

Spring 2022
Online

Overview

This course presents students with opportunities for learning about a broad array of natural resources and environmental law and policy and politics. It will provide students with an overview of federal, state, and local environmental law and acquaint each student with basic legal principles and procedures as well as current environmental issues and the institutions that shape environmental policy. This course will be taught with a significant emphasis on the practical application of federal, state and local environmental policy-making as developed over the last quarter century.

INSTRUCTOR

Bob Wilson, J.D., M.B.A.

Former Executive Director of Michigan Trails and Greenways Alliance

**Former Senior Counsel to Senate Natural Resources and Environmental Affairs,
Outdoor Recreation Committees**

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TARGET AUDIENCE

This course is structured for junior and senior undergraduate students and graduate and professional students interested in an overview of environmental and natural resources policy making. The course will be taught as a practical guide to the essential elements of environmental policy making and will draw on the instructor's extensive 30-year career in crafting much of the state's natural resources policy.

MATERIALS

Required Text

Environmental Politics and Policy, Rosenbaum 10th edition. Later editions are available, but assigned readings are based on 10th edition.

Supplementary Materials

Materials (e.g., articles, handouts, etc.), when possible, will be available to students enrolled in the course on the MSU D2L website for the course.

There will be one copy of the text placed in reserved reading in the MSU Main Library. Some students, in the past, have used previous versions of the text. If students do so, it is their sole responsibility to make sure they cover the material assigned in class (e.g., read the correct material, figure out the corresponding page numbers, etc.).

Class Format

This class will be presented in an entirely online format in D2L and students will work in groups of five to answer weekly discussion questions in an online forum in D2L. Two essay exams will be used to assess student performance and those exams will also be available through the D2L learning system. Each group will work collectively to assemble a series of answers to the exam questions for both exams and one designated group leader will submit their responses on behalf of each group.

Office Hours

I am extremely easy to reach by both cell phone and email—please see contacts listed above.

Course Goal and Outcomes

Introduce the structure and dynamics of American federal and state environmental policy by exploring policy formation, development and implementation. The course will provide students with a focus on the process and methods of policy analysis and evaluation as demonstrated in practical application of Michigan environmental policymaking. The successful student will come away with significant tools to be able to craft and advance a policy making agenda based on current and future issues facing Michigan.

Course Description

The course will be presented in three distinct sections with various modules within each section. We will begin our study of environmental policy by discussing the philosophy and range of the environmental ethic and continue with exploring the framework of key federal and state environmental laws.

The second section will be devoted to a discussion of the institutions involved in policy formulation and implementation. The third and final section will be devoted to the study of specific case studies of legislation that have passed the Michigan Legislature. Through these case studies, the students will gain a practical understanding of how politics and policy institutions directly influence environmental policy.

Course Objectives

Students who successfully complete this course will be able to:

- 1) Identify and describe the roles of the institutions and participants involved in environmental policy.
- 2) Describe and apply a variety of theories, methods, models and tools utilized in environmental policy.
- 3) Understand and critically evaluate the current framework of environmental policies, including: air, water, and land use.
- 4) Access public information from a variety of institutional sources and evaluate the stakeholders and facts presented.
- 5) Think critically about the sources, actors, content, information, and outcomes of environmental policy through application of the case study method with a significant emphasis on the impact of politics on environmental policy.

Required Text

Environmental Politics and Policy, 10th edition Walter Rosenbaum. I will make significant use of detailed power point slides and supplemental issue briefs, backgrounders and bill summaries that I have written for my policy work in the Michigan Senate. I will provide access to all course documents in advance of each week's discussion. NOTE--Exams will be focused primarily on class lectures and my power point presentations. Textbook readings are for reference and to help round out class discussion.

INSTRUCTION AND GRADING COMPONENTS

A. Exams (80% or 400 total points)

There will be two exams during the semester, each exam will be worth a total of 200 points for a grand total of 400 points. These exams will be available through the D2L learning website. **These exams will be completed collectively by each group rather than by individual students.**

I will email out the exam the Friday prior to the start of exam week so that each group will be able to assemble their responses and submit them under the name of one designated group leader. Prior to submitting the exam, the designated group leader who is submitting the exam must send me an email indicating the names of all group members, that all group members have participated equally in the exam formulation and that all are in agreement with the content of the responses. The exams will consist of 6 essay questions from which five must be selected for the responses.

