

Rebuilding in 2021: FoA works to undo legacy of harm

Compiled by [Fran Silverman, Friends of Animals FOA](#)

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Americans are going to the polls in a few weeks to vote and whatever the outcome, there is significant work ahead for Friends of Animals. The past four years have brought an unrelenting rollback in protections for wildlife and habitats. From efforts to weaken protections for threatened and endangered species, promotion of energy exploration on public lands and expansion of hunting, to loosening restrictions on pesticides, FoA has been pushing back and will continue to work to safeguard species, ecosystems and biodiversity.



The most abominable actions by the Environmental Protection Agency, Department of Interior, National Park Service and the Department of Energy include weakening the Endangered Species Act to make it easier to remove animals and allow for economic impacts to be factored into listing decisions and diluting the National Environmental Policy Act by limiting public review to speed up infrastructure projects such as pipelines and highways.

In total, more than 70 environmental and wildlife protections have been reversed and 30 were in progress at press time.

See some of the most egregious wrongs we will be trying to right in the new year...

WILDLIFE AND HABITAT PROTECTION

- **Migratory Bird Treaty Act**
Removed incentives to protect birds by allowing businesses to no longer be accountable if their actions cause bird deaths. The changes were challenged in court and a federal judge struck them down.
- **Drilling in the Arctic**
The 2017 tax reform act allows for oil exploration in the pristine Arctic National Wildlife Refuge for the first time since it was set aside for protection in 1960. The Refuge consists of more than 19 million acres of wild lands that is home to polar bears and caribou.
- **Hunting in the Arctic**
Policy changes finalized by the National Park Service allow baiting bears with food, killing bears and cubs while they hibernate and shooting wolves and coyotes while denning with their pups.
- **U.S. Wildlife Refuge System**
The Department of Interior expanded hunting into a record 4 million acres of refuge lands nationwide, the biggest expansion in the agency's history despite a historic decline in the number of hunters in the country. In addition, DOI reversed the ban on lead ammo and fishing tackle on wildlife refuges.

- **Marine Sanctuaries**
Expanded commercial fishing and energy exploration in sanctuaries that protect more than one million square miles of ocean life, opening such areas as Northeast Canyons and Seamounts Marine National Monument off the coast of New England.
- **Sage-Grouse Protections**
Allow drilling and oil leasing that threaten protections of the sagebrush and grassland Sage-Grouse. Known for their dramatic mating dance, Sage-Grouse are an umbrella species who indicate the health of the habitat they share with hundreds of other wildlife.
- **Atlantic Bluefin Tuna Protection**
Eased restrictions of fishing that imperil tuna, who are subject to threats from accidental catches by commercial fishing vessels.
- **Whales, Dolphins, Sea Turtles**
The National Marine Fishers Service withdraws limits to bycatch of whales, dolphins and sea turtles who get caught in large gillnets used in the commercial fishing of shark and swordfish.
- **National Monuments**
Reduced historic landmarks and prehistoric structures such as Bears Ears, Grand Staircase-Escalante in Utah and Cascade-Siskiyou in Oregon and California to open the lands for grazing, logging, mineral and energy extraction and nuclear production.
- **Public Land Grazing**
Bureau of Land Management overhauls grazing regulations allowing for the automatic continuation of expired grazing permits or leases and excludes livestock transport decisions from environmental review. The farming and ranching industry has the run of 155 million acres of public lands in the U.S. at the expense of wild horses who BLM continues to round up with the false notion that they are overpopulated.
- **Minerals and Mining**
Executive order from President Trump directs mineral oversight agencies to expedite environmental reviews and remove obstacles to mineral extraction activities.
- **Plastic Waste**
National Parks Service ends ban on plastic bottles sales in national parks.

CLEAN WATER AND COASTLINES

- **Clean Water Rule**
The Army Corps of Engineers and EPA finalized a rule reducing the amount of waterways and wetlands protected by the Clean Water Act, opening them up for development.
- **Stream Protection Rule**
Rule that prevented coal companies from dumping mining debris into local streams is revoked.
- **Water Quality Certification**
The EPA weakens the Clean Water Act with a change in the certification process limiting state authority over water quality certifications. The original process ensured that water quality could still maintain plant, animal and human life following discharges into waterways from power plants such as coal plants.
- **Coastal Barrier Resources Sand Policy**
The Department of the Interior's Office of the Solicitor reverses a section of the policy to allow for sand from a protected area to be used to replenish projects outside it, jeopardizing wildlife and habitat in the protected region.
- **Fracking**
BLM in 2017 rescinds a rule that protects drinking water, no longer requiring the disclosure of chemicals used in fracking.
- **Offshore Energy Development**
A 2017 executive order by President Trump reverses the withdrawal of 3.8 million acres of U.S. outer continental shelf from oil and drilling and instructs the DOI to consider lease sales in in the Central and Western Gulf of Mexico, Chukchi Sea, Beaufort Sea, Cook Inlet, the Mid-Atlantic, and the South Atlantic.
- **National Ocean Policy**
Executive order by President Trump requires a focus on economic growth over preserving the health of waterways.

