
ENVIRONMENTAL STUDIES 6

Introduction to Environmental Law **E S -006.-61** **Call #0598**
Instructor: Mark Sullivan **Fall 2010** **4.0 Units**

De Anza College, Division of Biological, Health, and Environmental Sciences, Environmental Studies Department
Kirsch Center for Environmental Studies-See Pat Cornely in KC 218 (408) 864-8628

We Can Change the World Through Law.

There is growing concern at De Anza College about critical environmental issues. We are continuing our ~20 years of work in the Environmental Studies Department with critical issues and urge you to get involved by exploring our four degree/certificate areas and/or by engaging in stewardship projects/events. We hope that you will join us as we move along our sustainability path. We live in a hopeful time, but ACTION by all of us is necessary. For example, the College Environmental Advisory Group (CEAG) is continuing with the implementation of De Anza's Sustainability Management Plan. You may help with the implementation of this important environmental plan. Additionally, Climate change events (i.e. 10/10/10) will be occurring this Fall, stay tuned.

INSTRUCTOR INFORMATION:

Office Hours: Tuesday 4:30-5:30 pm, or by phone, or other times by arrangement
Phone: (831) 747-4781
Office Location: KC 214 (or check the Stewardship Resource Center)
E-mail Address: sullivanmark@fhda.edu
Course Website: <http://www.deanza.edu/faculty/sullivanmark/>

COURSE DESCRIPTION

Today's environmental careers demand proficiency in environmental law. Environmental law is a critical subject of study as it is one of the primary ways that we, as a society, create, implement, and enforce environmental protections. This course will include information regarding laws about land use, energy, natural resources, air, water, and hazardous materials and waste. Current events and citizen action and their impacts on various cultural, ethnic, and gender groups will be discussed.

*Your ideas and/or suggested topics are appreciated and will be considered for discussion.

ADVISORIES

Eligibility for EWRT 1A or ESL 5 is strongly advised as you will be expected to complete several written assignments using an academic essay format. A good attitude and a willingness to learn by problem solving are essential to receiving good grades.

COMPETENCIES

1. Develop a greater understanding of the U.S. legal system.
2. Learn about the history of environmental law and regulation in the U.S.
3. Be able to access information regarding environmental policy, law, and regulation.
4. Develop an understanding of domestic and international environmental laws and regulations.

5. Be informed of the current status of environmental law, regulation, and policy.
6. Develop the skills to identify and critically evaluate any proposed or actual environmental policy modifications.

COURSE MATERIALS

Kubasek, Nancy K. and Silverman, Gary S. 2008. Environmental Law, 6th Edition.
Pearson Prentice Hall.

Copies of the text are on sale at the usual places. The 5th edition may be used, but be aware that the page numbers will not match those provided in the assignment schedule.

SCHEDULE

See the Tentative Class Schedule. **In order to have meaningful discussions about the course materials, it is important that you read the assignments in advance of the corresponding class meeting date.**

SUGGESTIONS/TEACHING METHODS

This course will cover a large amount of material in a short amount of time. Therefore, it is crucial to attend **all classes**, take good notes, and complete the readings prior to attending lectures. In the event that you cannot attend class, it is your responsibility to obtain class notes from one of your classmates. My teaching style is designed to engage you in a more active fashion. In order to meet this goal, I will combine the following teaching methods: lectures that make use of videos, handouts, limited PowerPoint presentations; hands-on activities such as active group/discussion sessions (participation is crucial); current events assignments; and student presentations. **Your participation is crucial; all students are expected to actively participate in class discussions and activities.**

REQUIREMENTS

1. Two exams: One midterm and one final exam of equal weight will be given. The midterm will include the material covered in the first half of the course and the final will include the material covered in the second half of the course. The final will not be comprehensive. These exams will cover material presented from class, lectures, readings, videos, handouts, homework assignments, group work, etc. One week prior to each exam I will provide a study guide that will assist you in preparing for the exam.
2. Student paper: Each student is required to research, write, and submit one 8-10 page paper. The topic of your paper must be submitted to the instructor by the third week of class. The paper must be typed, double-spaced, and in 12-point font with 1-inch margins. Further information will be provided to assist you in completing this assignment.
3. Presentation: Each student will be required to present the subject of his or her paper to the class. Further information will be provided to assist you in completing this assignment.
4. Current events assignments: One current event assignment will be required where you will read and summarize news articles pertaining to environmental law. Further information will be provided to assist you in completing this assignment.
5. Class Participation: Each student is expected to attend all classes and participate in class activities and discussions. Over the course of a quarter, it becomes apparent who is prepared and engaged in the classroom and who is not. Please strive to demonstrate a high level of participation.

