

POSC 270 – Introduction to Environmental Law and Politics

Course Description

SPECIAL NOTE: ADAPTING THIS CLASS TO THE ONLINE EXPERIENCE

This semester marks the 21st year that I have been teaching undergraduate political science as an adjunct. Over that time, the structure of those courses has evolved but remained largely the same, relying on extensive discussion in class, a fact-centered midterm, a term paper on a topic of each student's choice and, at the end, in-class team presentations.

About halfway through the first class I was teaching remotely after spring break last semester, I realized that replicating online what has proven highly successful in the classroom simply doesn't work in a remote teaching situation. What popped into my head was Marshal McLuhan's observation that "the medium is the message," meaning that the form of a message (in this case, in person in a classroom, as compared with everyone watching individually on a computer screen) determines the ways in which that message will be perceived.

Consequently, this syllabus for the fall of 2020 reflects a reconfiguration of the syllabus for the course that worked very well for many years, but under circumstances no longer extant. It is my hope that you will find your experience this semester as fulfilling as it would have been in person.

Introduction

Environmental laws and policies affect 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 to work and on errands. Where and when and how we build homes and stores and offices. And that is just scratching the surface.

This is an introductory course on environmental policy and the social, political, economic and institutional considerations that affect the formulation and implementation of that policy. Our work this semester will offer a look at some of the most significant issues that confront the world today.

The Keys to an Enjoyable and Successful Semester

If you are not familiar with my approach to teaching, please make careful note of 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.

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

Third, attend class. This course relies heavily on material presented in class and guest lectures. 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 are two books for this course:

Environmental Law in a Nutshell ----- Daniel A. Farber
(West Academic 2019) (Tenth Edition)

Environmental Law, Cases and Materials ----- Philip Weinberg
(University Press 2006) (Revised Third Edition)

Course Requirements and Grading

As explained above, the course requirements are straightforward: Do the reading, show up, pay attention and complete all written assignments on time.

The components of your grade will be:

- Class Participation (attendance and involvement)..... 10%
- Midterm 30%
- Short Assignments, including research for final paper..... 20%
- Semester Project/Final Paper (typically 10-15 pages)..... 40%

The centerpiece of the course is the semester project/final paper. It will be due at the beginning of the last class. The penalty for missing this deadline will be one full letter grade for each 24 hours that the paper is late.

To reiterate, attendance is critical because material from the class and guest lectures will be necessary for the midterm and the final paper. You will be permitted two unexcused absences. After that, each unexcused absence will cost you two points off your total from the components above.

The short assignments may require you to do some poking around in between classes.

The midterm will be based on the first several weeks of reading and lectures. It will consist of short answers, not-so-short answers and short essays and is designed primarily to make sure that you have a solid grasp of the basics of the subject matter before beginning in-depth work on your semester project.

Office Hours

I will be happy to schedule meetings by phone. 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 twenty-first year teaching at least one undergraduate political science course every semester. At USC, in addition to this course, I have taught POSC 315, Regulation of Elections and Political Finance; POSC 325, State Politics; POSC 335, Political Parties, Campaigns and Elections; POSC 347, Environmental Law; 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 world of politics and public policy. 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 valuable understanding of the substance of environmental policy in America today, as well as the process by which environmental policy is created.

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Reading and Written Assignments

Week 1 August 19 Introduction to the Course Farber, pages v-xxx

THE AMERICAN LEGAL SYSTEM

Week 2 August 26 The Constitution Farber, pages 57-93

Week 3 September 2 The Courts Farber, pages 1-28
Weinberg, pages 1-35

Week 4 September 9 Common Law Farber, pages 95-104
Weinberg, pages 36-63

Week 5 September 16 Statutory Schemes Farber, pages 25-56,165-177
Weinberg, pages 362-406

THE PROCESS

Week 6 September 23 Legislation, Rulemaking
Midterm Review To Be Assigned

Week 7 September 30 **MIDTERM**

Week 8 October 7 International Environmental Law Weinberg, pages 436-453

ENVIRONMENTAL ISSUES

Week 9 October 14 Air Farber, pages 104-143
Weinberg, pages 184-218

Week 10 October 21 Water Farber, pages 143-165
Weinberg, pages 248-310

Week 11 October 28 Toxic Substances
Waste Management Farber, pages 175-212
Weinberg, pages 313-361

Week 12 November 4 Hazardous Waste Farber, pages 213-276

Week 13 November 11 Energy Weinberg, pages 311-312,
pages 407-435

Week 14 November 18 Preservation Farber, pages 277-325
Weinberg, pages 163-183
Final Paper Due