequences of the [climate crisis](#) -- droughts, wildfires and food shortages impacting hundreds of millions of people.

Regardless of what happens in the 2020 presidential election, critics say Trump has already cemented an environmental legacy that will be felt by generations to come.

"He is locking in permanent, irreversible damage to our environment through his irresponsible environmental policies, including his efforts to block progress on climate change," said Dr. Michael E. Mann, distinguished professor of atmospheric science at Penn State University and the director of the Penn State Earth System Science Center. "Once we go beyond key tipping points -- the melting of the major ice sheets -- there is no going back."

Here's a look at some of Trump's most consequential climate policy rollbacks:

Weakening fuel economy standards

Last year, [the New York Times reported that the Trump administration was seeking to relax fuel efficiency and greenhouse gas emissions benchmarks](#), a shift that would stamp out one of Obama's signature climate initiatives.

If the proposed change goes into effect, it could have profound consequences for the planet: Transportation emits more greenhouse gases than any other sector of the US economy, [according to the Environmental Protection Agency](#).

But California and several other states have [sued to block the change](#), and there are signs that [even some automakers are not on board with Trump's rollbacks](#).

Replacing the Clean Power Plan

In a boost to electrical utilities and the struggling coal industry, Trump's move to replace Obama's Clean Power Plan (CPP) could have serious consequences for the health of humans and the planet.

The CPP placed [flexible limits on carbon dioxide emissions from power plants](#) and according to analysis by Obama's EPA, would have reduced CO2 emissions from power generators by 32 percent compared to 2005 levels by 2030.



A coal plant near Baltimore spews emissions.

Trump's replacement for the CPP is called the Affordable Clean Energy rule and allows states to set their own emissions standards for coal-fueled power plants. Earlier this year, EPA Administrator Andrew Wheeler touted the plan, saying it gives power companies "the regulatory certainty they need to continue to reduce emissions and provide affordable and reliable energy for all Americans."

But the new rule could cost American lives. By EPA's own analysis, Trump's rule could result in 1,400 more premature deaths by 2030 than under the CPP. [Many states and cities are also suing to block the new regulations](#) from going into effect.

Opening public lands and waters offshore to oil and gas drilling

Many scientists warn that keeping fossil fuels in the ground is critical to tackling the climate crisis. But the Trump administration has moved the US in the opposite direction, opening vast stretches of land and water offshore to oil and gas drilling.

In 2017, the administration shrank two of Utah's national monuments -- Grand-Staircase Escalante National Monument and Bear Ears -- by 51% and 85% respectively. The moves took land areas spanning twice the size of Rhode Island out of protected status and [was part of the largest reduction of public lands in US history](#), according to a study published in the journal Science. The changes open the areas removed from the national monuments to oil and gas development, but both decisions face challenges in court.



The vast wilderness of the Arctic National Wildlife Reserve is seen from a plane.

The administration has also [pushed to open Alaska's Arctic National Wildlife Refuge to oil and gas exploration](#), as well as [waters offshore along the East and Pacific coasts, and the Arctic](#).

"The pipeline projects potentially lock in long term extraction of natural gas and petroleum, and therefore have a very long legacy that will extend beyond the next administration," Mann said.

Pulling out of the Paris climate agreement

[Trump's 2017 decision to pull the US out of the landmark Paris climate accord](#) that was agreed to by nearly all of the world's countries was a major blow to the global response to the climate crisis.

The decision sent a message to the rest of the world that the US -- which can legally leave the agreement as early as 2020 -- would not be leading the global fight against climate change. And studies have shown the decision has had global implications: a report last year found that [Trump's decision has made it easier for other countries to renege on their climate commitments](#).

Loosening restrictions on methane emissions

Just last week, Trump's EPA announced that it would [no longer require oil and gas companies to install monitors that detect methane leaks](#) from new wells, tanks and pipelines.



A fracking rig near Waynesburg, Pa. is shown in 2012.

At a time when the [US has become the world's biggest natural gas and oil producer](#), the move is significant because of the potency of methane's heat trapping capabilities. Though the gas doesn't last in the atmosphere as long as CO₂, one ton of methane has [84 to 87 times more global warming potential than the same amount of CO₂ over a 20-year period](#).

Delaying ratification of a treaty on hydrofluorocarbons

Another key global agreement to limit planet-warming gases went into effect earlier this year, but [Trump has yet to send it to the Senate to ratify it](#). The treaty is called the Kigali Amendment, and it deals with a little-known but highly potent class of greenhouse gases called [hydrofluorocarbons \(HFCs\)](#), which are used in refrigerators and air conditioners. The gases are sometimes called "super greenhouse gases" because of their capacity to trap huge amounts of heat in the atmosphere - they have [more than 1,000 times greater warming potential than carbon dioxide](#).

The climate change solutions organization Project Drawdown has found that phasing out these chemicals would be [the most impactful solution to stop global warming](#) -- more than eating less meat, driving electric cars or switching to renewable energy.

