

ENVIRONMENTAL LAW
LAW 6930, CLASS NUMBER 25144 (3 CREDITS)
PROFESSOR LISA EDGAR

FALL 2022

MONDAY & WEDNESDAY—10:30-11:55AM
ROOM 270 HOLLAND HALL

COURSE DESCRIPTION & SYLLABUS

1. Overview

Environmental law is, by its nature, multi-disciplinary and increasingly at the center of many of the legal, scientific, economic, political, and ethical issues of our day.

This is a survey course covering primary principles and constructs of federal environmental laws, the roles of federal and state agencies, approaches to compliance and enforcement, risk management, and other conflicting and ethical issues that contribute to the body and reality of “environmental law.”

Successful advocacy, whether for a client or a cause, requires effective communication informed by an understanding of surrounding dynamics. As such, many classes will include discussions of timely issues that illustrate theory and/or the impact of environmental policy and regulation. Be informed and aware about the world around you. Come to class with possible discussion items.

All students are expected to complete the assigned readings **prior** to class. Assigned readings will be posted on the Canvas Course page. Students should check the Canvas Course page on a regular basis for assignments, updates to the online materials, readings, guest lecturers, and other class topics.

2. Learning Outcomes:

- Understand the broader context and dynamics that shape environmental law.
- Understand general concepts within primary federal laws (CWA, CAA, NEPA, CERCLA, OCSLA, and more).
- Discuss, understand, and be able to explain fundamental legal and economic principles underlying environmental law (i.e., risk assessment, polluter pays, compliance and enforcement . . .).
- Discuss environmental principles in the context of regulatory tools and the duty to protect the public, health, safety, and welfare.
 - Identify and discuss environmental and administrative law constructs and practices and discuss relating to current issues.

3. Required Materials:

The Practice and Policy of Environmental Law, 4th Ed., by Ruhl, Nagle, Salzman, Kass.
Other readings and materials as assigned in class and on Canvas.

4. Attendance:

Attendance will be taken at the beginning of each class. Please be on time. However, late attendance is preferred over no attendance. A student who arrives late is responsible for following up after class so that their attendance is recorded. I recognize that life happens unexpectedly at times, so each student is allowed two absences, no questions asked unless you want to discuss. Excused absences will be according to UF policy. As a courtesy, please notify me in advance of your absence if possible.

Law School policy states “Class attendance is a primary obligation of each student, whose right to continued enrollment in the course and to take the examination is conditioned upon a record of attendance satisfactory to the professor.” The American Bar Association’s standards provide that “regular and punctual class attendance is necessary to satisfy residence and class hour requirements.”

5. Guest Speakers and Class Assignments:

During the semester we will have the benefit of the experience of expert guest speakers and will be discussing emerging issues. As such, the schedule from week to week will be fluid. Listen in class and check Canvas for announcements.

6. Class Preparation:

Given that we meet 2 times per week for a 3-credit-hour course, students should plan to spend at least 2-3 hours preparing for each class meeting. Prep time includes reading the materials, thinking about the materials, and synthesizing your understanding, questions, and knowledge of the assigned materials. Be prepared to be called upon and engage in animated and respectful discussion.

7. Grades:

Grades for this class will be 20% Participation, 20% Mid-Term Assignment, 60% Final Exam. Please see UF Law Policy regarding exam delays and accommodations.

The Levin College of Law’s mean and mandatory distributions are posted on the College’s website. Grading is in accordance with Law School policy, which is available at: <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/academic-policies>. The below chart describes the specific letter grade/grade point equivalent in place:

Letter Grade	Point Equivalent
A	4.0
A-	3.67
B+	3.33
B	3.0
B-	2.67
C+	2.33
C	2.0
C-	1.67
D+	1.33
D	1.0
D-	.67
E (Failure)	0.00

8. Accommodations:

Students requesting accommodation for disabilities should first register with the Disability Resource Center (352-392-8565, <https://disability.ufl.edu/>) and provide appropriate documentation. Once registered, students will receive an accommodation letter which must be presented to the Assistant Dean for Student Affairs (Asst. Dean Brian Mitchell). Students are encouraged to follow this procedure and to share their accommodation letter with me as early as possible in the semester as accommodations are not retroactive.