GRADING CRITERIA:

2 Exams (Midterm and Final)	40% (20% each)
Student Paper	30%
Presentation	10%
Current Event Assignment	10%
Class Participation	10%
TOTAL	100%

Grading Scale (%): 90-100 = A, 80-89 = B, 70-79 = C, 60-69 = D, Below 60 = F

ADDITIONAL INFORMATION/POLICIES

General Information

- 1) Be prepared to dedicate sufficient time and energy to this course
- 2) Classroom etiquette matters (i.e. arrive to class **on time**, do not talk out of turn, **turn off all cell phones and other electronic devices during class**).
- 3) Please know the correct procedures to follow in the case of an earthquake or other emergency.

Exams/Homework/Attendance/Add Drop Procedures

- 1) There will be no make-ups for the exams or homework assignments. (Except under extraordinary circumstances; see me if you anticipate problems.)
- 2) Fundamental values of academic integrity. This class is based upon honesty, trust, respect, fairness, and responsibility. As in all classes, cheating and plagiarism are **not tolerated**; there will be consequences. FYI, Plagiarism means copying someone else's work and presenting it as your own without giving credit to the author. Cheating means using unfair means to fulfill an assignment or assessment, such as having someone else do your work for you.
- 3) Attendance. Regular attendance is required - and critical to your success in this class. You must contact me immediately if you miss a class or if you decide to drop. Attendance at the final exam session is required. Attendance will be taken at each class session. Students may be dropped after their second unexcused absence. Each tardy (late arrival for class) counts as one half of an absence. You are late if you are not in the classroom at the scheduled class time. You must speak to the instructor at the end of class if you are late and make sure that your attendance was noted.
- 4) Add/Drop. You are subject to being dropped from the class for excessive absences or tardiness. However, there is no guarantee that you will automatically be dropped in time to meet deadlines if you stop attending without notifying me. It is your responsibility to be aware of drop deadlines and to make timely arrangements with me and the registrar if you decide to drop this class. The class schedule lists deadlines for dropping with no record or for dropping with a "W" grade. To meet these deadlines you must contact me during a regular class meeting or at a scheduled office hour beforehand. I will not back-date drop requests submitted after deadlines.

Tentative Class Schedule

Fall 2010

ASSIGNMENT DUE DATES	This Week's Topics	Text Pages
Week 1: September 21st	Orientation <ul style="list-style-type: none"> Syllabus and information re: paper, oral presentation, current events assignments Introduction to the American legal system 	
Week 2: September 28th	The American Legal System <ul style="list-style-type: none"> American legal system review Formation of environmental laws The U.S. Court system 	3-47
Week 3: October 5th <ul style="list-style-type: none"> Student Paper Topic Due 	Administrative Law/NEPA and CEQA <ul style="list-style-type: none"> Administrative agencies History of environmental policy in the U.S. NEPA/CEQA 	89-122 127-160 Plus CEQA Handouts
Week 4: October 12th	Air Quality Law and Policy <ul style="list-style-type: none"> Air quality problem definition The Clean Air Act GHG Regulation in CA: AB 32 and SB 1493 	168-211 Plus GHG Handouts
Week 5: October 19th	Water Quality Law and Policy <ul style="list-style-type: none"> Common water pollutants and problems The Clean Water Act Other water quality laws Midterm study guide 	217-255
Week 6: October 26th	Midterm	
Week 7: November 2nd VOTE TODAY!	Hazardous Waste Issues <ul style="list-style-type: none"> Hazardous waste identification and regulation RCRA, CERCLA, underground storage tanks 	295-332
Week 8: November 9th	Natural Resources <ul style="list-style-type: none"> Public land protection The Endangered Species Act 	386-418 Plus ESA Handout
Week 9: November 16th	Energy/Environmental Law and Justice <ul style="list-style-type: none"> Energy Policy in the United States Legal framework for raising EJ claims 	339-378 EJ Handouts
Week 10: November 23th <ul style="list-style-type: none"> Student Paper Due 	International Environmental Law <ul style="list-style-type: none"> Transboundary issues Institutions influencing int'l. env. law Copenhagen Climate Conference 	424-466
Week 11: November 30th <ul style="list-style-type: none"> Student Presentations Due 	Student Presentations <ul style="list-style-type: none"> Final study guide 	
Week 12: December 7th	Final Exam Includes information from Weeks 6 through 11	