ENVIRONMENTAL JUSTICE
COURSE SYLLABUS
Summer 2020

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Office hours: By appointment

Course Description
Environmental justice is a social movement grounded in a unique marriage
between environmental and civil rights law and policy. It has two primary
components, procedural justice and distributive justice. Procedural justice
concerns itself with the processes responsible for disenfranchisement of people
of color, indigenous, and low-income populations in social, political and
environmental decision-making. Distributive justice indicts resulting programs
and policies shown to place a disproportionate risk on those same non-white,
indigenous, and low-income groups at the local, regional, national, and
international level. This course will introduce students to the concept of
environmental justice and lead them through an exploration of the history of
racism and the environment in America, resource colonization and the
destruction of indigenous cultures, the specter of environmental insecurity, and
the role of a much broadened concept of environmental justice in shaping new
sustainability discourses in ethics, law and policy for the 21st century.

Course Text
Rechtschaffen, Clifford, Gauna, Eileen, and O’Neill, Catherine A. Environmental Justice: Law, Policy and

The text will be supplemented by selected readings either as handouts, online downloads, or legal
research.

Grading
Students will be graded based on the following factors:

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<th>Component</th>
<th>Percentage</th>
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<tr>
<td>Class attendance/participation</td>
<td>25 percent</td>
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<td>Research paper</td>
<td>75 percent</td>
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The research paper should be a minimum of 15 pages, double-spaced, including footnotes. Students may develop topics based on the readings and class discussions, or they may come up with one of their own with the approval of the instructor. The research paper should be a combination of original research and theory and a critique of the relevant readings covered during class.

**Schedule**

**Class 1 | June 15**

**Introduction**
Logistics, review of syllabus and course requirements, and grading. Begin discussion of history of the Environmental Justice movement.

**Reading:** Friends of Buckingham v State Air Pollution Control Board (4th Cir. Jan 7, 2020)

**Class 2 | June 16**

**Evidence and Causation**
History of the EJ movement, historic land use practices. Environmental benefits vs. environmental burdens

**Reading:** Rechtschaffen, Gauna & O’Neill, Chapters 2 and 3

**Class 3 | June 17**

**Regulation and the Administrative State**
Public participation, stakeholders, and power sharing

**Reading:** Rechtschaffen, Gauna & O’Neill, Chapter 5

**Case study:** California AB 617 (C.Garcia 2017)
[https://ww2.arb.ca.gov/sites/default/files/2020-03/final_community_air_protection_blueprint_october_2018_acc.pdf/](https://ww2.arb.ca.gov/sites/default/files/2020-03/final_community_air_protection_blueprint_october_2018_acc.pdf/)

**Class 4 | June 18**

**Risk, Health, and Standard Setting**
Quantitative risk assessment and cumulative impacts

**Reading:** Rechtschaffen, Gauna & O’Neill, Chapters 6-7
Class 5 | June 22  
**Government EJ Initiatives**  
Federal and state measures intended to solve environmental justice issues  

Reading:  Rechtschaffen, Gauna & O’Neill, Chapter 10  

Additional Reading: Massachusetts Executive Order 552  
[https://www.mass.gov/service-details/environmental-justice-policy](https://www.mass.gov/service-details/environmental-justice-policy)  

CalEnviroScreen 3.0  

Class 6 | June 23  
**Permitting and Land Use Planning**  
Permitting, enforcement and environmental review statutes  

Reading:  Rechtschaffen, Gauna & O’Neill Chapters 8 and 11  

Additional Reading: California Environmental Justice Alliance SB 1000 Toolkit,  

Class 7 | June 24  
**Climate Change & Climate Justice**  
Disproportionate climate threats and impacts  

Reading:  Rechtschaffen, Gauna, & O’Neill Chapter 12

Class 8 | June 25  
**Litigation, Enforcement & Civil Rights**  
The role of the lawyer and viable legal claims  

Reading:  Rechtschaffen, Gauna & O’Neill Chapters 13-14

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