

**From:** POLITICO Pro Energy  
**To:** [megan\\_bloomgren@ios.doi.gov](mailto:megan_bloomgren@ios.doi.gov)  
**Subject:** Morning Energy, presented by ExxonMobil: Next phase of nuclear waste debate kicks off — Trump signs monument executive order today — Whitehouse seeks investigation of Pruitt over dinner invite  
**Date:** Wednesday, April 26, 2017 4:49:44 AM

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By Anthony Adragna | 04/26/2017 05:45 AM EDT

*With help from Darius Dixon, Eric Wolff, Alex Guillén and Annie Snider*

**SHOWDOWN IN YUCCA-TOWN:** Republicans have been beating the drum on the Yucca Mountain nuclear waste project practically since they took the House in the 2010 elections, and now the dog has caught the proverbial truck. Sen. Harry Reid has retired, a Republican is in the White House and backers of the nuclear waste project have real, live (draft) [legislative text](#) on trial today, demonstrating that years of House Energy and Commerce Committee hearings and feedback didn't stumble into a black hole. "This discussion draft reflects what we learned through those hearings, oversight activities and related work," Rep. [John Shimkus](#), an E&C subcommittee chair who's been one of Congress' biggest Yucca-vangelists, will say, according to prepared remarks obtained by ME. "However, it is just that: a discussion draft. And today we start of process of taking input from all stakeholders on this draft."

**Heller v. Shimkus:** The bill, which includes language authorizing interim storage facilities and offers several olive branches to Nevada, is an acknowledgment that the project's situation requires more than simply flipping a hidden switch that might get the program on its feet. Yucca supporters can point to a 45-page document that bears out what Shimkus and his fellow Republicans have been thinking. But critics also now have a text to attack (ME shudders to think about the nuclear equivalent of Sen. Joe Manchin shooting a hole in the 2010 cap-and-trade bill?). Sen. [Dean Heller](#), who is testifying on the first panel at [today's hearing](#) and is one of the few Republicans vulnerable in next year's elections, [says](#) the draft bill is "heavy-handed, federal government-only proposal to reinstate Yucca Mountain while making false promises to the residents of Nevada."

**The deets:** The first panel of today's hearing is stacked with Nevada lawmakers opposed to Yucca, including Heller, who was something of late addition. The second panel includes officials representing state regulators, and the nuclear energy industry, as well as Ward Sproat, who submitted Yucca Mountain's application to regulators in 2008. The hearing starts at 10 a.m. in Rayburn 2123.

**MONUMENTAL CHANGE?** President Donald Trump will late this morning sign an executive order at the Interior Department headquarters calling on Secretary Ryan Zinke to review the national monument designations made by the past three presidents, Pro's Esther Whieldon [reports](#). Zinke will have 45 days to file an interim recommendations, and 120 days to issue suggestions for legislation to Trump to revoke or slim down the size of any monuments that cover 100,000 acres or more that were created under the Antiquities Act. The monument review will largely focus on two Utah monuments: President Barack Obama's designation last year of Bears Ears National monument and President Bill Clinton's protection of the Grand Staircase-Escalante National Monument back in 1996.

But the order will be noticeably silent on assertions of the scope of Trump's authority to revoke monuments. Zinke stressed his belief that presidents can revise the scope of monument designations, though no president has fully revoked the status for existing monuments entirely.

Green groups and tribal advocates say they'll challenge any attempt by the Trump administration to change the footprint or eliminate existing monuments. More from Esther [here](#).

**WELCOME TO WEDNESDAY!** I'm your host Anthony Adragna, and Van Ness Feldman LLP's R. Scott Nuzum was first to identify St. Louis as the host of America's first Olympics. For today: What former MLB baseball player, nicknamed "Vinegar Bend," went on to serve three terms in Congress? Send your tips, energy gossip and comments to [aadragna@politico.com](mailto:aadragna@politico.com), or follow us on Twitter [@AnthonyAdragna](#), [@Morning\\_Energy](#) and [@POLITICOPro](#).

**New! Day Ahead:** POLITICO Pro's comprehensive rundown of the day's congressional schedule, including details on legislation, votes, as well as committee hearings and markups. Day Ahead arrives in your inbox each morning to prepare you for another busy day in Washington. [Sign up to receive Day Ahead](#).

**WHITEHOUSE REQUESTS PRUITT PROBE:** Sen. [Sheldon Whitehouse](#) asked the U.S. Office of Special Counsel in [a letter](#) to investigate whether EPA Administrator Scott Pruitt would violate the Hatch Act if he follows through on his plan to [headline](#) an Oklahoma Republican Party fundraiser, Pro's Alex Guillén [reports](#). Whitehouse also asked that OSC instruct Pruitt not to attend the event.

**In response, EPA spokesman J.P. Freire** [told Alex](#) the [fundraising flier](#) was a mistake and that Pruitt had sought to avoid a conflict: "We worked with our ethics office to ensure attendance at this event would comply with rules, and this flier unfortunately doesn't reflect those requirements. We are working to fix this and ensure full compliance with the rules." The Oklahoma GOP did not return a request for comment last night.

**Scotty don't:** This handy Hatch Act [guide](#) from EPA's Office of General Counsel has a number of rules for what Pruitt can and can't do at political fundraisers. He can attend them, but cannot solicit contributions, let his name be used as a sponsor or host, or let himself be identified by more than his name on an invitation. If Pruitt is determined to attend, the guide does indicate he can serve drinks or check coats. Serving salmon puffs and bacon-wrapped scallops, however, appears to be a gray area.

**TAKING CARBON STOCK:** If fully implemented, Trump's policies on climate change mean that by 2025 the U.S. would be pumping 900 more megatons of greenhouse gases into the atmosphere each year — more than the annual emissions from Germany — than under Obama's most ambitious target, Pro's Eric Wolff [reports](#). Through 2030, the cumulative gap between the Trump and Obama policies could exceed 4 billion metric tons of carbon dioxide, based on POLITICO's analysis of estimates from the Democratic-leaning consultant Rhodium Group and the World Resources Institute.