B. Group Participation Presentations (20% or 100 total points)

The class will be divided up into small groups of students for purposes of responding to a weekly set of discussion questions as assigned by the instructor. Students will be automatically assigned to a group and each week the group will select a weekly group leader whose job it will be to coordinate a discussion amongst group members of the

week's discussion question or questions. After that discussion, the group leader will then take the consensus thoughts of the group and post it on the weekly discussion forum on the D2L website. It is expected that each student will perform their role as a group leader at least twice during the semester.

Your group participation grade is based solely on your performance as the group leader. In order to receive the full participation points for this portion of the class, each student will be required to act at least twice as the group leader. Your responsibilities when acting as group leader include facilitating the weekly discussion among all the members and then posting the consensus response of the group and finally receiving comments from the instructor on the group's post and then sharing those comments with the group members in order for them to have feedback from the instructor. Each group member is responsible for participating equitably in the discussion of the groups. The participation grade can be adjusted by the instructor for any group member that does not participate equitably in the work of the group. The discussion questions and the topics can be found under the communications tab on the D2L website.

C. Final Grades

Students' final grades will be initially based on the results of their two exams (80%), and group participation (20%). Then penalties and bonuses will be applied (see below). The instructor intends to use the following scale for grading purposes with 500 total points possible for the course:

450-500 pts	90-100%	4.0	A
430-449 pts	85-89%	3.5	A-/B+
400-429 pts	80-84%	3.0	B
375-399 pts	75-79%	2.5	B-/C+
350-374 pts	70-74%	2.0	C
325-349 pts	65-69%	1.5	C-/D+
250-324 pts	50-64%	1.0	D
0-249 pts	0-49%	0.0	F

F. Bonuses and Penalties

The final grade penalties, if any, will be applied after computing the students' grades based on homework and exam results. Likewise, students who exhibit extra effort, contributions that bring added value to the course, etc. will be eligible for consideration for some bonus points in the final assignment of course grades.

POLICY ON EXCUSES

Students are expected to attend each class, submit assignments on time, and take exams at the regularly scheduled time unless an acceptable reason as per MSU policy is offered. Acceptable reasons include illness, religious observances, family emergency, or conflicts with other final exams (if verified or validated). Students are expected to notify the instructor ahead of time whenever possible and in all cases as soon as possible, in writing (e.g., e-mail) or in person if they cannot attend class, submit written assignments, or take an exam. If legitimate reasons are presented in a timely and

reasonable manner, arrangements can be made to acquire class notes, submit work, take exams, etc.

INCOMPLETE WORK AND DEFERRED GRADES

Unexpected circumstances may cause a student to request a final grade of Incomplete (I) or Deferred (DF). Requests must be made in writing before the date of the final exam stating the reason(s) for the request and a plan for removal of the I or DF grade.

University policy requires that work to remove an I be completed by the 5th week of the next semester in attendance or the grade automatically becomes an F. A DF grade (available only to graduate students) must be removed within two calendar years.

INDEPENDENT WORK REQUIRED AND POLICY ON ACADEMIC INTEGRITY

“The principles of truth and honesty are recognized as fundamental to a community of teachers and scholars. The University expects that both faculty and students will honor these principles and in so doing protect the validity of University grades. (Excerpted from *A University Policy on Integrity of Scholarship and Grades*).

As the MSU Ombudsman points out

(<https://www.msu.edu/unit/ombud/dishonestystud.html>), the following conduct violates the fundamental principles of truth, honesty, and integrity:

- * Supplying or using work or answers that are not one's own;
- * Providing or accepting assistance with completing assignments or examinations;
- * Interfering through any means with another's academic work;
- * Faking data or results.

Therefore, don't:

- * Turn in an exam, paper, or project that is not wholly your own work;
- * Copy answers from another student's exam or test;
- * Get questions and/or answers from students who have already taken an exam or quiz you are scheduled to take;
- * Have another person take a test for you;
- * Submit the same paper for two or more classes;
- * Use other authors' ideas, words, or phrases without proper attribution; and
- * Collaborate with other students on projects or assignments without your instructor's permission.

