ENVIROMENTAL LAW AND ECONOMIC POLICY
ARE 309-601 Spring 2006

e-mail: ted.feitshans@gmail.com (ted_feitshans@ncsu.edu for all e-mail containing attachments.)
CLASS: Tuesday/Thursday 10:15-11:05 1206 Nelson Hall
Class will be webcast via Centra
OFFICE HOURS: Tuesday 7:30 a.m. - 8:15 a.m.; Wednesday 4:00 p.m. -4:45,
Office hours will be conducted via Centra.
Students are encouraged to contact the instructor by e-mail.
Appointments are available upon request.
WEB SITE: http://www.cals.ncsu.edu/course/are309/

WHAT THE COURSE COVERS:

We will study current federal and North Carolina environmental law and regulation as well as
the common law foundations of environment law. The course covers basic environmental issues
that students are likely to face in a wide variety of careers including agribusiness, engineering,
environmental consulting, science, forestry and others. The course emphasizes the economic
environment that has given rise to current environmental laws and regulations. Substantive legal
emphasis will be on environmental laws having the greatest relevance in North Carolina,
including nuisance law, water and wetlands policy, solid and hazardous wastes, pesticides, clean
air, endangered species and environmental impact statements.

COURSE OBJECTIVES:

1. Students will learn to recognize environmental legal issues in their professional and personal
   lives that may require the attention of legal counsel.
2. Students will develop an understanding of environmental policy from an economic perspective
   in the United States and North Carolina.
3. Students will recognize activities covered by environmental laws and understand the legal
   implications of those activities.
4. Students will recognize the spectrum of regulatory techniques that can be used to affect
   environmental outcomes and understand the limitations, which are inherent in the various
   approaches. Students will learn how analyses of economic costs and benefits may be applied to
   regulatory determinations.
5. Students will gain an understanding of the complexities and difficulty of enacting and
   enforcing environmental laws and regulations in light of technological uncertainty and
   competing societal interests.
6. Students will gain some familiarity with the legal system of the United States.

TEXTS, ASSIGNMENTS, TESTS AND GRADES

Optional text:

Highly recommended: Coursepack: Available through the Sir Speedy on Hillsborough Street. Contact and order information at: <http://www.sirspeedy.com/Center/ZipSearchResults.asp>. 2526 Hillsborough St., Raleigh, NC 27607 USA 919-834-8128 (phone); 919-832-3806 (fax); e-mail: info@sirspeedyhills.com
Most of the required class readings are included in the coursepack (except for copyrighted material that may be found on electronic reserve).

Required readings are listed in the course schedule. You are expected to complete readings prior to the date for which the reading is listed. Cases (edited for the class) may be found on the web site. Other readings are available through electronic reserve at the library web site.

Assignments:

1. Case analyses: Students will write a brief case analysis for all cases assigned for analysis. (Some cases are assigned for reading only, as indicated in the schedule.) An example analysis will be provided. Case analyses are due by 2:45 p.m. on the day the case analysis is listed as due in the schedule. Case analyses will be graded based upon the understanding and effort reflected in the analysis. Each analysis counts 10 points. There are 200 points available from case analyses. Twenty cases are assigned for analysis. Extra credit cases may be assigned at the sole discretion of the instructor. All case analyses must be submitted as a MS Word attachment via e-mail to ted_feitshans@ncsu.edu. Late and/or improperly formatted submissions will not be accepted.

