

San José State University

Environmental Studies 124, Introduction to Environmental Law

Course and Contact Information

Instructor:	Terry Trumbull
Office Location:	WSQ 115
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Office Hours:	Fridays, 12:00 - 1:30 PM
Class Days/Time:	Tuesdays 3-5:45PM
Classroom:	Clark 234

Course Description

Development, interpretation, application and enforcement of environmental laws, regulations and legal policies by legislatures, courts, administrative agencies and citizens. Examination of air and water quality, hazardous materials, workplace, land use and wetlands regulation, international, ethical and efficacy issues.

Learning Outcomes

At the end of the semester, you shall be able to:

- describe how environmental issues are handled by elected officials, regulators, and the courts
- identify the provisions of the U.S. Constitution that are used to support and restrain environmental regulations
- identify the names and responsibilities of state and federal environmental natural resource agencies
- compare how California environmental regulation is more stringent than that of the Federal government.

In each case, the assessment technique will be quizzes and/or the final, except as noted.

Required Texts/Readings

Textbook

Kubasek and Silverman, Environmental Law (8th Edition, but any edition is acceptable), Prentice Hall

Class Website

www.trumballlaw.weebly.com

Course Requirements and Assignments

SJSU classes are designed such that in order to be successful, it is expected that students will spend a minimum of forty-five hours for each unit of credit (normally three hours per unit per week), including preparing for class, participating in course activities, completing assignments, and so on. More details about student workload can be found in [University Policy S12-3](http://www.sjsu.edu/senate/docs/S12-3.pdf) at <http://www.sjsu.edu/senate/docs/S12-3.pdf>.

[University policy F69-24](http://www.sjsu.edu/senate/docs/F69-24.pdf) at <http://www.sjsu.edu/senate/docs/F69-24.pdf> states, “Students should attend all meetings of their classes, not only because they are responsible for material discussed therein, but because active participation is frequently essential to insure maximum benefit for all members of the class. Attendance per se shall not be used as a criterion for grading.”

Grading Policy

Grading is as follows:

Class Participation	10%
Appellate Case Evaluation	4%
Government meeting/debate	1%
Glossary	20%
Quizzes	35%
Final	30%

Classroom Protocol

Class participation/Environmental Articles:

For each class meeting, students are expected to bring a printed article from a recent publication, including the internet. Your article shall be turned in before the start of class and must be on the subject discussed in class that day. If you are called upon to discuss your article, students are not expected to explain the underlying legal issues, but should be prepared to summarize the facts in the article. Discussion in class of your article, or any other discussion by you in class, gives you a point for class participation.

Glossary:

Definition of about 200 environmental law terms. Due at the start of the sixth class. One extra point per class for early submission (maximum of five extra credit points), and one point deducted for each class that it is late, but not later than the last day of class. You must type or print every word of your glossary submission yourself. You are free to work with others on the terms, but you may not copy and paste answers from any other source.

Government Meeting:

You are required to attend a meeting of a local government body, planning commission, or environmental regulatory agency. Bring a copy of the meeting agenda to me signed by one of those participating in the meeting (i.e. commissioner, city clerk, councilmember).

University Policies

General Expectations, Rights and Responsibilities of the Student

As members of the academic community, students accept both the rights and responsibilities incumbent upon all members of the institution. Students are encouraged to familiarize themselves with SJSU’s policies and practices pertaining to the procedures to follow if and when questions or concerns about a class arises. To learn important campus information, view [University Policy S90–5](http://www.sjsu.edu/senate/docs/S90-5.pdf) at <http://www.sjsu.edu/senate/docs/S90-5.pdf> and SJSU current semester’s [Policies and Procedures](http://info.sjsu.edu/static/catalog/policies.html), at <http://info.sjsu.edu/static/catalog/policies.html>. In general,

it is recommended that students begin by seeking clarification or discussing concerns with their instructor. If such conversation is not possible, or if it does not address the issue, it is recommended that the student contact the Department Chair as the next step.