The instructor reserves the right to issue a final grade of F (failure) or to lower the course grade for any student who violates the MSU Policy on Academic Integrity, who submits other persons' work as their own, or who submits their own work for a grade in this class that has been or will be submitted to another class for credit of any kind.

Once again, as the MSU Ombudsman

(<https://www.msu.edu/unit/ombud/dishonestystud.html>) notes:

If your instructor believes you have committed an act of academic misconduct, s/he may give you a penalty grade, which is defined as any grade based on a charge of academic misconduct. A penalty grade may include, but is not limited to, a failing grade on an assignment or in the course. When this occurs, the Integrity of Scholarship and Grades policy (ISG) requires your instructor to report the academic misconduct to your dean through an electronic Academic Dishonesty Report, which will end up in your student folder, and also asks if your instructor wants to request an academic disciplinary hearing to impose sanctions in addition to the penalty grade. Additional sanctions include probation and/or suspension from your program or the University for a designated time.

PLEASE NOTE: Michigan State University is committed to maintaining a learning and working environment for all students, faculty, and staff that is fair, humane, and responsible - an environment that supports career and educational advancement on the basis of job and academic performance. Relationship violence, stalking, and sexual misconduct subvert the University's mission and offend the University community's integrity. Relationship violence, stalking, and sexual misconduct are not tolerated at Michigan State University. If you suspect that this policy has been violated more information can be found here: (civilrights.msu.edu)

Section I—Fundamentals of Environmental Policy

Jan 10 **Module One – Introduction**

Objectives/Outcomes: Students will be provided with a course introduction including an overview of the class content, material, class procedures. Please review the PowerPoint lecture slides found under module one on the D2L course website along with the class syllabus that is available for review in order to help prepare for the semester.

Jan 17 **Module Two – Fundamental Themes and Sources of Environmental Policy**

Objectives/Outcomes: Students will recognize the unique environmental perspective and how other perspectives play into policy/law-making and will grow to understand basic human behaviors as they relate to protection (or lack thereof) of natural resources. We will discuss the three main sources of environmental policy—common law, statutes and rules and learn that all environmental laws passed flow from the authority provided to the legislature, the courts and the executive branch in both the US and state constitutions.

We will appreciate how politics often informs and redirects consistent, effective natural resource management and talk about the need to help policymakers see

beyond short-term immediate results goals to try to manage natural resources in a more sustainable fashion

Readings: Read Garrett Hardin's Tragedy of the Commons and the use of road salt as a de-icer found on the PDF downloaded on Module 2 D2L website.

Rosenbaum Chapter 1.

Jan 24 **Module Three— Structure/Content of Key Environmental Laws**

Objectives/Outcomes: We will learn about the structure of key federal environmental statutes, agency and judicial orders and the various approaches to regulating human behavior including. We will discuss the unique partnership between the federal government and the states in their respective roles under cooperative federalism. Key distinctions will be made between the various types of regulatory statutes and orders such as "road block," conditional permits and general permits.

We will also discuss specific key federal environmental laws and their Michigan counterparts in Michigan law.

Readings*: Rosenbaum Chapter 6 Command and Control in Action and Chapter 7 Regulatory Thicket. Always check course website for additional readings.

Section II—Policy making institutions

Jan 31 **Module Four – Fundamental Venues of Environmental Policy -Legislative, Executive and Judicial Branches**

Objectives/Outcomes: Students will become familiar with the sources of Environmental Policy with a significant emphasis on the role of politics and its dominant impact on policymaking.

We will discuss the role of the Legislative, Executive and Judicial Branches and understand the interrelated pattern of policy making that takes place within government.

Readings*: Rosenbaum Chapter 3 – Making Policy: Institutions and Politics

*Please check course website for additional readings

Feb 7 **Module Five -- Fundamental Venues of Environmental Policy--Local Govt.**

Objectives/Outcomes: We will study the important roles played by the various levels of local units of government—counties, townships and cities and villages and how environmental policy is often best developed at the local level. We will also discuss regionalization/consolidation efforts to help local units to coordinate their policies more effectively.

Readings*: Rosenbaum, Chapter 3 and any readings posted on D2L website.

Feb 14 **Module Six -- Fundamental Venues of Environmental Policy – The policy making opportunities within the budget-making process and how the media can impact policymaking**

Objectives/Outcomes: Budget making is a key annual exercise that has significant policy making impacts and particularly so on environmental policy. We will discuss the process; the tools and the outcomes of policies developed within a budget and focus on political issues that come with funding environmental programs. We will also learn generally about the impact of lobbyists and various interest groups—both professional lobbyists and associations and citizen-based interest groups.

