

Environmental Law

PSC 347

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Course Description

Introduction to the concepts surrounding environmental law. Students explore the reasons, development, and implementation of environmental laws. Areas of focus include the following: using the law to consider environmental impacts before taking action; using the law to protect water and air quality; the law of land use; and global applications of legal frameworks to deal with large scale environmental problems like climate change.

Course Overview

This course explores the major policy implementation and legitimization stages typical of environmental law and regulation development. Students gain understanding of the ways the law establishes "frameworks" within which policies must be developed and must interact, and the roles of policy professionals in the several stages of development. The course views environmental problems from the policy perspective, utilizing legal frameworks as a conceptual tool by which environmental problems are handled through both private and public intervention.

Course Goals

Students are exposed to the following goals (conceptually and practically) in this course:

- Understanding **historical** and **conceptual** understanding of the development of environmental regulation in the United States: the 'need' for environmental regulation.
- Understanding the basis upon which **federal** environmental powers reside: including constitutional sources of environmental regulation and the roles of the three primary branches of government in achieving environmental policy goals.

- Understanding the **hierarchal nature** of the law; referencing the differences between **constitutional powers, statutory powers, and regulatory powers**.
- Understanding the difference between **common law** and **statutory law** as 'legal frameworks' employed to control environmental problems.
- Understanding the role of **judicial review** in helping to resolve environmental issues.
- Major federal statutory mechanisms utilized to control environmental issues related to the following areas: environmental assessment, pollution, land use, waste, energy, global environmental issues.

Requirements

1. **Attendance:** Attendance is mandatory. Attendance is monitored by online discussion responses. Each week, a number of online questions are asked in conjunction with the reading and written lecture materials. You are required to respond to these questions (called discussion boards) by the stated deadline. In addition, you are required to interact (comment on other student's responses) in each discussion board question. These responses are considered your attendance and will form the basis for your class participation grade.
2. **Online Access:** Necessary course materials will be housed at "MyCourses" via your "MyUMassD" login portal. The username is password is **exactly** the same as your UMass Dartmouth email username and password. All of your online courses are located at this site.
3. **Outside Readings/Personal Interests:** Students are encouraged to develop a dialogue in the online setting based on outside readings, experiences, or personal interests that are related to the subject matter. Because we are dealing with subjects of **public policy** (health, welfare, and justice), each student undoubtedly has personal experiences/viewpoints that will add to the discussion. You are encouraged to share such viewpoints.
4. **Deliverables:** Students will be required to interact with materials online, complete discussion board interactions, written assignments, and examinations as identified in the course itself.

Required Readings

- Firestone, D., Reed, D. and Stanton, C.R. 2014. *Environmental Law for Non-lawyers*. South Royalton: SoRo Press.
 - ISBN: 978-0-9625463-9-6
- Web-postings (provided by professor at the online course website)

Student Workload /Behavior/Conduct / Support

UMass-Dartmouth has developed a detailed set of information highlighting expectations and academic policies that is regularly updated. This information can be found at the following link and should be reviewed by each student in this course:

www.umassd.edu/media/umassdartmouth/provost/omnibus_language_for_syllabi_-jan_11_2019.pdf

Course Outline

Module	Topic
One	<ul style="list-style-type: none"> • Why do we need laws to protect the environment? <ul style="list-style-type: none"> ○ Firestone, Chapter 1
Two	<ul style="list-style-type: none"> • National Environmental Policy Act (NEPA) - What actions trigger the consideration of environmental consequences? <ul style="list-style-type: none"> ○ Firestone, Chapter 2
Three	<ul style="list-style-type: none"> • Pollution – Where does it come from, and how do we control it? <ul style="list-style-type: none"> ○ Firestone, Chapter 3
Four	<ul style="list-style-type: none"> • Land Use – How do we control land to protect environmental interests? <ul style="list-style-type: none"> ○ Firestone, Chapter 4
Five	<ul style="list-style-type: none"> • Waste – How do we generate and manage waste in a sustainable manner? <ul style="list-style-type: none"> ○ Firestone, Chapter 5

The schedule for these modules in the 3-week period of this course is as follows:

Week 1 : Module 1
 Week 2 : Modules 2 & 3
 Week 3 : Modules 4 & 5

Course Evaluation Measures

Grading

Weight

Class Participation	30%
Midterm	30%
Final	40%

Class Participation is based on online discussion interactions, primarily through discussion board responses. Questions regarding an application of the materials are posted weekly; you are required to answer each question and comment on at least one other student's discussion board post. Grading is provided as follows:

Grade	Respond to at least one discussion question	Respond to at least one question/comment from other students
100	Yes	Yes
75	Yes	No
50	No	Yes
0	No	No

There is one discussion interaction **per module**. However, due to the truncated schedule of this course, there will be more than one module due for weeks 2 and 3 of the course. Thus, there will be **2 discussion interactions** due for week 2, and separately **2 discussion interactions** due for week 3 of the course.

The **Midterm** will be given at the end of the second week of class. It can consist of the following elements:

- Multiple Choice Questions
- Matching
- Short Essay

The **Final** will be made available at the end of the third week and will be due the last day of class. It can consist of the following elements:

- Multiple Choice Questions
- Matching
- Short Essay

All of these grading components will be more clearly discussed in the course site.

Final Grade Computation

Letter Grade	Percentage
A+	100% or more
A	93%-99%
A-	90%-92%
B+	87%-89%
B	83%-86%
B-	80%-82%
C+	77%-79%
C	73%-76%
C-	70%-72%
D+	67%-69%
D	63%-66%
D-	60%-62%
F	0%-59%