9. Laptops and Cell Phones:

Laptops and cell phones will be allowed in class for pedagogical purposes (*i.e.*, to take notes or to further discussion). Cell phones should be placed on vibrate for emergency calls. Respect this arrangement with the respect with which it is given. Should there be an issue, I will revise this approach accordingly.

10. Academic Misconduct:

Academic honesty and integrity are fundamental values of the University community. Students should understand and abide by the UF Student Honor Code at <http://www.dso.ufl.edu/students.php>.

11. Class Recording Policy

The Office of Student Affairs will record all classes via Mediasite in case students must miss class for health reasons. The Office of Student Affairs will determine when students may have access to these recordings, and the recordings will be password protected. These recordings will be retained only for a short period of time, and it is the student's responsibility to contact the Office of Student Affairs as soon as possible after an absence.

12. Office Hours:

My office is at 370-A Holland Hall, office phone is 352-273-0972, email lisa.edgar@law.ufl.edu. You may also text me at 850-322-6502. Designated office hours will be after class from 12:30-3:30 p.m. Mondays & Wednesdays. Drop-bys are welcome, as is scheduling an appointment in advance by email. Don't wait until a potential concern becomes an actual problem. I will be reachable. Let's discuss.

13. Course Evaluations:

Thoughtful feedback is an important part of academic and experiential education. Students are asked to provide professional and respectful feedback about their experience in this course by completing the prescribed University course evaluation form. To facilitate completion of this task, time (and snacks if allowed) will be allotted in class during the evaluation period.

Students will also be informed when the evaluation period opens and how to accommodate this request through email, both on the Canvas Course menu under GatorEvals, or via <https://ufl.bluera.com/ufl/>.

Please note that this request to participate should not delay or substitute for individual discussion throughout the semester. The two obligations work together. Guidance on how to give feedback is available at <https://gatorevals.aa.ufl.edu/students/>. Summaries of course evaluation results are available to students at <https://gatorevals.aa.ufl.edu/public-results/>

14. First Week Assigned Material:

Read Chapter One: An Introduction to Environmental Law in Practice.

15. UF Mental Health Law Student Counselor

At UF Law, we are fortunate to have a mental health counselor, **Ritzy Ettinger**, who is dedicated to the law school community. Ritzy assists with both crisis and non-crisis services. You may reach out to Ritzy by email or call the Student Life main office.

Name: Ritzy Ettinger

Direct Email: rettinger@ufl.edu

Student Life Phone: 352-273-0620

16. UF Law Student Life

Please familiarize yourself with the law school's Student Life page at <https://www.law.ufl.edu/student-life>. It is a tremendous resource for both law school and university resources and services and includes the following:

- Academics (e.g., Schedules, Calendars, Policies, Experiential Learning)
- Campus Logistics (e.g., Reserving a Study Room)
- Technology (e.g., Zoom, Canvas, ExamSoft, Helplines)
- Research Tools (e.g., Law Library, Westlaw, Lexis)
- Diversity & Inclusion (e.g., Statements, Policies, D&I Dean's Information)
- Career and Professional Development (e.g., Advisors, Appointments, Symplicity)
- Health And Safety (e.g., Wellness, Title IX)
- Contact Information (e.g., Law School Departments)

17. General Topics to be Covered

There will be overlap as these subject areas co-exist. The order of topics below may change depending on the weather, guest speaker availability and the flow of the course. You will be notified in class, by class email, and on Canvas. It is your responsibility to pay attention to these announcements.

- Introduction to Environmental Law
- Administrative Law & Rulemaking
- Clean Air Act (CAA) and Related
- Clean Water Act (CWA) and Related
- Waste Management & Remediation
- Environmental Justice
- Land Management & Conservation, Endangered Species
- NEPA, EIS Review, CZMA, OCSLA
- Other?
- Exam Review