

**Urban and Environmental Policy 300**  
**Environmental Law and Policy, Tues and Thurs 1:30-2:55pm**  
**Treehouse North**  
**Professor Mijin Cha**

*Office Hours*

*UEP Dept #204; T/TH 3-4:30 or by appointment*

**What is this course about?**

This course is an overview of environmental law and policy. The course begins with a discussion of what we consider to be the environment and how those perceptions are created. The course then discusses how we regulate the environment, focusing on administrative law, case law, and constitutional concerns. Following this, the course focuses on the big environmental statutes: the Clean Air Act, the Clean Water Act, and the National Environmental Policy Act. The course then turns to issues of climate change, waste, and natural resources management. The course also discusses the role that race and class play in environmentalism and environmental policy throughout these main topics. The course is structured for us, as a group, to learn about these issues and discuss them in small groups, during and outside of class.

**What are the goals of this course?**

The goals of this course are to understand how environmental regulation and policy work within the U.S. regulatory and legal system. There is some discussion of global issues, particularly with respect to climate change and air pollution, but the bulk of the course will focus on domestic environmental issues. Students will receive a brief introduction to legal studies and be able to understand basic regulations and the role of courts within the regulatory system.

By the end of the course, students should be able to understand what is meant by environmental regulation, identify the major environmental statutes, understand the role that race and class plays within environmental concerns, and be able to coherently discuss the complexities of environmental regulation and articulate their vision for how to best address environmental issues.

**Course Requirements**

**Participation (20%)**: You are expected to do all of the course readings and keep up to date. This is a reading intensive seminar. Attendance and preparation is required. Participation in class (coming to class and being a part of it) counts for **20 percent of your grade**.

You may miss **three classes** during the course of the semester without any penalty. Any additional absences will result in an automatic decrease by one grade (a B will become a B-, for example). This class will use the Socratic method, which means I will call on students without prior notice. You are expected to have done reading for the class and be able to contribute to class discussion fully.

Your participation in class will also be evaluated based on your ability to contribute to the class discussions as a whole. Here, quality is preferred to quantity. Be mindful of your own contribution but also the overall classroom dynamic. Listen attentively to others, recognize when to “step up” and “step back” to contribute to a productive discussion that enables meaningful participation by others in the class.

Participation also includes preparing discussion questions for each class. We will choose one or two of the discussion questions to guide discussion each class period. Discussion questions should critically examine the reading or issues assigned and not be a “summary” question.

Finally, participation requires you to be present during class. As such, **no laptops or phones are allowed in class**. If you require a laptop for note-taking, please obtain prior approval from me. If you are using your phone during class, you will be marked as absent.

Midterm Exam (30%): You will have an in-class mid-term on **Thursday, October 4**. The midterm will be discussed in more detail in class.

In-class Group Exercise (20%) There will be two in-class group exercises. Your grade for these exercises will be based on our participation in the exercise and your contribution to your group. More details on the in-class exercises will be given later in the semester.

Final Paper (30%): Final papers are due **Friday, December 7th by 5pm**. You must submit a hard copy to the UEP department. The final paper prompt will be handed out at least two weeks before the deadline.

## **COURSE POLICIES**

### **Plagiarism Policy**

Plagiarism consists of any form of passing off, or attempting to pass off, the knowledge or work of others as your own. It is a form of cheating. Examples of plagiarism include: unattributed quotations from a book, magazine or article; copying from the notes or essays of others; the submission of work actually written or dictated by others; and unattributed use of other people’s ideas. Remember, plagiarism includes information from books, newspapers, journals and the Internet.

I randomly check sentences in students’ papers to see if there is plagiarism. If you are caught plagiarizing, you will automatically fail this course. Plagiarism is also grounds possible expulsion from the college. Students should consult Occidental’s student handbook for information on academic misconduct policy at the college: <http://www.oxy.edu/student-handbook/academic-ethics/academic-misconduct>.

### **Classroom Community**

This course is intended to provoke discussion and new understandings of the urban environment we live in. Toward this end, the course will grapple with discussions about inequity, power,

race, class, and gender. We expect our classroom to be a productive space for open, honest, and thoughtful discussion that recognizes and respects differences and acknowledges the broad range of knowledge we bring to the classroom and discussion. Please remember that our focus in this course is the issues, texts, course materials and presentations themselves, and not the personalities, identities, or opinions of other participants in the discussion.

