

We are about to have in the White House a man who thinks solar panels [kill](#) bunnies, and windmills [cause](#) cancer – a man who rolled back [over a hundred](#) environmental regulations in his first term of office. This a dreadful setback that could not have come at a worse time. The climate and biodiversity crises are becoming more urgent by the day. But we've been here before, and we know what needs to be done.

Twice before in this century, enemies of environmental protection have taken the helm. After taking office, Bush embraced fossil fuels, opposed climate action, and weakened environmental regulations. Trump's first term made Bush seem like a tree hugger, and his second term may be even worse.

The strategies we've used in the past are still applicable, though circumstances have changed. Not all the changes are bad. Some changes will make it harder to push back against Trump, while others have made it easier.

The courts

The courts can be important checks on anti-environmental actions. The Trump Administration had a terrible litigation record last time. There's been some speculation that they've learned to avoid stupid mistakes. It seems likely that in this term, even more than the last one, Trump will value fealty over competence. If so, the new appointees may fare no better in court.

The judiciary is more conservative today and more skeptical of environmental regulation, which could make litigation more difficult. But other changes have made it easier in some ways to challenge agency actions, with the overruling of *Chevron* and the rise of the major question doctrine. So, despite the more conservative slant of the courts, they still could serve as a check on Trump's most destructive impulses.

The states

Second, we've learned in this century that states can play a much bigger role in environmental policy than they did in the last one. Bush's inaction helped launch major climate change programs in California and on the East Coast. In Trump's first term, those initial state efforts became much more aggressive, and many additional states acted. We need to redouble those efforts. The first Trump Administration made some efforts to attack state regulation in court. But this may turn out to be

difficult, because anti-regulatory judges are often also believers in state's rights.

State-level actions will be able to take advantage of some major economic trends, especially the plunging cost of renewable energy and battery storage. These incentives are amplified by the financial incentives of the Inflation Reduction Act. As I've written before, the IRA will be hard to repeal because it has sparked so much investment in Republican congressional districts. The changed economics of renewables also open another front: pushing for renewables on economic grounds in conservative states.

The bureaucracy

Under both Bush and Trump 1.0, we learned that government experts and civil service have some leverage even under the most ideological leaders. The Trump people are aware of this: thus, their talk about destroying the "deep state." Despite talk of firing tens of thousands of public servants, doing so could be illegal, would be very difficult and time-consuming, and would leave the administration unable to craft actions that can stand up in court.

There is no doubt that public servants will be under tremendous pressure from the Trump Administration. Protecting them from political pressure should be a major priority of environmental advocates and pro-democracy groups.

Politics

The opposition party always has the advantage in off-year elections, giving Democrats an edge in regaining control of Congress. Trump will certainly be a powerful presence in the Republican party, but he will also be a lame duck and an aging one at that. Moreover, as we have seen in the House over the past four years, the Republican Party is badly divided internally and has found it hard to organize to do business. Trump may be able to impose more order, but the fact remains that there are deep divisions within the party. It may not be easy for him to push through Congress the measures he has promised the country - which could be good news for the environment.

Trump will no doubt live up to his past records as the most anti-environmental president in U.S. history. There's no gainsaying it: his victory is an environmental disaster.

For that very reason, the effort to defend public health, the environment, and future generations is now more important than ever. We've suffered a terrible loss but we still have the tools to fight back. But we can't allow shock and despair to get in the way of immediate preparation for the environmental battle of our lifetimes.