

Course Syllabus

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Political Science 338: Environmental Law and Regulation

Catalog Description: In-depth coverage of federal environmental statutes and regulations including agency rules and court decisions. Areas of focus include air and water pollution as well as waste disposal. Both federal law and Wisconsin regulations will be covered where applicable.

Course Summary: Policy analysis is a skill that is useful in many fields and for understanding the debates that shape our society. This course will develop the practical skills involved in policy analysis: basic research, communications, and decision-making. We will also learn about different public policy issues along the way. Students will conclude the semester by putting their research, analysis, and communication skills into practice in a final guided project.

Credits: 3

GEP: Social Science

Prerequisite(s): None

There are no formal requirements for the course. I do assume high-school level knowledge about the three branches of the federal government, separation of powers and 'checks and balances,' and how a bill becomes a law.

Instructor Information

Instructor: Brad Martins

Virtual Office Hours: Tuesdays and Thursdays, 1:00pm-2:00pm via Zoom

Meeting URL: [https://uwsp.zoom.us/j/94246173913?pwd=ald5NjEyUU4xc210SnN2QVpTTTVOZz09_\(https://uwsp.zoom.us/j/94246173913?pwd=ald5NjEyUU4xc210SnN2QVpTTTVOZz09\)](https://uwsp.zoom.us/j/94246173913?pwd=ald5NjEyUU4xc210SnN2QVpTTTVOZz09_(https://uwsp.zoom.us/j/94246173913?pwd=ald5NjEyUU4xc210SnN2QVpTTTVOZz09))

Meeting ID: 942 4617 3913

Passcode: 513756

E-mail: bmapesma@uwsp.edu (<mailto:bmapesma@uwsp.edu>)

Expected Instructor Response Times

I will attempt to respond to student emails within 24 business hours. If you have not received a reply from me within 24 business hours please resend your email. I will attempt to assess student discussion posts within 48 hours of discussions closing. I will attempt to grade exams and written work within 7 days. However, longer written assignments may take longer to read and assess.

Textbook & Course Materials

Text Rental: Percival, Robert, et al. 2018. *Environmental Regulation: Law, Science, and Policy*, 8th Edition. Kluwer Publishing.

All other course materials are distributed through the University's learning management system (Canvas). Students are responsible for having access to materials during travel.

Course Learning Outcomes

Students will...

- identify and describe key differences in judicial, Congressional, and executive agencies' interpretations of regulatory authority.
- identify and describe procedural and doctrinal developments in U.S. environmental law by studying legal cases and other materials.
- explain how implementation of environmental regulations are affected by changes in statutory language, executive administration, and judicial review.
- explain how shared and competing roles between federal and state governments impact passage, implementation, and enforcement of environmental regulations.

General Education Learning Outcomes

Social Sciences

- Explain or apply major concepts, methods, or theories used in the social sciences to investigate, analyze, or predict human behavior.
- Examine and explain how social, cultural, or political institutions influence individuals or groups.

Course Schedule

**Assignment descriptions will typically indicate what cases to focus on in the readings.*

****The following schedule may change during the semester. All changes will be announced through Canvas.**

Week	Date	Topic	Required Reading	Assignment
1	Jan. 25 - Jan. 29	Introduction		
2	Feb. 2 - Feb. 5	Unit 1: Institutional Framework	Text: <i>Environmental Regulation</i> , p. 174-196 Canvas: Richard Lazarus, "The Challenges for U.S. Lawmaking Institutions and Processes of Environmental Protection Law," p. 29-42.	
3	Feb. 8 - Feb. 12	Unit 1: Approaches to Regulation	Text: <i>Environmental Regulation</i> , p. 142-173.	
4	Feb. 15 - Feb. 19	Unit 1: Rulemaking	Text: <i>Environmental Regulation</i> , p. 234-277.	
5	Feb. 22 - Feb. 27	Unit 1: NEPA	Text: <i>Environmental Regulation</i> , p. 911-941. Canvas: Wisconsin Statute, WEPA, section 1.11 (https://docs.legis.wisconsin.gov/statutes/statutes/1.pdf) (https://docs.legis.wisconsin.gov/code/admin_code/nr/100/150.pdf) and NR 150 (https://docs.legis.wisconsin.gov/code/admin_code/nr/100/150.pdf)	
6	March 1 - March 5	Unit 1: Environmental Impact Statements	Text: <i>Environmental Regulation</i> , p. 941-976. Canvas: EIS examples	
7	March 8 - March 12	Unit 2: Clean Water Act - Statute	Text: <i>Environmental Regulation</i> , p. 673-696.	
	March 15	Unit 2: Clean		