### **Laptops and Cellphones**

Electronic devices in the classroom limit full participation in class. In order for you to pay attention and engage in learning and minimize distractions to others, laptops are not allowed unless they are necessary for note-taking, which must receive prior approval from your professor. Cell phones and all other electronic devices are to be turned off or put on silent. Students who are not paying attention in class will be marked as absent.

### **Course Readings**

Course readings will be posted on Moodle. Please complete readings for the day they are assigned. Readings will largely follow the syllabus but are subject to some changes. Please pay attention to the Moodle site for any changes to the schedule and/or the readings.

### **Support Services**

The college provides a set of resources to students to support them in learning. The [Writing Center](#) provides writing assistance to students to develop ideas, draft, and revise papers. I would strongly encourage you to visit the Writing Center if you feel you need more intensive feedback on your writing.

Students with documented disabilities who are registered with Disability Services are required to present their accommodation letter to the instructor at the beginning of each semester or as soon as possible thereafter. Any student who experiences significant physical or mental impairments may contact Disability Services at (323) 259-2969 to learn about available services and support. More information is available at <http://www.oxy.edu/disability-services>

The Emmons Wellness Center also provides important support services and can help you address issues of stress, medical and mental health, and overall well-being. For more information, see their website at <http://www.oxy.edu/emmons-wellness-center>

**Required Text: *Environmental Law and Policy, 4<sup>th</sup> Edition* by: James Salzman and Barton H. Thompson, Jr.**

**Other readings will be posted on Moodle. Please check Moodle before every class, as readings may change over the course of the semester.**

Week 1: Tuesday, August 28

Class overview

Thursday, Aug 30

What is the “environment?”

William Cronon, “The Trouble with Wilderness”

Salzman and Thompson: Chapter 1: *An Introduction to Environmental Law and Policy*

Week 2: Tuesday, September 4

Overview of themes in environmental law and policy

Salzman and Thompson: Chapter 2: *Perspectives on Environmental Law and Policy*

Thursday, Sept. 6

The evolution of environmentalism

Dorceta Taylor, *The Rise of the Environmental Justice Paradigm: Injustice Framing and the Social Construction of Environmental Discourses*:

<http://journals.sagepub.com/doi/pdf/10.1177/0002764200043004003>

Week 3: Tuesday, September 11

An introduction to environmental justice

Sheila Foster, *Justice from the Ground Up: Distributive Inequities, Grassroots Resistance, and the Transformative Politics of the Environmental Justice Movement*, California Law Review.

<https://scholarship.law.berkeley.edu/cgi/viewcontent.cgi?article=1579&context=californialawreview>

**Read Section I-III only.**

Thursday, Sept 13

**NO CLASS- FINISH WATCHING WHEN THE LEVEES BROKE- two page reflection paper, bring to class on Tuesday.**

Week 4: Tuesday, September 18

Overview of tools used for environmental protection

Salzman and Thompson: Chapter 3: *The Practice of Environmental Protection*

Thursday, Sept 20

Enforcement of environmental laws

Salzman and Thompson: Chapter 4: *Enforcement*

Executive Order 12898: <https://www.archives.gov/files/federal-register/executive-orders/pdf/12898.pdf>

Kristen Lombardi, et. al *Environmental Racism Persists and the EPA is One Reason Why*,  
<https://www.publicintegrity.org/2015/08/03/17668/environmental-racism-persists-and-epa-one-reason-why>

Week 5: Tuesday, September 25

Environmental Justice revisited:

Sheila Foster, *Justice from the Ground Up: Distributive Inequities, Grassroots Resistance, and the Transformative Politics of the Environmental Justice Movement*, California Law Review.  
<https://scholarship.law.berkeley.edu/cgi/viewcontent.cgi?article=1579&context=california-lawreview>

**Read Sections IV-V only.**

Luke W. Cole, *Environmental Justice and the Three Great Myths of White Americana*,  
<https://crpe-ej.org/wp-content/uploads/2016/12/Environmental-Justice-and-the-Three-Great-Myths-of-White-Americana.pdf>

