

AECN 357: Environmental & Natural Resources Law

Welcome to AECN357 environmental law! The class purpose is to give students a practical introduction to the fundamentals of state and federal environmental law. Topics include: land use regulation, environmental impact review, water rights, endangered species protection, air and water pollution controls, toxics regulation, solid and hazardous waste regulation and cleanup, environmental compliance, global warming, and international law and the environment.

Much of the law and policy that we will discuss in the course will be federal, so the course discussion will be the same regardless of which state you are in. A few topics will focus on Nebraska laws and administrative agencies and programs. However, most of these programs will be pretty similar across states. For example, in the land use chapter we will discuss Nebraska zoning law and procedure a bit, but most of the zoning issues discussed would be the relevant issues in any state, even if state zoning procedures aren't quite the same as they are in Nebraska.

Instructor: Professor Aiken. *Office:* 103D Filley Hall, University of Nebraska, Lincoln NE 68583-0922. *Email:* daiken@unl.edu *Phone:* 402-472-1848. Please email if you have any questions at any time. I will try to respond to your email within 24 hours during the week (but not necessarily on the weekend).

Text (optional): Salzman & Thompson, *Environmental Law and Policy* (Foundation Press, 3d ed 2010) plus Canvas (Canvas) materials. The text is a nice short introduction to environmental law. If you are going to work in environmental law, I recommend getting a copy.

Course procedures. All the lectures are on Canvas; all the supplemental materials are on Canvas, and all the exams will be taken on Canvas. There are no class meetings.

Exam preparation. The class topics are grouped by exam: unit one culminates in exam one, etc. My recommendation is that you follow the class schedule and (1) read the reading assignment, (2) read the lecture notes and look at the review questions (3) listen to the narrated powerpoints, and (4) work through the study questions for each class topic. *Working out the review questions is worth the effort—your exam questions will be taken from the chapter review questions.* My recommendation is that you have all the review questions answered and available when you take your exam. **If you don't have the review questions worked out in advance, you likely will have difficulty completing the exam in the allowed time. Students have flunked the course (there is no grading curve), so unless you will be satisfied with a D or an F, work out the exam questions in advance.**

Exams. Four open-book exams will be given during the semester. **However, you should prepare for the exams as if they were closed book. If you prepare for the typical open-book exam you will not have enough time to complete the exam.**

The exams will be divided into two parts. The first part (usually 50-65 minutes long) will include multiple-choice, fill-in-the-blank, true-false and matching questions. Part two (usually 20-25 minutes long) will include short answer questions. Your semester grade will be based entirely upon your exam average. Generally you will have two weekends available to take each exam (12 days).

Honors credit. Students wishing to take the course for honors credit must prepare a 15+ page double spaced (with page numbers) research paper on a topic proposed by the student and approved by the professor. You must submit the paper topic by the day after exam 1, a detailed paper outline by the day after exam 2, and the honors paper on the day after exam 4 (please submit as email attachment: Word, WordPerfect or PDF format preferred). The paper will be graded and will be figured into your course grade as a fifth hour exam. Each day you are late for any of the deadlines (topic, outline, paper, and revisions if any) will cost you one percentage point from your honors paper final grade.

Grading policy. Semester grades are awarded as follows:

A+	96-100	B+	86-88	C+	76-78	D+	65-67	F	0-49
A	92-95	B	82-85	C	70-75	D	59-64		
A-	89-91	B-	79-81	C-	68-69	D-	50-58		

Reading assignments. The Canvas course materials are all required. In addition, the optional reading assignments indicated below in brackets are to *Environmental Law & Policy*.

week of	lecture topics/course activities
Jan 13-17	course introduction; environmental policy [1-43]; legal system
Jan 21-24	legislation & politics [75-77]; administrative law [58-66, 69-70, 14-17, 34-38--RIA]
Jan 27-31	enforcement [77-84--citizen suits]; federalism [66-69]
Feb 3-7	exam 1: you may take exam 1 any time from 8am Wed 1/29 to 11:59pm Sun 2/9
Feb 10-14	NEPA [321-335]; property law; land use [47-50--TDRs, 70-75--takings]; honors paper topic due 5pm Monday Feb 10 via email.
Feb 17-21	public lands [265-266]; wildlife law & endangered species [281-300];
Feb 24-28	surface water law; ground water law
March 2-6	exam 2: you may take exam 2 any time from 8am Wed 2/26 to 11:59 pm Sun 3/8
March 9-13	federal & environmental water law [266-269--public trust]; wetlands, drainage law & soil conservation [269-281]; honors paper outline due 5pm Mon March 9 via email.
March 16-20	common law environmental remedies [17-22]; Clean Air Act [87-112]
March 23-27	Spring Break!
March 30-Apr 3	Clean Water Act [146-172] Note: Friday April 3 is the last day to withdraw from a course
April 6-10	exam 3: you may take exam 3 any time from 8am Wed 4/1 to 11:59 pm Mon (not Easter Sunday) 4/13.
April 13-17	TOSCA & FIFRA [175-96]; ag chemical regulations
April 20-24	international env law [241-62--trade, 113-121--ozone depletion, 213-220--Basel haz-mat convention]; global warming [121-43; 302-317--energy]
April 27-May 1	exam 4: you may take exam 4 from 8am Wed 4/22 to 11:59 pm Monday [not Sun] May 4. I will post your course grades on Canvas after exam 4 has been graded. Your letter grade on Canvas is your course grade.
May 4-8	honors papers are due 5pm Tuesday May 5 via email attachment