**But wait a sec:** Pennsylvania State University climate scientist Michael Mann said Obama's policies may be difficult to toss out thanks to the courts and resistant federal staffers. "Bureaucracy can be both a good and bad thing, depending on the circumstances," Mann said in an email. "In this case, I think it may save us. Were Democrats to win back one or both houses of Congress in the mid-terms less than two years away, I think that much of the damage could almost certainly be mitigated."

**SHUTDOWN UPDATE:** Congress still has much to work through if it hopes to avoid a

government shutdown (or a short-term CR) on Friday, but energy and environmental issues don't appear to be the problem. Energy and Water subcommittee Chairman [Lamar Alexander](#) told reporters his portion of the spending package was "all done" though declined to comment on whether it included anything for Yucca. And Sen. [Lisa Murkowski](#), who heads the Interior-EPA spending panel, said appropriators were "still working" on her portion of the package but that there were "not really" any controversial riders included in it.

**Miners' benefits still a sticking point:** Lawmakers are still seeking to fund health care benefits for retired coal miners in the government funding legislation, Pro Employment & Immigration's Marianne LeVine [reports](#). "We want to help our miners," Senate Minority Leader [Chuck Schumer](#) said. Senate leadership favors a permanent fix, but the House is pushing for a shorter-term solution. McConnell said Tuesday "it's my hope" a permanent fix makes it into the final package.

**That comes as 97 groups**, including Earthjustice, the League of Conservation Voters and the Wilderness Society, [wrote to congressional leaders](#) Monday urging them to keep the emerging government funding bill free of "anti-environment, anti-science riders."

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**PARIS PULLOUT SPLITS SENIOR REPUBLICANS:** Like the Trump administration itself, the question of whether to abandon the Paris agreement has split senior Senate Republicans. Senate EPW Chairman [John Barrasso](#) reiterated his support for abandoning the deal altogether, while Sen. [John Thune](#) voiced openness to sticking with the deal, but trying to negotiate terms. "Maybe that's a good landing place, but I do think that we are not treated fairly relative to the countries in the world who create the most pollution," he told ME.

**Murkowski 'agnostic':** Murkowski called herself "agnostic" about what to do but also said she'd "suggested that maybe there are other things that we need to be doing and looking at as we're working to reduce our impacts." The comments from lawmakers come as 14 state attorneys general [asked](#) Trump to affirm U.S. support for the pact and as the White House [rescheduled](#) a meeting of principals for Thursday on what position to take on the deal.

And ME obtained [a memo](#) from two Competitive Enterprise Institute officials outlining potential options for Trump to meet his campaign vow to "cancel" the Paris Agreement. "President Trump has three principal options for keeping his campaign promise: withdraw from Paris only, withdraw from the UNFCCC, or seek Senate input," it said.

**Miners deny Pruitt pushed:** A National Mining Association spokesman strongly denied late Tuesday that Pruitt urged the group to publicly support pulling out of the agreement, despite a source telling POLITICO that he did. The group [voted to push the Trump administration](#) to exit the pact one day after the EPA administrator met with the group's leadership.

**CRAMER LETTER READY TO ROLL:** Rep. [Kevin Cramer](#)'s long awaited letter to Trump in support of keeping the U.S. in the Paris climate agreement will be sent today, the North Dakota Republican told reporters last night. The [letter](#) is expected to advocate for reducing the U.S. commitment to the agreement, increasing support for emission-reducing technologies for fossil fuels, and stopping payments to the Green Climate Fund. Cramer said

he has eight signatories, mostly from the Energy and Commerce Committee, and he hopes to add a few more before dropping the letter in the mail.

**SENATE'S WOTUS TAKEDOWN:** The Senate Environment and Public Works Committee [dives deep](#) into the technical details and regulatory process for the Obama administration's controversial water rule this morning, in an effort to help the Trump administration build the case for pulling it back.

**The battle lines will be stark:** On critics' side will be Michael Josselyn, the dissenting voice on an outside scientific review panel for the regulation, and Misha Tseytlin, Wisconsin's solicitor general. Defending the rule will be Ken Kopocis, the Obama administration's water chief, and Collin O'Mara, president of the National Wildlife Federation. Then there's a big wildcard: Maj. Gen. John Peabody, a retired top Army Corps officer who blasted the Obama rule in internal memos to his political boss, complaining that the Corps was cut out of the process, but also that changes made in the final 2015 rule required a more extensive environmental analysis because they stood to significantly retract federal protections over streams and wetlands.

**BARRASSO EYES METHANE VOTE 'NEXT WEEK':** Republican aides said they've yet to firmly lock down the requisite vote necessary to nullify a BLM regulation aimed at curbing methane emissions on public lands, but lawmakers are eyeing a vote in the coming days. "I expect to have a vote next week," Barrasso told reporters Tuesday. More than 110 local officials from Colorado, New Mexico, Idaho, Nevada, Wyoming, Utah and the Ute Mountain Tribe urged Congress not ax the regulation using the Congressional Review Act in [a letter](#) sent today.

**HOEVEN HOPEFUL ON CCS MOVEMENT:** It may seem like near-term opportunities to advance energy legislation are scarce, but Sen. [John Hoeven](#) told reporters Tuesday he's optimistic the Senate can pass legislation reforming and extending tax incentives for carbon capture and sequestration projects this session. "I think we'll get that passed this year," the North Dakota Republican said. "That's how you make carbon capture commercially viable." He noted Majority Leader [Mitch McConnell](#) has co-sponsored similar legislative efforts previously.

**PERRY'S (NU)CLEAR THINKING:** National security relies on having nuclear energy as a continuing part of the electric grid, and that justifies moves by the federal government that override state authority, Energy Secretary Rick Perry said Tuesday at Bloomberg New Energy Finance Summit in New York City. As Pro's Darius Dixon [reports](#), the former Texas governor also vowed he's perfectly comfortable shepherding the DOE funding cuts sought by Trump. "Thirty billion dollars, and 16,000 employees with 100,000 contractors may cause some people to break out in a cold sweat. It does not do that to me," he said.

