

Syllabus [Revised]

Environmental Management: Law and Policy
LGST 215/815

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Texts: The required texts consist of the following materials.

- David M. Drieson, *The Economic Dynamics of Environmental Law* (MIT Press 2003) (paperback).
- Mark Sagoff, *Price, Principle, and the Environment* (Cambridge University Press 2004) (paperback).
- James Salzman and Barton H. Thompson, Jr., *Environmental Law and Policy* (2d ed., Foundation Press 2007) (paperback).
- Andrew W. Savitz and Karl Weber, *The Triple Bottom Line: How Today's Best-Run Companies Are Achieving Economic, Social and Environmental Success – and How You Can Too* (Jossey Bass 2006) (hardcover).
- *Harvard Business Review on Business and the Environment* (2000) (paperback).
- Coursepack

The books are available for purchase in the Penn Book Store and elsewhere. The coursepack will be available for purchase from Wharton Reprographics in the basement of Steinberg Hall-Dietrich Hall.

Handouts: Any supplementary handouts provided in class are considered part of required course material. This syllabus may also be revised during the semester in accordance with class progress and discussions about student interests and preferences.

Course description: This course provides an introduction to environmental management with a focus on law and policy as a basic framework. The primary aim of the course is to give students a deeper practical sense of the important relationship between business and the natural environment

and to think critically about how best to manage this relationship.

Exams, Group Presentation, and Grading: There will be one required mid-term paper, one required in-class mid-term exam, and one final group presentation. Each of these formal requirements will count for approximately one-third of the final grade for the course. Student participation in class will also be taken into account in the determination of final grades as outlined below.

Group Project and Presentation: A primary component of the course is a group project. Students should begin to consider a topic that they would like to investigate relatively early in the semester. The topic *must* be discussed with the professor in advance. Class time will be allocated at the end of the semester for presentations. Students may join together in groups of two or three (maximum) and share responsibility and the grade for the presentation. Grades for the group projects will be based on the quality of the final presentation itself, as well as any supplementary written or other submission provided indicating sources and research.

Mid-term Paper and Exam: Guidelines for the mid-term paper will be handed out in advance in class. The deadline is given on the course outline and schedule below. There will also be a mid-term exam conducted in class. The exam will be closed book. No make-up exam will be given without an adequate and verifiable excuse. Any incident discovered of cheating on either the paper or the exam will be fully prosecuted. Please adhere to the University of Pennsylvania's honor code.

Class Participation: An important part of the learning experience for this course is the classroom discussions. In addition to formal written and oral presentation requirements, students are expected to read and be prepared to discuss the material assigned for each class. Consistently excellent participation in class may be taken into account to increase a student's grade by one step (e.g., B+ to A-, or P to HP). Poor attendance or failure to participate in class discussion may be taken into account to reduce a student's final grade by one step. In assessing class participation over the course of the semester, quality as well as quantity of comments will be taken into account.

Office hours: To be announced and by appointment.

Course Outline

Introduction

1. Opening Class: Discussion of students' backgrounds and expectations, handout of syllabus, description of the course, and discussion of teaching expectations. [Sept. 6]
2. Introductory Perspective: Thoreau's "Walking" [Sept. 11]

Thoreau, "Walking" [coursepack 1].

Note: come to class dressed for weather!

Part One: Environmental Policy

3. Perspectives on Environmental Law and Policy: Overview [Sept. 13]

Salzman & Thompson, chs. 1-2, pp. 1-38, 41-42.

4. Historical Perspectives [Sept. 18]

Lynn White, *The Historic Roots of our Ecologic Crisis*, 155 *Science* 1203 (1967) [coursepack 2].

Yi-Fu Tuan, *Our Treatment of the Environment in Ideal and Actuality*, 58 *American Scientist* 244 (1970) [coursepack 3].

5. Two Contemporary Views [Sept. 20]

Excerpt from Paul Hawken, *Blessed Unrest: How the Largest Movement in the World Came Into Being and Why No One Saw It Coming* (Viking 2007), pp. 29-68 [coursepack 4].

