

OCEAN AND COASTAL LAW SYLLABUS

Spring 2023

Professor Annie Brett

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Office: HH 333

Office Hours: Tuesday 11:00-12:00, Wednesday 1:00-2:00, or by appointment

Required Coursebook

Rieser & Christie, Ocean and Coastal Law (5th Ed.)

Additional readings will be available on the course Canvas site.

Class Meetings

Monday & Wednesday 10:35-12:00, HH 382

Course Description

This course addresses the public and private law governing use of the coastal zone and its resources. U.S. coastal lands and Exclusive Economic Zone resources are some of the richest in the world. Technological innovation is opening new avenues for exploitation of these resources at the same time as environmental change has put the continued productivity of many ocean ecosystems in doubt. This course begins by addressing how private property rights are allocated in the coastal zone, a question of increasing importance as coastal systems become more dynamic. We will then look to the major regulations governing coastal and ocean resource use, as well as how U.S. law intersects with international law in the governance of transboundary resources and management of the high seas.

Learning Outcomes

By the end of this course, students should be able to:

- Understand and analyze the major regulations governing U.S. coastal and ocean resources
- Identify private property rights in the coastal zone and how these interact with relevant public law
- Situate recent policy and science developments in the landscape of marine resource law

Class Participation

Active participation is an essential component of this class. I expect that each of you will arrive to class having done the readings and prepared to meaningfully engage in discussion. Participation will account for 20% of your final grade.

Evaluation

This class will have an open-book final examination that will account for 80% of your final grade. The remainder of your grade will comprise participation (20%), which may include participating in several very short response and in-class exercises.

Attendance Policy

Attendance in class is required by both the ABA and the Law School. Attendance will be taken at each class meeting. Students are allowed 4 absences during the course of the semester. For ease of administration and to respect your privacy, I do not make any differentiation between “excused” or

“unexcused” absences. As a result, there is no need to tell me why you will be or were absent from class, so long as you have four or fewer absences total. Only observance of a University-recognized religious holiday does not count toward your absences, but you must notify me in advance of those religious observance-related absences. In addition, please notify me should you have a family or medical situation or an emergency that will require missing more than four classes, and we will discuss how to accommodate your situation. Beyond four absences, a student’s final grade may be lowered. The law school’s policy on attendance can be found [here](#).

UF Levin College of Law Standard Syllabus Policies

Other information about UF Levin College of Law policies, including compliance with the UF Honor Code, Grading, Accommodations, Class Recordings, and Course Evaluations can be found at this link: <https://ufl.instructure.com/courses/427635/files/74674656?wrap=1>.

Reading Assignments

This syllabus is offered as a guide to the direction of the course. A finalized reading list will be posted on Canvas prior to our first class meeting, please note that readings may be adjusted based on new developments. You are responsible for making sure you stay up to date with Canvas. Please focus your attention on the cases in each reading section. Notes and background material can be skimmed. Per ABA Standard 310, it is anticipated that you will spend approximately 2 hours out of class reading and/or preparing for in class assignments for every 1 hour in class.

Introduction and Jurisdictions		
		First Class Assignment
		Read:
		- <i>US v. Royal Caribbean</i> , pp. 20-24
		- <i>US v. Ray</i> , pp. 66-72
		- <i>The disastrous voyage of the Satoshi, the world’s first cryptocurrency cruise ship</i> , THE GUARDIAN (7 Sept. 2021), https://www.theguardian.com/news/2021/sep/07/disastrous-voyage-satoshi-cryptocurrency-cruise-ship-seassteading .
1	Introduction	
2	Jurisdictions	
3	Submerged Lands Act	
4	OCSLA	
Private Rights in the Coastal Zone		
5	PTD and limits on private ownership	
6	Takings	
7	Right to accretions	
8	Right of access & view	
9	Public shore access	
10	Sea level rise	

State Waters		
11	State ownership	
12	CZMA	
13	Clean Water Act	
Federal Waters: Biological Resources		
14	Magnuson-Stevens Act	
15	Fisheries access	
16	Pelagic/international fisheries	
17	MMPA	
18	ESA	
Federal Waters: Offshore Energy		
19	OCSLA	
20	OCSLA	
21	Oil spills	
22	Offshore wind	
23	MPAs	
24	Beaufort Sea Negotiation	
International Waters		
25	UNCLOS	
26	Emerging issues	