**UNDERSTANDING TWO-FOR-ONE ORDER:** Venable LLP released [an FAQ guide](#) to understanding Trump's executive order requiring the elimination of two regulations for every new one issued (with some exemptions). It notes perhaps the "biggest challenge" surrounding the order will be developing the evidentiary record necessary to eliminate existing regulations, which "may require substantial investment in time and money that agencies and relevant stakeholders may not be able or want to undertake."

**LAWSUIT FILED OVER RECORDS FOR LIKELY INTERIOR DEPUTY:** The Western Values Project filed [a lawsuit](#) in federal court Tuesday seeking records related to

David Bernhardt's tenure at Interior during the George W. Bush administration. "There shouldn't be any secrets about Mr. Bernhardt if he stands a chance of becoming one of the most powerful figures at Interior," Chris Saeger, the group's executive director, said in a statement. Bernhardt is [thought to be a leading contender](#) for a top agency position, including deputy secretary.

**MAIL CALL! SAVE EPA REGION 5!** Eight senators and 27 Democratic congressmen sent Pruitt [a letter](#) Tuesday urging him not to shutter EPA's Chicago-based regional office. "Region 5 does not duplicate enforcement or regulatory actions, rather Region 5 allows the EPA to better coordinate federal efforts with state and local governments," they wrote. The agency has strongly denied it was considering the option of closing the region. Sen. [Rob Portman](#) was the lone Republican to sign the letter.

**STEADY BREEZE:** Phil Murphy, the front-runner for the Democratic gubernatorial nomination in New Jersey, hopes to build 3,500 megawatts of offshore wind generation by 2030 as part of his energy policy, POLITICO New Jersey's David Giambusso [reports](#). That'd be enough to power roughly 1.5 million homes. The former U.S. Ambassador to Germany and Goldman Sachs executive has previously said he would immediately rejoin the Regional Greenhouse Gas Initiative that Gov. Chris Christie left.

**ENERGY PORTAL LAUNCHES:** R Street and CRES Forum are today launching a new portal, [Energy Done Right](#), that explores energy and environmental issues from the right-of-center think tank community perspective.

**MORE JOIN THE CLIMATE ARK:** Freshmen Reps. [Mike Gallagher](#) and [Salud Carbajal](#) are the latest members of the bipartisan Climate Solutions Caucus.

**MOVER, SHAKER:** David Goldston leaves NRDC next month after eight years as the environmental group's director of government affairs to become director of the MIT's Washington office, Pro's Alex Guillén [reports](#).

## QUICK HITS

- State Department Memo Boosts Case to Stay in Paris Climate Pact. [Bloomberg](#).
- Trump's plan to kill Energy Star could benefit his properties. [CNN](#).
- Can EPA Get the Lead Out Amid Deregulatory Fervor? [Bloomberg BNA](#).
- Most global investors recognize financial risk of climate change, report finds. [The Guardian](#).
- Quake raises new concerns about Atlantic Sunrise pipeline, but builders say safeguards built in. [Lancaster Online](#).
- Valero CEO expects Q2 biofuel costs to be 'a significant headwind'. [Reuters](#).

## HAPPENING TODAY

7:30 a.m. — BakerHostetler's 28th Annual Legislative [Seminar](#), Hyatt Regency on Capitol Hill, 400 New Jersey Ave. NW



10:00 a.m. — "[A Review of the Technical, Scientific, and Legal Basis of the WOTUS \(Waters of the United States\) Rule](#)," Senate Environment and Public Works Committee, 406 Dirksen

10:00 a.m. — "[H.R., the Nuclear Waste Policy Amendments Act of 2017](#)," House Energy and Commerce Environment Subcommittee, 2123 Rayburn

4:00 p.m. — Reps. Curbelo and Moulton deliver remarks at coastal sustainability briefing being hosted by the bipartisan Climate Solutions Caucus, 421 Cannon

## **THAT'S ALL FOR ME!**

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*To view online:*

<https://www.politicopro.com/tipsheets/morning-energy/2017/04/next-phase-of-nuclear-waste-debate-kicks-off-022531>

## **Stories from POLITICO Pro**

### **Trump to order review of national monuments [Back](#)**

By Esther Whieldon | 04/25/2017 09:02 PM EDT

President Donald Trump is set to order the review of tens of millions of acres of land and water set aside as national monuments by the past three presidents on Wednesday, a move that environmental groups warn will undermine a crucial conservation tool and open up sensitive areas to fossil fuel development.

The review will be conducted by Interior Secretary Ryan Zinke and will encompass the dozens of monuments created over the past 21 years, although the main focus will be on President Barack Obama's designation last year of Bears Ears National monument, as well as the Grand Staircase-Escalante National Monument protected by President Bill Clinton in 1996. Both of those are in Utah, and the state's lawmakers have pressed to revoke the monument status for the two sites, which are believed to hold fossil fuel resources.

But Zinke sought to quell concerns that the executive order would roll back conservation protections provided by 1906 Antiquities Act, saying the Trump's order "does not strip any monument ... or loosen any environmental conservation on any land or marine areas."

Yet environmental groups fear the review is a simply a pretense to unwind the federal protections in the future, since both Trump and Zinke have supported growing U.S. fossil fuel output.

The Antiquities Act is "one of our country's kind of bedrock conservation laws," said Daniel Ritzman, Sierra Club western public lands protection campaign director.

Sixteen different presidents have used the law "to protect some of our country's most special places. You know places like the Grand Canyon [National Park] started out as a national

monument," he said. "And it's not just our important landscapes that have been protected, it's also used to protect some unique American cultural sites, especially Native American cultural sites."

Presidents have also used the law to block off areas from fossil-fuel development, such as coal mining at Grand Staircase, but environmental and conservation groups worry those protections will be tossed aside as Trump looks for additional ways to unleash energy development on public lands and waters.

