

Lecture 1 overview

1. Introductions
2. Communication
3. Texts & Syllabus
4. Student introductions
5. Course overview & goals

Introduction: Instructor

Dr. Brian Tissot
Associate Professor
School of Earth & Environmental Science
Office: Engineering-Life Sciences 230M
Office hours: Tu 1-2; W 11-12
or by appointment

Introduction: Dr. Tissot

Marine ecologist
Fishery biology, management & policy
Ph.D. Zoology, OSU, 1991
1992-1998: University of Hawai'i
1998-present: WSU Vancouver

Communication

- E-mail: tissot@wsu.edu
- Web site: oasis.vancouver.wsu.edu
- Office hours: Tu 1-2; W 11-12
- Telephone: 360-546-9611

Student Introductions

Reference Textbooks

Required:

Layzer, J. A. 2005. Environmental case: translating values into policy. 2nd edition. CQ Press, Washington DC

Reserve:

1. Jain, R., L.V. Urban, G.S. Stacey and H. Balbach. 2002. *Environmental Assessment*. 2nd Edition. McGraw-Hill.
2. Reinke, D. C. & L.L. Swartz. 1999. *The NEPA Reference Guide*. Batelle Press.

Syllabus

- Flow of course topics
- Discussion Session
- Readings
- Assignments
- Grading

Course Overview: Policy

- Dynamics of politics & law
- Role of public and historical context
- Interdisciplinary approach:
 - *Integral Ecology*
- Case Studies
- Focus on NEPA

Course Overview: NEPA

- Environmental protection as implemented through the National Environmental Policy Act of 1969
- First law to focus on environmental concerns as *policy*
- Use as framework to explore science & policy

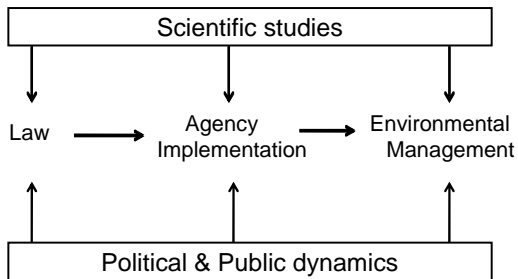
NEPA

- '*Magna Carta*' of the environment
- Paper tiger
- National, State & International model
- Accidental legislation

Which is correct?

All of them!

Science, Management & Policy



NEPA

Cannot be understood as:

- NEPA law
- or,
- Environmental Impact Statement

NEPA

- Historical perspective
- Legislative history
- CEQ & Executive Office
- Federal agency responses
- Citizen lawsuits & conflict resolution
- Interpretation in the courts

NEPA

Cornerstone of environmental laws:

- NEPA & the CEQ
- Endangered Species Act
- Clean Water Act
- Clean Air Act
- Creation of the EPA

Policy
Integrator

NEPA

Legislation ahead of its time

'Productive harmony between man & nature'

'Examine environmental, social, economic, historical & cultural resources'

'Preserve beneficial uses for future generations'

NEPA

Hallmarks:

- Strategic planning
- Interdisciplinary decision-making
- Interagency coordination
- Science-based management
- Public information & input

NEPA

But yet,

- Resulted in >1,000 lawsuits by 1975
- Stopped 100's of Federal projects
- Actual benefit to the environment is questionable in many cases
- Has never been changed

Course Overview

1. Integral Ecology framework
2. Group dynamics & conflict resolution
3. Overview of NEPA:
 - History, law, implementation
 - Reviewing & preparation of EAs & EISs
2. State & International Policy
3. Assessment, monitoring & management
4. Law, policy & ethics

Course Goals

Be able to understand & explain:

1. The relationship between science, law & environmental management
2. The general philosophy of NEPA
3. Implementation through federal agencies
4. The role of the public, law and the courts
5. Importance of public discourse & dynamics
6. A direction for future environment protection

Course Goals

Be able to do:

1. Review and critique EAs and EISs
2. Provide meaningful comments
3. Understand the complexity of public dynamics & your role in that complexity

Why a National Policy?

Boomer v. Atlantic Cement Co.
New York Court of Appeals, 1970

- Use of common tort law (nuisance)
- Company sued for injury from dirt, smoke & vibrations
- Plaintiff sought injunction & damages

Why a National Policy?

Ruling:

- Nuisance was found to exist
- Injunction denied if damages were paid for economic loss (\$185K)
- '*Large disparity between economic consequences of damages & injunction*'
- Plant (\$45 mil; 300 jobs) vs. Damages (\$185k)

Next Time . . .

- Roots of Environmental Crisis
- Check out web site
- Reading:
 - Weiland 1997
 - Layzer Chapter 1
- Recommended reading:
 - Jain et al., Chapter 1
 - Reinke & Swartz Glossary