Thursday, Sept 27

**In-class group exercise**

Week 6: Tuesday, October 2

**Presentation of in-class exercise.**

**Review session for Midterm.**

**Please bring questions for midterm review.**

Thursday, Oct 4- **NO CLASS**

Week 7: Tuesday, October 9

**NO CLASS, FALL BREAK**

Thursday, Oct 11- **IN-CLASS MIDTERM**

Week 8: Tuesday, October 16

Protecting the air: The Clean Air Act

U.S. EPA, *The Clean Air Act in a Nutshell, How it works:*

[https://www.epa.gov/sites/production/files/2015-05/documents/caa\\_nutshell.pdf](https://www.epa.gov/sites/production/files/2015-05/documents/caa_nutshell.pdf)

Thursday, Oct 18

The Clean Air Act, part II and Global Air Pollution

Salzman and Thompson: Chapter 5: *The Clean Air Act*

Salzman and Thompson: Chapter 6: *Global Air Pollution*, **Section I only. Read until p. 149.**

Week 9: Tuesday, October 23

Protecting the water: The Clean Water Act

Salzman and Thompson: Chapter 7: *Water Pollution*

Thursday, Oct 25

*The Federal Water Pollution Control Act* (aka The Clean Water Act):

<https://www.epa.gov/sites/production/files/2017-08/documents/federal-water-pollution-control-act-508full.pdf>

Read from page 1-15, up until “Grants for Research and Development) and Title IV: Permits and Licenses up to Section 406 (p. 185-208)

Week 10: Tuesday, October 30

The National Environmental Policy Act

Salzman and Thompson: Chapter 12: *The National Environmental Policy Act*

Council on Environmental Quality: *Environmental Justice Guidance under the National Environmental Policy Act*: <https://ceq.doe.gov/docs/ceq-regulations-and-guidance/regs/ej/justice.pdf>

Thursday, Nov. 1

Daniel R. Mandelker, *The National Environmental Policy Act: A Review of Its Experience and Problems*, *The Washington University Journal of Law and Policy*: [https://openscholarship.wustl.edu/cgi/viewcontent.cgi?article=1082&context=law\\_journal\\_law\\_policy](https://openscholarship.wustl.edu/cgi/viewcontent.cgi?article=1082&context=law_journal_law_policy)

Week 11: Tuesday, November 6

Introduction to Climate Change

*Policy Responses to Climate Change*: <http://www.world-nuclear.org/information-library/energy-and-the-environment/policy-responses-to-climate-change.aspx>

UC Berkeley Law, *California Climate Policy Dashboard*: <https://www.law.berkeley.edu/research/clee/research/climate/climate-policy-dashboard/>

**Guest Speaker: Madeline Wander, Senior Data Analyst, USC Program for Environmental and Regional Equity (PERE)**

**Sponsored by Remsen Bird Fund**

Thursday, Nov 8

**Guest Speaker: Caroline Farrell, Center on Race, Poverty, and the Environment**

**Sponsored by Remsen Bird Fund**

Week 12: Tuesday, November 13

**In-class group exercise**

Thursday, Nov 15

Natural resources management

Salzman and Thompson: Chapter 10: *Wetlands, Endangered Species, and the Public Trust*

**Week 13: NO CLASS, THANKSGIVING BREAK**

Week 14: Tuesday, November 27

Toxic substances

Salzman and Thompson: Chapter 8: *Regulating Toxic Substances*

Thursday, Nov 29

Waste management

Salzman and Thompson: Chapter 9: *Waste Management*

Week 15: Tuesday, December 4

**Course Wrap up and Evaluations**

**FINAL PAPERS DUE: Friday, December 7<sup>th</sup> by 5pm. Hard copy turned in to UEP office.**

**Important Dates:**

Thursday, Sept. 13: NO CLASS

Thursday, Sept. 27: **In-class group exercise (GRADED)**

Thursday, Oct. 4: NO CLASS

Thursday, Oct. 11: **IN-CLASS MIDTERM**

Tuesday, Nov. 6: Guest Speaker

Thursday, Nov. 8: Guest Speaker

Tuesday, Nov. 13: **In-class group exercise (GRADED)**

Friday, Dec. 7: **FINAL PAPER DUE BY 5pm.**