"This administration has made it clear that they're going to do the bidding of the oil and gas industry," said Jennifer Rokala, executive director of the Center for Western Priorities, a Colorado-based conservation group.

The order gives Zinke 45 days to file an interim recommendations, and 120 days to issue suggestions for legislation or for Trump to revoke or slim down the size of any monuments that cover 100,000 acres or more that were created under the Antiquities Act.

The order does not make any assertions as to the scope of Trump's authority to revoke monuments, Zinke said and he reiterated his belief that presidents can revise the scope of monument designations, though that the broader authority to delist monuments remains untested in courts.

While presidents have tweaked the size of their predecessor's monument designations — President Dwight D. Eisenhower, for example, reduced Colorado's Great Sand Dunes National Monument by 25 percent — none have fully revoked the status for existing monuments entirely. Environmental groups and tribal officials say they stand ready to sue over any attempts by Trump to change the footprint or eliminate existing monuments.

Obama used the power under the Antiquities Act to protect more land than any previous president, from underwater canyons and mountains off Cape Cod to the vast Papahānaumokuākea Marine National Monument in the Pacific Ocean. His aggressive use of the Act drew scathing criticism from Republicans, who complained the White House abused the law to override local opposition and restrict development and usage of the lands.

Groups have already challenged two of Obama's monument designations, including a [lawsuit](#) by fisheries groups over the Northeast Canyons and Seamounts National Marine Monument off the East Coast, but neither of the cases address the scope of a president's authority to revoke a monument.

Meanwhile, the energy industry has been lobbying for access to more public lands — as well revisions to ease the environmental reviews and other permitting processes. The American Petroleum Institute in a January [letter to lawmakers](#) urged Congress to revamp the Antiquities Act, arguing the increasing use of the law presents "threats to responsible and balanced use of federal lands offshore and onshore."

"There's absolutely interest in developing oil and natural gas resources on public lands," said Erik Milito, API's director of upstream and industry operations.

"There's highly prospective areas for the industry and we've seen considerable development on state and private lands in the vicinity of public lands, which would demonstrate that there could be far greater opportunities if we had a more streamlined process and more opportunities

by eliminating these types of obstacles to development."

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## **Pruitt to headline Oklahoma GOP gala [Back](#)**

By Alex Guillén | 04/24/2017 10:52 AM EDT

EPA Administrator Scott Pruitt will headline the Oklahoma Republican Party's annual gala next week, according to an [event invitation](#).

"You do not want to miss Pruitt at this year's OKGOP Gala, as he discusses his plans to slash regulations, bring back jobs to Oklahoma, and decrease the size of the EPA!" the invitation says.

It notes that Pruitt in just a few months has already "overseen the rollback of the Waters of the US rule, called for an exit from the Paris Climate Agreement, and championed a return to EPA 'originalism.'"

Pruitt was previously Oklahoma's attorney general. The event takes place on May 5 in Moore, Okla.

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## **Whitehouse alleges Pruitt fundraiser appearance violates Hatch Act [Back](#)**

By Alex Guillén | 04/25/2017 07:24 PM EDT

Sen. [Sheldon Whitehouse](#) (D-R.I.) today alleged that EPA Administrator Scott Pruitt's upcoming headlining appearance at an Oklahoma Republican Party fundraiser violates the Hatch Act, the law prohibiting federal employees from partaking in many political activities.

Pruitt is [slated](#) to appear at the Oklahoma GOP's annual gala fundraiser on May 5, and the [invitation](#) promises that Pruitt will discuss "his plans to slash regulations, bring back jobs to Oklahoma, and decrease the size of the EPA!"

In a [letter](#) to the U.S. Office of Special Counsel, the independent agency that investigates these matters, Whitehouse argues that "the unmistakable impression one receives from the May 5 invitation is that by purchasing a ticket or agreeing to sponsor the OKGOP Gala, the attendee will have special access to a federal employee discussing official actions already taken, and to be taken in the future. This is clearly impermissible political activity under the Hatch Act."

Whitehouse also asked that OSC instruct Pruitt not to attend the event.

EPA did not immediately return a request for comment.

Cabinet members have occasionally crossed a line on the Hatch Act, including last year, when then-Housing and Urban Development Secretary Julian Castro answered a question about the presidential race during an interview with Yahoo News. OSC in that instance [did not recommend a punishment](#) for Castro.

If OSC concludes the Hatch Act was violated by a presidential appointee, the matter is



referred directly to the president for possible punishment or sanctions.

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### **EPA: Pruitt fundraiser appearance OK'd, but flier erred [Back](#)**

By Alex Guillén | 04/25/2017 08:56 PM EDT

EPA says an invitation touting Administrator Scott Pruitt's appearance at a May 5 Oklahoma GOP fundraiser was an error and that Pruitt had worked to avoid a political conflict.

"We take very seriously the rules by which federal officials must participate in public events. We worked with our ethics office to ensure attendance at this event would comply with rules, and this flier unfortunately doesn't reflect those requirements," EPA spokesman J.P. Freire said in an email. "We are working to fix this and ensure full compliance with the rules."

Sen. [Sheldon Whitehouse](#) today [alleged](#) that the [invitation](#) to the Oklahoma GOP's annual gala fundraiser put Pruitt on the wrong side of the Hatch Act, the law limiting political activities by presidential appointees and other government officials.

The Hatch Act does not bar officials like Pruitt from attending political fundraisers, though there are restrictions, including on what Pruitt can say and a prohibition on organizers using a government officials' title to sell tickets. The invite, issued by the state Republican party, uses Pruitt's title and says he will discuss "his plans to slash regulations, bring back jobs to Oklahoma, and decrease the size of the EPA!"

Whitehouse has urged the U.S. Office of Special Counsel to investigate and bar Pruitt from attending the fundraiser.

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### **Trump's already making his mark on climate [Back](#)**

By Eric Wolff | 04/25/2017 08:57 PM EDT

President Donald Trump's aggressive rollback of the Obama administration's climate policies is already changing the trajectory of the world's efforts on global warming, with some analysts estimating it will mean billions more tons of greenhouse gases entering the atmosphere during the next decade and a half.