2. Final project: Each student shall identify an individual employed in a field in which he/she would like to seek employment after graduation. The student shall interview this person about his/her work. The interview shall focus on how the areas of environmental law that we have studied (as well as other areas of law) affect the interviewee's work. To facilitate preparation of the paper, the student should take written notes during the interview. Project papers must be typed. The paper shall be no less than 10 typed, double-spaced pages, in type neither larger than 12 point nor smaller than 10 point. The name, business address, telephone number, and e-mail address (if it exists) shall be included in the paper so that the instructor may contact the interviewee. Interviews with close relatives are unacceptable (any doubts about the acceptability of the potential interviewee shall be resolved by consulting the instructor). Choice of interviewee is due on Thursday, February 9. Project papers are due on Tuesday, April 20 by 2:45 p.m. (There is a 24-hour grace period for submission of papers after which no papers will be accepted.) Students are encouraged to submit rough drafts for my review sufficiently (at least two weeks) in advance of the due date to give me the opportunity to review them. The final project is worth 80 points. Final projects may be submitted electronically. Pdf format is recommended; however, any format that the instructor can read is acceptable.
3. **Class Discussion/Participation**: Students are expected to either participate in classes in real time via Centra or to listen to recorded sessions. The instructor will review the server log to ensure compliance with this requirement. All students are expected to participate in at least one office hour session per week via Centra. The instructor, at the instructor’s sole discretion, may assign 30 bonus points for class participation.

*Students are free to discuss written assignments, but each student must write the assignments individually. I reserve the right to add homework assignments.*

4. **Examinations**

There will be two, 75-minute exams and a comprehensive final exam. Each exam has a value of 80 points. The final exam is worth 160 points. The first exam may be scheduled from Thursday, February 9 through Wednesday, February 15. The second exam may be scheduled from Monday, March 20 through Friday, March 24. The final exam may be scheduled from Monday, May 1 through Friday, May 5. Students will have 75 minute for each exam, and 3 hours for the final exam. No late exams will be given, except by prior arrangement with the instructor or due to documented illness. Format of all make exams (which may be oral) is within the sole discretion of the instructor.

Exams are open book except that no notes taken by an individual other than the student may be used. No laptops or other electronic devices may be used as the source of notes.

For students who plan to take their examinations at the McKimmon Center please contact:

JOHANNA DONOVAN
STUDENT SERVICES ASSISTANT
CREDIT PROGRAMS & SUMMER SESSIONS
145 McKimmon Center
Raleigh, NC  27695
919-515-2138/2295; FAX: (919) 515-4690; e-mail: johanna_donovan@ncsu.edu

For those students who cannot arrange to take exams at the McKimmon Center please find a proctor at a local college, university, or public library. Please send me contact information for that individual at the beginning of the semester. As all exams not given at the McKimmon Center will be given through WebCT Vista it is essential that the proctor have high-speed internet access on a PC that meets all system requirements for WebCT Vista.

Grading Summary - Points assigned by assignment:

<table>
<thead>
<tr>
<th>Assignment</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Case analyses</td>
<td>200</td>
</tr>
<tr>
<td>Final project</td>
<td>80</td>
</tr>
<tr>
<td>Exams</td>
<td>160</td>
</tr>
<tr>
<td>Final Exam</td>
<td>160</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>600</strong></td>
</tr>
</tbody>
</table>

3
Final grades: Feedback on student performance will be given after each of the two scheduled exams. Plus/minus course grades will be given on the following basis, (where $x$ is the percentage of total points earned):

**Letter Grade**  
**Percentage of total points**  

<table>
<thead>
<tr>
<th>Grade</th>
<th>Percentage of Total Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>A+</td>
<td>$x \geq 97%$, plus exceptional class and/or online participation, awarded at the sole discretion of the instructor.</td>
</tr>
<tr>
<td>A</td>
<td>$93% \leq x &lt; 97%$</td>
</tr>
<tr>
<td>A-</td>
<td>$90% \leq x &lt; 93%$</td>
</tr>
<tr>
<td>B+</td>
<td>$87% \leq x &lt; 90%$</td>
</tr>
<tr>
<td>B</td>
<td>$83% \leq x &lt; 87%$</td>
</tr>
<tr>
<td>B-</td>
<td>$80% \leq x &lt; 83%$</td>
</tr>
<tr>
<td>C+</td>
<td>$77% \leq x &lt; 80%$</td>
</tr>
<tr>
<td>C</td>
<td>$73% \leq x &lt; 77%$</td>
</tr>
<tr>
<td>C-</td>
<td>$70% \leq x &lt; 73%$</td>
</tr>
<tr>
<td>D+</td>
<td>$67% \leq x &lt; 70%$</td>
</tr>
<tr>
<td>D</td>
<td>$63% \leq x &lt; 67%$</td>
</tr>
<tr>
<td>D-</td>
<td>$60% \leq x &lt; 63%$</td>
</tr>
<tr>
<td>F</td>
<td>$x &lt; 60%$</td>
</tr>
</tbody>
</table>