Trump to Revoke California's Authority to Set Stricter Auto Emissions Rules



David Paul Morris/Bloomberg

By **Coral Davenport**
Sept. 17, 2019

WASHINGTON — The Trump administration is expected on Wednesday to formally revoke California's authority to set auto emissions rules that are stricter than federal standards, taking a major step forward in its wide-ranging attack on government efforts to fight climate change.

The formal abolishment of one of California's signature environmental policies — tailpipe pollution is the largest source of greenhouse gas emissions in the United States — will be announced Wednesday afternoon at the Washington headquarters of the Environmental Protection Agency, according to two people familiar with the matter. Mr. Trump at the time will be traveling in California, where he is scheduled to attend fund-raisers in Los Angeles and Silicon Valley.

Lawyers said the action takes the administration into uncharted legal territory in its battle with the state, which has vowed to fight the change all the way to the Supreme Court.

"This is unprecedented and a tremendously big deal," said Richard L. Revesz, a professor of environmental law at New York University, noting that no administration has ever revoked a state's authority to regulate its own air quality in the past.

In a speech on Tuesday, Andrew Wheeler, the head of the E.P.A., said, "We embrace federalism and the role of the states, but federalism does not mean that one state can dictate standards for the nation."

On Wednesday morning, Mr. Trump [posted on Twitter a defense](#) of the plan to revoke California's authority.

The attack on California is only the latest in a broad array of efforts to weaken climate change regulations by a president who has repeatedly expressed skepticism about the scientific consensus that global warming is human-caused. The administration plans to [weaken auto emissions standards nationwide](#), has rolled back [rules governing coal-burning power plants](#) and [eased restrictions on energy companies governing leaks of methane](#), a powerful greenhouse gas.

A revocation of the California waiver would have national significance. Thirteen other states follow California's tighter standards, together representing roughly a third of the national auto market.

Legal experts said that if Mr. Trump's move was ultimately held up by the Supreme Court, it could permanently block states from regulating vehicle greenhouse gas pollution. If it was rejected by the Supreme Court, it would allow states to set separate tailpipe pollution standards from those set by the federal government.

The outcome could split the United States auto market, with some states adhering to stricter pollution standards than others. For automakers, that would be a nightmare.

Opponents of the move noted that weakening California's authority on emissions is directly at odds with the administration's position on other vital issues — such as gun restrictions and abortion laws — that individual states have the right to set their own rules. "Trump has married his administration-wide hostility to the environment to his personal vendetta against California," said Dan Becker, director of the Safe Climate Campaign, an advocacy group.

A spokesman for the E.P.A. did not respond to an email requesting comment. In his speech to the National Automobile Dealers Association, Mr. Wheeler said the administration would soon be moving ahead with a single national vehicle pollution standard, suggesting that it would include the California revocation.

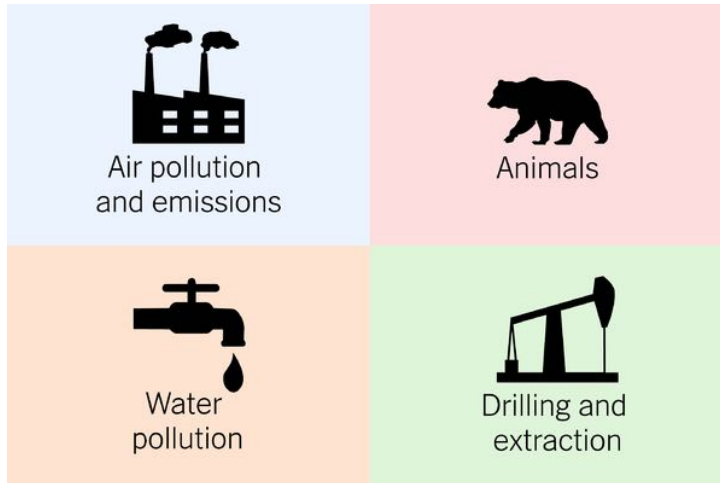
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The move has been widely expected since last summer, when the Trump administration unveiled its [draft plan to roll back](#) the strict federal fuel economy standards put in place by the Obama administration. That draft Trump rule also included a plan to revoke the state's legal waiver — granted to California under the 1970 Clean Air Act — allowing it to set tougher state-level standards than those put forth by the federal government.