Dropping and Adding

Students are responsible for understanding the policies and procedures about add/drop, grade forgiveness, etc. Add/drop deadlines can be found on the current academic year calendars document on the [Academic Calendars webpage](http://www.sjsu.edu/provost/services/academic_calendars/) at http://www.sjsu.edu/provost/services/academic_calendars/. The [Late Drop Policy](http://www.sjsu.edu/aars/policies/latedrops/policy/) is available at <http://www.sjsu.edu/aars/policies/latedrops/policy/>. Students should be aware of the current deadlines and penalties for dropping classes.

Information about the latest changes and news is available at the [Advising Hub](http://www.sjsu.edu/advising/) at <http://www.sjsu.edu/advising/>.

Consent for Recording of Class and Public Sharing of Instructor Material

[University Policy S12-7](http://www.sjsu.edu/senate/docs/S12-7.pdf), <http://www.sjsu.edu/senate/docs/S12-7.pdf>, requires students to obtain instructor's permission to record the course and the following items to be included in the syllabus:

- “Common courtesy and professional behavior dictate that you notify someone when you are recording him/her. You must obtain the instructor's permission to make audio or video recordings in this class. Such permission allows the recordings to be used for your private, study purposes only. The recordings are the intellectual property of the instructor; you have not been given any rights to reproduce or distribute the material.”
 - It is suggested that the greensheet include the instructor's process for granting permission, whether in writing or orally and whether for the whole semester or on a class by class basis.
 - In classes where active participation of students or guests may be on the recording, permission of those students or guests should be obtained as well.
- “Course material developed by the instructor is the intellectual property of the instructor and cannot be shared publicly without his/her approval. You may not publicly share or upload instructor generated material for this course such as exam questions, lecture notes, or homework solutions without instructor consent.”

Academic integrity

Your commitment, as a student, to learning is evidenced by your enrollment at San Jose State University. The [University Academic Integrity Policy S07-2](http://www.sjsu.edu/senate/docs/S07-2.pdf) at <http://www.sjsu.edu/senate/docs/S07-2.pdf> requires you to be honest in all your academic course work. Faculty members are required to report all infractions to the office of Student Conduct and Ethical Development. The [Student Conduct and Ethical Development website](http://www.sjsu.edu/studentconduct/) is available at <http://www.sjsu.edu/studentconduct/>.

Campus Policy in Compliance with the American Disabilities Act

If you need course adaptations or accommodations because of a disability, or if you need to make special arrangements in case the building must be evacuated, please make an appointment with me as soon as possible, or see me during office hours. [Presidential Directive 97-03](http://www.sjsu.edu/president/docs/directives/PD_1997-03.pdf) at http://www.sjsu.edu/president/docs/directives/PD_1997-03.pdf requires that students with disabilities requesting accommodations must register with the [Accessible Education Center](http://www.sjsu.edu/aec) (AEC) at <http://www.sjsu.edu/aec> to establish a record of their disability.

ENVS 124, Introduction to Environmental Law, Spring 2016 Schedule

Course Schedule

Week	Date	Topics, Readings, Assignments, Deadlines
1	Feb 2	Course review / Self introduction. U.S. Constitution and the Environment. Readings: Ch. 1
1	Feb 5	Tour of Federal courthouse - Both Sections. 280 S. First Street, Fourth Floor, San Jose (corner of San Carlos); Appellate Case Analysis Due. Readings: Ch. 2.
2	Feb 9	No Class (because of Feb. 5 courthouse visit)
2	Feb 16	State & Federal Agencies; Quiz 1. Environmental Torts. Readings: Ch. 3
3	Feb 23	Land Use, Quiz 2. Reading: Ch. 4 Environmental Analysis. Readings: Ch. 4
3	Feb 30	Model for Pollution Control- Intergovernmental Responsibilities; Environmental health & safety Readings: Ch. 5.
4	March 8	Air quality; Glossary due
4	March 15	Water quality/water resource, Quiz 3. Readings: Ch. 6.
5	March 22	Preventing Ground Contamination. Readings: Ch. 7.
5	March 25	No Class
6	April 5	Contaminated Property Cleanup, Quiz 4. Readings: Ch. 8.
6	April 12	Energy, Quiz 5. Readings: Ch. 9.
7	April 19	Endangered Species; Public Lands; Mining; Forests; Quiz 6. Readings: Ch. 10.
7	April 26	Oceans
8	May 3	International Environmental Law; Population; Final preparation
8	May 10	Final