Preparation time: 6 - 10 hours per week.

**Late and make up policy:** See individual assignments.

**Students who add the class after the first day of classes are responsible for all missed work (to be completed within 72 hours of adding the class).**

See [http://www.ncsu.edu/policies/academic_affairs/pols_regs/REG205.00.4.php](http://www.ncsu.edu/policies/academic_affairs/pols_regs/REG205.00.4.php) for the university policy on excused absences. In the event of an absence for an approved university activity, students are expected to complete assignments in advance of anticipated absence. For excused absences caused by a verified emergency, such as illness or a death, students are expected to contact the instructor as soon as possible, and in no event more than a week after return to classes. Since this is an internet course, it is expected that there will seldom be reason that assignments cannot be submitted as scheduled.

Students with more than 6 excused absences may have difficulty successfully completing the course. Such students are seriously urged to consider a late drop or an incomplete. In any event such students must discuss their situation with the instructor as soon as reasonably possible.

**A STUDENT’S DUTY:**

1. To read and understand the schedule, this policy statement, and all other administrative materials relevant to this class.
2. To read assignments before due and participate in all forum discussions.
3. To notify the instructor promptly of any situations likely to affect the student’s performance in the class.
4. To understand the responsibilities placed upon students under the Code of Student Conduct. See: http://www2.ncsu.edu/prr/student_services/student_conduct/POL445.00.1.htm In particular, students are on their honor to avoid discussion of tests and test content prior to the return of the tests to the class.

Students with Disabilities
Students with disabilities should provide the instructor with their accommodation letter as soon as possible. Students with disabilities who do not have an accommodation letter should contact the office of Disability Services for Students (DSS) at 919.515.7653 (voice) or 919.515.8830 (tty). DSS is located at 1900 Student Health Center on the corner of Cates Avenue and Dan Allen Drive. Their web site is at: <http://www.ncsu.edu/equal_op/dss/>. Reasonable accommodations will be provided to students with disabilities based upon the accommodation letters provided.

Adverse Weather Policy
In the event that the University determines to operate under the adverse weather or other emergency policy, assignments, including examinations, shall be shifted to the next day upon which such conditions are not applicable. See: http://www.ncsu.edu/policies/campus_environ/health_safety_welfare/POL04.20.1.php So long as the University is open and classes have not been officially cancelled, class will be held.

Academic integrity: Students are expected to read, understand, and follow the North Carolina State University Code of Student Conduct (Honor Code). Students are encouraged to discuss assignments with other members of the class; however, each student must write his/her own assignments. All work shall be one's own. Any student who becomes aware of a violation of the Honor Code is bound by duty and honor to report the violation to the instructor.

SYSTEM REQUIREMENTS

System Requirements
- Windows 2000 or Windows XP (Centra is not supported on Macs.)
- Internet Explorer 5.01, Netscape 7.2, Firefox 1.0 or later.
- 28.8 kbps or faster Internet connection
- P350+ MHz, 128+ MB memory
- 800x600 16-bit color display or better
- sound card, speakers
- microphone
- CD player with RealPlayer® v. 10.0 (free download available at http://www.real.com)
Some of these items you may have as a past distance education student or have on your computer system anyway. The following list is to help you figure out up front what will be needed for this class and where you can get the information and software you will need if you don’t already have it.

