

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.

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

Course procedures. All the lectures are on Canvas; all the readings and supplemental materials are on Canvas, and all exams are on Canvas. There are no class meetings and there is no textbook.

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 (e.g. "ch 1 legal system") on Canvas; (2) read the lecture notes and look at the review/study questions on Canvas; (3) listen to the narrated powerpoints on Canvas; and (4) work through the review/study questions for each class topic. *Working out the review/study questions is worth the effort—your exam questions are taken directly 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 on Canvas 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 are divided into two parts. The first part (50-65 minutes long) includes multiple-choice, fill-in-the-blank, true-false and matching questions. The second part (20-25 minutes long) is short answer questions. Your semester grade will be based entirely upon your exam average. More information regarding the process for taking the exam is in your syllabus folder and also in your unit 1 folder. Generally you will have two weekends (12 days) available to take each exam. You can raise questions about your exam score up to one week after the class grades have been posted on Canvas.

Honors credit. Students wishing to take the course for honors credit must prepare a 15+ page (double spaced) research paper on a topic proposed by the student and approved by me. You must submit (1) the paper topic by the 5pm on the Monday after exam 1; (2) a detailed paper outline by the 5pm on the Monday after exam 2; and (3) the honors paper by 5pm on the Monday after exam 4 (email attachment in 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, and paper submission) 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	P	70-100
A-	89-91	B-	79-81	C-	68-69	D-	50-58	NP	0-69

Email etiquette: PLEASE indicate that you are in **AECN357**(or simply **357**) in your email subject line. In addition, please put your name in the email. Often student email names give no discernible indication of what the student's legal name is, e.g. HuskerFan1986@hotmail.com. And make sure you have your current email in Canvas; otherwise you will miss emails during the semester. Finally, If you are responding to an email from me please include the original email message that you received in your email to me, so that I will understand your email (otherwise I may not!).

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

week of	lecture topics/course activities
Jan 09-13	course introduction; environmental policy 1-43; legal system
Jan 17-20	legislation & politics 75-77; administrative law 58-66, 69-70, 14-17, 34-38 (RIA)
Jan 23-27	enforcement 77-84 (citizen suits); federalism 66-69
Jan 30-Feb 03	exam 1: you may take exam 1 any time from noon Wed 1/25 to 11:59 pm Sun 2/05 onors paper topics are due Mon Feb 6 by 5pm via email.
Feb 06-10	NEPA 321-335; property law; land use 47-50 (TDRs), 70-75 (takings)
Feb 13-17	public lands 265-266; wildlife law & endangered species 281-300
Feb 20-24	surface water law; ground water law
Feb 27-Mar 03	exam 2: you may take exam 2 any time from noon Wed 2/22 to 11:59 pm Sun 3/05 Note: March 3 is the last day you can change grading to/from P/NP; honors paper outlines are due Mon Mar 6 by 5 pm via email.
Mar 06-10	federal & environmental water law 266-269 (public trust); wetlands, drainage law & soil conservation 269-281
Mar 13-17	common law environmental remedies 17-22; Clean Air Act 87-112
Mar 27-31	Clean Water Act 146-172
Apr 03-07	exam 3: you may take exam 3 any time from noon Wed 3/29 to 11:59 pm Sun 4/09 Note: April 7 is the last day you can drop the course
Apr 10-14	TOSCA & FIFRA 175-96; ag chemical regulations
Apr 17-21	international env law 241-62 (trade), 113-121 (ozone depletion), 213-220 (Basel hazmat convention); global warming 121-43 (302-317 recommended energy)
Apr 24-28	exam 4: you may take exam 4 any time from noon Wed 4/19 to 11:59 pm Sun 4/30. I will post your course grades on Canvas after exam 4 has been graded. Your letter grade on Canvas is your course grade.
May 1	honors papers are due 5 pm Monday May 1 via email attachment.