It could be one of the most durable legacies of his young presidency — regardless of whether Trump decides to withdraw the U.S. from the Paris climate agreement.

Trump has spent much of his first 100 days in office launching a series of efforts to undo former President Barack Obama's domestic climate policies, seeking to ease pollution limits on power plants, vehicle tailpipes, coal mining, and oil and gas wells. And while Democrats and environmental groups promise fierce resistance, analysts say Trump's efforts could bring an effective halt to U.S. efforts to cut the carbon pollution that scientists blame for warming the planet.

"This is an experiment we can only run once, and then it's too late," said Princeton University climate scientist Michael Oppenheimer. "We were in a lot of trouble with climate change

already. This only makes it more risky. It's hard to quantify how much it matters, but it makes attainment of a difficult-to-achieve target more or less impossible."

The United States is the world's second-largest carbon polluter, but its greenhouse gas output has slid sharply in the past decade — a trend driven partly by increases in energy efficiency and a shift from coal to natural gas as a power source. Obama had pledged to continue those reductions in the coming decade to meet U.S. commitments in the 2015 Paris agreement, in which nearly 200 nations made non-binding promises to cut their carbon pollution. Hillary Clinton had promised even steeper reductions.

Trump, in contrast, has vowed to reverse Obama's policies, lift restrictions on the energy industry and "save our wonderful coal miners" — pledges that helped him win fossil fuel-producing swing states like Pennsylvania and Ohio.

And his actions will have a real-world effect, based on POLITICO's analysis of estimates from the Democratic-leaning consultant Rhodium Group and the World Resources Institute. Instead of falling, Rhodium's projection estimated that Trump's policies, if fully implemented, will cause U.S. carbon pollution to continue more or less at current levels. That means that by 2025, according to POLITICO's analysis, the U.S. would be pumping 900 more megatons of greenhouse gases into the atmosphere each year than under Obama's most ambitious target.

That extra U.S. carbon would exceed the annual output of Germany, one of the world's top greenhouse gas polluters. That would be enough to increase the world's annual carbon emissions by almost 2 percent, Pennsylvania State University climate scientist Michael Mann said — at a time when climate researchers say the world urgently needs to accelerate its cuts.

Through 2030, the cumulative gap between the Trump and Obama policies could exceed 4 billion metric tons of carbon dioxide, based on Rhodium's estimates.

In other words, Trump's domestic actions on energy would be his real contribution to global climate policy — a fact obscured by the [noisy political fight](#) on whether the U.S. [should withdraw](#) from [Paris](#). The figures don't even account for the possibility that a U.S. retreat on climate efforts would cause other major polluters, such as China and India, to pull back on their commitments.

"If you're going after the Clean Power Plan and going after everything else and all the other rules, then whether or not you stay in Paris appears to be symbolic from the perspective of U.S. emissions," said Andrew Light, a fellow at the World Resources Institute who worked for the State Department under Obama.

Rhodium based its analysis on a [March 28 executive order](#) in which Trump directed his agencies to take the first steps toward reversing some of Obama's most significant climate actions, including regulations on coal miners, oil and gas drillers, and thousands of power plants.

Trump and his appointees have made no secret of their disdain for Obama's attempts to rally the world on climate change, an issue the president has labeled a Chinese-inspired "hoax" that's wiped out American jobs. White House budget director Mick Mulvaney dismissed climate programs last month as "a waste of your money," telling reporters that "we're not spending money on that anymore."

Mulvaney was defending Trump's proposal for a 31-percent budget cut for the Environmental Protection Agency, whose carbon regulations on the power, auto, coal, oil and gas industries had provided the heart of Obama's climate policies.

Among other steps to erase Obama's climate legacy, Trump has ordered the EPA to begin unwinding Obama's 2015 regulations on greenhouse gases from power plants, moved toward easing the agency's vehicle fuel-efficiency requirements and signed off on Congress' repeal of stream-pollution restrictions that had threatened to hinder some coal mining activity. He is also due to take steps this week toward opening up vast new offshore regions for oil and gas production — a sharp break from the limits Obama imposed late in his second term.

More quietly, the administration has [postponed](#) Energy Department efficiency standards for commercial and consumer appliances such as freezers and boilers, [withheld grants](#) for research into next-generation energy technologies, and ordered the government to revise a metric called the "social cost of carbon" that seeks to factor the impacts of climate change into regulatory actions. Administration lawyers have also persuaded appellate judges to postpone rulings on several Obama-era rules facing industry challenges, giving Trump's agencies more time to pull them back for reworking.

Rhodium's analysis of the effect of Trump's executive order comes with plenty of caveats: It assumes that cities and states will fail to fill the gap in federal policy, and that a climate advocate will not take over the White House in 2020. It also does not allow for faster-than-expected advances in renewable energy technologies — notably battery storage — that could accelerate the shift to wind and solar power.

But Rhodium also doesn't include other measures that Trump could take, such as reneging on a [2016 treaty](#) to limit the production of potent greenhouse gases known as hydrofluorocarbons. That agreement by itself could forestall 0.5 degrees Celsius in global warming during this century, according to U.N. estimates. The Paris agreement is meant to prevent the rise in average global temperatures from exceeding 2 degrees Celsius above pre-industrial levels.

Rhodium's partners include [Trevor Houser](#), who was a top outside adviser to the Clinton campaign on energy issues.

Climate researchers say the world is so close to a tipping point that any backsliding would be dangerous.

For example, carbon dioxide levels in the Earth's atmosphere have been hovering above 405 parts per million since November, the highest on record, [according to](#) the National Oceanic and Atmospheric Administration — significantly higher than the 350-parts-per-million level that some leading climate researchers say the world needs to move back to. The estimated change in emissions allowed by Trump's executive order would add 2 parts per million in the next 20 years, according to a rough estimate by Pieter Tans, chief of the Carbon Cycle Greenhouse Gases Group at the NOAA Earth Science Research Laboratory.

