

AECN/NREE 456/856 - Environmental Law: Fall 2019

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Office Hours: Tues. - Thurs afternoons: 1:30–3:00 or by appointment

AECN/NREE 856: Graduate students must complete a further 100 point research assignment due 11/21/19.

Texts: Environmental Law and the Protection of People 2d Ed. (Cognella Inc. 2018) by Terence J. Centner (an email with instructions will be sent the week before classes commence)

Course Content: Administrative law, risk assessment, environmental impact review, Clean Air Act, Clean Water Act, non-point pollution control, wetlands regulations pesticide and toxic substance regulation, solid and hazardous waste regulation, drinking water protection, land use regulation, energy policy, and international environmental law. The final project replaces the final exam: course is finished on 12/10/19.

Grading for 456 (approx. points)	Exam 1:	100
	Exam 2:	100
	Exam 3:	100
	2 Problem Sets	80
	Final Project	40
	Presentation:	40
	Suggestions	10
	<u>Attendance and Preparation:</u>	<u>30</u>
	Total:	500

A+ ≥ 98 | A ≥ 93 | A- ≥ 90 | B+ ≥ 88 | B ≥ 83 | B- ≥ 80 | C+ ≥ 78 | C ≥ 73 | C- ≥ 70 | D ≥ 60 | F < 60

Preparation and Course Policies:

Readings for the assigned topic listed in the course outline should be read prior to the scheduled class. Inability to be present for an exam will require a 8-15 minute makeup oral exam. Attendance required: more than 4 absences constitutes an excessive number of absences resulting in a 10 percent decrease in final grade or the student being withdrawn from the course. Class preparation, participation, and attendance will affect the student's grade. Students will have a Final Project due on 12/10/19.

Assignments are due as stated in the syllabus: 10% decrease for noncompliance. Credit cannot be given for late assignments as the answers will be given in class. "Academic Honesty" sets forth the University's policies and procedures for handling cases of suspected dishonesty: <https://registrar.unl.edu/academic-standards/policies/academic-honesty/> Lack of knowledge of the academic honesty policy is not a reasonable explanation for a violation. Questions related to course assignments and the academic honesty policy should be directed to the instructor.

Learning Objectives:

- o Understand the basics of environmental law.
- o Overview of major statutes relevant to pollution.
- o Be able to identify the major environmental statutes.
- o Become familiar with the structure and function of judicial opinions.
- o Gain a deeper understanding of the science-law-policy interface.
- o Lay a foundation for working with legal counsel and potential further legal studies.

AECN/NREE 456/856 - Environmental Law
 Fall 2019, 12:30 pm: Filley Hall Rm. 210

Lecture	Topic	Reading
1	8/27 Introduction	Ch. 1
2	8/29 Environmental Issues	Ch. 1
3	9/3 Jurisdiction and the American Legal System	Ch. 2
4	9/5 Constitutional Principle and Due Process	Ch. 3
5	9/10 <u>Environmental Topics Presentations</u>	
6	9/12 Takings	Ch. 3
7	9/17 Interstate Commence and Preemption	Ch. 4
8	9/19 Equal Protection and Administrative Law	Ch. 5
	9/23 <u>Constitutional PS #1 Due</u>	
9	9/24 Water Law and Quality	Ch. 13
10	9/26 Exam 1 (over lectures 1-9)	
11	10/1 Property	Ch. 6
12	10/3 Strict Liability and Intentional Torts	Ch. 7
13	10/8 Negligence	Ch. 8
14	10/9 Agency and Independent Contractors (Video on your own)	Ch. 10
15	10/10 Nuisance and Antinuisance	Ch. 9
	10/14 <u>Tort PS #2 Due</u>	
16	10/15 The Clean Water Act and Recycling Animal Waste	Ch. 14
17	10/16 Litigation and Damages (Video on your own)	Ch. 11
18	10/17 Preventing Damages from Wastes	Ch. 15
	Fall break	
19	10/24 Addressing Air Quality	Ch. 16
20	10/29 Exam 2 (over lectures 11-19)	
21	10/31 Energy and Hydrocarbon Development	Ch. 17
22	11/5 The Regulation of Pesticides	Ch. 18
23	11/7 Zoning and Land Use	Ch. 19
24	11/12 Natural Resources	Ch. 20
25	11/14 Wetlands and National Environmental Policy Act	Ch. 21
26	11/19 Sustainability	Ch. 22
27	11/21 Preservation of Species	Ch. 23
28	11/26 Climate Change and Greenwashing	Ch. 24
	Thanksgiving	
29	12/3 Keeping Food Products Safe; <u>Suggestions for next year</u>	Ch. 27
30	12/5 Exam 3 (over lectures 21-29)	
	12/10 Final Project Due	
	Enjoy your holidays	

Reading Text: Environmental Law and the Protection of People 2d Ed. (Cognella Inc. 2018)

Academic integrity

Plagiarism or any other form of cheating in examinations, term tests or academic work is subject to serious academic penalty. Cheating in examinations or tests may take the form of copying from another student or bringing unauthorized materials into the exam room. Exam cheating can also include exam impersonation. A student found guilty of contributing to cheating in examinations or term assignments is also subject to serious academic penalty. For UNL student code of conduct:

<https://studentconduct.unl.edu/Student%20Code%20of%20Conduct%20May%20Rev%202014%20a.pdf>

Students are expected to adhere to guidelines concerning academic dishonesty outlined in Section 4.2 of University's Student Code of Conduct (<http://stuafs.unl.edu/ja/code/>). Students are encouraged to contact the instructor for clarification of these guidelines if they have questions or concerns.

The Department of Agricultural Economics has a written policy defining academic dishonesty, the potential sanctions for incidents of academic dishonesty, and the appeal process for students facing potential sanctions. The Department also has a policy regarding potential appeals of final course grades. These policies are available for review on the department's website (<http://agecon.unl.edu/undergraduate>).

Special needs

The University strives to make all learning experiences as accessible as possible. If you anticipate or experience barriers based on your disability (including mental health, chronic or temporary medical conditions), please let me know immediately so that we can discuss options privately. To establish reasonable accommodations, I may request that you register with Services for Students with Disabilities (SSD). If you are eligible for services and register with their office, make arrangements with me as soon as possible to discuss your accommodations so they can be implemented in a timely manner. SSD contact information: 232 Canfield Admin. Bldg.; 402-472-3787.

Information for emergency response

* Fire Alarm (or other evacuation): In the event of a fire alarm: Gather belongings (purse, keys, cellphone, N-Card, etc.) and use the nearest exit to leave the building. Do not use the elevators. After exiting, notify emergency personnel of the location of persons unable to exit the building. Do not return to building unless told to do so by emergency personnel.

* Tornado Warning: When sirens sound, move to the lowest interior area of building or designated shelter. Stay away from windows and stay near an inside wall when possible.

* Active Shooter

o Evacuate: if there is a safe escape path, leave belongings behind, keep hands visible and follow police officer instructions.

o Hide out: If evacuation is impossible secure yourself in your space by turning out lights, closing blinds and barricading doors if possible.

o Take action: As a last resort, and only when your life is in imminent danger, attempt to disrupt and/or incapacitate the active shooter.

* UNL Alert: Notifications about serious incidents on campus are sent via text message, email, unl.edu website, and social media. For more information go to: <http://unlalert.unl.edu>.

Additional Emergency Procedures can be found here:

http://emergency.unl.edu/doc/Emergency_Procedures_Quicklist.pdf

