



O'Neill School of Public and Environmental Affairs

V550 Environmental Policy

Fall 2024

Class No. 12679

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Class Meeting: Web-based, asynchronous instruction.

Office Hours: By appointment.

Course Description: When it promulgated the National Environmental Protection Act (“NEPA”) in 1970, Congress described the official environmental policy of the United States.

The Congress, recognizing the profound impact of man’s activity on the interrelations of all components of the natural environment, particularly the profound influences of population growth, high-density urbanization, industrial expansion, resource exploitation, and new and expanding technological advances and recognizing further the critical importance of restoring and maintaining environmental quality to the overall welfare and development of man, declares that it is the continuing policy of the Federal Government, in cooperation with State and local governments, and other concerned public and private organizations, to use all practicable means and measures, including financial and technical assistance, in a manner calculated to foster and promote the general welfare, to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans.

42 U.S.C. § 4331(a). To meet these lofty goals, the U.S. EPA established a mission to protect human health and the environment. Half a century later, we have made tremendous progress, but tremendous hurdles remain.

We will explore the successes, failures, and challenges of U.S. environmental policies in protecting the environment on the one hand, and human health on the other. If schedules permit, students will have the option (but not the obligation) to participate in weekly discussions so that the weekly lectures are conversational and engaging.

Learning Outcomes:

We will examine environmental policies that have aimed to protect various environmental media (i.e., air, water, land) and how those policies have resulted in communities of color and low-income communities bearing the brunt of the nation's pollution. We will evaluate the veracity of claims that economic concerns must be sacrificed to achieve environmental protection. By the end of the semester, students will be able to identify problems with existing environmental policies and develop potential solutions that would enable environmental protection, economic growth, and environmental justice to coincide.

Texts: Environmental Policy: New Directions for the Twenty-First Century (Norman J. Vig, Michael E. Kraft, and Barry G. Rabe, eds., 12th ed. 2024).

The Environmental Case: Translating Values into Policy (Judith A. Layzer and Sara R. Rinfret, eds., 6th ed. 2023).

Course Requirements:

Assignment due dates will be posted along with the instructions in Canvas Modules. Any requests for extensions must be made before the due date and will only be granted for good cause.

Grade Components:

Discussion Leads (25%)

Participation, discussion, and cooperation are critical components of this course. Each week's discussion forum will begin with thought-provoking questions about the week's assignments. Each student will sign up to lead three discussion forums. Discussion leaders will post complete responses to the discussion questions by the deadline, which will typically be on Tuesday or Wednesday of that week. Discussion leaders will also be responsible for responding to at least three of your classmates' responses.

Class Participation (20%)

Everyone is expected to regularly contribute to the weekly discussions, which will be posted on Canvas. If schedules permit, students will also have opportunities to participate directly in Zoom discussions in lieu of responding to discussion questions.

Mid-term (25%)

The midterm will be an individual assessment of a discrete, historic environmental problem. The problem can be as local or as national as you wish. The Layzer case studies are all examples of the types of issues that would be appropriate for the midterm.

The midterm will be an assessment of the environmental policies (or lack thereof) that allowed the problem to develop, a description of how the problem went through the policy cycle, and an evaluation of the ultimate policy solution. Students will draft a memorandum addressing these issues.

Write as if the audience is a policymaker (or group of policymakers) who has asked you to examine the particular issue. Memos should be no more than 10 pages, double spaced, with one-inch margins. Longer memos are acceptable if they are limited to no more than 2,500 words.

Final Project (30%)

The final is your opportunity to develop and recommend a policy solution to a current environmental problem. This can be, but is not required to be, a continuation of your midterm topic.

Students will share their policy solution through both a presentation and a policy memorandum. The audience should be a policymaker (or group of policymakers) to whom you wish to present your recommendation.

The recommendation should include a description of the problem, how the problem has gone through (or can go through) the policy cycle, and a proposal of an ultimate policy solution.

Final memos should be no more than 5,000 words. This is a limit, not a minimum requirement. You may be able to effectively present your recommendation in fewer words. Final memos are due by the end of the day on the Sunday of the final week of the semester.

Grading Scale:

The grading scale follows the University's Grading Policy, which is available [here](#).

A+	98-100%	B+	87-89%	C+	77-79%	D	60-69%
A	94-97%	B	84-86%	C	74-76%	F	<60%
A-	90-93%	B-	80-83%	C-	70-73%		

NOTE: The auto-W deadline is NO LONGER THE LAST DAY OF CLASS. After the auto-W deadline, withdrawal will be significantly limited, and you will need permission to withdraw and must meet requirements established by O'Neill.

Weekly Schedule:

All readings should be completed before listening to, or participating in, the weekly discussion. The schedule below is subject to change given students' backgrounds, career plans, and learning styles. All updates will be announced on Canvas and during the weekly discussions at least one week in advance.

Week 1 (August 25-31): Course Introduction and U.S. Environmental Policy History.