Put another way, those extra emissions alone would move the world 4 percent closer to 450 parts per million — the point at which the world still has a better-than-50-percent chance of stabilizing global temperatures, [according to](#) the Organization for Economic Cooperation and Development. Failing to stabilize temperatures would mean intensifying extreme weather events at "unprecedented levels," the OECD says. It could also move the world to a point where temperature and emissions feedback loops make changes in the world's climate

change irreversible.

"Thus far, we human beings have mostly controlled climate change through emissions of greenhouse gases," Tans said in an email. "Continuing on this path will likely lead to uncontrolled and potentially very large emissions of [carbon dioxide] and [methane] from the melting of permafrost in the Arctic, to name one plausible feedback effect."

Still, some advocates for deep cuts in carbon emissions, such as Mann, hold out hope that Obama's policies will prove difficult to uproot. They're counting on the courts and resistant federal staffers to stall Trump's plans.

"Bureaucracy can be both a good and bad thing, depending on the circumstances," Mann said in an email. "In this case, I think it may save us."

"Were Democrats to win back one or both houses of Congress in the mid-terms less than two years away, I think that much of the damage could almost certainly be mitigated," he added.

Skeptics of Obama's policies argue that the U.S. would absorb most of the pain of the Paris agreement while countries such as China and India — the world's biggest and fourth-biggest carbon polluters, respectively — would get off easy. Both countries are expected to produce more carbon dioxide in 2030 than they did in 2015.

"The Obama administration made really ambitious commitments in Paris with no clear way to get there under current regulations," said Robert Dillon, an energy expert with the American Council for Capital Formation, who contends that Trump's decision to ease off on Obama's carbon rules puts the U.S. on a level playing field.

"Any time you have a concern where you're tying one hand behind your back to compete in the global market, there are legitimate concerns about how the country remains competitive and improves the standard of living for American families," he added.

Meanwhile, Trump's rollback puts pressure on other countries to decide how to respond. The U.S. already [butted heads](#) with other G-7 nations this month when Energy Secretary Rick Perry's insistence that the Paris agreement should not be mentioned scuttled a joint communique.

Some foreign leaders are choosing to be optimistic, for now.

"I don't see the world backing off," Swedish Deputy Prime Minister Isabella Lövin told reporters last week in Washington. Instead she expressed concern about the next stage of the Paris agreement, which calls for nations to further cut their greenhouse gases.

"We are concerned that some might point to the U.S. and say, 'We don't have to raise ambitions now if the U.S. is not going to take part of this,'" she said. "And the U.S., of course, has a great responsibility for the historic emissions. That makes it a really bad chase to the bottom."

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**Schumer, McConnell: We're trying to find a solution for miners** [Back](#)

By Marianne LeVine | 04/25/2017 03:26 PM EDT

Senate Minority Leader [Chuck Schumer](#) said today that finding a solution to fund health care benefits for retired coal miners remains an "outstanding" issue in funding negotiations.

"We want to help our miners," Schumer said.

Lawmakers are expected to include some provision in this week's appropriation bill to shore up miners' health benefits. Senate leadership favors a permanent solution, but House leadership wants a shorter-term fix.

Senate Majority Leader [Mitch McConnell](#) reiterated today that he is "in favor of a permanent fix on miners' health care."

"It's my hope that that will be included in the final package," McConnell said.

*Jennifer Scholtes contributed to this report.*

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## **Trump advisers' meeting on Paris deal reset for Thursday [Back](#)**

By Andrew Restuccia and Josh Dawsey | 04/25/2017 03:25 PM EDT

The Trump administration has rescheduled a meeting of senior advisers to hash out internal divisions over the Paris climate change agreement for Thursday, two administration officials told POLITICO.

The meeting could help decide the fate of the United States' involvement in the accord, which won the support of nearly 200 nations in Paris in 2015. Trump's advisers hope to make a recommendation to the president about how he should proceed.

Several of Trump's close advisers and Cabinet secretaries, including Jared Kushner and Secretary of State Rex Tillerson, are said to support staying in the deal. But chief strategist Steve Bannon and EPA Administrator Scott Pruitt strongly oppose the pact and have been privately making the case that the U.S. should withdraw.

While the list of attendees is unclear, Tillerson, Bannon, Kushner, National Economic Council Director Gary Cohn, national security adviser H.R. McMaster and Energy Secretary Rick Perry are expected to be at the meeting.

The meeting had been [scheduled](#) to take place last week, but it was postponed because several Trump advisers traveled with the president to Wisconsin.

Trump's advisers and energy industry officials have been engaged in a months-long behind-the-scenes effort to sway the president. Aides who support staying in the deal have argued Trump could still achieve his policy goals, with less international blowback, by [weakening](#) Obama's pollution-reduction targets while trying to negotiate [greater global support for fossil fuels](#). They've won the support of several energy companies, including a few major [coal producers](#).

Meanwhile, Republicans in Congress and hard-line conservatives have argued that the president must withdraw altogether, noting that Trump promised during the campaign to

cancel the agreement.

Trump is expected to make a final decision by late May, when he'll travel to Italy to participate in a G-7 meeting.

A White House spokeswoman did not immediately respond to a request for comment.

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## **Mining group to support pulling out of Paris after meeting with Pruitt [Back](#)**

By Andrew Restuccia | 04/25/2017 04:07 PM EDT

A coal mining industry group's board of directors voted on Tuesday to press President Donald Trump to withdraw from the Paris climate change agreement — just one day after EPA Administrator Scott Pruitt met with the group's leadership to discuss the accord, two sources told POLITICO.

Pruitt personally attended a meeting of the National Mining Association's executive committee on Monday to lay out his concerns with the Paris accord.

A National Mining Association spokesman strongly denied that Pruitt urged the group to publicly support pulling out of the agreement, despite a source telling POLITICO that he did.