1) You will need continued and frequent access to a dial-Up connection for this class. Internet connection requirements are discussed on the Centra requirements page at <http://pilot.uncc.edu/main/ncsu>, select the System Check link and a window will pop-up with information on requirements (pop-up's must be enabled for the Vista site).

2) Computer requirements are discussed in the Distance Education Student Handbook computer information page at <http://distance.ncsu.edu/student_handbook/computer_info.htm>.

3) Go to Distance Education Student Handbook page for information on taking distance education classes at N.C. State at <http://distance.ncsu.edu/student_handbook/index.html>.

This portion of the Distance Education site will answer many of the questions you may have about distance education courses.

4) WebCT Vista: Go to the "WebCT Vista @ NCSU: Software Tools" page at <http://vista.ncsu.edu/resources/software_tools.php> to check browser requirements and to get Adobe Acrobat Reader. Other plug-ins are also listed at the bottom of this page that may be useful for other distance education classes you may be taking.

5) Centra: Requirements for using Centra are discussed on the Centra requirements page linked at <http://pilot.uncc.edu/main/ncsu>; select the System Check link and a window will pop-up with information on requirements (pop-up's must be enabled for the Vista site).

6) You will need the ability to view or download and print Adobe Acrobat and Microsoft PowerPoint files.

Acrobat Reader: Get Adobe Acrobat Reader by going to the link at the bottom of the "WebCT Vista @ NCSU: Software Tools" page or go to <http://www.adobe.com/products/acrobat/readstep2.html>.

PowerPoint: You will also need the PowerPoint viewer for viewing and printing PowerPoint files if you do not already have the viewer or PowerPoint installed on the computer you will be using.


7) You will also need the ability to create word processing documents for case analyses and other assignments. These could include MSWord, WordPerfect, OpenOffice or other types of electronic documents. You will need to be able to write a MS Word file. Some applications used to generate these documents may be downloaded freely or may already be available on the computer that you intend to use for this distance education class. Student discounts are also available on software through the N.C. State Bookstore's Computer Connections department software page: <http://www.fis.ncsu.edu/ncsubookstores/software.html>.

8) Go to the ABM Minor Courses Available Through Distance Education page at <http://www.ag-econ.ncsu.edu/distance_ed.htm> for more information on distance education courses available the Department of Agricultural and Resource Economics and other departments.

9) Antivirus software—which is available for free to N.C. State University students and staff *must* be installed on any computer that is to be used in taking this distance education course and prior to the beginning of this course. This is to protect the computer systems of students and staff as well as the department’s and university’s servers.
and other resources. More information is available on the N.C. State University Antivirus page located at the following URL: <http://www.ncsu.edu/it/antivirus/>.

**Summary of Links for Distance students:**

*Centra 7.5*
http://pilot.uncc.edu/main/ncsu/

*WebCT Vista*
http://vista.ncsu.edu/index.php

*Department of Agricultural & Resource Economics, Distance Education Page*<http://www.ag-econ.ncsu.edu/distance_ed.htm>

*Distance Education Student Handbook Page*
http://distance.ncsu.edu/student_handbook/index.html

*N.C. State University Bookstore Distance Education Page*
http://www.fis.ncsu.edu/ncsubookstores/distance.html

*NC State University AntiVirus Resources*
http://www.ncsu.edu/it/antivirus/

*Getting Started With Your Unity Account*
http://www.ncsu.edu/it/essentials/your_unity_account/get_started.html

*E-mail and Messaging*
http://www.ncsu.edu/it/essentials/email_messaging/

*or* just link to this link:
*Welcome to Essentials @NC State*
http://www.ncsu.edu/it/essentials/index.html

*Adobe Acrobat Reader*
http://www.adobe.com/products/acrobat/readstep2.html

*Microsoft PowerPoint Viewer*
Go to

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