

<b>PSC 312W/ENV 312W Env. Law and Policy</b>	Dr. Susan Buck
Spring 2007	219 Graham
MW 2:00-3:15	256-0520; sjbuck@uncg.edu

### How to get in touch with me:

Office hours: Monday through Thursday, 1:00 to 1:45, and by appointment. I'm usually in my office by 12:30 with class every day at 2:00. I can usually stay after class. If I am in my office and the door is open, I am available for discussions about anything from class business to dog training. If my door is closed, I am busy.

Office phone: 256-0520 (on-campus: 6-0520).

E-mail: sjbuck@uncg.edu I don't check e-mail every day, so if your message is time critical, you should call. If you want to discuss something, e-mail is not an appropriate medium, and I prefer that you come in during office hours or call. Because of hand surgery, I cannot send you lengthy replies via email.

Home phone: 545-0645, **only** between 8:00 and 5:00, M-F. If you do not live in the Greensboro calling area, please be sure to include your area code when you leave your phone number, and when you will be available for a return call. Please don't call evening (after 5:00) or on weekends.

When I need to contact the class, I will use Blackboard either for an announcement or for email. Email from Blackboard goes to your university email address, so be sure to check this if you miss class. If you miss class on a day I return an assignment, I will put the assignment on my door.

### Course Description

This course examines the development of environmental policy and law from the mid-1960s to the present. Topics include administrative regulation, air and water pollution, and hazardous and toxic substances. Cross-listed with ENV 312. **Writing intensive.**

### Texts

1. Buck, Susan J. 2006. *Understanding Environmental Administration and Law*, 3<sup>rd</sup> ed. Washington, DC: Island Press.
2. Oates, Wallace, ed. 2006. *RFF Reader in Environmental and Resource Policy*. Washington, DC: Resources for the Future.
3. Strunk, William and E. B. White. 2000. *Elements of Style*, 4<sup>th</sup> ed. Needham Heights, MA: Allyn & Bacon. (any recent edition will do, but don't get the illustrated)
4. Supplemental reading (handouts) and law cases. See class schedule.

**Course Requirements:**

1. 2 Exams at 300 points each	600 points
2. Reading Responses, case briefs	150
3. Wrong Essay	50
4. Annotated Bibliography <u>or</u> Volunteer Project	<u>200</u>
	1000 points

Class participation (see below) will be used to decide borderline grades.

**Class Participation:** Your class participation grade is based on class preparation and contributions to class discussions. Generally this grade is used to decide borderline final grades. However, really superb (or truly dreadful) class participation may move your final grade up (or down) a half letter grade. Don't confuse quantity of participation with quality.

I will call on students regularly; students who are not well prepared will have a lower participation grade.

Students who arrive late, sleep in class, comb their hair or conduct other personal hygiene business, whisper, crack knuckles (or necks or toes or ankles or whatever), pass notes, or engage in any other disruptive behavior will lose points on class participation. Do I need to mention cell phones?

**Exams:** Exams are usually identification and essay; I will give you a review about a week before the test.

Make-up exams: A make-up for the mid-term will be given only if a genuine emergency forces you to miss the exam and arrangements are made with me in advance or as soon as possible after the emergency. Reservations at the beach do not constitute an emergency. Make-ups for the final exam (genuine emergency) are given on Reading Day.

**Wrong essay: due 22 January**

Write on any topic you choose, incorporating as many errors of usage and composition as possible. Identify the errors (using *Elements of Style*) in the right hand margin, by numbering each error consecutively and then, in the margin, identifying the error by label and page number in *Elements of Style*. BRING YOUR COPY OF *ELEMENTS OF STYLE* TO CLASS. (I realize that *Elements* doesn't cover every possible error, but you should try not to make errors that aren't in *Elements*.)

Page limit: 2 typed, double-spaced pages. Your score depends on the number of errors, but each kind of error only counts once. We will "grade" these in class: plus one point for each type of

error, and minus one for each mistake which is not marked or is marked incorrectly. First place gets a gift certificate from Tate Street Coffee House. Students who make a good-faith effort (my call), *follow directions*, and turn the wrong essay in on time will earn full credit.

Sample:

Each student needs to carefully place their punctuation (for example, periods, commas, etc.) within quotation marks.

### **Written Responses:**

The responses and case briefs (below) are all graded on a 10-point scale. I will average them at the end of the course, and that average will be the percentage of 150 points toward your final grade. So, if your average is 8.3, I'll take 83% of 150, which is 125 points toward your final grade.

These may be handwritten only if they are legible; typing is good and kind to your professor. I will mark for mechanics and grammar.

You don't need to write a response to the general text, but you should write one for each day's readings. These are usually on related topics, so you shouldn't have any problem with one response. If you have normal size handwriting, the responses probably about 1.5 pages. You should avoid comments such as "it was boring" or "I didn't understand it." These are not critiques; they are your comments on the readings based on what we have already read or discussed. The purpose is to get you thinking about the material before you come to class.