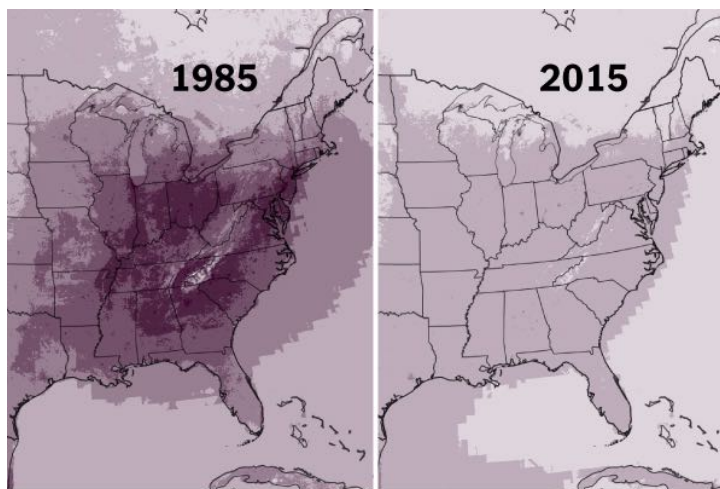
Xavier Becerra, the attorney general of California, said the state intends to strike back with a lawsuit. "While the White House clings to the past, automakers and American families embrace cleaner cars," he wrote in an email. He called the tougher standards "achievable, science-based, and a boon for hardworking American families and public health."

In recent months, the administration's broader weakening of nationwide auto-emissions standards has become plagued with delays as staff members struggled to prepare legal, technical or scientific justifications for it. As a result, the White House decided to proceed with just one piece of its plan — the move to strip California of its authority to set tougher standards — while delaying its wider strategy, according to these people.

The administration's plans have been further complicated because major automakers have told the White House that they do not want such an aggressive rollback. In July, four automakers formalized their opposition to Mr. Trump's plans by [signing a deal with California](#) to comply with tighter emissions standards if the broader rollback goes through.



America's Skies Have Gotten Clearer, but Millions Still Breathe Unhealthy Air. June 19, 2019



Mr. Trump, who was blindsided and angered by that announcement, according to two people familiar with the matter, wanted to press forward with a policy that would punish California.

"It's clear that the president felt very strongly about this," said Thomas J. Pyle, the president of the Institute for Energy Research, a think tank that supports fossil fuels, who advised Mr. Trump's 2016 campaign. "The actions of California and the other auto companies probably firmed up or hardened the president's resolve on this issue, so here we go."

The Obama-era tailpipe pollution rules that the administration hopes to weaken would require automakers to build vehicles that achieve an average fuel economy of 54.5 miles per gallon by 2025, cutting about six billion tons of carbon dioxide pollution over the lifetimes of those vehicles. The proposed Trump rule would lower the requirement to about 37 miles per gallon, allowing for most of that pollution to be emitted.

White House officials have been eager to move quickly to revoke California's authority to set its own standards because they want the opportunity to defend the effort in the Supreme Court before the end of Mr. Trump's first term. The thinking goes that if a Democrat were to be elected president in 2020, the federal government would be unlikely to defend revocation of the waiver in the high court.

California's special right to set its own tailpipe pollution rules dates to the 1970 Clean Air Act, the landmark federal legislation designed to fight air pollution nationwide. The law granted California the right to receive federal waivers to set stricter rules of its own because the state already had clean air legislation in place before it passed.

Over the decades, California requested and received numerous federal waivers to set tighter state-level standards on the tailpipe pollutants that cause smog and respiratory problems, though the federal government didn't always grant them.

The waiver in effect now was crafted in the wake of the 2008 financial crisis, when the nation's automakers were financially teetering. It was part of a deal struck by President Barack Obama to toughen emissions standards nationwide while aligning California's rules with federal regulations. It was designed to remain in effect until 2025.

Automakers, Rejecting Trump Pollution Rule, Strike

a Deal With California



The Trump administration had been working on a plan to drastically weaken Obama-era rules on planet-warming vehicle pollution.

Jenna Schoenefeld for The New York Times

By Coral Davenport and Hiroko Tabuchi
July 25, 2019

WASHINGTON — Four of the world’s largest automakers have struck a deal with California to reduce automobile emissions, siding with the state in its fight with President Trump over one of his most consequential regulatory rollbacks.

In coming weeks, the Trump administration is expected to all but eliminate an Obama-era regulation designed to reduce vehicle emissions that contribute to global warming. California and 13 other states have vowed to keep enforcing the stricter rules, potentially splitting the United States auto market in two.

With car companies facing the prospect of having to build two separate lineups of vehicles, they opened secretive talks with California regulators in which the automakers — Ford Motor Company, Volkswagen of America, Honda and BMW — won rules that are slightly less restrictive than the Obama standards and that they can apply to vehicles sold nationwide.

The agreement provides “much-needed regulatory certainty,” the companies said in a joint statement, while enabling them to “meet both federal and state requirements with a single national fleet, avoiding a patchwork of regulations.”

Under the agreement, the four automakers, which together make up about 30 percent of the United States auto market, would face slightly looser standard than the original Obama rule: Instead of reaching an average 54.5 miles per gallon by 2025, they would be required to hit about 51 miles per gallon by 2026.

The Trump administration has said it plans to roll back the Obama-era standard to about 37 miles per gallon.

Increasing fuel efficiency means vehicles burn less gas and subsequently emit less greenhouse gas pollution into the atmosphere.

