12

Principles of American Democracy Standard 12.7.6.

Teacher's Masters

California Education and the Environment Initiative

Making and Implementing Environmental Laws

California Education and the Environment Initiative

Approved by the California State Board of Education, 2010

The Education and the Environment Curriculum is a cooperative endeavor of the following entities:

California Environmental Protection Agency
California Natural Resources Agency
Office of the Secretary of Education
California State Board of Education
California Department of Education
California Integrated Waste Management Board

Key Leadership for the Education and Environment Initiative:

Linda Adams, Secretary, California Environmental Protection Agency
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Andrea Lewis, Assistant Secretary for Education and Quality Programs, California Environmental Protection Agency
Mark Leary, Executive Director, California Integrated Waste Management Board
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Key Partners:

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Contents

Lesson 1 The Responsibilities of Government: Protecting the Environment and Public Health

None required for this lesson.

Lesson 2 Government at Work: Cleanup at the Former Long Beach Naval Complex

None required for this lesson.

Lesson 3 Implementing Public Policy: Cleaning Up the Sulphur Bank Mercury Mine

None required for this lesson.

Lesson 4 State Powers and Responsibilities: Taking on Brownfields

None required for this lesson.

Lesson 5 Thinking "Green": A New State Approach

None required for this lesson.

Assessments

Making and Implementing Environmental Laws—
Traditional Unit Assessment Master 2

California Superfund Analysis—Alternative Unit Assessment Master 6

Name: _____

Part 1

Instructions: Select the best answer and circle the correct letter. (2 points each)

1. According to CERCLA, which level of government oversees designating and managing Superfund sites?
   a. federal
   b. state
   c. local
   d. tribal

2. Which of the following is an example of a government incentive?
   a. taxing companies that use hazardous chemicals
   b. banning the use of toxic chemicals in children's toys
   c. protecting potential land buyers from being sued
   d. identifying PRPs to pay for Superfund cleanup

3. Why wasn't the former Long Beach Naval Complex designated as a Superfund site?
   a. There was a question about whether the contamination was severe enough to clean up.
   b. It did not rank high enough to be considered a federal Superfund site.
   c. There was a question about whether there was Superfund money to pay for cleanup.
   d. There was a question about whether federal law was valid in the state of California.

4. What is one purpose of the federal Superfund law?
   a. to protect the public welfare
   b. to ensure life and liberty
   c. to promote democracy
   d. to protect polluting companies

5. California's Brownfields Program is an example of _____.
   a. a state program to identify, clean up, and redevelop contaminated sites
   b. a state program that has more authority than federal programs
   c. a federal mandate for states to clean up hazardous waste
   d. a state program to prevent the use of hazardous materials

6. Which word best describes the efforts of federal, state, and tribal governments in cleaning up hazardous waste sites?
   a. cooperative
   b. conflicted
   c. at cross-purposes
   d. nonexistent

Name: _____

7. When the Sulfur Bank Mercury Mine closed in 1957, the mining company left behind toxic waste and a big crater. In 1990, the mine site became a Superfund site. The change of course was most likely due to _____.
   a. increased court authority
   b. increased state authority
   c. new economic problems
   d. new public policies

8. Which level of government is implementing the Green Chemistry Initiative?
   a. federal
   b. state
   c. local
   d. tribal

9. What is one responsibility of the federal government in dealing with hazardous waste in California?
   a. designating California sites as Superfund sites
   b. proposing cleanup legislation in California's legislature
   c. influencing news coverage of local cleanup efforts
   d. issuing executive orders to implement CERCLA

10. Which of the following most accurately describes lawmaking at the national and state levels?
    a. The media stays completely neutral in the process of lawmaking, whether state or federal.
    b. The media and interest groups influence the decisions made by government leaders in enacting and implementing laws.
    c. Once a law is enacted by the legislature and signed by the executive, the way in which it will be implemented is clear.
    d. Lobbyists for interest groups have great influence on making law but little influence on how the law is implemented.