As with the case briefs (below), if you know in advance that you will miss class, you may turn responses in early or send them with a classmate. You may e-mail them (**NOT** as an attachment) but only if your other arrangements have fallen through. I will not accept a late response under any circumstances.

### **Case Briefs**

We will read four law cases; you should brief each of them before class and be prepared to answer questions on the facts, the questions, the decision, and the reasoning. I will collect these briefs; they must follow the correct format (see the *attached TVA* brief) and be legible. Again, I prefer -- but do not usually require -- that the briefs be typed, but if I have trouble reading your handwriting, you may have to type them. Since you will need these briefs for class discussion, I will collect them at the end of the period. (Make any notes on the briefs from our class discussions in pencil or a different color ink.) As with the responses, if you know in advance that you will miss class, you may turn briefs in early or send them with a classmate. You may e-mail them (**NOT** as an attachment) but only if your other arrangements have fallen through. I will not accept a late brief under any circumstances.

I realize that some of the cases are difficult to understand. I'm looking for a "good faith" effort to understand the material, not perfect comprehension.

Briefs will be graded as either satisfactory (2 points), marginal but acceptable (1 point), or zero (not turned in or obviously written 3 minutes before class). Your grade for briefs is the percentage of satisfactory briefs.

Cases:

*Chevron v. Natural Resources Defense Council*, 467 U.S. 837 (1984)

*Lucas v. South Carolina Coastal Council*, 505 U. S. 1003 (1992)

*Miller v. Schoene*, 276 U.S. 272 (1928)

*Pennsylvania Central Transportation Co. v. New York*, 438 U.S. 104 (1978)

**Annotated Bibliography or Volunteer Project:**

***Annotated bibliography: due April 11:***

This is a specialized form of research in which you find all (and I mean ALL!) of the academic and legal references that relate directly to your topic. Each entry in your bibliography will have a full bibliographic reference (use Turabian) and two or three sentences that summarize the content. You may add a sentence to evaluate the reading (“Poorly written and repeats conclusions of Kelly [2001]” or “Extremely detailed and thorough analysis of British climate policy”) if appropriate. Once you have all the references, you will write a bibliographic essay: a very tight synopsis of what you found. Don’t worry if you have never done one of these or seen one. I have some samples and we will have an entire class at the library dealing with how to do this.

This is easily as much work as a regular research paper. The difference is that in a research paper, you decide on your research question, find enough information to answer it, and then write it up. Here you start with a research topic, find everything, and summarize it.

**A Note of Warning: Wikipedia is an open-source website, which means the material you find there is not checked for accuracy. Do not rely on it for definitions and *never* use it as a source for a paper.**

***Volunteer Project: due April 25***

A second option is to become involved in a local environmental project. Examples of possible activities include work at the Guilford Courthouse National Military Park, with the City of

Greensboro, at the Piedmont Environmental Center, or on campus with the recycling program. I can refer you to the appropriate supervisors in some local agencies. However, feel free to suggest your own project.

**Projects must be cleared with me in advance; you must discuss them with me before you approach the agency or organization with which you hope to work.**

**If you chose this option, once an agreement is signed, you may not change your mind. Agreements must be in place and the project begun by 22 January. The work will continue through 24 April.**

**This project must be undertaken explicitly for this class; you may not use an on-going project, or your current job, or any other pre-existing arrangement to satisfy this portion of the course requirements.**

If you choose this option, you **must** follow these guidelines:

1. The activity must have independent supervision (for example, the park superintendent, the local Sierra Club chapter president, or Cub/Scout pack leader).
2. You must negotiate a signed agreement with the supervisor that you will work a set amount of time for the entire semester. The minimum is 3 hours per week. I must receive this signed agreement **on or before 22 January**. **The agreement form and supervisor report forms are attached to the syllabus**. Late reports will reduce your grade.
3. The work load must be evenly distributed over the semester. Ideally, you will work the same number of hours each week. I will allow some flexibility here, but you may not have a project which requires a short, intense burst of activity rather than a semester-long involvement.
4. The supervisor must certify to me at the middle (**due 28 February**) and the end of the term (**due 25 April**) that you have satisfied the terms of your agreement (and done it well!). I will probably call at least once during the semester to talk with your supervisor.
5. In addition to the actual work, you must do the following:
  - a. Keep a regular (at least weekly) journal that describes your activities and records your reactions/responses or preliminary analyses about the agency. **Due 28 February and with final report**.
  - b. Discuss your learning outcomes: for example, what have you learned about environmental law, public relations, personnel management, volunteer management, sewers, trail maintenance, etc.? Supplemental material should be included (photos, teaching materials, reports, etc.). **Due 25 April**.

lengths: journal is however long it needs to be; learning outcomes no more than 7 pages. These are maxima, not necessarily goals. Supplemental materials are not counted toward the maximum pages.

Your grade will be based on the supervisor's reports (written and oral) and the written material.