- Select chapters from *American Environmentalism: Readings in Conservation History* (Roderick Frazier Nash, ed., 3d ed. 1990).
 - An American Environmental Chronology.
 - Native Americans Define the Natural Community, Black Elk (1931).
 - The Value of Wildness, Henry David Thoreau (1851).
 - Human Responsibility for the Land, George Marsh (1864).
 - The Beginnings of Federal Concern, Carl Schurz (1877).
 - The Birth of "Conservation", Gifford Pinchot (1947, 1910).
 - Publicizing Conservation at the White House, Theodore Roosevelt (1908).
 - A Voice for Wilderness, John Muir (1901, 1912).
 - A Land Ethic, Aldo Leopold (1949).

Week 2 (September 1-7): Student Introductions and U.S. Environmental Policy History (cont.).

- *How "Silent Spring" Ignited the Environmental Movement*, Griswold, New York Times, September 21, 2012.
- *Environmentalism's Racist History*, Purdy, The New Yorker, August 13, 2015.
- The State of the Environment, Council on Environmental Quality (1970), from Nash.

Week 3 (September 8-14): Advent of Modern U.S. Environmental Policy

- Vig, Ch. 1, 3
- Layzer, Ch. 1 (skim)
- *10 Big Biden Environmental Rules, and What They Mean*, Davenport, New York Times, May 9, 2024.

Week 4 (September 15-21): The Role of the States and Establishment of Superfund

- Vig, Ch. 2
- Layzer, Ch. 3

Week 5 (September 22-28): Role of the Executive and Legislative Branches

- Vig, Ch. 4 and 5

Week 6 (September 29-October 5): Role of the Judiciary

- Vig, Ch. 6
- *Chevron U.S.A., Inc. v. Natural Resources Defense Council, Inc.*, 468 U.S. 837 (1984).
- *West Virginia v. Environmental Protection Agency*, 597 U.S. 697 (2022).
- *Loper Bright Enterprises v. Raimondo*, 144 S. Ct. 2244 (2024).

Week 7 (October 6-12): The EPA

- Vig, Ch. 7
- Layzer, Ch. 2
- *Rapanos v. United States*, 547 U.S. 715 (2006).
- *County of Maui v. Hawaii Wildlife Fund*, 590 U.S. 165 (2020).
- *Sackett v. Environmental Protection Agency*, 598 U.S. 651 (2023).

Week 8 (October 13-19): Managing Natural Resources

- Vig, Ch. 9
- Layzer, Ch. 6
- *TVA v. Hill*, 437 U.S. 153 (1978).

Week 9 (October 20-26): Regional and Local Issues

- Vig, Ch. 11
- Layzer, Ch. 4, 7, 10

THE MIDTERM WILL BE DUE AT MIDNIGHT ON OCT. 27.

Week 10 (October 27-November 2): Capitalism and Environmental Progress

- Vig, Ch. 10
- Layzer, Ch. 5

Week 11 (November 3-9): Cost of Fossil Fuels

- Layzer, Ch. 11, 12, 13

Week 12 (November 10-16): Human Activities Conflict with Preservation

- Layzer, Ch. 8, 9

Week 13 (November 17-23): Where Do We Go Now?

- Vig, Ch. 8, 12

Week 14 (December 1-7): Final Projects

Week 15 (December 8-14): Final Projects

Week 16 (December 15-21): Final Project Discussion Forums

THE FINAL MEMO WILL BE DUE AT MIDNIGHT ON DECEMBER 15.

O'Neill School expectations of civility and professional conduct¹

The O'Neill School takes matters of honesty and integrity seriously because O'Neill is the training ground for future leaders in government, civic organizations, health organizations, and other institutions charged with providing resources for the public, and for members of society who are vulnerable and who are lacking in power and status. Precisely because O'Neill graduates tend to rise to positions of power and responsibility, it is critical that the lessons of honesty and integrity are learned early.

O'Neill requires that all members of its community – students, faculty, and staff – treat others with an attitude of mutual respect both in the classroom and during all academic and nonacademic activities outside the classroom. A student is expected to show respect through behavior that promotes conditions in which all students can learn without interruption or distraction. These behaviors foster an appropriate atmosphere inside and outside the classroom:

- Students are expected to attend class regularly and to be prepared for class.
- Students must be punctual in their arrival to class and be present and attentive for the duration of the class. Eating, sleeping, reading the newspaper, doing work for another class, wandering in and out of the classroom, and packing up or leaving class early are not civil or professional behaviors.
- Students must abide by the course policy regarding use of electronic devices in the classroom.
- Students must responsibly participate in class activities and during team meetings.
- Students must address faculty members, other students, and others appropriately and with respect, whether in person, in writing, or in electronic communications.
- Students must show tolerance and respect for diverse nationalities, religions, races, sexual orientations, and physical abilities.
- Students must not destroy or deface classroom property nor leave litter in the classroom.

Code of Student Rights, Responsibilities, & Conduct: Students should be familiar with the Code, which can be accessed [here](#).