8	15 - March 19	Water Act - Permits	Text: <i>Environmental Regulation</i> , p. 696-727.	
	March 22 - March 27	<i>SPRING BREAK</i>		
9	March 29 - April 2	Unit 2: Clean Water Act - Permits	Text: <i>Environmental Regulation</i> , p. 746-793.	
10	April 5 - April 9	Unit 2: Wisconsin Water Law	Canvas: Paul Kent, <i>Wisconsin Water Law in the 21st Century</i> , p. 212-226; 235-258.	
11	April 12 - April 16	Unit 2: Safe Drinking Water Act	Text: <i>Environmental Regulation</i> , p. 284-294.	
12	April 19 - April 23	Unit 3: Clean Air Act	Text: <i>Environmental Regulation</i> , p. 524-569. Canvas: Amanda Leiter, " The Greenhouse Gas Cases and the Importance of Deference (https://www.scotusblog.com/2014/02/symposium-the-greenhouse-gas-cases-and-the-importance-of-deference/)," <i>SCOTUSblog</i> , Feb. 3, 2014.	
13	April 26 - April 30	Unit 3: Clean Air Act - NAAQS	Text: <i>Environmental Regulation</i> , p. 571-610.	
15	May 3 - May 7	Unit 3: Hazardous Waste - RCRA	Text: <i>Environmental Regulation</i> , p. 350-375; 386-395.	
16	May 10 - May 14	Unit 3: Hazardous Waste - CERCLA	Text: <i>Environmental Regulation</i> , p. 409-419; 449-484.	
	May			

17	May 17 - May 22	Final Exam Period		
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Grading Policy

Assignment	Quantity	Points per Assignment	Subtotal
Participation		25	25
Exams	3	25	75
		Total	100

Student Expectations

In this course you will be expected to complete the following types of tasks.

- communicate via email
- complete basic internet searches
- download and upload documents to the LMS
- read documents online
- view online videos
- participate in online discussions
- complete quizzes/tests online
- upload documents to Canvas to submit an assignment
- participate in synchronous online discussions

Expectations for Student Communication

All communication with the instructor or with other students is to be formal and professional. This means writing in Standard English with appropriate grammar and correct spelling. You are also expected to maintain a civil tone in your classroom communications, whether written, audio, or video.

During virtual class discussions, your camera must be turned on. All video communication must include

appropriate attire and background images.

Complete Assignments

All assignments for this course will be submitted electronically through Canvas unless otherwise instructed. Assignments must be submitted by the given deadline or special permission must be requested from instructor *before the due date*. Extensions will not be given beyond the next assignment except under extreme circumstances.

All discussion assignments must be completed by the assignment due date and time. Late or missing discussion assignments will affect the student's grade.

Late Work Policy

Pay close attention to deadlines—there will be no make-up assignments or quizzes, or late work accepted without a serious and compelling reason and instructor approval.

Technology

Protecting your Data and Privacy

UW-System approved tools meet security, privacy, and data protection standards. For a list of approved tools, visit this website. <https://www.wisconsin.edu/dle/external-application-integration-requests/> (<https://www.wisconsin.edu/dle/external-application-integration-requests/>)

Tools not listed on the website linked above may not meet security, privacy, and data protection standards. If you have questions about tools, contact the UWSP IT Service Desk at 715-346-4357.

Here are steps you can take to protect your data and privacy.

- Use different usernames and passwords for each service you use.
- Do not use your UWSP username and password for any other services.
- Use secure versions of websites whenever possible (HTTPS instead of HTTP).
- Have updated antivirus software installed on your devices.

