

Drive-by Summary: Environmental and Energy Implications of Trump Executive Actions

Action	Renewable Energy	Traditional Energy	Endangered Species Act (ESA)	National Environmental Policy Act (NEPA)	Environmental Justice	Climate	PFAS	Related Litigation/ Enforcement Discretion
Temporary Withdrawal of All Areas on the Outer Continental Shelf from Offshore Wind Leasing and Review of the Federal Government's Leasing and Permitting Practices for Wind Projects Signed January 20, 2025	<p>Pauses all “permit” and “approvals” for onshore and offshore wind projects. The terms are presumed to include BOEM COP approvals, eagle take permits, ESA incidental take permitting, and federal land-related approvals. The terms may also be applied more broadly to include other approvals such as Clean Water Act Section 404 permitting (including the use of nationwide permits). It is unknown whether other regulatory gates — such as FAA determinations and agency concurrences — are included.</p>	<p>Explicitly does not apply to oil and gas leasing, which is addressed in other executive actions.</p>	<p>Directs the Department of the Interior (Interior) to lead a comprehensive assessment of wind leasing and permitting practices. No timeline is given for this assessment.</p> <p>Eagle general permit program has been paused, but consultations may still proceed.</p>	<p>References “alleged deficiencies” and “potential inadequacies” in the National Environmental Policy Act (NEPA) review process as a basis for the need for the comprehensive assessment.</p>	N/A	N/A	N/A	<p>Gives permission to DOJ to seek stays and other actions in pending wind litigation.</p>

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Acting Secretary of the Interior Walter Cruickshank issues Temporary Suspension of Delegated Authority (Secretary's Order (SO) 3415), signed January 20, 2025	<p>Explicitly and temporarily suspends delegated authority to issue approvals for any onshore or offshore leases, amendments, rights of way, contracts, or other agreements allowing renewable energy development for 60 days.</p> <p>On its face, appears to include solar in addition to wind.</p>	N/A	N/A	Affects offshore and onshore renewable energy projects by pausing NEPA reviews and issuance of rights of way, leases, and other authorizations.	N/A	N/A	N/A	Appears to be focused on property-related approvals, but may be construed more broadly.
Executive Order 14148 Initial Rescissions of Harmful Executive Orders and Actions, signed January 20, 2025	Does not specifically address wind or renewable energy	N/A	N/A	Revokes Biden PM establishing order of succession for Council on Environmental Quality (CEQ) chairperson.	Revokes Biden administration executive orders related to environmental justice.	Revokes Biden administration executive orders related to climate.	N/A	N/A

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<p>Executive Order 14154</p> <p>Unleashing American Energy, signed January 20, 2025 (SO 3418, signed February 3, 2025)</p>	<p>Encourages energy exploration and production on federal lands and waters</p> <p>Applies to oil, natural gas, coal, hydropower, biofuels, critical mineral, and nuclear energy resources; conspicuously excludes wind, solar, or other sources of renewable energy.</p> <p>Orders “all agencies” to “immediately pause the disbursement of funds appropriated through” the Inflation Reduction Act of 2022 and the Infrastructure Investment and Jobs Act, requires all agency heads to review processes for disbursing such money and submit a report to NEC and OMB within 90 days.</p>	<p>Explicitly includes traditional energy sources in the definition of “energy” that is to be prioritized and bolstered.</p> <p>Declares national policy to encourage energy exploration and production on federal lands and waters.</p> <p>Directs federal agencies to undertake all available efforts to eliminate all delays within their respective permitting processes, including the use of general permitting and permits by rule, thereby reducing regulatory hurdles on the oil and gas industry.</p> <p>Requires review of all agency actions that potentially burden the development of</p>	<p>Directs the secretary of the Interior to eliminate all delays within their permitting process and to utilize all possible authorities, including emergency authorities, to expedite adjudication of permits.</p>	<p>Revokes the 1977 executive order giving CEQ power to issue regulations for the implementation of NEPA</p> <p>Directs chairman of CEQ to provide guidance on implementing the NEPA to federal agencies; propose rescinding CEQ’s NEPA regulations; and to convene a working group coordinating revisions of agency-level NEPA implementing regulations.</p>	<p>Revokes Biden administration executive orders on environmental justice.</p>	<p>Revokes several of Biden administration’s executive orders on climate.</p> <p>Terminates the “American Climate Corps Memorandum of Understanding.</p> <p>Disbands the Interagency Working Group on the Social Cost of Greenhouse Gases (IWG); categorizes the “social cost of carbon” as arbitrary, and directs the EPA administrator to consider eliminating the calculation from federal permitting or regulatory decision.</p> <p>Requires review of all agency actions that potentially burden the development of domestic energy resources, which would include the</p>	N/A	<p>Directs agencies to use all possible authorities, including emergency authorities, to expedite adjudication of federal permits.</p> <p>Intends to streamline judicial review of the application of NEPA.</p> <p>Directs all agencies to adhere to only the relevant legislated requirements for environmental considerations.</p> <p>D.C. Circuit Court denies petition for <i>en banc</i> rehearing for <i>Marin Audubon</i> case.</p> <p>North Dakota federal judge granted the states’ motion for summary judgement and vacated CEQ’s</p>

