

Week 8 (Oct 17 & 19)

For Tuesday: In-class MIDTERM EXAM on Tuesday this week

For Thursday: National Environmental Policy Act (NEPA) & Environmental Impact Statement (EIS) process

Enacted in 1970, NEPA is a law that fundamentally changed federal government decisionmaking. Still in effect more than 50 years later, it requires assessment of environmental consequences of proposed federal agency actions and measures to prevent environmental harm. Today, given ever-widening political division, it is the subject of much controversy. Why is this? Should NEPA and the EIS process be revised?

Reading:

James Salzman & Barton H. Thompson,
12 in *Environmental Law & Policy*, 4th ed. (Foundation Press, 2014); on Canvas (17 pages)

Recommended:

Tiffany Middleton, 02, 2021, a
Teaching Legal Docs report from the American Bar Association; on Canvas (5 pages)

law, reversing Trump, *The Washington Post*, April 19, 2022; on Canvas
Familiarize yourself with the US Environmental Protection Agency information on NEPA,
<https://www.epa.gov/nepa>
Council on Environmental Quality (CEQ), Executive Office of the President,
Guide to the NEPA: Having Your Voice Heard, December 2007, available at
https://ceq.doe.gov/docs/get-involved/Citizens_Guide_Dec07.pdf

Week 9 (Oct 24 & 26) The elements of policy design & introducing the Clean Air Act

Policy design involves choices across several basic elements, including policy goals, target populations, administrative agents, and the policy tools through which change is expected to take effect. What influences those choices? What are the basic elements that were adopted in the Clean Air Act of 1970?

Reading:

Smith, *The Environmental Policy Paradox*

Week 10 (Oct 31 & Nov 2) Regulating air quality

When adopted, the Clean Air Act of 1970 ushered in a new and powerful role for the US federal government in addressing environmental protection. The command-and-control regulatory structure was designed to hold polluters accountable. It has proven effective in many ways in terms of achieving better air quality, but not without continuing challenges. What are these challenges, what alternatives have arisen, to what effect, and what criteria might be used in evaluating other options?

Reading:

Assessing Policy Alternatives, 6 in *Public Policy: Politics, Analysis, and Alternatives*; on Canvas
-Based Solutions: Acid Rain and the Clean Air Act Amendments of
The Environmental Case: Translating Values Into Policy; on Canvas.

29, 2023; available at <https://www.eenews.net/articles/broken-system-propels-air-toxics-monitoring-gaps/>

Recommended:

US Environmental Protection Agency (EPA), Regulatory and Guidance Information by
Topic: Air <https://www.epa.gov/regulatory-information-topic/regulatory-and-guidance-information-topic-air>

NO ASSIGNMENT DUE THIS WEEK. Plan to work on Policy Project Part A, due Monday, Nov. 6.

Week 11 (Nov 7 & 9) Politics and policy addressing the climate crisis

Urgent issues of climate change

Week 12 (Nov 14 & 16) Policy to protect water quality

Water. Essential, the foundation of all life, and critical to all human activity. What measures are being taken to protect water quality to ensure that our waterways are not polluted, that the water we drink is clean? Are current policy approaches enough? We will examine both the Clean Water Act (CWA) and the Safe Drinking Water Act (SDWA)

Reading:

Smith, *The Environmental Policy Paradox*, Chap 6

October

18, 2016; on Canvas

Water Act updated January 5, 2022; on Canvas (providing a good overview of the SDWA)

Recommended:

-13); on Canvas.

Week 14 (Dec 5 & 7) Toxics & managing risk

We live in a world with many risks, including chemicals and hazardous substances with unknown environmental and human exposure impacts. What measures have been adopted in US policy to address risk? What is the risk assessment process? How does this compare with approaches adopted in other political systems guided by the precautionary principle?

Reading:

Smith, *The Environmental Policy Paradox*, Chap 8

and recent reports on US chemical policy under the Toxic Substances Control Act, available at <https://www.ewg.org/key-issues/toxics/chemical-policy>.

Recommended:

Science in Environmental Policy: the Politics of Objective Advice (2009); on Canvas.
Nancy J. Myers, *Precautionary Tools for Reshaping Environmental Policy*, Chapter 1 (Cambridge, MA: MIT Press, 2005); on Canvas.

US EPA, Toxics Release Inventory (TRI) Program, <https://www.epa.gov/toxics-release-inventory-tri-program/toxic-chemical-risk-and-health-resources>

ASSIGNMENT DUE

Environmental Policy Project; due Friday, Dec 8, 11:59 pm

Week 15 (Dec 12 & 14)

Class lecture materials

