

CRP 5850 Special Topic - Environmental Impact Review

George Frantz, Course Instructor

M-W 10:10AM - 11:25AM

3 Credits

211 Sibley Hall

Office Hours: Tuesdays 9:00 – Noon, or by appointment

Introduction

This course is an introductory exploration of environmental impact review in theory and practice, with emphasis on practice in New York. The National Environmental Policy Act (NEPA) adopted in 1970, established a framework for review of the environmental implications of federal government actions and policies. The environmental impact statement (EIS) process mandated by NEPA is designed to describe and evaluate proposed projects, funding approvals, permitting approvals, policies and actions undertaken or approved by federal agencies. In addition, NEPA applies to decisions to approve, fund or license actions by state and local governments, and the private sector.

Since then the practice of environmental impact review has evolved and expanded in the USA. Twenty-two states have since adopted their own State Environmental Policy Acts, applying the principles and practice of NEPA to the state level. In doing so these states have extended the review of environmental impacts to the actions and policies of state level agencies and in some states, to the actions and policies of local governments. Several states, including New York, Massachusetts, Minnesota, Washington and Hawaii, require review of private sector developments that are subject to local land use regulations.

Course Readings

There will be a number of course readings. Those not on Fine Arts Reserve or accessible online will be distributed. Outside the assigned readings you will be tapping many of your own sources for the purpose of data collection.

Course Grading

Grades for the course will be based upon:

1. **Case Study.** (30% of grade) There will an individual case study of an environmental review and preparation of a technical report.
2. **Paper.** (50% of grade) There will an individual paper that will involve research, and analysis of a specific aspect of environmental review policies or process.
3. **Attendance.** (10% of grade)
4. **Class Participation.** (10 % of grade) The class will be organized in a seminar style with group discussion encouraged.

Course Schedule

Note: Readings listed as PDFs will be located in course folder on CU BOX. If you have not received an invitation to join the folder please notify me.

Lecture Schedule		
8/23	Introduction to course, administrative details	
8/28	Introduction to Environmental Review I	Daniels, Tom & Katherine Daniels. The Environmental Planning Handbook. pp. 37-63. (PDF) 40 CFR 1500-1508 Regulations for Implementing NEPA, Sections 1501, 1502, 1505, 1506 (PDF)
9/4	Labor Day Holiday - No Class	
9/6	Introduction to Environmental Review II	Rubenstein, Harvey. A Guide to Site Planning and Landscape Construction pp. 7-43 (PDF)
9/11	Introduction to Environmental Review III	NYS Department of Environmental Conservation. The SEQR Handbook, 3rd Edition. pp. 1-57. (PDF); Knauf, Alan. Environmental Impact Review (PDF); 6 NYCRR Part 617 – Sections 617.1-617.6 http://www.dec.ny.gov/regs/2488.html
9/13	Introduction to Environmental Review IV	Plunkett, Kathryn. Local Environmental Impact Review: Integrating Land Use & Environmental Planning Through Local Environmental Impact Reviews (PDF)
9/18	The SEQR Process I	NYS Department of Environmental Conservation. The SEQR Handbook, 3rd Edition. pp. 58- 100. (PDF); Gerrard, Ruzow, Weinberg. Environmental Impact Review in New York. pp 2-95 – 2-109 (PDF)
9/20	The SEQR Process II	NYS Department of Environmental Conservation. The SEQR Handbook, 3rd Edition. pp. 176-189. (PDF); Gerrard, Ruzow, Weinberg. Environmental Impact Review in New York. pp 4-1 – 4-63 (PDF)
9/25	The SEQR Process III	NYS Department of Environmental Conservation. The SEQR Handbook, 3rd Edition. pp. 101-158. (PDF); NYS Department of Environmental Conservation. Assessing and Mitigating Visual Impacts. (PDF)
2/27	SEQR & Growth Management	Salkin, Patricia. From Euclid to Growing Smart Pace Environmental Law Review, vol 20 (PDF);
10/2	The NEPA Process I	US District Court. Standing Rock Sioux Tribe v. USACE 09-09-2016 Memorandum; US Army Corps of Engineers. Environmental Assessment, Dakota Access Pipeline Project Crossings of Flowage Easements and Federal Lands. pp. 1-105 (PDF)
10/4	Class Discussion	The Dakota Access Pipeline Controversy
10/9	Fall Break - No Class	
10/11	Environmental Review & Historic Resources	Advisory Council on Historic Preservation. A Citizen's Guide to Section 106 Review

10/16	SEQR & Growth Management	Ghilain, K. Improving community character analysis in the SEORA environmental impact review process... New York University Environmental Law Journal, 07/2009, Volume 17, Issue 2; Alanen, Arnold & Robert Melnick. Preserving cultural landscapes in America. Introduction pp 1-22 http://quod.lib.umich.edu.proxy.library.cornell.edu/cgi/t/text/pageviewer-idx?c=acls;cc=acls;rgn=full%20text;idno=heb05818.0001
10/18	NYS SGEIS for High Volume Hydraulic Fracturing I	TCCOG. Tompkins County Community Impact Assessment. (PDF)
10/23	NYS SGEIS for High Volume Hydraulic Fracturing II	NYS Department of Environmental Conservation. Revised NYSDEC SDGEIS, Executive Summary; Chap. 1; Chap. 6, pp. 6-1 – 6-66, pp 6-289-6-315 . (PDF)
10/25	NYS SGEIS for High Volume Hydraulic Fracturing III	Revised NYSDEC SDGEIS, Chap. 10; Nature Conservancy: An Assessment of the Potential Impacts of High Volume Hydraulic Fracturing (HVHF) on Forest Resources, Tioga County, NY; (PDF)
10/30	<i>Case Study Presentations</i>	
11/1	NEPA Environmental Impact Review Process – Finger Lakes National Forest	U.S. Forest Service. Draft environmental impacts statement – leasing for oil & gas exploration. Chapter 4 (PDF)
11/6	NEPA Environmental Impact Review Process – Finger Lakes National Forest	U.S. Forest Service. Land resource management plan--Green Mountain National Forest, Finger Lakes National Forest; (PDF)
11/8	NEPA Environmental Impact Review Process – Finger Lakes National Forest	U.S. Forest Service. Final environmental impact statement, land and resource management plan--Green Mountain National Forest, Finger Lakes National Forest; (PDF) U.S. Forest Service. Record of Decision: final environmental impact statement, land and resource management plan-- Finger Lakes National Forest (PDF)
11/13	NEPA Environmental Impact Review Process – Dakota Access Pipeline	US Army Corps of Engineers. Environmental Assessment for Dakota Access Pipeline Project (PDF)
11/15	Chain Works District Redevelopment G/EIS Process.	Chain Works District Project Summary Presentation (PDF) Draft Generic Environmental Impact Statement, Chain Works District (PDF)
11/20	Chain Works District Redevelopment G/EIS Process. Guest Discussant, Scott Whitham, RLA, Whitham Planning & Design	
11/22	Site Visit – Cornell West Campus	
11/27	CU West Campus Residential Initiative. Guest Discussant, Kimberly Michaels, RLA. Trowbridge Wolf & Michaels, Landscape Architects	Draft Environmental Impact Statement: West Campus Residential Initiative (PDF)
11/29	Lecture & Discussion: CU West Campus Residential Initiative:	Final Environmental Impact Statement: West Campus Residential Initiative (PDF)