Elizabeth Economy, "The Great Lead Backward? The Costs of China's Environmental Crisis," *Foreign Affairs*, Sept.-Oct. 2007, pp. 38-59 [coursepack 5]

6. Foundational Paradigm: The Tragedy of the Commons [Sept. 25].

Garrett Hardin, "The Tragedy of the Commons," 162 *Science* 1243 (1968) [coursepack 6].

Salzman & Thompson, ch. 10, pp. 298-308.

In-class computer game exercise, "The Tragedy of the Tuna."

7. Concepts in Ecological Economics and Philosophy I: Benefits, Values and Preferences [Sept. 27]

Sagoff, pp. 1-22, 29-79.

8. Concepts in Ecological Economics and Philosophy II: Externalities, Ecological Services, and Carrying Capacity [Oct. 2]

Sagoff, pp. 101-76.

9. Concepts in Ecological Economics and Philosophy III: Regulatory Instrument Choices and Collaborative Public Policy [Oct. 4]

Salzman & Thompson, ch. 3, pp. 43-57.

Sagoff, pp. 177-231.

10. Economics and Environmental Regulation I: A Critique of the Traditional Approach [Oct. 9]

Driesen, pp. 1-31, 49-71.

11. Economics and Environmental Regulation II: Dynamic Economics and Innovation [Oct. 11]

Driesen, pp. 73-135.

No class on Oct. 18

Midterm paper: Six to eight page paper on topic selected from materials assigned and discussed in class to date (double-spaced text, page limit to include single-spaced footnotes and/or bibliography) due in class on October 23. .

Part Two: Introduction to Environmental Law

12. Transitional Class: On Innovation and Methods of Regulation [Oct. 23]

Driesen, pp. 137-216.

13. Common Law: Private Property and Nuisance [Oct. 25]

Boomer v. Atlantic Cement, 26 N.Y.2d 219 (1970) [coursepack 7].

Spur Industries, Inc. v. Del E. Webb Development Co., 494 P.2d 700 (Ariz. 1972) [coursepack 8].

14. Administrative and Constitutional Dimensions of Environmental Law [Oct. 30; Nov. 6]

Salzman & Thompson, ch. 3, pp. 57-85.

Massachusetts v. EPA, 127 S. Ct. 1438 (2007) [coursepack 9].

“A Flurry of Good Intentions,” *The Economist*, Aug. 11, 2007, p. 26 [coursepack 10].

15. Contemporary Issue: Environmental Justice [Nov. 1]

Salzman & Thompson, ch. 2, pp. 38-41.

M.R. Elliott, Y. Wang, R.A. Low, and P.R. Kleindorfer, "Environmental Justice: Frequency and Severity of U.S. Chemical Industry Accidents and the Socioeconomic Status of Surrounding Communities," 58 *J. Epidemiological Community Health* 24 (2004) [coursepack 11]

16. Air Pollution Regulation: Basic Structure and International Issues [Nov. 6]

Salzman & Thompson, ch. 4, pp. 87-36.

James Krier, "The End of the World News," 27 *Loyola of Los Angeles Law Rev.* 841 (1994) [coursepack 12].

17. Water Pollution Regulation [Nov. 8]

Salzman & Thompson, ch. 5, pp. 137-64.

18. Toxic Substances and Waste Management [Nov. 13]

Salzman & Thompson, chs. 6 and 7, pp. 165-232.

20. International Issues: Trade and the Environment [Nov. 15]

Salzman & Thompson, ch. 8, pp. 233-59.

Review sessions to be scheduled

21. **Mid-term exam** on part two materials, closed book, short-essay style, in class [Nov. 20]

* Thanksgiving break *

Part Three: Environmental Management and Student Presentations

No class on November 27

22. Environmental Management: Recent Perspectives [Nov. 29]

Athelstan Spilhaus, "The Next Industrial Revolution," 115 *Proceedings of the American Philosophical Society* 324 (1970) [coursepack 13].

Either selections from *HBR on Business and Environment* (pp. 1-58, 85-167) *or* Savitz and Weber (entire book)

23. Project Presentations I [Dec. 4]
24. Project Presentations II [Dec. 6]
25. Project Presentations III [to be scheduled]