Trump has often aligned himself with coal miners, promising to revive the industry that has suffered sharp job losses over the past decade as the U.S. appetite for the energy source has waned. Just last month, Trump went to the EPA's headquarters with a group of coal miners to sign an executive order rolling back President Barack Obama's regulation curbing carbon emissions from power plants.

Pruitt has emerged in recent weeks as one of the administration's leading critics of the 2015 Paris deal, calling it a "bad deal for America" in a recent interview. An EPA spokesman confirmed Pruitt attended the NMA meeting, saying that he "discussed the problems with the Paris agreement."

The NMA board's decision is the latest evidence of the split within the coal industry over the Paris deal. Several major coal companies have [signaled](#) their openness to the U.S. remaining in the Paris agreement if the White House can negotiate more global [support](#) for technology that would reduce the carbon footprint of coal.

But other coal companies, including Murray Energy, which is led by Trump supporter Robert Murray, are vociferously opposed to the accord, which has won the backing of nearly 200 nations.

The NMA vote was 26-5, with some members abstaining, according to one source.

The NMA board's decision to weigh in raises the stakes in the behind-the-scenes standoff within the White House over the international climate accord. Several White House aides, including senior adviser Jared Kushner, are said to be in favor of remaining in the agreement, while chief strategist Steve Bannon supports withdrawing.

White House aides who want to remain in the pact have sought to build support among energy



companies in recent weeks. But several Republicans and industry groups have launched a counter-offensive to increase momentum for exiting the agreement. Sen. John Barrasso distributed a [document](#) arguing for leaving the Paris agreement at a Tuesday policy lunch with Senate Republicans.

Trump's top advisers are set to meet [on Thursday](#) in hopes of making a formal recommendation to President Donald Trump. Trump is expected to decide whether to stick with the accord before the G-7 summit at the end of May.

NMA is still writing its statement urging a Paris withdrawal and it's unclear when it will be sent to the White House, one source said.

*This story has been updated to add a statement from the National Mining Association.*

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### **Cramer floats conditions to stay in Paris deal [Back](#)**

By Andrew Restuccia | 03/23/2017 04:30 PM EDT

Republican Rep. [Kevin Cramer](#) is circulating a letter that lays out conditions for the United States to stay in the Paris climate change agreement.

The previously unpublished [letter](#) to President Donald Trump, which was obtained by POLITICO, urges Trump to abandon former President Barack Obama's pledge to cut U.S. emissions 26-28 percent below 2005 levels by 2025, arguing the target "would cause irreparable harm to our economy."

Trump's new pledge should showcase "the energy security, consumer, and emission benefits produced by the shale revolution and emphasize the importance of baseload power generation, including highly efficient and low emission coal-fired and nuclear power plants, to grid reliability," Cramer writes.

In addition, Cramer says the U.S. must no longer contribute to the Green Climate Fund, and "use its seat at the Paris table to defend and promote our commercial interests, including our manufacturing and fossil fuel sectors." The U.S. should work with other countries to help commercialize and deploy technologies to reduce emissions from fossil fuels, the letter says.

While it's unclear whether Trump will ultimately stay in the Paris agreement, Cramer's letter echoes the [general approach](#) being advocated by some of Trump's aides. But opponents of the agreement in the White House, including chief strategist Steve Bannon, could scuttle any effort to remain in the deal.

Cramer's staff is still in the process of getting signatures on the letter and the text could change before it's officially made public. A Cramer spokesperson did not immediately respond to a request for comment.

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### **Perry voices support for nuclear power, touts budget skills [Back](#)**

By Darius Dixon | 04/25/2017 03:59 PM EDT

Keeping nuclear power on the electric grid serves a national security interest — and can justify moves by the federal government that override state authority, Energy Secretary Rick Perry said today.

"I was a very strong proponent of the 10th Amendment — thank you very much, we know how to run Texas," the former governor said at the Bloomberg New Energy Finance Summit in New York City, referring to the amendment that lays out federal authority limits. "Shoe is on the other foot — or the boot is on the other foot — now."

Maintaining around-the-clock baseload electricity is necessary for national security, said Perry, who has directed his staff to review federal policies that may be "forcing the premature retirement of baseload power plants."

"It is of our national security to have policies into place dealing with our nuclear energy that may have an effect on our ability to protect this country from a military standpoint," Perry said.

After going decades between building new nuclear power, he said, "the intellectual capability, the manufacturing capability, has been ... substantially impacted in a negative way."

Perry also said he'd be able to manage DOE cuts proposed in last month's "skinny" budget.

"Thirty billion dollars, and 16,000 employees with 100,000 contractors may cause some people to break out in a cold sweat. It does not do that to me," he said, noting priorities for cybersecurity and supercomputing.

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## **FWS contender advocated for delisting and hunting grizzlies, wolves [Back](#)**

By Esther Whieldon and Ben Lefebvre | 04/05/2017 06:48 PM EDT

A top contender to head the Interior's Fish and Wildlife Service advocated for the agency to remove the grey wolf and grizzly bear from the endangered species list and for using hunting to control wildlife populations.

Wyoming Game and Fish Department Director Scott Talbott is believed to be in the running to be nominated as director of the Interior's Fish and Wildlife Service and has garnered backing from Secretary Ryan Zinke, according to sources familiar with the situation.

If appointed FWS director, Talbott would oversee implementation of federal wildlife laws, including the Endangered Species Act, for the major infrastructure and land management projects across Interior's various agencies.

It's not yet clear if Talbott has the support of the White House. Spokeswoman Kelly Love in an email said "We have no personnel announcements to make at this time."

The White House has yet to nominate candidates for any of the top political positions at Interior or its nine bureaus. Zinke, who is himself an avid hunter and fisherman, [voiced frustration](#) this week about the slow pace of the vetting and final appointment decisions.

Talbott, a long-time employee of the Wyoming agency and its director since 2011, has argued that states are better suited than the federal government to manage wildlife conservation issues, particularly after a species has returned from the brink of extinction.

"The state clearly has the expertise to move forward with wolf management and grizzly bear management," Talbot [said](#) in a 2011 radio show.

