

**Urban and Environmental Policy 300**  
**Environmental Law & Policy, Wednesdays 1:55-4:50**  
**Fowler Rm 112**

**Zoom:** <https://occidental.zoom.us/j/83031109987>

**Professor Caroline Farrell (She/Her/Hers)**

### **Course Logistics**

Office Hours: I will be available in-person on Wednesdays from 12:00-1:30 in office 103 in the UEP building or for virtual appointments at a mutually convenient time. To schedule an appointment, email me at [cfarrell@oxy.edu](mailto:cfarrell@oxy.edu).

All 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**

We will follow the College's policies related to in-person classes. I ask that you wear masks in class throughout the semester even if the college policies change over the course of the semester. We will combine lectures and in-class discussions both in a large group and small group format, as well as some in-class activities to apply the material we are learning. We will revisit the format if we return to virtual-classes, and I will post those changes to Moodle.

### **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 regarding climate change and air pollution, but most 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 play 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. Students will also have the opportunity to gain skills in policy analysis and advocacy. The final paper could also serve as a writing sample for internship and job applications.

### **Course Requirements**

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

Participation is expected as the work that we do in class is critical to your understanding of the material and you will be giving feedback to your peers on many occasions. Discussion and small group activities supply the opportunity for you to demonstrate your learning and put it into practice and allow me to assess whether you are grasping the relevant concepts. However, if there is a medical issue or family emergency, please let me know; I recognize that other life issues can sometimes arise unexpectedly. If you must miss class due to an official Oxy event, or due to [reasons of faith or conscience](#), please let me know as early in the semester as possible.

Your health and well-being, and that of our community, are essential. If you are feeling any symptoms of illness, even if they are slight, please refrain from attending class until explicitly cleared by Emmons. Similarly, if you have a known exposure to someone who has tested positive for COVID-19, please do not return to class until Emmons confirms that you are cleared to participate in your usual activities. I will set up a zoom link for each class in case you need to participate virtually. The zoom link is <https://occidental.zoom.us/j/83031109987>.

Please let me know in advance if you need to miss a class and I can work with you to cover anything you may have missed from our discussion. Your participation in class will also be evaluated based on your ability to contribute to the class discussions. 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 “move up” and “move back” to contribute to a productive discussion that enables meaningful participation by others in the class.

During the semester you will present on **one current news story** related to environmental policy during the first part of the class. The presentation should be about 5 minutes, describe the issue and how that issue relates to the materials we are learning in the class. The sign-up sheet is [here](#). Please sign up by January 27<sup>th</sup>. Three people will present at the beginning of each class starting next week.

**Midterm Exam (30%):** You will have an essay mid-term due on March 1st. The midterm will be discussed in more detail in class.

In-class Group Exercise (20%) There will be two in-class group presentations- one on March 8<sup>th</sup> and one on April 19<sup>th</sup>. Your grade for these presentations will be based on your 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 May 5**, by 5pm. Submit them to me at [cfarrell@oxy.edu](mailto:cfarrell@oxy.edu). The final paper prompt will be handed out at our last class.

### Course Grade Assignments

<b>A</b>	<b>A-</b>	<b>B+</b>	<b>B</b>	<b>B-</b>
92.5	90	87.5	82.5	80
<b>C+</b>	<b>C</b>	<b>C-</b>	<b>D+</b>	<b>D</b>
77.5	72.5	70	67.5	60

**Late Assignments:** In environmental policy there are often agency deadlines that are absolute. So, deadlines are important, but I am willing to be flexible. If you let me know in advance, I can work with you on a reasonable deadline given the flow of the course and the timelines for assessments. If you miss a deadline without contacting me in advance or within 48-hours of missing the deadline, I will deduct a grade for each day until the assignment is submitted. For example, if you turn in an assignment 24 hours late without contacting me about accommodation – the best grade you could get is an A- (you have a 24-hour grace period).