Readings*: Rosenbaum Chapter 3 in general (focusing on how resources (or lack thereof) made available to agencies impact policy implementation)). .

*Please check Course content under each module for additional readings.

Feb 21

Exam One -- Covers Modules 1-6 Timed two-hour essay exam that must be completed by each group and submitted by each group's designated group leader between February 21 at 7:00 am and February 25 at 5:00 pm. Each group will receive the exam questions via email from me on February 18 in order to formulate your group response. This exam will consist of six essay questions of which you are to answer five.

Feb 28 – MARCH Module Seven – Science, law, and politics

Objectives/Outcomes: Students will learn that science can only go so far to inform policy making decisions and that at some point, subjective decisions generally influenced by political forces will heavily impact policy making.

Readings*: Rosenbaum Chapter 4 on use of science and risk analysis and environmental justice.

*Please check Course content under each module for additional readings.

Spring break – – March 7-11

SECTION III—Case Studies—Practical Policymaking-Impact of Politics on Policy

Mar 14 **Module Eight –Interest Groups and their role in Policymaking**

OBJECTIVES AND OUTCOMES: Students will learn about the important roles played by a wide range of interest groups on policy making and discuss these forces within the context of key politically-charged natural resource issues such as pipeline transport, water use and the management of hazardous and radioactive waste and apply these lessons in a discussion of the Line 5 pipeline transport issue.

Readings*—Rosenbaum Chapter 1 (pp. 1-7), Chapter 8. Issue Briefs on fracking, OPG proposal.

*Please check Course content under each module for additional readings.

Mar 21 **Module Nine –Harmonizing international, federal, state and tribal environmental policy**

Objectives/Outcomes: Students will learn about a unique example of cooperative federalism and how state, federal and tribal leaders all engaged to develop federal and state water use policy.

Readings*: Rosenbaum, Chapter 3 on federalism, bill summaries on the Great Lakes Compact and accompanying water withdrawal assessment tool.

*Please check Course content under each module for additional readings.

March 28 **Module Ten--Harmonizing International, Federal/State Policymaking (Part 2)**

Objectives and Outcomes: Students will learn about the challenges of policymaking at the federal and international level with students learning about how federal and state policymakers have attempted to coordinate regional policy issues and how politics and regional differences can impact policy.

Readings*: Rosenbaum Chapter 10 on transboundary air issues, bill summary on OPG package and the Boundary Waters Treaty memo from LSB.

Apr 4 **Module Eleven – Empowering Local Environmental Policy and Citizen Engagement**

Course Objectives/Outcomes: Students will gain a better understanding of the importance of local control through local ordinances--the unique role that local units of government can serve in helping to conserve and protect local natural resources and public health, safety and welfare and what tools state can provide. We will also discuss the increased accessibility of citizens to local decision-making and why citizens often turn to local officials for policy development.

Readings*: Read bill summaries on state sand dune and wetlands legislation available on class website in module nine.

April 11 **Module Twelve--Policymaking and social impacts on quality of life**

Objectives and Outcomes: Students will learn about the impacts that various environmental decisions can have on communities and their impacts of quality of life and both civil and property rights.

Readings*: Rosenbaum Chapter 4 on environmental justice, and generally Chapter 8 on energy policy issues.

*Please check Course content under each module for additional readings.

April 18

Module Thirteen-- Future of Environmental Policy in Michigan

Course Objectives/Outcomes: Students will examine the future policy issues likely to emerge in Michigan environmental policy and the likely political atmosphere.

Readings: *Please check Course content under each module for readings

April 25-29 Study DAYS/EXAM TWO REVIEW

May 2-6

Exam Two -- Covers Modules 7-13 -- this is a timed two hour exam that must be completed between May 2, 7:00 am and May 6, 5:00 pm. Again this exam is to be completed by each individual group and you will each receive the exam questions on April 29 in order for you to begin to formulate your group response to be submitted by your group designated leader during exam week. The exam will consist of six essay questions from which you are to answer five.

RESERVATION

The instructor reserves the right to make modifications and clarifications to this syllabus