Honorlock (Online Exam Proctoring)

I will be using Honorlock to proctor your exams this semester. Honorlock is an online proctoring service that allows you to take your exam from the comfort of your home. You DO NOT need to create an

that allows you to take your exam from the comfort of your home. You DO NOT need to create an account, download software or schedule an appointment in advance. Honorlock is available 24/7 and all that is needed is a computer, a working webcam, and a stable Internet connection.

Before you get started, please review the Honorlock Student module in Canvas to familiarize yourself with Honorlock. All exam proctoring services, including Honorlock, can seem invasive because of the way they function. Honorlock will record your webcam, audio, and computer screen during your exam to help ensure integrity of the course for all users. Honorlock has been vetted and approved by both UW-Stevens Point and UW System, to ensure that it meets security and privacy requirements.

If you have concerns, please contact me directly.

To get started, you will need Google Chrome and to download the Honorlock Chrome Extension. You can download the extension at www.honorlock.com/extension/install.
(<http://www.honorlock.com/extension/install>)

You are strongly encouraged to take the Honorlock Practice Quiz before attempting any graded exams. The Honorlock Practice Quiz will allow you to test Honorlock to ensure you are comfortable using the system and to ensure that your computer will function properly.

When you are ready to test, log into Canvas, go to your course, and click on your exam. Clicking "Launch Proctoring" will begin the Honorlock authentication process, where you will take a picture of yourself, show your ID, and complete a scan your room. Honorlock will be recording your exam session by webcam as well as recording your screen. Honorlock also has an integrity algorithm that can detect search-engine use, so please do not attempt to search for answers, even if it's on a secondary device. Good luck!

Honorlock support is available 24/7/365. If you encounter any issues, you may contact them by live chat, phone (844-243-2500), and/or email (support@honorlock.com).

If you encounter issues with Canvas, please contact Canvas Support directly by clicking the Help Button (question mark inside a circle) located at the bottom of the left navigation bar in Canvas.

Course Technology Requirements

- View this website to see [minimum recommended computer and internet configurations for Canvas](https://community.canvaslms.com/docs/DOC-10721) (<https://community.canvaslms.com/docs/DOC-10721>).
- You will also need access to the following tools to participate in this course.
 - webcam
 - microphone
 - printer
 - a stable internet connection (don't rely on cellular)

UWSP Technology Support

Visit with a [Student Technology Tutor](https://www.uwsp.edu/tlc/Pages/techTutoring.aspx) [_ \(https://www.uwsp.edu/tlc/Pages/techTutoring.aspx\)](https://www.uwsp.edu/tlc/Pages/techTutoring.aspx)

Seek assistance from the [IT Service Desk](https://www.uwsp.edu/infotech/Pages/ServiceDesk/default.aspx)

[_ \(https://www.uwsp.edu/infotech/Pages/ServiceDesk/default.aspx\)](https://www.uwsp.edu/infotech/Pages/ServiceDesk/default.aspx) (Formerly HELP Desk)

- IT Service Desk Phone: 715-346-4357 (HELP)
- IT Service Desk Email: techhelp@uwsp.edu (<mailto:techhelp@uwsp.edu>)

University Policies

Understand When You May Drop This Course

It is the student's responsibility to understand when they need to consider unenrolling from a course. Refer to the UWSP [Academic Calendar](https://www.uwsp.edu/regrec/Pages/calendars.aspx) [_ \(https://www.uwsp.edu/regrec/Pages/calendars.aspx\)](https://www.uwsp.edu/regrec/Pages/calendars.aspx) for dates and deadlines for registration. After this period, a serious and compelling reason is required to drop from the course. Serious and compelling reasons includes: (1) documented and significant change in work hours, leaving student unable to attend class, or (2) documented and severe physical/mental illness/injury to the student or student's family.

Inform Your Instructor of Any Accommodations Needed

If you have a documented disability and verification from the [Disability and Assistive Technology Center](https://www.uwsp.edu/datc/Pages/default.aspx) [_ \(https://www.uwsp.edu/datc/Pages/default.aspx\)](https://www.uwsp.edu/datc/Pages/default.aspx) and wish to discuss academic accommodations, please contact your instructor as soon as possible. It is the student's responsibility to provide documentation of disability to Disability Services and meet with a Disability Services counselor to request special accommodation *before* classes start.

