

POSC 347 – Environmental Law

Course Description

Introduction

This course, an introduction to the central concepts and theories underlying environmental laws, primarily in the United States, is being taught at a time when those laws are in flux.

To accommodate that reality, we will focus not just on the current provisions of environmental law but also on how laws are made in this country, how our environmental laws have evolved, and on the current environmental policy debates.

Environmental law affects virtually every aspect of our daily lives. The quality of the air we breathe, the water we drink and the food we consume. How we produce and consume energy. How we transport ourselves from place to place. When and how we build homes, stores and offices. And that is just for starters.

The very nature of environmental challenges necessitates that policies be set and implemented at the local, state, national and international level. And the dialog that crafts those policies requires the participation of an almost endless number of professions and interests, including attorneys, scientists, engineers, economists, corporations, their employees, citizen activists, environmental NGO's, elected officials and governmental agency staff.

If you take this class seriously and fully engage intellectually, when we part ways in a few months you will have acquired a keen sense of, invoking the title of this course, not just the current provisions of Environmental Law, but also how they came to be and, importantly, how laws, not just environmental laws, but all laws, are made.

The Keys to an Enjoyable and Successful Semester

If you are not familiar with my approach to teaching, please note the following.

First, this course is constructed on the premise that you are interested in and familiar with current events regarding the environment. You will be expected to monitor news regarding the environment globally, nationally and in California, and to discuss relevant developments in class.

Second, make sure to complete the reading assignments. My lectures will not parrot what's in the book. On the other hand, do not get lost in the reading. You are expected to master the

obvious, not the obscure. Additional reading materials for in-class discussions will be posted on Blackboard by the Monday evening prior to class. You will be responsible for either bringing a hard copy or bringing a laptop or other electronic device on which you can access the material.

Third, show up for class. This course relies heavily on in-class discussion and practical exercises, supplemented by guest lecturers. If you don't show up for virtually every class, it will be tough for you to get a decent grade.

Fourth, pay attention, engage intellectually and be prepared to think things through. You will be expected to learn some basic information, but, more importantly, you will be expected to put that information to use in an appropriate way.

Required Reading

There is one required book for this course:

Environmental Law and Policy:

Nature, Law and Society ----- *Plater, Adams, Graham, Heinzerling, Wirth and Hall*
(Wolters, Kluwer 2016) (Fifth Edition)

Course Requirements and Grading

As explained above, the course requirements are straightforward: Do the reading, show up, participate in classroom discussion and exercises and complete written assignments on time.

The components of your grade will be:

- In class participation ----- 10%
- In class exam ----- 20%
- Three written assignments (10 points each) ----- 30%
- Final paper ----- 30%
- In class final team presentation ----- 10%

The final paper is due at the start of the last class. There will be no extensions of the deadline except in the case of documented medical emergency. The penalty for missing this deadline will be two points subtracted from your total from the components above, PER DAY.

Also, to reiterate, attendance is critical because material from the class and guest lecturers will be essential to your understanding of the subject matter. If you are not in class, there is no way you will master the substance of the course. And, as if doing poorly on the exams and assignments isn't a sufficient price to pay, you will be permitted two unexcused absences and each one after that will cost you two points off you total from the components above. To repeat, that is a deduction of two points PER UNEXCUSED ABSENCE.

Office Hours

My office on campus is VKC 318. I live in Los Angeles and practice law with a large global law firm, I have a demanding practice and often travel. The only times I can be on campus are when I have class on Tuesdays and Wednesdays. Office hours will be Wednesdays before class, from 5:00 - 7:00 p.m. To ensure that I will be there, please schedule your meeting with me ahead of time.

My law office is downtown, at Wilshire and Figueroa, and many students have found it convenient to meet there. That affords much more scheduling flexibility, as well as the opportunity to meet some of the people with whom I work.

The most efficient way to reach me is through my law firm e-mail at darry.sragow@dentons.com. The next best option is to call my office. That number is 213-892-2925. You can also call or text me on my mobile phone. That number is 310-968-7725.

Students With Disabilities

Any student requesting academic accommodations based on a disability is required to register with Disability Services and Programs (DSP) each semester. A letter of verification for approved accommodations can be obtained from DSP. Please be sure the letter is delivered to me as early in the semester as possible. DSP is located in STU 301 and is open 8:30 a.m. - 5:00 p.m., Monday through Friday. The phone number for DSP is 213.740.0776.

A Little Background

This is my nineteenth year teaching at least one undergraduate political science course every semester. At USC, in addition to this course, I have taught POSC 270, Introduction to Environmental Law and Politics; POSC 315, Regulation of Elections and Political Finance; POSC 325, State Politics; POSC 335, Political Parties, Campaigns and Elections; and POSC 425, Legislative Process. From 1999 through 2003, for eight semesters, I taught a course similar to POSC 335 at Berkeley.

A number of my former students are now playing major, visible roles in the political world. If you are thinking about a career in politics, government, public policy or the law, this course will be immensely helpful. If you are thinking about a career in some other field altogether, or if you aren't thinking at all about a career, this course will be informative and, hopefully, interesting and enjoyable.

A little online research will give you a sense of my professional background. Suffice it to say that I have devoted much of my life to the formulation of public policy in Washington, D.C. and California.

I am delighted to be teaching this course and hope it will provide you with a genuine understanding of how, why and with what consequences Americans govern ourselves.

POSC 347 – Environmental Law

Reading and Written Assignments

Week 1	January 9	Introduction to the course Introduction, pp xxv-xxx; Chapter 1, Basic Themes in Environmentalism, pp. 3-40
Week 2	January 16	The legal system: Sources of law; the legislature; Chapter 3, Common Law in Modern Environmental Law: Tort Causes of Action, pp. 75-100
Week 3	January 23	The legal system: Executive branch; regulatory agencies; Chapter 5, Taxonomic Approach; Broad Delegation: Keeping Score, pp. 173-198 Chapter 6, Administrative Law, pp. 199- 212
Week 4	January 30	The legal system: Courts Remedies: <i>Boomer v. Atlantic Cement Co.</i> , pp. 108-114 Judicial Review: <i>Citizens to Protect Overton Park v. Volpe</i> , pp. 212-223
Week 5	February 6	First Assignment Due (10 points)
Week 6	February 13	Underlying constructs (portions of Chapters 1, 2)
Week 7	February 20	Legal approaches to environmental protection (portions of Chapter 8-16 over three weeks)
Week 8	February 27	In class exam (one hour, 20 points); Legal approaches continued
Week 9	March 6	Legal approaches continued; additional reading assignment due after break
Week 10	March 13	Spring Break
Week 11	March 20	Second Assignment Due (10 points); International law (portions of Chapter 22)

POSC 347 – Environmental Law

Reading and Written Assignments – Continued

Week 12	March 27	Air (portions of Chapter 11)
Week 13	April 3	Water (portions of Chapter 12)
Week 14	April 10	Third Assignment Due (10 points); Energy, natural resources (portions of Chapter 14)
Week 15	April 17	Waste management, toxics (portions of Chapters 15, 16)
Week 16	April 24	To be announced
Week 17	May 1	Final paper due (30 points)
Week 18	May 8	In class final team presentation (10 points)