Use of AI (such as ChatGPT) in this class. Using AI (such as ChatGPT) to assist in completing assignments in this class is prohibited. If you do use AI, you will be committing plagiarism and will be subject to penalties in this class and sanctions by Indiana University. Plagiarism is defined as presenting someone else's work, including the work of other students, as one's own. *Any ideas or materials taken from another source for either written or oral use must be fully acknowledged, unless the*

¹ These expectations are excerpted from the O'Neill School Honor Code which can be found at: https://oneill.indiana.edu/doc/undergraduate/ugrd_student_honorcode.pdf

information is common knowledge. What is considered “common knowledge” may differ from course to course. <https://studentcode.iu.edu/responsibilities/academic-misconduct.html>. (emphasis added)

Note Selling: Several commercial services have approached students regarding selling class notes/study guides to their classmates. Selling the instructor’s notes/study guides in this course is not permitted. Violations of this policy will be reported to the Dean of Students as academic misconduct (violation of course rules). Sanctions for academic misconduct may include a failing grade on the assignment for which the notes/study guides are being sold, a reduction in your final course grade, or a failing grade in the course, among other possibilities. Additionally, you should know that selling a faculty member’s notes/study guides individually or on behalf of one of these services using IU email, or via Canvas may also constitute a violation of IU information technology and IU intellectual property policies; additional consequences may result.

Materials: The faculty member teaching this course holds the exclusive right to distribute, modify, post, and reproduce course materials, including all written materials, study guides, lectures, assignments, exercises, and exams. While you are permitted to take notes on the online materials and lectures posted for this course for your personal use, you are not permitted to re-post in another forum, distribute, or reproduce content from this course without the express written permission of the faculty member. Any violation of this course rule will be reported to the appropriate university offices and officials, including to the Dean of Students as academic misconduct.

Additional Student Resources

Counseling and Psychological Services

For information about services offered to students by CAPS:

<http://healthcenter.indiana.edu/counseling/index.shtml>

TimelyCare

Indiana students have free, 24/7 access to virtual mental health care services with TimelyCare. Students do not need insurance to access TimelyCare services.

<https://www.iu.edu/mental-health/find-resources/timely-care.html#0>

Religious Observation

In accordance with the Office of the Dean of Faculties, any student who wishes to receive an excused absence from class must submit a request form available from the Dean of Faculties for each day to be absent. This form must be presented to the course instructor by the end of the second week of this semester. A separate form must be submitted for each day. The instructor will fill in the bottom section of the form and then return the original to the student. Information about the policy on religious observation can be found at the following

website: <https://policies.iu.edu/policies/aca-59-accommodation-religious-observances/index.html>

Disability Services for Students

Securing accommodations for a student with disabilities is a responsibility shared by the student, the instructor and the DSS Office. For information about support services or accommodations available to students with disabilities, and for the procedures to be followed by students and

instructors: <https://studentaffairs.indiana.edu/student-support/disability-services/index.html>

Sexual Harassment

As your instructor, one of my responsibilities is to help create a safe learning environment on our campus. Title IX and our own Sexual Misconduct policy prohibit sexual misconduct. If you have experienced sexual misconduct, or know someone who has, the University can help.

If you are seeking help and would like to talk to someone confidentially, you can make an appointment with:

- i. The Sexual Assault Crisis Service (SACS) at 812-855-8900
- ii. Counseling and Psychological Services (CAPS) at 812-855-5711
- iii. Confidential Victim Advocates (CVA) at 812-856-2469
- iv. IU Health Center at 812-855-4011

For more information about available resources:
<http://stopsexualviolence.iu.edu/help/index.html>. It is also important to know that federal regulations and University policy require me to promptly convey any information about potential sexual misconduct known to me to our campus' Deputy Title IX Coordinator or IU's Title IX Coordinator. In that event, they will work with a small number of others on campus to ensure that appropriate measures are taken and resources are made available to the student who may have been harmed. Protecting a student's privacy is of utmost concern, and all involved will only share information with those that need to know to ensure the University can respond and assist. I encourage you to visit <http://stopsexualviolence.iu.edu/help/index.html> to learn more.

Commitment to Diversity: Find your home and community at IU

Asian Culture Center

Address: 807 East Tenth Street, Bloomington, IN 47408

Phone: 812-856-5361

Email: acc@indiana.edu

Website: <https://asianresource.indiana.edu/index.html>

First Nations Educational & Cultural Center

Address: 712 E 8th St., Bloomington, IN 47408

Phone: 812-855-4814

Email: fnecc@indiana.edu

Website: <https://firstnations.indiana.edu/contact/index.html>

LGBTQ+ Culture Center

Address: 705 E 7th St., Bloomington, Indiana 47408

Phone: 812-855-4252

Email: glbtserve@indiana.edu

Website: <https://lgbtq.indiana.edu/contact/index.html>

La Casa Latino Culture Center

Address: 715 E 7th St., Bloomington IN, 47408

Phone: 812-855-0174

Email: lacasa@indiana.edu

Website: <https://lacasa.indiana.edu/>

Neal Marshall Black Culture Center

Address: 275 N Jordan Ave Bloomington, Indiana 47405

Phone: 812-855-9271

Email: nmgrad@indiana.edu

Website: <https://blackculture.indiana.edu/index.html>