

What Zinke's First Two Months Mean for our Public Lands

The U.S. Department of Interior oversees 500 million acres of land—one-fifth of the United States. The election of Donald J. Trump as President, the confirmation of Ryan Zinke as Interior Secretary, and the high-profile roles of former fossil fuel lobbyists at the White House and Interior Department, have fundamentally altered the agency's initiatives to address climate change and responsibly manage the nation's public lands.

After two months of Zinke as Secretary and over 100 days with Trump as President, one thing is clear – there is an all-out assault on our public lands and climate. **Here's how they are doing it and the lobbyists driving it.**

Orders to Promote Fossil Fuel Development and Shed Public Health and Climate Protections

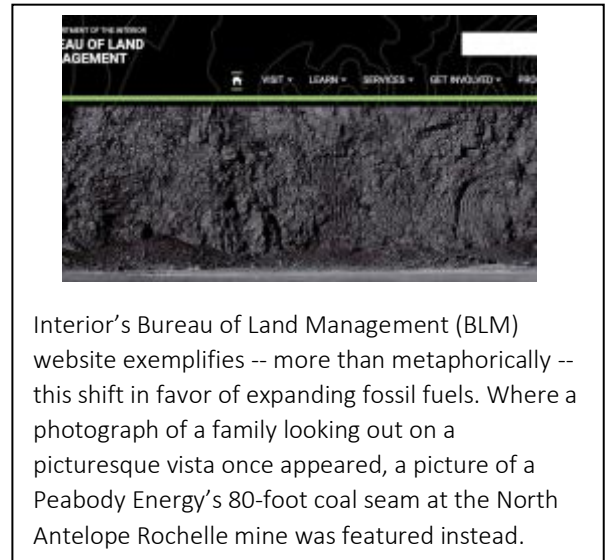
In a series of administrative orders coordinated with President Trump, Secretary Zinke made clear he will promote fossil fuel development on sensitive swaths of national public land, and will curtail efforts to implement critical public health and climate protections.

Ramping up Coal Leasing on Public Lands

On March 29, Secretary Zinke proudly announced “the war on coal is over,” and issued Secretarial Order 3348 to ramp up coal leasing on public lands by ending the moratorium on new coal leasing that was put into place during the Obama Administration. He also stopped BLM from reforming the broken federal coal leasing program by halting their ongoing work on a programmatic environmental impact statement (PEIS)¹. Secretary Zinke also created a new bureaucracy called the Royalty Policy Committee² comprised of primarily energy industry representatives. For an administration that wants to streamline government, it's ironic that they created a new committee that will likely take several years to review the effectiveness of the agency's failed coal program.

Favoring Fossil Fuels

President Trump issued an executive order on March 28 that requires agencies to review “all existing regulations, orders, guidance documents, policies, and any other similar agency actions” that “obstruct, delay, curtail, or



¹ www.doi.gov/sites/doi.gov/files/uploads/so_3348_coal_moratorium.pdf

² www.doi.gov/sites/doi.gov/files/uploads/2017_signed_charter_royalty_policy_committee_03_29_17.pdf

otherwise impose significant costs on the siting, permitting, production, utilization, transmission, or delivery of” domestic energy resources. The order directs agencies to pay “particular attention to oil, natural gas, coal, and nuclear energy resources,” while neglecting mention of renewable energy. Like a good soldier, Secretary Zinke issued his own supporting order, Order 3349, the following day. Here are just a few of the areas it would impact:

- **Climate change:** Zinke’s order, misleadingly titled "American Energy Independence,"³ requires every Bureau and Office within Interior to conduct a full review of existing policies and programs associated with climate change—a first possible step in eviscerating agency initiatives to combat climate change.
- **Hydraulic fracturing:** Secretary Zinke’s order also rescinded Interior’s *Hydraulic Fracturing on Federal and Indian Lands*⁴ rule. The rule would have smartly required oil and gas companies that frack on public lands to publically list chemicals used as part of the process, to more safely store waste fracking fluid, and to ensure enhanced well safety measures.
- **Methane:** Secretary Zinke’s order also reviews whether Interior’s *Waste Prevention* rule to control methane emissions from natural gas operations on federal land are consistent with Trump’s March 28 executive order. The Waste Prevention final rule, issued in November 2016, enacted common sense leak detection and repair standards for oil and gas companies to minimize methane emissions.⁵
- **Oil and gas drilling:** Secretary Zinke’s order could also direct the rescinding or revision of oil and gas rules for development within National Parks and Fish and Wildlife Service-managed refuges. The result of Secretary Zinke’s secretarial order could weaken environmental and accountability standards for oil and gas production within our National Parks and wildlife refuges, thereby placing these important national treasures at risk.

Opening Protected Areas to Energy Development

Under the Trump Administration, even our national parks, refuges, sanctuaries, and monuments are not safe. President Trump and Secretary Zinke are on a path toward opening up our country’s protected areas to energy development.

- On April 28, President Trump dealt a blow to our ocean with an executive order called “Implementing an America-First Offshore Energy Strategy”⁶ that undoes four Obama-era executive orders that had removed offshore oil acreage from oil and gas drilling in the Northern Bering, Beaufort and Chukchi Seas, and portions of the Atlantic Ocean. Trump’s order threatens to therefore expand drilling in the Atlantic and the Arctic and could have catastrophic consequences for marine ecosystems, the climate, worker safety, and the vitality of competing industries such as commercial fishing, recreational marine industries and tourism. In addition, the executive order requests a “reconsideration” of a number of post- Deepwater

³ www.doi.gov/sites/doi.gov/files/uploads/so_3349_-_american_energy_independence.pdf

⁴ www.federalregister.gov/documents/2015/03/26/2015-06658/oil-and-gas-hydraulic-fracturing-on-federal-and-indian-lands

⁵ www.gpo.gov/fdsys/pkg/FR-2016-11-18/pdf/2016-27637.pdf

⁶ www.whitehouse.gov/the-press-office/2017/04/28/presidential-executive-order-implementing-america-first-offshore-energy

Horizon safety rules, despite recent revelations that the offshore oil industry has failed to adequately respond to new safety lapses that threaten “catastrophic failure” of a deepwater rig.⁷

- Trump’s April 28 ocean drilling executive order also called for a **review of all past designations and expansions of National Marine Sanctuaries and Marine National Monuments**⁸. Energy development is once again a core reason for the review, as the report must detail “the opportunity costs associated with potential energy and mineral exploration and production from the Outer Continental Shelf.”
- Americans agree that there are some places in the US that are too special to develop and must be protected for future generations⁹. In a move that disregards such overwhelming support, President Trump issued an executive order on April 26 ordering the Department of the Interior to consider **eliminating existing national monuments on public lands**. Secretary Zinke acknowledged that around 30 national monuments are going to be scrutinized, since they fall under the category of having been established since 1996 and are over 100,000 acres¹⁰.

The Ramifications

President Trump’s executive orders and Secretary Zinke’s related energy and climate orders will have a profound combined impact on America’s energy and climate policies:

- **Denying a fair return to taxpayers:** The moratorium on new coal leasing was needed until the comprehensive PEIS was complete to ensure that taxpayers were protected from coal company accounting scams that deprived the public of a fair return,¹¹ and that the full climate costs for coal leasing could be quantified. The Trump Administration’s premature lifting of the coal leasing moratorium before these risks could be detailed place both taxpayers and our climate in jeopardy.
- **Wasting energy:** Controlling fugitive methane emissions from oil and gas operations on federal land not only would help address climate change by limiting the release of greenhouse gases, but would benefit taxpayers by reducing wasted releases of natural gas that would otherwise be subject to royalty payments.
- **Rolling back progress on climate:** Secretary’s Zinke’s order to review all climate-related Interior Department initiatives threatens to undermine the years of progress we’ve made in ensuring that federal resources are used for the benefit of all the American people—rather than only well-financed fossil fuel corporations.

