

**Urban and Environmental Policy 300**  
**Environmental Law and Policy, synchronous meetings on Wednesdays, 5:40-7:05 PT**  
**Fall 2020**  
**Professor Mijin Cha (she/hers)**

**Course Logistics**

*Professor's email:* mcha@oxy.edu. During the semester, you can expect a response within 48 hours. If it is a question that can be answered by reviewing the syllabus or course Moodle page, I would encourage you to do that before emailing me.

*Office Hours:* Wednesdays, 11am-1pm PT; Friday 10am-11am. Rather than hang out on Zoom, please sign up for office hours through this link: <https://calendly.com/mcha-1/15min>

*Moodle page:* <https://moodle.oxy.edu/course/view.php?id=30625>

*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

UEP 300 is a 4-unit course. It is expected that students in this class will be devoting at least twelve (12) hours a week (including in-class time) on average.

**Class Format and Zoom Link**

For this fall, we will meet both synchronously and asynchronously. Lectures will cover the assigned reading material and will be posted by the Monday before we meet all together. We will then discuss the readings together on Wednesdays at 5:40. For instance, the lectures that cover the reading for Week 2 will be posted by Monday, August 31st and we will meet to discuss the lecture and reading for Week 2 on Wed. Sept. 2nd.

You should each receive a calendar invite for the synchronous discussions.

**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 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.

### **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**.

Of course, during these times, things change all the time so **if you are not able to attend synchronous discussion, you must let me know**. We can figure out another way for you to participate and engage, but in order to do so, I need to know so please let me know if anything comes up that disrupts your ability to engage, as soon as possible.)

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. As we will be online, it is even more important to be mindful of participation.

Papers (15% each, 30% total): Rather than an intensive midterm exam, you will complete two short papers throughout the semester. These papers will be 3-4 pages in length and prompts will be distributed well in advance. The papers will be a mix of reflection, research, and policy analysis.

Group Exercise (20%): There will one group exercise. 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 exercise will be given later in the semester.

Final Paper (30%): Final papers are due **Monday, Nov. 30<sup>th</sup> by 5pm PT**. You must email me your paper before 5pm on the 30th. The final paper prompt will be handed out at least two weeks before the deadline.

<b>Graded Assignment</b>	<b>Date Due</b>
Paper #1	<b>Wednesday, Sept. 9<sup>th</sup></b>
Group Assignment	<b>Wednesday, Oct. 7<sup>th</sup></b>
Paper #2	<b>Wednesday, Nov. 4</b>
Final Paper	<b>MONDAY, Nov. 30</b>

## **COURSE POLICIES**

### **Academic Ethics and Plagiarism Policy**

Students are expected to comply with the Student Handbook, in particular the section on [Academic Ethics](https://www.oxy.edu/student-handbook/academic-ethics/academic-ethics). (<https://www.oxy.edu/student-handbook/academic-ethics/academic-ethics>)

Whenever outside sources are used, they must be properly credited. 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>.

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### **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.

### **Support Services**

Writing Center: 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.

Disability Services: 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>

Emmons: 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>

Accommodations for Reasons of Faith and Conscience: Consistent with Occidental College's commitment to creating an academic community that is respectful of and welcoming to persons of differing backgrounds, we believe that students should be excused from class for reasons of faith and conscience without academic consequence. While it is not feasible to schedule coursework around all days of conviction for a class as a whole, faculty will honor requests from individual students to reschedule coursework, to be absent from classes that conflict with the identified days. Information about this process is available on the ORSL website: <https://www.oxy.edu/office-religious-spiritual-life>

Title IX: In the event that you choose to write or speak about having experienced sexual or interpersonal violence, including sexual assault, dating violence, domestic violence, stalking, sexual exploitation or any other form of sexual harassment, as a designated Responsible Employee, I must notify the Title IX Office. They will contact you to let you know about accommodations and support services at Oxy and reporting options both on and off-campus.

If you do not want the Title IX Office notified, instead of disclosing this information to your instructor, either through conversation or a class assignment, you can speak confidentially with the following people on campus:

- Marianne Frapwell, Survivor Advocate, Project SAFE ([survivoradvocate@oxy.edu](mailto:survivoradvocate@oxy.edu))
- Emmons Counseling (For appointments, call: 323-259-2657)
- Rev. Dr. Susan Young, Office of Religious and Spiritual Life ([young@oxy.edu](mailto:young@oxy.edu))

The sexual misconduct policy, along with additional resources, can be found at: <http://www.oxy.edu/sexual-respect-title-ix/policies-procedures>. If you would like to contact the Title IX Office directly, you can email Title IX Coordinator Alexandra Fulcher at [afulcher@oxy.edu](mailto:afulcher@oxy.edu) or call 323-259-1338.

### **COVID-19 Statement**

You are trying to learn- and I am trying to teach- during a global pandemic. In the best-case scenario, it means the semester will be more stressful than usual. In the worst case, many, many terrible things can happen. But, we still have to try to be present and engage, as best we can. I expect you to turn assignments in on time and come to class prepared. But, again, global pandemic. You are in less than ideal situations, and I am also in a less than ideal situation. So, let's agree we will all try our best and we will communicate our needs and constraints. I will promise to be flexible and empathetic and you will also promise to be flexible and empathetic. Together, we will get through this.

### **Class List and Readings**

#### Week 1: Wednesday, Aug. 26th

Class overview  
Introductions  
What is your environment like?

#### Week 2: Wednesday, Sept. 2nd

What is the “environment?”

William Cronon, “The Trouble with Wilderness”

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

#### Week 3: Wednesday, Sept. 9<sup>th</sup> - PAPER 1 DUE- POST ON MOODLE

The evolution of environmentalism and introduction to environmental justice

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>

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 Section I-III only.**

Week 4: Sept. 16th

Overview of tools used for environmental protection

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

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: Wednesday, Sept. 23rd

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>

**Guest Speaker: Madeline Wander, former senior analyst Equity Research Institute, USC**

Week 6: Wednesday, Sept. 30th

Understanding the role of democracy and environmental protection

Attend webinar, link to be provided closer to date.

Week 7: Wednesday, Oct. 7th-

**IN CLASS PRESENTATIONS**

Week 8: Wednesday, Oct. 14th

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)

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: Wednesday, Oct. 21st

Protecting the water: The Clean Water Act

Salzman and Thompson: Chapter 7: *Water Pollution*

*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)

**GUEST LECTURE: Los Angeles Alliance for a New Economy**

Week 10: Tuesday, Oct. 28th

## 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>

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)

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

Week 11: Wednesday, Nov. 4<sup>th</sup> - PAPER # 2 DUE, POST ON MOODLE

### Endangered Species

Salzman and Thompson: Chapter 10: *Endangered Species* (p.287-310)

Listen to the All Creatures podcast, episode on “Wolves and the Endangered Species Act” <https://player.fm/series/all-creatures-podcast-2362154/episode-110-wolves-and-the-endangered-species-act-wcorbin-maxey>

## **Guest Lecture: Prof. Braker, Biology Dept.**

Week 12: Wednesday, Nov. 11<sup>th</sup>.

### 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>

Pick one policy from this site to present in class: UC Berkeley Law, *California Climate Policy Dashboard*: <https://www.law.berkeley.edu/research/cee/research/climate/climate-policy-dashboard/>

Week 13: Wednesday, Nov. 18th

### Climate Change on the ground



Readings tbd

**Guest speakers: Julian Noise Bravecat and Marcela Mullholand, Data for Progress**

**FINAL PAPERS DUE: MONDAY, Nov. 30th by 5pm.**

**Important Dates:**

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