ES 125A: INTRODUCTION TO ENVIRONMENTAL LAW  
Winter 2012 – Linda Krop  

This course is focused primarily on constitutional principles and federal environmental laws. We will review the development of the field of environmental law, beginning with ethical, cultural and legal principles that provide the foundation for our current legal system. We will cover the administrative and judicial processes that apply to environmental policy and litigation, and the roles that various agencies play in formulating environmental policy and implementing laws and regulations. Class discussions will include guest speakers and provide an opportunity to relate course readings to current topics and issues.

**Instructor:** Linda Krop,[lkrop@cox.net](lkrop@cox.net) 963-1622, x106 (work).  
Office hours: Thursdays, 5:00 – 5:50 p.m., Bren 4015.

**Schedule:**  
Thursday evenings, January 12 – March 15, 2012, 6:00 – 8:50 p.m. in Phelps 1160  
Final exam: Wednesday, March 21, 7:30-10:30 p.m., Phelps 1160

**Reading Materials:** Environmental Law (Seventh Edition), Nancy K. Kubasek and Gary S. Silverman (Pearson/Prentice Hall 2011)

Supplemental materials are posted on the course website.

**Grading:**  
Students will be graded on a midterm (40%), final exam (40%), writing assignment (10%), and class attendance and participation (10%). Class attendance is very important, because the class meets only once a week. Attendance will be taken at the beginning and end of class. More than two absences will result in a reduction in your grade.

**SYLLABUS**

Students should read each assignment prior to class to facilitate an informed discussion.

**Week 1 (1/12)**  
**Introduction and Background: Sources of Environmental Law**  
“The Relationship between People and the Land,” Jimmie Begay  
“A Sand County Almanac,” Aldo Leopold  
“Political Requirements for Preserving our Common Heritage,” Garrett Hardin  
“The Closing Circle,” Barry Commoner  

**Week 2 (1/19)**  
**Administrative Law; Standing**  
Environmental Law, Chapter 4 - “An Introduction to Environmental Law and Policy,” pp. 126-137

*Sierra Club v. Morton*
“Should Trees Have Standing,” Christopher Stone

*Ecological Rights Foundation v. Pacific Lumber Company*

**Guest Speaker: Russell Galipeau, Superintendent, Channel Islands National Park**

Week 3 (1/26)

**Litigation Process; Common Law Tort Theories**

*Environmental Law*, Chapter 4, pp. 121-123

Common Law Tort cases:
- *Hulbert v. California Portland Cement*
- *Weston Paper Co. v. Pope*
- *Renken v. Harvey Aluminum, Inc.***
- *Spur Industries, Inc. v. Del E. Webb Development Co.*
- *Reynolds Metals Company v. Yturide*
- *Branch v. Western Petroleum, Inc.*

Week 4 (2/2)

**National Environmental Policy Act**

*Environmental Law*, Chapter 4, pp. 137-147

“The Santa Barbara Oil Spill: A Retrospective,” Keith C. Clarke

Optional: “It’s the Sustainable Economy,” Lisa P. Jackson

*Calvert Cliffs Coord. Comm. v. Atomic Energy*

*Robertson v. Methow Valley Citizens Council*

*Muckleshoot Indian v. Forest Service*

**Guest Speaker: Mike Murray, Channel Islands National Marine Sanctuary**

Week 5 (2/9)

**Midterm**

Week 6 (2/16)

**Endangered Species Act**


U.S. Fish & Wildlife Service Fact Sheets re: ESA

*Tennessee Valley Authority v. Hill*


Optional: *National Association of Home Builders v. Babbitt*

**Film: Lessons from the Ancient Forest**

Week 7 (2/23)

**Clean Air Act; Climate Change**

*Environmental Law*, Chapter 5 – “Air-Quality Control”

*Massachusetts v. EPA*

Endangerment Finding

*American Electric Power v. Connecticut*
“As Arctic Ice Continues Record Melting, Leading Scientists, Legislators and Public Petition for Polar Bear Protections under the Endangered Species Act”
Optional: Petition to list Polar Bear; Action Timeline re Polar Bear listing; In Re Polar Bear Endangered Species Act Listing and Section 4(d) Rule Litigation

**Guest Speaker: Brian Shafritz, SB County Air Pollution Control District**

**Week 8 (3/1)**

**Clean Water Act**

*Environmental Law, Chapter 6 – “Water-Quality Control”*
*Headwaters v. Talent Irrigation District*

**Guest Speaker: Santa Barbara Channelkeeper**

**Week 9 (3/8)**

**Public Trust; Wetlands**

“The Public Trust Doctrine and Related Common Law Property Concepts”
*Illinois Central Railroad v. Illinois*
*National Audubon Society v. Superior Court*
*CBD v. FPL Group*
*Environmental Law, Chapter 10, “Natural Resources,” pp. 363-367*
*Rapanos v. United States*

Optional: “Justices divided on protections for wetlands”

**Week 10 (3/15)**

**Energy Law; Coastal Protection**

*Environmental Law, Chapter 9 – “Energy”*
*Coastal Zone Management Act §1456(c)*
*State of California v. Norton*

**Guest Speaker: Doug Anthony, Santa Barbara County Energy Division**

Final Exam: Wednesday, March 21, 7:30 – 10:30 p.m., Phelps 1160