Trump’s Fossil Fuel Inner Circle

In an unprecedented development, the Trump Administration has installed political aides to supervise and control cabinet agencies in an effort to centralize White House influence.¹² Moreover, the placement of fossil fuel

⁷ www.houstonchronicle.com/business/energy/article/In-offshore-Gulf-fears-over-failing-bolts-persist-8393307.php

⁸ www.whitehouse.gov/the-press-office/2017/04/28/presidential-executive-order-implementing-america-first-offshore-energy

⁹ www.coloradocollege.edu/other/stateoftherockies/conservationinthwest/2017/PublicLands_Topic_17.pdf

¹⁰ www.eenews.net/greenwire/stories/1060053577

¹¹ www.citizen.org/media/press-releases/report-coal-execs-pocketed-windfall-while-driving-companies-ground

¹² www.washingtonpost.com/powerpost/white-house-installs-political-aides-at-cabinet-agencies-to-be-trumps-eyes-and-ears/2017/03/19/68419f0e-08da-11e7-93dc-00f9bdd74ed1_story.html

lobbyists in key positions ensures our nation's public lands will be managed for the benefit of those fossil fuel interests, not the American public.

David Bernhardt: Trump's nomination of David Bernhardt to be Deputy Secretary of the Interior is yet another signal that this Administration is serving on behalf of the fossil fuel industry and doesn't care about conflicts of interest. Bernhardt led Trump's transition team for Interior right after the election, but Doug Domenech (see below) moved into that role shortly after when Trump was trying to distance himself from lobbyists¹³. Bernhardt works at the law firm Brownstein Hyatt Farber Schreck, and serves as chairman of their Natural Resources Department¹⁴. Among Bernhardt's clients is Samson Resources, an oil and gas developer in the West¹⁵. He also has lobbied for Rosemont Copper¹⁶, the mining company trying to develop an open pit copper mine on sacred land in a national forest in southeastern Arizona. The Senate should clearly reject his nomination.

Michael Catanzaro: Importantly, President Trump's energy and climate executive order was not issued until after Michael Catanzaro was named Special Assistant to the President for Domestic Energy and Environmental Policy at the National Economic Council.¹⁷ Catanzaro, who was a registered lobbyist as of 2017,¹⁸ was a partner at the lobbying firm CGCN Group. The firm's 2016 clients included American Fuel and Petrochemical Manufacturers, Devon Energy, Encana Oil and Gas, Halliburton, Hess Corporation, Koch Companies, Loews Corp, NextEra Energy, Noble Energy, Talen Energy, the U.S. Chamber of Commerce and the American Chemistry Council.¹⁹ It appears as though President Trump's pro-fossil fuel and anti-climate change executive orders have been influenced and shaped by Catanzaro's involvement, since the Administration's major energy and climate initiatives were not announced until after Catanzaro was named as Trump's Special Assistant.

Douglas (Doug) Domenech: Domenech was a member of Trump's Agency Landing Team for the Department of Interior²⁰, and led the transition efforts for the agency following Bernhardt. He is currently identified as a White House Senior Advisor at the Department of Interior²¹. Prior to joining the Trump team, Domenech worked for a Conservative Policy think tank called the Texas Public Policy Foundation, where he directed the Fueling Freedom project which emphasizes "the forgotten moral case for fossil fuels²²." In a November Fueling Freedom blog he wrote that the Presidential election was a demonstration of how "Americans just rejected the 'keep it in the ground' extremism espoused by those whose only operating focus is their view that CO2 is a pollutant and climate change is real²³." Before joining the George W. Bush administration and cozying up to fossil fuel interests in that

¹³ www.eenews.net/stories/1060046098

¹⁴ www.bhfs.com/people/attorneys/a-b/dbernhardt

¹⁵ <https://psmag.com/the-big-oil-allies-and-beltway-insiders-leading-trumps-department-of-the-interior-and-how-to-f6048f0db937>

¹⁶ <https://psmag.com/the-big-oil-allies-and-beltway-insiders-leading-trumps-department-of-the-interior-and-how-to-f6048f0db937>