**Required Text: Environmental Law and Policy, 5th Edition by: James Salzman and Barton H. Thompson, Jr.** There is also a 4th edition released. There is not that much difference between the 4<sup>th</sup> and 5<sup>th</sup> edition- you can use either. Other readings are available online and on Moodle. The syllabus is subject to change throughout the semester depending on how we progress through the material. Any changes to reading materials will be sent via email.

### Week 1: Wednesday, January 25

#### *Class overview*

What is the “environment?”

How do we approach environmental regulation?

Game: How Policy is Created in California

### Week 2: Wednesday, February 1

#### *Review what is the environment?*

William Cronon, “The Trouble with Wilderness”,

<https://faculty.washington.edu/timbillo/Readings%20and%20documents/Wilderness/Cronon%20The%20trouble%20with%20Wilderness.pdf>

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

***Approaches to environmental law and policy***

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

**Week 3: Wednesday, February 8**

***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>

***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=california-lawreview>

Read Section I-III only.

**Week 4: Wednesday, February 15**

***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

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, February 22**

***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://www.researchgate.net/publication/254557369\\_Justice\\_from\\_the\\_Ground\\_Up\\_Distributive\\_Inequities\\_Grassroots\\_Resistance\\_and\\_the\\_Transformative\\_Politics\\_of\\_the\\_Environmental\\_Justice\\_Movement/link/5519649d0cf2d241f3566854/download](https://www.researchgate.net/publication/254557369_Justice_from_the_Ground_Up_Distributive_Inequities_Grassroots_Resistance_and_the_Transformative_Politics_of_the_Environmental_Justice_Movement/link/5519649d0cf2d241f3566854/download)

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-Myths-of-White-Americana.pdf>

The Center on Race, Poverty & the Environment, A Right without a Remedy, How the EPA failed to protect the Civil Rights of Latino School Children, <https://crpe-ej.org/wp-content/uploads/2016/12/Right-without-a-Remedy-FINAL.pdf>

**Assignment for the Small Group Presentation** will be given out at the end of class

**Mid-term –essay prompts** will be posted on Moodle February 28 by 5pm and Due March 1<sup>st</sup> by 6 pm.

**Week 6: Wednesday, March 1**

**No class- mid-term due by 6 pm – by email to [cfarrell@oxy.edu](mailto:cfarrell@oxy.edu) or submit via Moodle**

**Week 7: Wednesday, March 8**

**In-Class Small Group presentations**

1:55-2:55- practice, run through, meet with small group

3-4:50- Small Group Presentations.

**Week 8: Wednesday, March 16**

Spring Break

**Week 9: Wednesday, March 22**

**Protecting the air: The Clean Air Act and Global Air Pollution**

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)

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 10: Wednesday, March 29**

**Protecting the water: The Clean Water Act**

Salzman and Thompson: Chapter 7: Water Pollution

Michigan Civil Rights Commission, “The Flint Water Crisis: Systematic Racism Through the Lens of Flint” (2017) (pp. 1-6.) [https://www.michigan.gov/documents/mdcr/VFlintCrisisRep-F-Edited3-13-17\\_554317\\_7.pdf](https://www.michigan.gov/documents/mdcr/VFlintCrisisRep-F-Edited3-13-17_554317_7.pdf)

UC Berkeley School of Law, "The Human Right to Water Bill in California"

[https://d3n8a8pro7vhmx.cloudfront.net/communitywatercenter/pages/37/attachments/original/1394266233/Water\\_Report\\_2013\\_Interactive\\_FINAL.pdf?1394266233](https://d3n8a8pro7vhmx.cloudfront.net/communitywatercenter/pages/37/attachments/original/1394266233/Water_Report_2013_Interactive_FINAL.pdf?1394266233)

### **Week 11: Wednesday, April 5**

#### ***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)

#### ***Cumulative Impacts and Land Use***

Morello-Frosch, Zuk, Jerrett, Shamasunder, and Kyle, "Understanding the Cumulative Impacts of Inequality in Environmental Health: Implications for Policy," Health Affairs 30, No. 5 (2011)(pp. 879-887).