### **General Rules for Assignments**

1. All typed assignments must be 12-point or larger fonts, and regular margins. Use Turabian in-text citation format for the annotated bibliography, unless your major requires a different style (MLA, APA, etc.). If you don't use Turabian, let me know which one you are using. Style sheets are available in the library.
2. No cover pages or folders or title pages. It wastes trees.
3. Remember: If you must miss class, you should send in your summaries with someone or turn them in early. A last-ditch, panic alternative is to e-mail them, but I'd rather you didn't. I will not accept late responses or briefs.
4. Deadlines are absolutes. Don't ask for exceptions or extensions short of catastrophes such as the death of a family member or a life-threatening illness. If you can't turn the work in on time, be prepared to accept the consequences. No papers or reports accepted after Reading Day.

**Having a problem with your computer, or the printer, or compatibility between your system and someone else's is not a valid reason for missing an assignment or for being late.**

5. Be aware of the dangers of plagiarism. I will automatically fail any assignment containing plagiarized material if I feel there has been a deliberate effort to use another's work as your own, and I will reduce the grade of a paper with careless plagiarism.

### ***A Note on Plagiarism***

Plagiarism is using the language, ideas, or data of another scholar without acknowledging the source. The faculty view this as an extremely serious offense. Sanctions for plagiarism range from failing the plagiarized assignment to expulsion from the University.

There are three central reasons to acknowledge the work of other scholars. First, scholars' works are their professional products. To use it as your own is stealing, and your own work becomes a forgery. Second, other scholars may wish to build on your work or to explore some idea further. If you have provided good documentation, their work is simplified. Third, your source may be wrong. If you use the information without attribution, you are responsible for the error.

Remember: be honest, be helpful, be safe.

Here's the Golden Rule of Citations: **when in doubt, cite**. No one ever got in trouble for too many citations.

Myths:

1. Paraphrasing eliminates the need for citations. FALSE. It only eliminates the need for quotation marks.
2. Any data found in three places is "common knowledge" and needs no citation. FALSE. "Common knowledge" is a pit for the unwary. The safe test is whether an average person would know this information. Thus, that the Declaration of Independence became official on 4 July 1776 is probably common knowledge, but a reference to Brown v. Board of Education needs a citation. Remember the Golden Rule of Citations: when in doubt, cite.
3. Tables, charts, and diagrams don't need citations. FALSE. They are data and their design is creative. Cite!

Class Schedule (subject to change) **Environmental Law and Policy**

- |    |     |     |  |
|----|-----|-----|--|
| 1  | Jan | 8   | Introduction   |
|    |     | 10  | Buck Ch. 1   |
| 2  |     | 15  | <b>No class (MLK holiday)</b>  |
|    |     | 17  | Oates 19 (response 1 due)  |
| 3  |     | 22  | <b>Wrong Essay due and Volunteer Project forms due</b>                   |
|    |     | 24  | Oates 20, 22 (response 2 due)  |
| 4  |     | 29  | Buck Ch. 2; movie: <i>Radioactive Waste Disposal</i> , VH11161           |
|    |     | 31  | Oates 1, 2, Rosenbaum handout (response 3 due)                           |
| 5  | Feb | 5   | <b>meet in library at CITI lab</b>                                       |
|    |     | 7   | Oates 3, 4, 5, Sagoff handout (response 4 due)                           |
| 6  |     | 12  | Oates 8, 33 (response 5 due)   |
|    |     | 14  | movie: <i>An Act of Congress</i>   |
| 7  |     | 19  | How to read and brief a case   |
|    |     | 21  | <i>Chevron v. Natural Resources Defense Council</i> (brief 1 due)        |
| 8  |     | 26  | Buck Ch. 3   |
|    |     | 28  | Oates 9, 10, 11, 18 (response 6 due)                                     |
|    |     |     | <b>mid-term Volunteer Project report and journal due</b>                 |
| 9  | Mar | 5-7 | <b>SPRING BREAK</b>  |
| 10 |     | 12  | <i>Miller v. Schoene</i> (brief 2 due)                                   |
|    |     | 14  | <b>MIDTERM EXAM</b> (through February 21)                                |
| 11 |     | 19  | <i>Pennsylvania Central Transportation Co. v. New York</i> (brief 3 due) |
|    |     | 21  | <i>Lucas v. South Carolina Coastal Council</i> (brief 4 due)             |
| 12 |     | 26  | Buck 107-117   |
|    |     | 28  | movie: <i>God Squad</i>  |
| 13 | Apr | 2   | Buck 117-125   |
|    |     | 4   | Oates 12, 24 (response 7 due)  |
| 14 |     | 9   | Buck 125-130   |

- 11 movie: *Herbicide Trial*  
**Annotated bibliography and bibliographic essay due**
- 15 16 Buck 130-139  
18 Oates 30, 31, 32, 34, 35 (response 8 due)
- 16 23 Oates 36, Benedick handout (response 9 due)  
25 Oates 38, 39, 40 (response 10 due)  
**Final Volunteer Project report, journal, and paper due**
- 17 30 **FINAL EXAM** (We will not meet during the scheduled examination period.)