Name: _____

Part 2

Instructions: In complete sentences, answer each of the following questions. (10 points each)

11. The founding American documents do not say anything about the government taking responsibility for the natural environment. Explain the reasons used to justify the federal government taking on that responsibility. Then explain the justification for the state government doing so.

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12. Describe one way the state government is helping to decrease the use of toxic chemicals in California. Then describe one way the federal government is helping to decrease the use of toxic chemicals in California.

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Name: _____

13. Explain how the issue of jurisdiction can involve complex interactions among agencies in cases where the government has the responsibility to protect the environment and the public. Use one of the case studies from this unit in your answer.

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Names: _____

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Instructions: Answer each question, providing evidence from your research to support each answer. Attach the document or documents from which you got the information, with the appropriate parts of the document highlighted.

Site Background

Name of site: _____

Location of site: _____

Brownfield or Superfund site? _____

State or federal program? _____

Government Responsibility

1. Based on what you learned in Lesson 1, why do the federal and state governments take responsibility for controlling and mitigating pollution?

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Names: _____

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2. In your case study, what did you learn about government responsibility? For example, did citizens, lobbying groups, or any level of government say anything about the government taking on the remediation of the Superfund site or brownfields? Provide an example, and explain its significance. Possible sources: a newspaper editorial, a lobbyist's letter, a local government statement.

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Jurisdiction

3. Under what program is your site listed? Is it federal, state, local?

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4. Why does the site fall under the jurisdiction of that level of government? Provide evidence to support your answer.

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Names: _____

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Implementation of Public Policy and Law

5. A first step in implementing CERCLA or the state's Superfund law or Brownfields Program is designating a site for cleanup. How did that process get underway at your site? Was it inspired by local citizens, interest groups and their lobbyists, the media, the local government? What government agency, at what level of government, oversaw the designation process?

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6. What was involved in implementing the law—in this case, carrying out the cleanup?
   a. What government agencies at what level of government oversaw the implementation?

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   b. What role did lobbyists and the media play?

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Names: _____

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c. What examples do you see of government agencies following specific protocols for carrying out the law? For example, did they hold public forums, publish public information documents, provide technical assistance grants, etc.?

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Summation

7. What role did the state of California play in mitigating environmental pollution in your case study?

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8. What role did the federal government play in mitigating environmental pollution in your case study?

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Names: _____

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9. How did the laws and policies get carried out at your site?

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10. What role did the media and interest groups/lobbyists play in ensuring that the law/policy was carried out?

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Names: _____

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The following scoring tool will be used to score your work.

California Superfund Sites Scoring Tool

Component	10 points	8 points	6 points	4 points
Government Responsibility	Correctly answers question 1. Correctly and thoroughly answers question 2, including providing evidence about government responsibility for remediation of the site.	Correctly answers question 1. Correctly answers question 2, including providing evidence about government responsibility for remediation of the site.	Correctly answers part of question 1: either state or federal. Correctly answers question 2, but does not provide sufficient evidence to support the answer.	Correctly answers part of question 1: either state or federal. Fails to answer question 2.
Jurisdiction	Correctly identifies the program and its level of government. Provides thorough explanation of why the site is under jurisdiction, including supporting evidence.	Correctly identifies the program and its level of government. Provides adequate explanation of why the site is under jurisdiction, including supporting evidence.	Correctly identifies the program and its level of government. Does not provide adequate explanation of why the site is under jurisdiction OR fails to provide supporting evidence.	Correctly identifies the program and its level of government.
Implementation of Policy/Law	Correctly and thoroughly answers questions 5 and 6 and provides evidence for both.	Correctly answers questions 5 and 6 and provides evidence for at least one of them.	Correctly answers question 5 or 6 and provides evidence for it.	Correctly answers part of question 5 or 6.
Summation	Synthesizes research by answering all four questions correctly and thoroughly.	Adequately synthesizes research by answering three or four questions correctly.	Answers at least two questions correctly, one of them thoroughly.	Answers only two questions, but not completely.

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