CLIMATE AND AIR

- **National Environmental Policy Act**
White House revokes guidance on how agencies should address greenhouse gases in reviews and changed key definitions of what constitutes a “major federal action” to exclude projects from review and reduce the types of alternatives that could be considered.
- **Methane Waste Prevention**
The Bureau of Land Management rescinds the bulk of the waste prevention rule that was aimed at reducing the venting and flaring of methane during oil and gas extraction and new EPA methane rules eliminate federal requirements that oil and gas companies must install technology to detect and fix methane leaks from wells, pipelines and storage sites.
- **Fossil Fuels**
At a time when the country should be moving away from fossil fuels dependency and looking to alternative energy, the Trump administration announced in 2017 it would be pulling out of the international Paris Climate Accords and pushed forward with oil development. BLM released plans in June 2020 opening more than 80 percent of the National Petroleum Reserve to leasing.
- **Fuel Efficiency Standards**
Transportation is the largest source of greenhouse gas but EPA weakened fuel economy and emissions standards allowing for less gallons per mile than previously required.
- **Energy Efficiency Standards**
EPA rolls back requirements for energy efficient standards for a wide variety of appliances.
- **Logging and Alaska Roadless Rule**
The U.S. Forest Service’s draft Environmental Impact Study approves the option of lifting all road rule restrictions in the 16.7 million-acre Tongass National Forest in Alaska to promote logging. The temperate forest is one of the most pristine old-growth regions in the world and it helps sequester carbon dioxide, keeping climate warming gasses out of the atmosphere.
- **Hazardous Air Pollutants**
EPA issues a new guidance memorandum in 2018 weakening pollution control technology requirements for major sources of hazardous air pollution.
- **Clean Power Plan**
EPA repeals the Clean Power Plan, which was implemented to reduce carbon emissions and meet international climate commitments to lower emissions from the power sector.
- **Release of Hazardous Substances**
EPA exempts reporting to the public of toxic air emissions from factory farming animal waste. These emissions from industrial farms impact air and water quality.
- **Mercury and Air Toxics Standards**
EPA issues new standards to allow power plants to release higher amounts of acid gas and SO₂ emissions.
- **Coal**
The Bureau of Land Management resumes federal coal leasing, –lifting an Obama-era moratorium — finding that there’d be no significant environment impact. Additionally, EPA proposed changes to coal ash regulations modifying the requirement that companies and utilities had to prove that a deposit of recycled coal ash wouldn’t harm the environment.
- **Clean Air Act**
An EPA memo weakens the good neighbor provisions in the act allowing for higher amounts of ozone pollution from upwind states.
- **Ethanol Fuel Ban**
EPA lifts summertime ban on ethanol gasoline blends that was aimed at reducing smog.
- **Pipeline Permits**
Permitting process for projects including oil pipelines that cross international borders are moved from the State Department to the President’s office, exempting them from environmental review.

- **National Parks**
National Parks Service rescinds a 2016 order that called for a focus on climate change in managing natural resources in U.S. parks
- **Clean Climate Fund**
Stopped contributions to a United Nations fund that helped poor countries reduce carbon emissions and prepare for the impacts of climate change.

PESTICIDES & CHEMICAL POLLUTANTS

- **Chemical Disaster Rule**
Rules to strengthen protections of chemical facility accidents were put on hold by the EPA and then weakened in a 2019 policy change.
- **Chlorpyrifos**
EPA aborts plans to ban chlorpyrifos, a highly toxic organophosphate used on crops and golf courses, despite evidence revealing serious health and ecological risks.
- **Heavy Metals**
Exempted the electronics byproduct copper filter cake from the hazardous waste list

(Source: Harvard Law School Environmental and Energy Law Program, Columbia Law School Sabin Center for Climate Change Law, The New York Times.)