Historically Redlined Communities Face Higher Asthma Rates, Berkeley News (2019)

<https://news.berkeley.edu/2019/05/22/historically-redlined-communities-face-higher-asthma-rates/>

### **Week 12: Wednesday, April 12**

#### ***Introduction to Climate Change***

Policy Responses to Climate Change: [http://www.world-nuclear.org/information-](http://www.world-nuclear.org/information-library/energy-and-the-environment/policy-responses-to-climate-change.aspx)

[library/energy-and-the-environment/policy-responses-to-climate-change.aspx](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/cee/research/climate/climate-policy-dashboard/>

Skim through all of the pages and pick one bill in particular to present in class.

Manuel Pastor, Rachel Morello-Frosch, James Sadd, Justin Scoggins, "Minding the Climate Gap," (2010) <https://dornsife.usc.edu/assets/sites/242/docs/mindingthegap.pdf>

Communities for a Better Environment, ForestEthics, "Crude Injustice on the Rails," (2015), <http://www.cbecal.org/latest-cbe-report-crude-injustice-la-cruda-injusticia-full-report-english-spanish/>

Michael J. Mishak, Big Oil's Grip on California, The Center for Public Integrity (2017), <https://www.publicintegrity.org/2017/02/13/20685/big-oil-s-grip-california>

**Week 13: Wednesday, April 19**

***In-class group exercise and presentation***

**Week 14: Wednesday, April 26**

***Toxic substances***

Wrap Up and Evaluations

Salzman and Thompson: Chapter 8: Regulating Toxic Substances

Bullard, Mohai, Saha and Wright, Toxic Wastes and Race at Twenty: 1987-2007 (2007) Chapters 1, 4.

Cerrell Associates, Inc., Political Difficulties Facing Waste-to-Energy Conversion Plant Siting (1984)(pp. 1-39) <https://www.ejnet.org/ej/cerrell.pdf>

SB 673 Cumulative Impacts and Community Vulnerability Draft Regulatory Framework Concepts, CalEPA & DTSC (2018) <https://dtsc.ca.gov/wp-content/uploads/sites/31/2015/09/DRAFT-CI-Regulatory-Frameworks-Concepts-10-15-2018.pdf>

Final assignment distributed

**FINAL PAPERS DUE:** Friday, May 5th by 5pm. - email to [cfarrell@oxy.edu](mailto:cfarrell@oxy.edu) or via Moodle

### **IMPORTANT DATES**

**Wednesday, March 1:** Mid-term (take home) (GRADED)

**Wednesday, March 8:** In-class group presentation (GRADED)

**Wednesday, April 19:** In-class group exercise (GRADED)

**Friday, May 5:** FINAL PAPER DUE BY 5pm (GRADED)

### **Statement of the Shared Academic Integrity Commitment**

Academic Integrity is a shared community value. It is built around trust and respect between members of the Occidental Community and embodies a commitment to honesty and integrity in every aspect of one's academic life.

All members of the Occidental community are committed to upholding the highest degree of academic integrity. Unless stipulated otherwise, the academic work done for all assignments is

expected to be the student's own, and students give proper credit to the ideas and work of others.

Signing the Academic Integrity Commitment at matriculation and at the beginning of every semester represents a student's affirmation to uphold the shared values of honesty and integrity. When signing the Integrity Commitment associated with work in a course, students are affirming that they have not cheated, plagiarized, fabricated, or falsified information; nor assisted others in these actions.

[Link](#) to Student Handbook (which includes the framing of the commitment, definitions of Academic Ethics, and Process for alleged violations of the commitment)

## TITLE IX

Title IX statement, and statement of role of faculty member as a mandatory reporter ([Link](#) to Title IX)

- If you choose to write or speak about having experienced sexual misconduct, including sexual assault, dating violence, domestic violence, stalking, sexual exploitation, or any other form of sexual and/or gender-based harassment, as a designated Responsible Employee, I must notify the Title IX Office. They will contact you to let you know about accommodation and support services at Oxy and reporting options both on and off-campus. You have no obligation to respond to the Title IX Office or to meet with them to discuss support services and reporting options.

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:

- Oxy's 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))