



## Year One Report: Trends in Environmental Law Under the Trump Administration

Laura L. LaValle

# What We'll Cover

---

- General “Big Picture” Trends
- U.S. EPA
- State & Local Governments
- Environmental Groups
- Takeaways & Opportunities





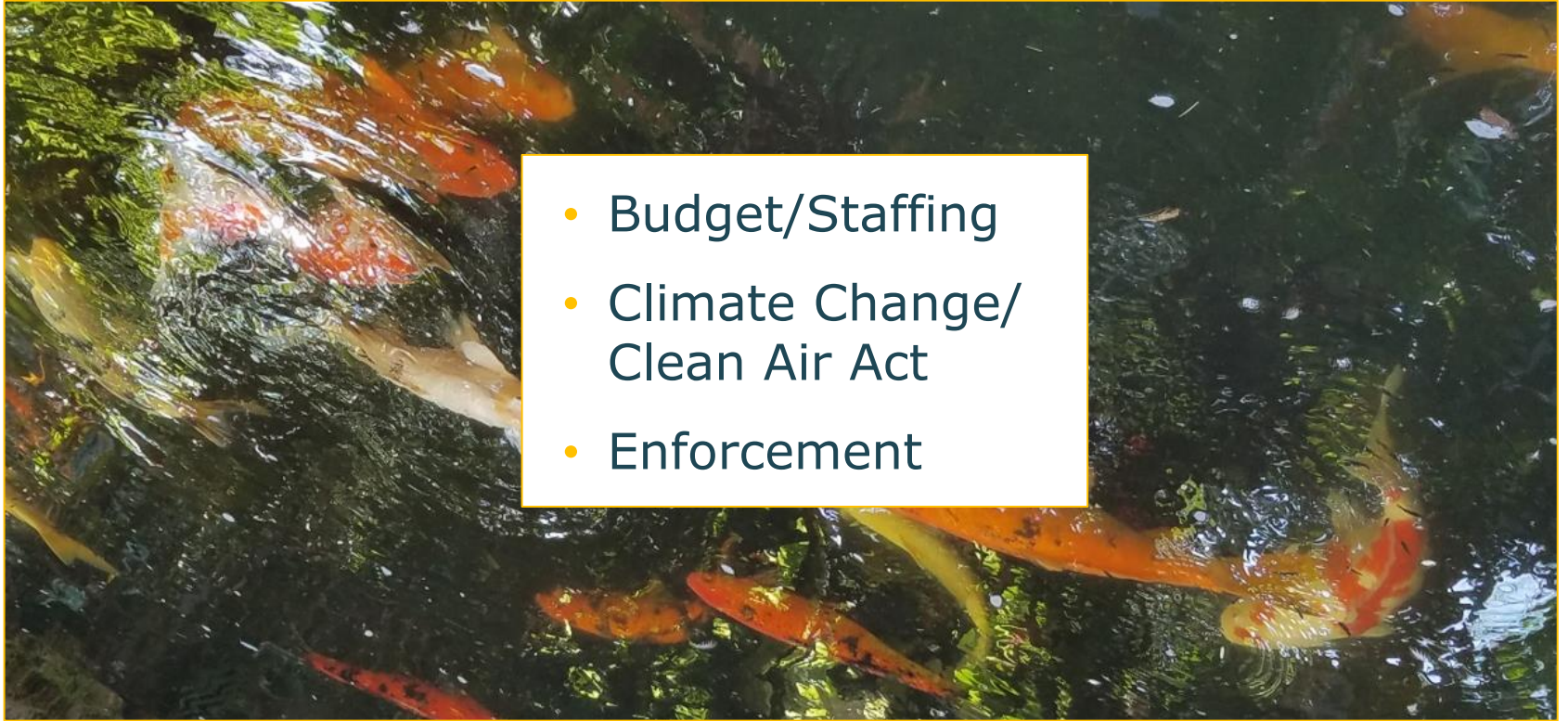
# General “Big Picture” Trends

---

- Significant drawback from prior administration decisions/priorities
- Focus on business/job growth and strengthening the economy
- Reducing federal regulatory burden
- Preference for traditional manufacturing, oil and gas, etc.



