

Given that Trump has rolled back nearly all of Obama's regulatory efforts, what further harm could he do? Quite a bit as it turns out. If you agree with him that regulation achieves nothing and only stands in the way of prosperity, that should make you very happy.

To begin with, Trump can do more to prevent any future President from returning to a more pro-environmental path. Beyond filling the Ginsburg seat, there's the chance that Justice Breyer's seat will become vacant. Breyer would be 85 by the end of Trump's next term. Trump might also have the chance to replace Justice Thomas with a much younger conservative, ensuring that no Democratic president can make a dent in the conservative majority for decades. Trump could also continue his campaign of making the lower courts satellites of the Federalist Society.

Trump could also do much more to dismantle environmental agencies like EPA. Morale among EPA staff is already abysmal. How many will be willing to hang on through four more years of Trump? By replacing them with anti-environmental zealots or just plain incompetents, Trump could sabotage efforts by future Presidents to protect the environment. By the end of a second Trump term, a good 40% of judges might be Trump appointees.

As other stumbling blocks to more environment-friendly future Presidents, Trump could continue erecting "procedural rules," like the so-called transparency rule, that would prevent any future EPA from considering key scientific evidence or taking a precautionary stance when risks are unknown. Trump's disdain for science is legendary, reflected in his hints yesterday that he'll fire Dr. Fauci after the election.

Many of Trump's first-term rollbacks are now in litigation. With a second term, he can be sure that his appointees are in place when some of those rules are sent back to agencies for further consideration, as will inevitably happen. His Justice Department will also be in charge of defending his rules and talking courts into establishing anti-environmental precedents that will bind future Presidents.

And, of course, there could be yet more rollbacks. Having gotten rid of Obama's environmental legacy, why not reexamine regulations from the Bush Administration? True, many of them were industry-friendly, but surely with a bit of work they could be made even more so. That wouldn't be a first for Trump: his wetlands regulation is much worse than Bush's was. And if new evidence emerges about the harmfulness of pollution, Trump's people will be there to fight off any risk of stronger regulations. We've already seen that too, in their effort to freeze current ozone and particular standards in place in the face of strong scientific evidence that tighter standards are needed.

I was worried enough before the polls closed in 2016 to write a post for possible use if Trump won the election. It was about ways of resisting Trump's war on environmental protection. I had hoped that after Election Day, I could just delete it. We'll see soon whether I'll need to do an update on how to survive another four years of environmental destruction.