"It is a shame that given the incredible accomplishments associated with grizzly bear recovery there has been such uproar over the consideration of a statement to support the use of regulated hunting as a possible management approach for grizzly populations that are recovered and delisted," Talbott said in a Montana newspaper [editorial](#) he co-authored in 2012.

Last year, FWS [proposed](#) delisting the grizzly bear in the Greater Yellowstone ecosystem given that its population had rebounded from about 136 bears in 1975 to about 700 bears. And the U.S. Court of Appeals for the District of Columbia Circuit in March upheld the agency's 2012 decision to take the grey wolf in Wyoming off the ESA list.

If President Donald Trump does nominate Talbott to lead FWS, it would likely raise the hackles of environmental groups like Defenders of Wildlife that have sued to maintain those ESA listings.

Talbott is not the only potential Interior nominee with a history involving endangered species issues. David Bernhardt, who was a member of Trump's Interior Department transition team and worked at Interior during the George W. Bush Administration, is [reportedly](#) high on the list of candidates for the Interior's deputy secretary position.

Bernhardt chairs the natural resources department at the lobby firm Brownstein Hyatt Farber Schreck, where he has represented a variety of energy and infrastructure industries including fossil fuel, wind and water interests, with an emphasis on Endangered Species Act issues.

As deputy secretary, Bernhardt would not only be responsible for managing day-to-day operations across those nine unique bureaus, but also could play a key role in implementing Zinke's initiatives on energy and other issues.

In his prior role as Interior solicitor, Bernhardt in a 2007 [memo](#) concluded that if a species is imperiled in a significant portion, but not all, of its range, it should be listed only in that portion. The Obama administration withdrew the opinion three years later and wrote its own version. But the U.S. District Court for the District of Arizona less than a week ago [rejected](#) the Obama administration's re-interpretation, leaving the Interior without a policy on the topic.

Talbott did not respond to a request for comment and Bernhardt declined to comment.

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**Murphy's energy policy includes major commitment to offshore wind** [Back](#)

By David Giambusso | 04/25/2017 05:26 PM EDT

Phil Murphy, the front-runner for the Democratic gubernatorial nomination, has laid out the beginnings of an energy policy that calls for a significant investment in offshore wind, as energy companies increasingly eye the New Jersey coast to develop the burgeoning industry.

Murphy has already locked up the support of the state's biggest environmental groups, and the contours of his energy policy will be laid out in an upcoming campaign announcement, which was previewed by POLITICO.

Murphy said he will begin to tackle the state's energy master plan, the guiding blueprint for New Jersey's energy policy, within his first 100 days as governor. Perhaps the most ambitious element will be a commitment to build 3,500 megawatts of offshore wind generation by 2030, or enough to power roughly 1.5 million homes.

"I am prepared to be a governor of action, who turns our state's thinking around, and who sets us on a future course to both do well and do good, and to prove that economic growth and environmental protection are not mutually exclusive," Murphy said in a statement.

Two prominent companies, U.S. Wind and DONG Energy, a Danish company, won leases to develop two wide swaths off the coast of New Jersey for wind generation. As the Trump administration pursues significant rollbacks of federal funding for clean energy, companies are looking to state policymakers for signs of investment in wind and solar.

"Those are welcome words to an industry eager to set into motion the plans needed to kick-start offshore wind projects along the east coast," said Lauren Burm, a spokeswoman for DONG Energy.

Murphy also plans to expand solar, specifically by establishing a community solar program, which would allow low-income, often urban residents, to join together as a purchasing bloc to gain more competitive prices and deploy solar energy in areas that are typically cumbersome to rooftop solar panels.

He also wants to prioritize storage, or the use of large-scale batteries that store renewable power for times of peak demand. The campaign set a goal of deploying 600 megawatts of storage by the end of his first term, and 2,000 megawatts by 2030. The overarching goal is for the state to be powered with 100 percent clean energy by 2050.

The former U.S. Ambassador to Germany and Goldman Sachs executive has previously said he would immediately rejoin the Regional Greenhouse Gas Initiative, a regional cap and trade program Gov. Chris Christie, a Republican, pulled out of when he took office, saying it represented too much of a burden to ratepayers.

Christie's energy policy has focused almost exclusively on keeping costs low. That has meant an expansion of natural gas infrastructure and limits on investment in solar and wind. While solar is still strong in New Jersey, the state has dropped in national rankings for solar installation and energy efficiency.

Murphy's approach seeks to restore New Jersey's prominence as a clean energy leader. He said his programs are also designed to generate economic growth.

"We can base a new and stronger middle class on innovation and clean energy, and ensure all communities take part," he said.

The campaign calculates the state lost \$130 million in carbon auction revenues as a result of leaving RGGI which could have gone to research and investment in clean energy, efficiency and resiliency. Those investments could have generated 1,300 jobs and more than \$200

million in economic output, the Murphy campaign said.

Murphy also plans to restore the Office of Climate Change within the Department of Environmental Protection, which Christie shuttered when he took office.

Murphy is not the only Democratic candidate with an aggressive clean energy agenda. Sen. Ray Lesniak, Assemblyman John Wisniewski, and Jim Johnson have all stressed the need to promote clean energy and efficiency in a state that was battered by Hurricane Sandy and stands to suffer some of the worst effects of climate change in decades to come.

"We must listen to the scientific experts who know best how we should respond to the reality of a changing climate," Murphy said. "I will restore basic respect for climate science."

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### **NRDC's Goldston departs for MIT job** [Back](#)

By Alex Guillén | 04/25/2017 02:49 PM EDT

David Goldston will leave the Natural Resources Defense Council next month after eight years as the environmental group's director of government affairs to become director of the Massachusetts Institute of Technology's Washington office, the school [announced](#) today.

Before joining the NRDC in 2009, Goldston was director of the Bipartisan Policy Center's Science and Policy Project. He previously served six years as chief of staff for the House Science Committee under Sherwood Boehlert (R-N.Y.).

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