Although California won the backing of the four companies in its showdown with the federal government, the Trump administration is still expected to try to revoke California’s right to set its own auto emissions standards. The state has vowed to fight that effort all the way to the Supreme Court if necessary, and the four automakers, by siding with California, are in effect voting that they expect California to win that battle.

On Thursday, Gov. Gavin Newsom of California said he was “very confident” that more automakers would join the deal in coming days, and one auto executive familiar with the negotiations agreed that was likely.

On Thursday morning, a wider group of automakers held a meeting to consider joining the pact, the executive said, although there were no immediate sign-ons. Ford, Honda, BMW and Volkswagen had initially decided to keep the group small, he said, because a wider group would have been more difficult to bring together, raising the prospect that word would get out and the deal would collapse.

An executive at another large automaker said his company was considering joining the agreement because it included meaningful concessions by California. The executive, who spoke on condition that neither he nor his company be identified, said that the Obama-era fuel economy standards were difficult for the industry to meet because car buyers increasingly prefer sport utility vehicles and pickup trucks that tend to have much lower fuel economy than sedans.

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Margo Oge, a former senior E.P.A. official who worked on auto emissions policy and now serves as an informal adviser to several auto companies, said, “I have been calling all these companies and telling them to cut a deal with California. I think G.M. and Toyota will also have the courage to sign on.”

Trump administration officials said the California deal would not stop their plans to put forward a new federal rule to allow more tailpipe pollution. The deal “has no impact on E.P.A.’s regulation of greenhouse gas emissions under the Clean Air Act,” wrote Michael Abboud, an E.P.A. spokesman, in an email. “This voluntary framework is a PR stunt that does nothing to further the one national standard that will provide certainty and relief for

American consumers.”

The new agreement would also give automakers more leeway in meeting the fuel economy standards through other means, like earning credits for fuel-saving technology.

Some environmental groups criticized the slower pace and expanded loopholes the deal awarded the automakers. “That means more pollution, less savings at the pump and a bad precedent for future standards,” said Daniel Becker, director of the Safe Climate Campaign at the Center for Auto Safety, a nonprofit group based in Washington.

The carmakers are addressing a crisis that is partly of their own making. Soon after Mr. Trump was elected, the chief executives of the United States’ Big Three auto companies — Ford, General Motors and Fiat Chrysler — met with Mr. Trump in the Oval Office and asked them to loosen the Obama emissions rules. But the automakers have since grown alarmed at the expanding scope of the administration’s plan.

But the gasoline refining industry, which would benefit from continued gasoline sales, [lobbied hard for a rollback](#) alongside groups that deny the science of climate change. One of those groups [called automakers the “opposition”](#) in policy debates over fuel economy and urged the Trump administration to stay its course.

The fight over emissions rules is just one of many between Mr. Trump and California, a state he seems to relish antagonizing and which has filed more than 50 lawsuits against the administration.

California has been looking for allies far and wide. In June, Canada, which has historically followed the United States’ federal auto pollution rules, [signed a clean-car deal with California](#) in what was seen as a step toward formally adopting the state’s standards.

Describing the deal with automakers, Daniel Lashof, the United States’ director of the World Resources Institute, a research organization, said: “This shows that state leadership is indispensable. That’s where the leadership is coming from right now in the U.S. on climate.”

For the automakers, siding with California against the Trump administration comes with risks. One auto executive familiar with the talks said that, particularly for foreign automakers, striking a deal with California risked retaliation, for example, in the form of tariffs. But that could be painful for domestic manufacturers as well, because many cars and components are now made or partly assembled across the border in Mexico or Canada.



Mary D. Nichols, chairwoman of the California Air Resources Board, in Fresno, Calif., last fall.
Credit
Gary Kazanjian/Associated Press

85 Environmental Rules Being Rolled Back Under Trump

By NADJA POPOVICH, LIVIA ALBECK-RIPKA and KENDRA PIERRE-LOUIS UPDATED Sept. 12, 2019

President Trump has made eliminating federal regulations [a priority](#). His administration, with help from Republicans in Congress, has often targeted environmental rules it sees as burdensome to the fossil fuel industry and other big businesses.

A New York Times analysis, based on research from [Harvard Law School](#), [Columbia Law School](#) and other sources, counts more than 80 environmental rules and regulations on the way out under Mr. Trump.

Our list represents two types of policy changes: rules that were officially reversed and rollbacks still in progress. The Trump administration has released an aggressive schedule to try to finalize many of these rollbacks this year.

	53 ROLLBACKS COMPLETED	32 ROLLBACKS IN PROCESS	85 TOTAL ROLLBACKS
Air pollution and emissions	10	14	24
Drilling and extraction	9	9	18
Infrastructure and planning	12	1	13

Animals	9	1	10
Toxic substances and safety	4	1	5
Water pollution	5	2	7
Other	4	4	8

The Trump administration has often used a “one-two punch” when rolling back environmental rules, said Caitlin McCoy, a fellow in the Environmental and Energy Law Program at Harvard Law School who tracks regulatory rollbacks. “First a delay rule to buy some time, and then a final substantive rule.”

