

ENVIRONMENTAL LAW SYLLABUS- Spring 2018

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Purpose of the Course: The purpose of this course is intended to be a survey course that examines federal and some state laws that address environmental protection and governance. The course integrates many of the concepts you have probably already learned in other courses, including administrative law, constitutional law, property, and torts. This should be a fun and relevant course to anyone considering the field of environmental law, public policy law or anyone who wants to gain a general understanding of the regulation of the environment. Legal intervention in areas such as resource management and allocation are considered, as well as emerging legal, political and economic issues surrounding land ownership and use will be discussed. We will use simulations and other in class collaborative learning techniques. By the end of the course you should be able to:

- To understand the sources and evolution of environmental law
- To be familiar with the application of administrative law and constitutional law principles to environmental law
- To have an appreciation for the various major environmental statutes
- To understand how pollution control is achieved through a combination of federal statutes, state controls and common law doctrines.

Course Materials: During the semester, we will be using the following course materials:

- Salzman & Thompson, Environmental Law and Policy (Fourth Edition)
- Additional readings will be distributed weekly including cases, articles and powerpoints

Classes: This class is scheduled to meet on Wednesdays from 3:10 – 6:00 pm, in Koppelman Hall 0206.

Attendance Policy. The rules of the New York State Court of Appeals, the American Bar Association, and the Law School all require law students to be in good and regular attendance in the courses for which they are registered. To comply with these rules, you must attend at least 85% of your regularly scheduled classes. A student enrolled in a two-credit course may thus miss no more than two 100-minute class sessions (in other words, two regularly scheduled classes).

I will provide sign-in sheets for each regularly scheduled class, which shall be the dispositive evidence regarding your absence from a given class. Each student is responsible for signing in. Falsification of sign-in sheets is a violation of the Code of Academic Conduct.

If you exceed the permitted absences by failing to sign in, you will be administratively withdrawn from the course. No prior notice may be given, and you will receive notification from the Office of Academic Records indicating the withdrawal. Any such withdrawal may have serious ramifications for your financial aid, academic standing, and date of graduation. If you are excessively absent from several classes, you may face additional sanctions, including but not limited to denial of certification of good and regular attendance to the New York State Board of Law Examiners, or other state bar examiners.

If you believe you must be absent from class for more than the permitted number of classes, you should contact the Office of Student Affairs as soon as possible. Accommodations will be made for students who must be absent for religious reasons and in cases of truly compelling hardship. Any request for an exception made to the Office of Student Affairs must be accompanied with appropriate documentation.

Lateness: Students are expected to be on time to class. However, it is better to come to class late than not at all. You may walk in late if you have a good reason, as long as you don't abuse this privilege.

"TWEN" (The West Education Network): I have set up a course page for this class on TWEN. TWEN gives me a quick way to reach all of you with any announcements, Syllabus changes, handout materials, interesting links, etc. It also gives me a way to extend class discussion beyond the classroom hours. *You must register for this course on TWEN as soon as possible.* The email feature on TWEN will be used to let students know when a scheduled class must be cancelled unexpectedly.

Expected Student Workload: The American Bar Association requires that you spend at least six hours per week outside of class studying for this 3-credit course. This is an average amount of time required for out of class work per week over the course of the semester. The time you will spend throughout the semester reviewing the readings, completing the written exercises, preparing for and taking the final for this course will satisfy (and likely exceed) that time commitment. This is in addition to the 3 hours of class time.

Final Grade for the Course: The final grade for the course will consist of three parts:

- 1) In-class participation (10%)
- 2) Several short written assignments (30%)
- 3) Take-home final exam (60%)

Final Exam: The final exam will consist of several essays and short answer questions. I will provide more information about the final exam later in the semester.

Computer Policy: Computers are to be used during class for taking notes and no other purpose. They are not to be used to "surf the net" or send email or instant messages. Violations of this rule will lead to you being prohibited from using a laptop during class.

Communications: The best way to communicate with me is by email me at pesterman@sprlaw.com. I will get back to you within 24 hours. While I do not maintain regular office hours, if you need to speak with me in person, we can set up an appointment either before or after class.

ASSIGNMENT SCHEDULE

Class	Date	Topic	Assignment
1	1/10/18	Introduction and Development of Environmental Law	Salzman & Thompson, Environmental Law and Policy, pgs. 11 - 31
2	1/17/18	The Analytical Framework and Environmental Justice	-Salzman & Thompson, Environmental Law and Policy, pgs. 31 – 46 -Powerpoint on TWEN
3	1/24/18	The Environmental Law Toolkit	Salzman & Thompson, Environmental Law and Policy, pgs. 51 - 84
4	1/31/18	The Environmental Law Toolkit - continued	Handout on TWEN
5	2/7/18	The Clean Air Act	-Salzman & Thompson, Environmental Law and Policy, pgs. 111-138 -Powerpoint on TWEN
6	2/14/18	Global Air Pollution	-Salzman & Thompson, Environmental Law and Policy, pgs. 141-171 -Powerpoint on TWEN
7	2/28/18	Water Pollution	-Salzman & Thompson, Environmental Law and Policy, pgs. 173 – 202 -Powerpoint on TWEN -Water Simulation
8	3/7/18	The Regulation of Toxic Substances	Salzman & Thompson, Environmental Law and Policy, pgs. 205 – 227 Powerpoint on TWEN
9	3/14/18	RCRA and CERCLA	-Salzman & Thompson, Environmental Law and Policy, pgs. 231 – 266 -Powerpoint on TWEN -CERCLA simulation
10	3/21/18	Wetlands, Endangered	-Salzman & Thompson,

		Species and the Public Trust	Environmental Law and Policy, pgs. 271 – 309 -Powerpoint on TWEN
11	4/4/18	NEPA	-Salzman & Thompson, Environmental Law and Policy, pgs. 333 – 348 -Powerpoint on TWEN -NEPA Simulation
12	4/11/18	Enforcement	-Salzman & Thompson, Environmental Law and Policy, pgs. 84 -106 -Handout provided on TWEN
13	4/18/18	Enforcement - continued	Handout provided on TWEN
14	4/25/18	Review and Prep for Final	

