

Environmental Law

ES/PS 124, Spring 2016

1. Course Information

Class Hours & Location- Two Sections

-Tuesdays, 3-5:45 p.m., Clark 234

-Fridays, 1:30-4:15 p.m., DMH 164

Instructor: Terry Trumbull, Environmental Studies Dept.

Office: Room 115, Washington Square Hall

Office Hours: Fridays, noon to 1:30 p.m.

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2. Course Overview.

a. Course Description.

Students will become acquainted with the role of law and lawyers in environmental issues. After an introduction to legislation, regulation, and the courts, students will learn the framework of regulation in specific environmental areas. Areas to be covered include air and water pollution, land use, solid and hazardous waste, recycling, natural resources, energy, environmental impact analysis, environmental health and safety, and international environmental regulation.

b. Course Format.

Students are expected to read the relevant portions of the textbook prior to class. Lecture will be minimized, but will probably take up 50% of class time. A portion of each class will be spent on analysis of current environmental issues. Experts in different fields related to the class will speak at several class meetings.

c. Student Learning Objectives

At the end of the course, 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 regulation;

-identify the names and responsibilities of state and federal environmental and natural resource agencies;

-understand formal legal writing (Appellate case evaluation);

-describe how environmental health is regulated;

-identify the major international environmental treaties and the limitations of treaties; and

-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.

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d. Course text.

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

e. Class website.

My lecture notes are posted at <http://sites.google.com/site/envslaw>. There are other files there, such as suggestions on writing for class and a sample quiz.

3. Course Requirements.

a. Grading:

<i>Class participation/environmental articles</i>	<i>10%</i>
<i>Appellate Case Evaluation</i>	<i>4%</i>
<i>Government meeting/debate</i>	<i>1%</i>
<i>Glossary</i>	<i>20%</i>
<i>Quizzes</i>	<i>35%</i>
<i>Final</i>	<i>30%</i>

b. 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.

c. Glossary.

Definition of about 200 environmental law terms. Due at start of sixth class. One extra point per class for early submission (maximum of five extra 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 or paste answers from any other source.

d. 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).

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e. Quizzes. See class schedule for exact date of quizzes for your section. Seven quizzes will be given. Each quiz will be 5% of your grade.

Quizzes will be on:

- 1. Third week -covering material from first and second weeks.*
- 2. Fourth week -covering material from third week .*
- 3. Seventh week- covering material from fourth, fifth, and sixth weeks.*
- 4. Ninth week - covering material from seventh and eighth weeks.*
- 5. Tenth week -covering material from ninth week .*
- 6. 11th week -covering material from tenth week.*
- 7. 14th week -covering material from 11th thru 13th weeks.*

Environmental Health and Safety, Population, and International Environment will not be tested on a quiz. They will only be covered on the final.

E. Appellate Case Evaluation

You will receive an appellate case on an environmental matter at the first class, as well as specific information that you must provide in an analysis of the case. Your analysis is due on August 30 at the start of class.

4. ES/PS 124 Course Schedule, Spring 2016

<u>Week</u>	<u>Topic</u>	<u>Reading</u>
1 Jan. 29/ Feb. 2	Course review/Self introduction U. S. Constitution & the Environment	Ch. 1
2 Feb. 5, 1:30 Feb. 9	Tour of federal courthouse -Both Sections 280 S. First Street, Fourth Floor, San Jose (Corner of San Carlos); Appellate case analysis due No class (because of Feb. 5 courthouse visit)	Ch. 2
3 Feb. 12/16	State & Federal Agencies; Quiz 1 Environmental Torts	Ch. 3
4 Feb. 19/23	Land Use, Quiz 2 Environmental Analysis	Ch. 4
5 Feb. 26/29	Model for Pollution Control- Intergovernmental Responsibilities; Environmental health & safety	Ch. 5
6 March 4/8	Air quality; Glossary due	
7 March 11/15	Water quality/water resources, Quiz 3	Ch. 6
8 March 18/22	Preventing Ground Contamination	Ch. 7
March 25	No class	
March 26-April 3	Spring Vacation	
9 April 5/8	Contaminated Property Cleanup, Quiz 4	Ch. 8
10 April 12/15	Energy, Quiz 5	Ch. 9
11 April 19/22 April 22	Endangered species; Public Lands; Mining; Forests; Quiz 6 Earth Day	Ch. 10
12 April 26/29	Oceans	
13 May 3/6	International Environmental Law; Population; Final preparation Quiz 7	
14 May 10/13	Final	