But the process of rolling back regulations has not always been smooth. In some cases, the administration has failed to provide a strong legal argument in favor of proposed changes or agencies have skipped key steps in the rulemaking process, like notifying the public and asking for comment. In several cases, courts have ordered agencies to enforce their own rules.

Several environmental rules — summarized at the bottom of this page — were rolled back and then later reinstated, often [following legal challenges](#). Other rollbacks remain mired in court.

All told, the Trump administration’s environmental rollbacks could significantly increase greenhouse gas emissions and lead to thousands of extra deaths from poor air quality every year, according to a [recent report](#) prepared by New York University Law School’s State Energy and Environmental Impact Center.

Here are the details for each of the policies targeted by the administration so far.

Are there rollbacks we missed? Email climateteam@nytimes.com or tweet [@nytclimate](https://twitter.com/nytclimate).

Air pollution and emissions

COMPLETED

1. Canceled a requirement for oil and gas companies to **report methane emissions**.

Environmental Protection Agency | [Read more](#)

2. Revised and partially repealed an Obama-era rule limiting **methane emissions on public lands**, including intentional venting and flaring from drilling operations.

Interior Department | [Read more](#)

3. Loosened a Clinton-era rule designed to limit **toxic emissions from major industrial polluters**.

E.P.A. | [Read more](#)

4. Stopped enforcing a 2015 rule that prohibited the **use of hydrofluorocarbons**, powerful greenhouse gases, in air-conditioners and refrigerators.

E.P.A. | [Read more](#)

5. Repealed a requirement that state and regional authorities **track tailpipe emissions** from vehicles traveling on federal highways.

Transportation Department | [Read more](#)

6. Reverted to a weaker 2009 **pollution permitting program** for new power plants and expansions.

E.P.A. | [Read more](#)

7. Amended rules that govern **how refineries monitor pollution** in surrounding communities.

E.P.A. | [Read more](#)

8. Directed agencies to stop using an Obama-era calculation of the “**social cost of carbon**” that rulemakers used to estimate the long-term economic benefits of reducing carbon dioxide emissions.

Executive Order | [Read more](#)

9. Withdrew guidance that federal agencies include **greenhouse gas emissions in environmental reviews**. But several district courts have ruled that emissions must be included in such reviews.

Executive Order; Council on Environmental Quality | [Read more](#)

10. Lifted a summertime ban on the use of **E15, a gasoline blend made of 15 percent ethanol**. (Burning gasoline with a higher concentration of ethanol in hot conditions increases smog.)

E.P.A. | [Read more](#)

IN PROCESS

11. Proposed rules to end federal requirements that oil and gas companies **install technology** to inspect for and fix methane leaks from wells, pipelines and storage facilities.

E.P.A. | [Read more](#)

12. Proposed weakening Obama-era **fuel-economy standards** for cars and light trucks. The proposal also challenges California’s right to set its own more stringent standards, which other states can choose to follow.

E.P.A. and Transportation Department | [Read more](#)

13. Announced intent to withdraw the United States from the **Paris climate agreement**. (The process of withdrawing cannot be completed until 2020.)

Executive Order | [Read more](#)

14. Proposed repeal of the **Clean Power Plan**, which would have set strict limits on carbon emissions from coal- and gas-fired power plants. In April 2019, the E.P.A. sent a replacement plan, which would let states set their own rules, to the White House for budget review.

Executive Order; E.P.A. | [Read more](#)

15. Proposed eliminating Obama-era restrictions that in effect required **newly built coal power plants to capture carbon dioxide emissions**.

E.P.A. | [Read more](#)

16. Proposed a legal justification for weakening an Obama-era rule that limited **mercury emissions from coal power plants**.

E.P.A. | [Read more](#)

17. Proposed revisions to standards for **carbon dioxide emissions from new, modified and reconstructed power plants**.

Executive Order; E.P.A. | [Read more](#)

18. Began review of **emissions rules for power plant start-ups, shutdowns and malfunctions**. In April, the E.P.A. filed an order reversing a requirement that 36 states follow the emissions rule.

E.P.A. | [Read more](#)

19. Proposed relaxing Obama-era requirements that companies monitor and repair **methane leaks at oil and gas facilities**.

E.P.A. | [Read more](#)

20. Proposed changing rules aimed at cutting **methane emissions from landfills**. In May, 2019, a federal judge ruled against the E.P.A. for failing to enforce the existing law and gave the agency a fall deadline for finalizing state and federal rules. E.P.A. said it is reviewing the decision.

E.P.A. | [Read more](#)

21. Announced a rewrite of an Obama-era rule meant to reduce **air pollution in national parks and wilderness areas**.

E.P.A. | [Read more](#)

22. Weakened oversight of some **state plans for reducing air pollution in national parks**. (In Texas, the E.P.A. rejected an Obama-era plan that would have required the installation of equipment at some coal-burning power plants to reduce sulfur dioxide emissions.)

