

Advanced Environmental Law
ES/PS 125, Spring 2007

1. Course Information

Class hours & location: Mondays 10:30 a.m. to 1:15 p.m., DMH, Room 164
Instructor: Terry Trumbull, Environmental Studies Department
Office: Room 115e, Washington Square Hall
Office hours: Mondays, 9 -10:15 a.m.; Fridays 9 - 11:45 a.m.
Office telephone: 408-924-5466
Environmental Studies Department Fax: 408-924-5477
Instructor's e-mail: terryt1011@aol.com
Instructor's law office telephone: 650-328-9081

2. Course Information.

a. Course Description.

The goal of the course is to develop an understanding of how the environmental regulatory system works, including legislation, administrative agencies, and the courts. In addition, the course evaluates pollution control and natural resource issues. Students use an interdisciplinary approach, combining evaluation of technical data with review and application of law and policy. There are several legal analysis writing assignments.

b. Course Format.

Students should read the text as needed to refresh themselves for classes. Lecture will be minimized, but will probably take 20% of class time. A portion of each class will be spent in analysis of current environmental issues. Experts in different environmental or legal areas will speak at most class meetings.

c. Prerequisites:

EnvS 1; EnvS 100W (or equivalent in other departments); EnvS/PolSci 124.

d. Student learning objectives for Advanced Environmental Law:

- Understand how an environmental lawsuit is handled by the courts.
- Understand how environmental legislation is handled by state and federal legislative bodies.
- Understand how an administrative agency develops a regulation.
- Understand how an administrative proceeding works.
- Understand unique areas to environmental law, such as insurance, land use, environmental impact analysis, and contaminated property cleanup; and
- Understand the kinds of writing used in environmental law and regulatory system.

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e. Text.

Kubasek and Silverman, Environmental Law, any edition. Prentice Hall. ISBN for Fifth edition, 2004, is 0-13-147921-0.

f. Class website.

My lecture notes are posted at

http://groups.yahoo.com/group/trumbull_law_classes/.

There are some other files there, such as suggestions on writing for class.

You must have a free Yahoo account to join the site and access the notes.

3. Course Requirements.

a. Grading:

Class participation, including discussion of environmental articles in class
30%

Appellate case review- due Feb. 26 10%

Environmental legislation analysis- due March 12 5%

Environmental regulation review- due March 26 10%

Article public policy evaluation- due April 2 5%

Environmental law review article evaluation- due April 16 10%

Legal memorandum/presentation-
due by start of last class 30%

Students turning in their legal memorandum and making their presentation on May 8 receive one extra credit point.

b. Class participation/Environmental articles:

For each class meeting, students are expected to bring a printed article on the environment or natural resources from a recent publication. Your article shall be turned in before the start of class. In a small class like ES125, you should expect to discuss your article at every class meeting. Students are not expected to explain the underlying legal issues, but should be prepared to summarize the facts in the article. Submission of an article gives you one point for class participation in that class. Discussion in class of your article, or in any other way, gives you a second point.

4. Course Schedule

Class	Date	Topic
1	Jan. 29	Overview of class; Self introduction; Review of environmental law
	Feb. 2	Not required- tour of federal courthouse with ES/PS124, noon- 3 p.m. (Location- see Feb. 5)
2	Feb. 5	Court trial of environmental case- People v. Goldilocks Meet in courtroom of Hon. Patricia Trumbull, 4th floor, 280 S. First St.,(at San Carlos), San Jose.
3	Feb. 12	Case study of mitigation techniques for loss of agricultural land. Speaker: Don Weden, retired County planner
	Feb. 19	Presidents Day holiday
4	Feb. 26	Discussion of student appellate case reviews.
5.	March 5	Speaker: Fred Keeley, former Assemblyman and Executive Director of Planning and Conservation League in Sacramento
5	March 12	Discussion of student environmental legislation analyses
6	March 19	Insurance/Contaminated Property Cleanup Speaker: Jeff Lawson, Silicon Valley Law Group
	March 26	No class- Spring vacation
7	April 2	Article public policy evaluation
8	April 9	Land use/Environmental Impact Analysis Speaker: LizAnne Reynolds, County Counsel- land use
9	April 11	Environmental Concerns TV show taping 5:45 - 7:45 p.m., 1900 S. Tenth St., San Jose Show on Law School/Law Careers
10	April 16	Environmental Law review evaluations
	April 23	No class (replaced by April 11 TV show taping)
11	April 30	Environmental mediation with student role playing; Alternative dispute resolution
12	May 7	Legal Memoranda- student discussion
13	May 14	Air District Hearing; Legal Memoranda- student discussion