# U.S. Environmental Protection Agency



- Budget/Staffing
- Climate Change/  
Clean Air Act
- Enforcement

# EPA: Climate Change/Clean Air Act

---

- Climate change
- Clean Air Act regulatory rollback
- Air interpretation changes by memo



# EPA Enforcement

---

- To date, and what is expected
- FY 2017-2019 Enforcement Initiatives:



Reducing  
pollutants from  
largest sources



Reduce  
industrial/chemical  
facility accidental  
release risk

Cutting hazardous  
air pollutant  
emissions



Raw sewage/storm  
water/animal  
waste/industrial  
pollutants to water



Energy extraction

- Cooperative Federalism



# State & Local Governments



Reactions to  
Trump  
Administration  
environmental  
policy/  
initiatives?  
  
Vary widely.

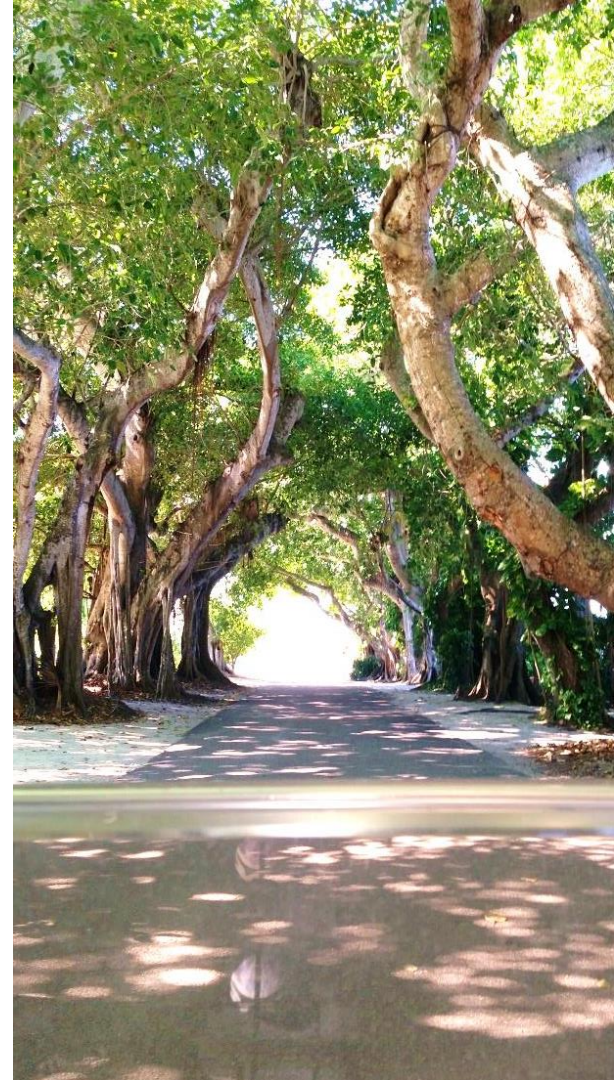


Some partnering and parallel action with...

# Environmental Groups

---

- Inspiration
  - Real or perceived reduction in EPA enforcement can invigorate NGOs, leading to more citizen suits
- Ability
  - \$\$\$ has been rolling in
- Action





# Takeaways & Opportunities

---

- Evaluate whether Executive Orders or memoranda may be relevant for rules that affect you.
- Is there permit streamlining or rule changes you would like to see? Take advantage of opportunities.
- If you are in an extended battle with EPA, consider the impact of the Trump Administration on your negotiating posture.



# Takeaways & Opportunities

---



- Keep a close eye on regulatory developments at the state and local level.
- Be prepared to intervene in citizen suit challenges that may affect your business.
- Consider competitive advantages of voluntary environmental performance leadership.

# Questions & Discussion

---





# Thank you!

---



**Laura L. LaValle**

Principal, Austin, TX

[llavalle@bdlaw.com](mailto:llavalle@bdlaw.com)

(512) 391-8020

---