E.P.A. | [Read more](#)

23. Proposed repealing **leak-repair, maintenance and reporting requirements** for large refrigeration and air conditioning systems containing hydrofluorocarbons.

E.P.A. | [Read more](#)

24. Proposed **limiting the ability of individuals and communities to challenge E.P.A.-issued pollution permits** before a panel of agency judges.

E.P.A. | [Read more](#)

Drilling and extraction

COMPLETED

25. Made significant cuts to the **borders of two national monuments** in Utah and recommended border and resource management changes to several more.

Presidential Proclamation; Interior Department | [Read more](#)

26. Rescinded water pollution regulations for **fracking on federal and Indian lands**.

Interior Department | [Read more](#)

27. Scrapped a proposed rule that required **mines to prove they could pay to clean up** future pollution.

E.P.A. | [Read more](#)

28. Withdrew a requirement that **Gulf oil rig owners prove they could cover the costs of removing rigs** once they have stopped producing.

Interior Department | [Read more](#)

29. Approved construction of the **Dakota Access pipeline** less than a mile from the Standing Rock Sioux reservation. Under the Obama administration, the Army Corps of Engineers had said it would explore alternative routes.

Executive Order; Army | [Read more](#)

30. Revoked an Obama-era executive order designed to preserve **ocean, coastal and Great Lakes waters** in favor of a policy focused on energy production and economic growth.

Executive Order | [Read more](#)

31. Changed how the Federal Energy Regulatory Commission considers the indirect effects of greenhouse gas emissions in **environmental reviews of pipelines**.

Federal Energy Regulatory Commission | [Read more](#)

32. Permitted the **use of seismic air guns for gas and oil exploration** in the Atlantic Ocean. The practice, which can kill marine life and disrupt fisheries, was blocked under the Obama administration.

National Oceanic and Atmospheric Administration | [Read more](#)

33. Loosened **offshore drilling safety regulations** implemented by the Obama administration following the 2010 Deepwater Horizon explosion and oil spill. The revised rules include reduced testing requirements for blowout prevention systems.

Interior Department | [Read more](#)

IN PROCESS

34. Completed preliminary environmental reviews to clear the way for **drilling in the Arctic National Wildlife Refuge**.

Congress; Interior Department | [Read more](#)

35. Proposed opening most of America's coastal waters to **offshore oil and gas drilling**, but delayed the plan after a federal judge ruled that Mr. Trump's reversal of an Obama-era ban on drilling in the Arctic Ocean was unlawful.

Interior Department | [Read more](#)

36. Lifted an Obama-era freeze on [new coal leases on public lands](#). But, in April 2019, a judge ruled that the Interior Department could not begin selling new leases without completing an environmental review. A month later, the agency published a draft assessment that concluded restarting federal coal leasing would have little environmental impact.

Executive Order; Interior Department | [Read more](#)

37. Repealed an Obama-era rule governing [royalties for oil, gas and coal leases on federal lands](#), which replaced a 1980s rule that critics said allowed companies to underpay the federal government. A federal judge struck down the Trump administration's repeal. The Interior Department is reviewing the decision.

Interior Department | [Read more](#)

38. Proposed "streamlining" the approval process for [drilling for oil and gas in national forests](#).

Agriculture Department; Interior Department | [Read more](#)

39. Ordered review of regulations on [oil and gas drilling in national parks](#) where mineral rights are privately owned.

Executive Order; Interior Department | [Read more](#)

40. Recommended shrinking [three marine protected areas](#), or opening them to commercial fishing.

Executive Order; National Oceanic and Atmospheric Administration | [Read more](#)

41. Ordered review of regulations on [offshore oil and gas exploration by floating vessels in the Arctic](#) that were developed after a [2013 accident](#). The Interior Department said it was "considering full rescission or revision of this rule."

Executive Order; Interior Department | [Read more](#)

42. Approved the [Keystone XL pipeline](#) rejected by President Barack Obama, but a federal judge blocked the project from going forward without an adequate environmental review process. Mr. Trump later attempted to side-step the ruling by issuing a presidential permit, but the project remains tied up in court.

Executive Order; State Department | [Read more](#)

Infrastructure and planning

COMPLETED

43. Revoked Obama-era [flood standards for federal infrastructure projects](#), like roads and bridges. The standards required the government to account for sea-level rise and other climate change effects.

Executive Order | [Read more](#)

44. Relaxed the [environmental review process](#) for federal infrastructure projects.

Executive Order | [Read more](#)

45. Revoked a directive for federal agencies to minimize [impacts on water, wildlife, land and other natural resources](#) when approving development projects.

Executive Order | [Read more](#)

46. Revoked an Obama executive order promoting "[climate resilience](#)" in the [northern Bering Sea](#) region of Alaska, which withdrew local waters from oil and gas leasing and established a tribal advisory council to consult on local environmental issues.

Executive Order | [Read more](#)

47. Revoked an Obama executive order that set a goal of [cutting the federal government's greenhouse gas emissions](#) by 40 percent over 10 years.