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		domestic energy resources, which would include the final GHG regulations for power plants and oil and gas facilities adopted by the Biden administration.				final GHG regulations for power plants and oil and gas facilities adopted by the Biden administration.		Phase 2 rule, reaching the same conclusion as the D.C. Circuit in the <i>Marin Audubon</i> case regarding CEQ's authority.
<p>Executive Order 14156 Declaring a National Energy Emergency, signed January 20, 2025/ (SO 3417, signed February 3, 2025)</p> <p>Intends to prioritize the integrity and expansion of domestic energy infrastructure especially related to a reliable energy supply and the electrical grid,</p> <p>Directs agencies to facilitate the identification, leasing, siting, production, transportation, refining, and generation of domestic energy</p>	Excludes from wind and solar energy from the definition of "energy" that is to be prioritized and bolstered.	<p>Explicitly includes traditional energy sources in the definition of "energy" that is to be prioritized and bolstered.</p> <p>Under the National Emergencies Act, upon declaration of an "emergency," broad powers may be exercised by the Executive. Little case law exists and incases of emergency, courts have been deferential to the Executive. Potentially allows the Executive to suspend certain environmental regulations and expedite permitting for oil and gas projects, including</p>	<p>Directs heads of executive departments and agencies to identify and exercise lawful emergency authorities.</p> <p>Directs agencies to use the ESA regulation on consultations in emergencies.</p> <p>Ensures representatives from applicable agencies are available to consult promptly</p> <p>Convenes the ESA Committee to meet regularly and review applications for exemptions from Section 7</p>	The chairman of CEQ shall receive a report every 30 days for the duration of the national energy emergency, summarizing identified actions that may be subject to emergency consultation and permitting provisions.	Characterizes Biden administration policies as adversely impacting low-and fixed income Americans.	N/A	N/A	N/A

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<p>resources, including, but not limited to, on federal lands.</p> <p>Defines “energy” or “energy resources” as crude oil, natural gas, lease condensates, natural gas liquids, refined petroleum products, uranium, coal, biofuel, geothermal heat, the kinetic movement of flowing water, and critical minerals.</p>		<p>pipelines and power plants.</p> <p>Contemplates and/or seeks consideration of using the Department of Defense to acquire and transport energy and fuels.</p> <p>Directs agencies to use, to the fullest extent possible, the emergency Army Corps permitting provisions to facilitate the nation’s energy supply.</p> <p>Directs agencies to expedite the completion of all authorized energy projects and to facilitate the supply, refining, and transportation of energy.</p> <p>Invokes the National Emergencies Act construction</p>	<p>obligations and to identify obstacles to domestic energy infrastructure.</p>					

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		<p>authority and confers that authority to the secretary of the Army to address any vulnerabilities, related to energy infrastructure, including insufficient transportation and refining infrastructure.</p> <p>Directs the EPA to consider issuing emergency fuel waivers to allow the year-round sale of E15 gasoline.</p>						
<p>Presidential Memorandum for the Secretary of Commerce and the Secretary of the Interior</p> <p><u>Putting People Over Fish: Stopping Radical Environmentalism to Provide Water to Southern California</u>, date signed January 20, 2025</p>	<p>Focuses on water supply; does not address wind or other sources of renewable energy</p>	<p>Directs certain federal agencies to revise rules to allow increased pumping and use of water resources. In light of the expanded federal powers under the Energy Emergency Declaration and general policies promoting energy exploration and production, increased water availability and certain federal control over water</p>	<p>Directs secretaries of Commerce and Interior to provide a report documenting progress in implementing policies in the memorandum (to route more water to people) and provide recommendations.</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>

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Directs agencies to route more water from the Sacramento-San Joaquin Delta to other parts of the state for use by people in the Central Valley and Southern California.		management could facilitate water-intensive oil and gas activities.						
Presidential Memorandum Regulatory Freeze Pending Review , signed January 20, 2025 Prohibits rule proposals or issuances until they can be reviewed by a department or agency head appointed or designated by President Trump. Directs agencies to immediately withdraw any rules that were sent to the Office of the Federal Register, but not	Focuses on water supply; does not address wind or other sources of renewable energy	The rule does not specifically apply to the EPA's regulation implementing the methane tax on the oil and gas industry, which went into effect three days before the regulatory freeze began. Those regulations, however, are being addressed by the administration under other authority.	Potentially affects proposed listings and guidance (e.g., proposed listing for monarch butterfly and tri-colored bat. Could see a rollback on final combined guidance for NLEB and tri-colored bat.	N/A	N/A	N/A	Regulatory freeze and withdrawals of RCRA and CWA proposals. Halts implementation of rule adding certain PFAS to the Toxics Release Inventory that was to begin with 2025 reporting, allowing more time for Congress to potentially issue a joint resolution of disapproval under the Congressional Review Act invalidating the rule. MCLs for six PFAS compounds and CERCLA hazardous substance	D.C. Circuit cases/challenges on MCLs are still moving forward.