The Disability and Assistive Technology Center is located in 609 Albertson Hall and can be contacted by phone at (715) 346-3365 (Voice) (715) 346-3362 (TDD only) or via email at datctr@uwsp.edu [_ \(mailto:datctr@uwsp.edu\)](mailto:datctr@uwsp.edu).

Statement of Policy

UW-Stevens Point will modify academic program requirements as necessary to ensure that they do not discriminate against qualified applicants or students with disabilities. The modifications should not affect the substance of educational programs or compromise academic standards; nor should they intrude upon academic freedom. Examinations or other procedures used for evaluating students' academic achievements may be adapted. The results of such evaluation must demonstrate the student's achievement in the academic activity, rather than describe his/her disability.

If modifications are required due to a disability, please inform the instructor and contact the Disability and Assistive Technology Center in 609 ALB, or (715) 346-3365.

UWSP Academic Honesty Policy & Procedures

Student Academic Disciplinary Procedures

UWSP 14.01 Statement of principles

The board of regents, administrators, faculty, academic staff and students of the university of Wisconsin system believe that academic honesty and integrity are fundamental to the mission of higher education and of the university of Wisconsin system. The university has a responsibility to promote academic honesty and integrity and to develop procedures to deal effectively with instances of academic dishonesty. Students are responsible for the honest completion and representation of their work, for the appropriate citation of sources, and for respect of others' academic endeavors. Students who violate these standards must be confronted and must accept the consequences of their actions.

UWSP 14.03 Academic misconduct subject to disciplinary action.

(1) Academic misconduct is an act in which a student:

- (a) Seeks to claim credit for the work or efforts of another without authorization or citation;
- (b) Uses unauthorized materials or fabricated data in any academic exercise;
- (c) Forges or falsifies academic documents or records;
- (d) Intentionally impedes or damages the academic work of others;
- (e) Engages in conduct aimed at making false representation of a student's academic performance; or
- (f) Assists other students in any of these acts.

(2) Examples of academic misconduct include, but are not limited to: cheating on an examination; collaborating with others in work to be presented, contrary to the stated rules of the course; submitting a paper or assignment as one's own work when a part or all of the paper or assignment is the work of another; submitting a paper or assignment that contains ideas or research of others without appropriately identifying the sources of those ideas; stealing examinations or course materials; submitting, if contrary to the rules of a course, work previously presented in another course; tampering with the laboratory experiment or computer program of another student; knowingly and intentionally assisting another student in any of the above, including assistance in an arrangement whereby any work, classroom performance, examination or other activity is submitted or performed by a person other than the student under whose name the work is submitted or performed.

FERPA


The [Family Educational Rights and Privacy Act](https://www.uwsp.edu/regrec/Pages/ferpa.aspx) (FERPA) provides students with a right to protect, review, and correct their student records. Staff of the university with a clear *educational need to know* may also have to access to certain student records. Exceptions to the law include parental notification in cases of alcohol or drug use, and in case of a health or safety concern. FERPA also permits a school to disclose personally identifiable information from a student's education records, without consent, to another school in which the student seeks or intends to enroll.

Lecture materials and recordings for 'Political Science 304: Environmental Politics and Policy' are protected intellectual property at UW-Stevens Point. Students in this course may use the materials and recordings for their personal use related to participation in this class. Students may also take notes solely for their personal use. If a lecture is not already recorded, you are not authorized to record my lectures without my permission unless you are considered by the university to be a qualified student with a disability requiring accommodation. Students may not copy or share lecture materials and recordings outside of class, including posting on internet sites or selling to commercial entities. Students are also prohibited from providing or selling their personal notes to anyone else or being paid for taking notes by any person or commercial firm without the instructor's express written permission. Unauthorized use of these copyrighted lecture materials and recordings constitutes copyright infringement and may be addressed under the university's policies, UWS Chapters 14 and 17, governing student academic and non-academic misconduct.

Religious Beliefs

Relief from any academic requirement due to religious beliefs will be accommodated according to UWS 22.03, with notification within the first three weeks of class.

Course Summary:

Date	Details
Tue Jan 26, 2021	 Environmental Law and Regulation 11am to 12:15pm