Executive Order | [Read more](#)

48. Reversed an update to the Bureau of Land Management's [public land use planning process](#).

Congress | [Read more](#)

49. Withdrew an Obama-era order to consider climate change in [managing natural resources in national parks](#).

National Park Service | [Read more](#)

50. Restricted most [Interior Department environmental studies](#) to one year in length and a maximum of 150 pages, citing a need to reduce paperwork.

Interior Department | [Read more](#)

51. Withdrew a number of Obama-era [Interior Department climate change and conservation policies](#) that the agency said could "burden the development or utilization of domestically produced energy resources."

Interior Department | [Read more](#)

52. Eliminated the use of an Obama-era planning system designed to minimize [harm from oil and gas activity on sensitive landscapes](#), such as national parks.

Interior Department | [Read more](#)

53. Eased the [environmental review processes for small wireless infrastructure projects](#) with the goal of expanding 5G wireless networks.

Federal Communications Commission | [Read more](#)

54. Withdrew Obama-era policies designed to [maintain or, ideally improve, natural resources](#) affected by federal projects.

Interior Department | [Read more](#)

IN PROCESS

55. Proposed plans to streamline the [environmental review process for Forest Service projects](#).

Agriculture Department | [Read more](#)

Animals

COMPLETED

56. Changed the way the **Endangered Species Act** is applied, making it more difficult to protect wildlife from long-term threats posed by climate change.

Interior Department | [Read more](#)

57. Opened nine million acres of Western land to oil and gas drilling by weakening **habitat protections for the sage grouse**, an imperiled bird with an **elaborate mating dance**.

Interior Department | [Read more](#)

58. Overturned a ban on the **use of lead ammunition and fishing tackle** on federal lands.

Interior Department | [Read more](#)

59. Overturned a ban on the **hunting of predators in Alaskan wildlife refuges**.

Congress | [Read more](#)

60. Ended an Obama-era rule barring hunters on some Alaska public lands from **using bait to lure and kill grizzly bears**.

National Park Service; Interior Department | [Read more](#)

61. Withdrew proposed limits on the number of **endangered marine mammals and sea turtles that people who fish could unintentionally kill or injure with sword-fishing nets** on the West Coast. In 2018, California issued a state rule prohibiting the use of the nets the rule was intending to regulate.

National Oceanic and Atmospheric Administration | [Read more](#)

62. Amended **fishing regulations** for a number of species to allow for longer seasons and higher catch rates.

National Oceanic and Atmospheric Administration | [Read more](#)

63. Rolled back a roughly 40-year-old interpretation of a policy aimed at **protecting migratory birds**, potentially running afoul of treaties with Canada and Mexico.

Interior Department | [Read more](#)

64. Overturned a ban on **using parts of migratory birds in handicrafts** made by Alaskan Natives.

Interior Department | [Read more](#)

IN PROCESS

65. Proposed relaxing **environmental protections for salmon and smelt in California's Central Valley** in order to free up water for farmers.

Executive Order; Interior Department | [Read more](#)

Toxic substances and safety

COMPLETED

66. Rejected a proposed **ban on chlorpyrifos**, a pesticide linked to developmental disabilities in children.

E.P.A. | [Read more](#)

67. Narrowed the scope of a 2016 law mandating **safety assessments for potentially toxic chemicals**, like dry-cleaning solvents and paint strippers. The E.P.A. will focus on direct exposure and exclude air, water and ground contamination.

E.P.A. | [Read more](#)

68. Reversed an Obama-era rule that required **braking system upgrades for "high hazard" trains** hauling flammable liquids, like oil and ethanol.

Transportation Department | [Read more](#)

69. Removed **copper filter cake**, an electronics manufacturing byproduct comprised of heavy metals, from the "hazardous waste" list.

E.P.A. | [Read more](#)

IN PROCESS

70. Announced a review of an Obama-era rule lowering **coal dust limits in mines**. The head of the Mine Safety and Health Administration said there were no immediate plans to change the dust limit, but the review is continuing.

Labor Department | [Read more](#)

Water pollution

COMPLETED

71. Scaled back **pollution protections for certain tributaries and wetlands** that were regulated under the Clean Water Act by the Obama administration.

E.P.A.; Army | [Read more](#)

72. Revoked a rule that prevented coal companies from **dumping mining debris into local streams**.

Congress | [Read more](#)

73. Withdrew a proposed rule aimed at reducing **pollutants, including air pollution, at sewage treatment plants**.

E.P.A. | [Read more](#)

74. Withdrew a proposed rule requiring **groundwater protections for certain uranium mines**.

E.P.A. | [Read more](#)

75. Weakened federal rules regulating the disposal and storage of **coal ash waste from power plants**. (A second phase of this rollback is still under way.)

E.P.A. | [Read more](#)

IN PROCESS

76. Delayed by two years an E.P.A. rule regulating **limits on toxic discharge**, which can include mercury, from power plants into public waterways.