¹⁷ www.whitehouse.gov/the-press-office/2017/02/27/white-house-national-economic-council-director-announces-senior-staff

¹⁸ <http://disclosures.house.gov/ld/ldxmlrelease/2017/RR/300852688.xml>

¹⁹ www.politico.com/story/2017/02/white-house-energy-lobbyist-234773

²⁰ <https://greatagain.gov/agency-landing-teams-54916f71f462>

²¹ www.eenews.net/greenwire/2017/03/10/stories/1060051300

²² <https://psmag.com/the-big-oil-allies-and-beltway-insiders-leading-trumps-department-of-the-interior-and-how-to-f6048f0db937>

²³ <https://psmag.com/the-big-oil-allies-and-beltway-insiders-leading-trumps-department-of-the-interior-and-how-to-f6048f0db937>

role, Domenech worked for the Forest Resource Association, an organization that lobbies for the timber industry²⁴.

Dan Jorjani: Daniel Jorjani was a member of the Trump transition team’s “landing team” at the Department of the Interior, and serves as a Special Assistant to Secretary Zinke²⁵. Jorjani worked for both the Charles Koch Institute and Charles Koch Foundation²⁶. He also was general counsel for Freedom Partners²⁷, a “chamber of commerce” funded by the Koch Brothers²⁸ and comprised of several board members with ties to Koch²⁹. A priority issue for Freedom Partners is expanding fossil fuel energy production³⁰, and they attack government efforts to support renewable resource development.

Kathy Benedetto: Kathy Benedetto also participated in Trump’s transition team, and has moved into a role of Special Assistant to Secretary Zinke³¹. An Interior memo³² shows Benedetto assigned to work with the BLM. This should set off alarm bells, since she co-founded the Women’s Mining Coalition, and is still listed as a member of their advisory committee³³. The Women’s Mining Coalition received an award in 2016 to acknowledge in part the hard work of “mining women who have spent a week every year telling people in Congress about how regulations affect the mining industry³⁴.” Many years ago, Benedetto criticized the Endangered Species Act for not taking “into consideration that extinctions are part of that natural process³⁵.”

What does the Future Hold?

Zinke’s immediate orders to implement Trump’s executive orders have sent a clear message that the new Interior Secretary will be at the forefront of the Trump Administration’s promotion of fossil fuel development on public lands.

While top positions are still being filled at the Interior Department, the trend thus far indicates more trouble ahead. With fossil fuel interests influencing the management and use of our natural resources, it’s time for the American public to be more vigilant than ever in the protection and conservation of our public lands and resources.

As of May 1st, numerous positions requiring Senate confirmation³⁶ remain unfilled at the Department of Interior. On behalf of the American public, Public Citizen calls on the Trump Administration to shun nominating individuals with fossil fuel development backgrounds. As our report shows, the Interior Department clearly already has sufficient representation from the industry in positions of influence. Our public lands and natural resources deserve more balanced leadership.

²⁴ <http://nmpoliticalreport.com/228364/meet-trump-staffers-doi-en/>

²⁵ <https://projects.propublica.org/graphics/beachhead>

²⁶ <http://nmpoliticalreport.com/228364/meet-trump-staffers-doi-en/>

²⁷ <https://freedompartners.org/>

²⁸ <http://nmpoliticalreport.com/228364/meet-trump-staffers-doi-en/>

²⁹ <https://freedompartners.org/about/>

³⁰ <https://freedompartners.org/issue/american-energy/>

³¹ <https://projects.propublica.org/graphics/beachhead>

³² www.eenews.net/assets/2017/03/10/document_gw_06.pdf

³³ <http://wmc-usa.org/wmcofficers.html>

³⁴ www.mmsa.net/Newsletters/2016NovMMSAQuarterly.pdf

³⁵ <http://nmpoliticalreport.com/228364/meet-trump-staffers-doi-en/>

³⁶ www.washingtonpost.com/graphics/politics/trump-administration-appointee-tracker/database/