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<p>published.</p> <p>Directs agencies to consider postponing for 60 days effective dates for any rules that had been published and consider reopening the public comment period.</p>							<p>classifications that went into effect in 2024 will likely be unaffected.</p>	
<p>Executive Order 14162</p> <p>Putting America First in International Environmental Agreements, signed January 20, 2025</p>	<p>Does not specifically address wind or other sources of renewable energy.</p>	<p>Reduces constraints on domestic oil and gas production imposed by international environmental standards.</p>	N/A	N/A	N/A	<p>Withdraws the U.S. from the Paris Agreement under the United Nations Framework Convention on Climate Change.</p> <p>Also withdraws the U.S. from any agreement, pact, accord, or similar commitment made under the United Nations Framework Convention on Climate Change.</p>	N/A	N/A
<p>Executive Order 14173 Ending Illegal Discrimination and Restoring Merit Based</p>	<p>Does not specifically address wind or other sources of renewable energy.</p>	N/A	N/A	<p>Federal agencies are now no longer required to conduct their programs, policies, and activities that may</p>	<p>Characterizes DEI and DEIA policies as illegal and stand in violation of existing federal</p>	N/A	N/A	N/A

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Opportunity , signed January 21, 2025				<p>substantially affect human health or the environment to avoid excluding persons or populations or subjecting persons or populations to discrimination because of their race, color, or national origin.</p>	<p>civil-rights laws.</p> <p>Terminates President Clinton's landmark EJ Executive Order 12898 of February 11, 1994 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations).</p> <p>Suggest potential focus on enforcement of federal civil-rights laws.</p>			
<p>Executive Order 14181</p> <p>Emergency Measures to Provide Water Resources in California and Improve Disaster Response in Certain Areas, signed January 24, 2025</p> <p>Focuses on streamlined permitting to</p>	<p>Does not specifically address wind or other sources of renewable energy</p>	<p>Directs certain federal agencies to immediately take actions to override existing activities that unduly burden efforts to maximize water deliveries. In light of the expanded federal powers under the Energy Emergency Declaration and general policies promoting energy exploration and production, increased water</p>	<p>Requires that the Secretary "promptly review, revise or rescind any regulations or procedures specific to implementation" of Section 7 of the ESA, so that they are consistent with the "plain meaning of the statute."</p> <p>Rescinds the Biden administration's revisions to the regulations</p>	<p>Directs the Secretary of the Interior and the Secretary of Commerce to identify all ongoing or potential major water-supply and storage projects within the state of California for which they have joint responsibility under the NEPA.</p> <p>Directs designated agency officials to</p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>	<p>Directs Secretary of the Interior, among other agency heads, to report California State and local policies or practices inconsistent with sound disaster prevention and response.</p>

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<p>create efficiencies for disaster recovery in areas of California recently impacted by fires, and in areas of North Carolina impacted by Hurricane Helene,</p>		<p>availability and certain federal control over water management could facilitate water-intensive oil and gas activities.</p> <p>Contemplates "responsive policies" that would empower the local communities to "rebuild," which could encompass energy extraction and production efforts that would support and supply local economies.</p>	<p>changing the scope of Reasonable and Prudent Measures (RPMs) that were finalized in May 2024.</p> <p>Note that the ESA is administered by both the Department of Interior (through the Fish and Wildlife Service) and the Department of Commerce (through the National Marine Fisheries Service), but the EO directive is given only to the secretary of Interior.</p>	<p>identify regulatory hurdles, recent changes in state or federal law, and develop a proposed plan to suspend, revise, or rescind any regulations or procedures that unduly burden such projects</p>				
<p>Executive Order 14190 Ending Radical and Wasteful Government DEI Programs and Preferencing, signed January 29, 2025</p>	<p>Does not specifically address wind or other sources of renewable energy.</p>	N/A	N/A	N/A	<p>Characterizes "diversity, equity, and inclusion" (DEI) programs and "diversity, equity, inclusion, and accessibility" (DEIA) mandates, policies, programs, preferences, and activities as "illegal."</p>	N/A	N/A	N/A

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					Directs each agency, department, or commission head to terminate all DEI, DEIA, and “environmental justice” offices and positions; all “equity action plans,” “equity” actions, initiatives, or programs, “equity-related” grants or contracts; and all DEI or DEIA performance requirements for employees, contractors, or grantees within 60 days.			