E.P.A. | [Read more](#)

77. Ordered the E.P.A. to re-evaluate a section of the Clean Water Act and related guidance that allows **states to reject or delay federal projects** – including pipelines and other fossil fuel facilities – if they don't meet local water quality goals.

Executive Order; E.P.A. | [Read more](#)

Other

COMPLETED

78. Repealed an Obama-era regulation that would have nearly doubled the number of **light bulbs subject to energy-efficiency standards** starting in January 2020. The E.P.A. also proposed scaling back the next phase of efficiency standards for bulbs that remain subject to regulation.

Energy Department | [Read more](#)

79. Prohibited **funding environmental and community development projects** through corporate settlements of federal lawsuits.

Justice Department | [Read more](#)

80. Announced intent to stop payments to the **Green Climate Fund**, a United Nations program to help poorer countries reduce carbon emissions.

Executive Order | [Read more](#)

81. Reversed restrictions on the sale of **plastic water bottles in national parks** designed to cut down on litter, despite a [Park Service report](#) that the effort worked.

Interior Department | [Read more](#)

IN PROCESS

82. Proposed **limiting the studies used by the E.P.A. for rulemaking** to only those that make data publicly available. (The move was widely criticized by scientists, who said it would effectively block the agency from considering landmark research that relies on confidential health data.)

E.P.A. | [Read more](#)

83. Proposed **changes to the way cost-benefit analyses are conducted** under the Clean Air Act, Clean Water Act and other environmental statutes.

E.P.A. | [Read more](#)

84. Proposed withdrawing **efficiency standards for residential furnaces and commercial water heaters** designed to reduce energy use.

Energy Department | [Read more](#)

85. Initially withdrew then delayed a proposed rule that would inform car owners about **fuel-efficient replacement tires**. (The Transportation Department has scheduled a new rulemaking notice for 2020.)

Transportation Department | [Read more](#)

10 rules were reinstated, often following lawsuits and other challenges

1. Reinstated a rule aimed at improving **safety at facilities that use hazardous chemicals** following a federal court order.

E.P.A. | [Read more](#)

2. Reversed course on repealing **emissions standards for “glider” trucks** — vehicles retrofitted with older, often dirtier engines — after Andrew Wheeler took over as head of the E.P.A.

E.P.A. | [Read more](#)

3. Delayed a compliance deadline for new **national ozone pollution standards** by one year, but later reversed course.

E.P.A. | [Read more](#)

4. Suspended an effort to lift **restrictions on mining in Bristol Bay, Alaska**. But the Army Corps of Engineers is performing an environmental review of an application for mining in the area.

E.P.A.; Army | [Read more](#)

5. Delayed implementation of a rule regulating **the certification and training of pesticide applicators**, but a judge ruled that the E.P.A. had done so illegally and declared the rule in effect.

E.P.A. | [Read more](#)

6. Initially delayed publishing **efficiency standards for household appliances**, but later published them after multiple states and environmental groups sued.

Energy Department | [Read more](#)

7. Delayed federal **building efficiency standards** until Sept. 30, 2017, at which time the rules went into effect.

Energy Department | [Read more](#)

8. Reissued a rule limiting the **discharge of mercury by dental offices** into municipal sewers after a lawsuit by the Natural Resources Defense Council, an advocacy group.

E.P.A. | [Read more](#)

9. Re-posted a proposed rule limiting **greenhouse gas emissions from aircraft**, after initially changing its status to “inactive” on the E.P.A. website. In May 2019, the agency confirmed it would issue the rule.

E.P.A. | [Read more](#)

10. Removed the **Yellowstone grizzly bear** from the Endangered Species List, but the protections were later reinstated by a federal judge. (The Trump administration appealed the ruling in May 2019.)

Interior Department | [Read more](#)

Note: This list does not include new rules proposed by the Trump administration that do not roll back previous policies, nor does it include court actions that have affected environmental policies independent of executive or legislative action.

Sources: Harvard Law School's [Environmental Regulation Rollback Tracker](#); Columbia Law School's [Climate Deregulation Tracker](#); Brookings Institution; Federal Register; Environmental Protection Agency; Interior Department; U.S. Chamber of Commerce; White House.

California sues Trump administration over revoking authority to limit car pollution

22 other states, plus D.C., Los Angeles and New York City, joined in the lawsuit



California Attorney General Xavier Becerra, right, with Gov. Gavin Newsom, discusses the Trump administration's pledge to revoke the state's authority to set vehicle emissions standards during a news conference in Sacramento on Sept 18. (Rich Pedroncelli/AP)

By

Dino Grandoni and
Juliet Eilperin

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California and 22 other states filed a lawsuit in federal court Friday against the Trump administration, challenging its decision to revoke the most-populous state's right to set pollution limits on cars and light trucks.

The legal battle's outcome will affect which vehicles Americans drive in the years to come, as well as the country's effort to tackle climate change and the balance between federal and state power.