ARE 309 - Environmental Law and Economic Policy
Spring 2006

Course Syllabus - Schedule (Tentative.)

Note: All dates are due dates. Assignments are due in class unless otherwise specified. Additional assignments may be added at a later date. Unit materials including the outline, lecture notes, the PowerPoint®, and reserve readings should be read and studied before the due date.

Cases in bold are those which a written analysis is required.

T 1/10 Unit 1 Introduction/Administrative matters/ Final project. Read the Constitution of the United States, this schedule, the policy section of the syllabus, and the write-up on “How to analyze a case.”.

Th 1/12 Unit 2: Sources of Law. Study Jack McGeachy’s web site on legal research at: http://www.lib.ncsu.edu/courses/are309/ and the Wake County Clerk's office web site: http://web.co.wake.nc.us/courts/. Read unit 2 (Sources of Law) materials. Prepare an analysis of State v. Adams. Then compare your analysis against the model analysis of this case is in your course pack.

T 1/17 Continue discussion of unit 2. Read and submit an analysis of New Hampshire v. Nemser. Read the unit 3 (Dispute Resolution) materials, and the articles, "When You Need a Lawyer" and "On the Stand" (both on electronic reserve.) Also read An Introduction to Law for North Carolinians, the client letter, and the two charts on the federal and state court systems, respectively (all on electronic reserve.)

Th 1/19 Continue discussion of unit 3. Find Sundown Ranch v. General American Life Insurance Co., U.S.D.C. N.D. Texas (July 17, 2001) using Academic Universe or other source, and be prepared to discuss. A copy of the case is in your course pack; however, try to find it before using the copy in the course pack. Read and submit an analysis of Tabor v. County of Orange.

T 1/24 Unit 4: The Law of Administrative Agencies. Read the unit 4 materials, and read and prepare and submit a case analysis for Craig v. Chatham County.

Th 1/26 Continue discussion of unit 4. Unit 5 Common law solutions/Nuisance/Economic basis for modification of the common law. Read and prepare an analysis of Southview Farm I.

T 1/31 Unit 5 Common law solutions/Nuisance/Economic basis for modification of the common law, continued. Analyze: Durham v. Britt: Read Unit 6 National Environmental Policy Act (NEPA)/SEPA. Read and be prepared to discuss National Audubon Society v. Department of the Navy.


Th 2/9 Exam I. Covers Units 2-8. 75 minutes. [Monday, 2/20 is the last day to withdraw; exams will be graded prior to that date.]

T 2/14 Discuss answers to exam. Read and be prepared to discuss the unit 9 (Contaminated Real Property/ Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA/Superfund)) materials. Read and be prepared to discuss Z&Z Leasing Inc. v. Graying Reel, Inc. Read and prepare an analysis for Gould Inc. v. A & M Battery & Tire Service.

Th 2/16 Continue unit 9 materials. Read and prepare an analysis for Brown v. AMI. Read and prepare an analysis for Cooper Industries, Inc. v. Aviall Services, Inc.


Th 2/23 Read and be prepared to discuss the unit 11 (Solid waste disposal, economic challenges) materials. Prepare an analysis of Grassroots Recycling Network, Inc. v. EPA. Read and be prepared to discuss the unit 12 (Underground storage tanks) materials.


Th 3/2 Continue the unit 13 materials. Analyze: Bates v. Dow Agrosciences LLC. Read and be prepared to discuss the unit 14 (Toxic Substances) materials.

Spring break, March 6 - 10.

T 3/14 Continue the unit 14 material. Read and be prepared to discuss the unit 15 (Community Right-to-Know/Risk Management & Environmental Protection) material. Read and be prepared to discuss Citizens for a Better Environment v. The Steel Company.

Th 3/16 Read and be prepared to discuss the unit 16 (Occupational safety and health) material. Analyze: Mickles v. Duke Power Company; Catch up/Review.

T 3/21 Exam II. 75 minutes. Covers Units 9 - 16.
Th 3/23 Discuss answers to exam. Read and be prepared to discuss unit 17 Clean Water: Point Source Control. Analyze: *Southview Farm II*.

T 3/28 Continue unit 17. Read and be prepared to discuss *Southview Farm III*. Prepare an analysis for *WaterKeepers Alliance, Inc. v. EPA*.


T 4/4 Unit 18 Clean Water: Nonpoint Source Control, continued. Unit 19 Drinking Water.


T 4/11 Unit 20 Wetlands Protection, continued. Unit 21 Preserving Bio-diversity: Endangered Species; Germ Plasm Banking. Read and be prepared to discuss *Babbitt v. Sweet Home Chapter of Communities for a Greater Oregon*.

April 13 - 14 Spring Holiday.

T 4/18 Unit 22 Clean Air: Tradable permits and other market-based solutions. Read and be prepared to discuss *American Trucking*.

Th 4/20 Unit 23 Land Preservation/Land Use Management/Preservation of Agricultural, Forestry, and Tourism Resources. Read and be prepared to discuss *Smithsonian*.

T 4/25 Unit 23 continued. Catch up/Review.

Th 4/27 Catch up/Review.

Additional cases and reading assignments may be added.

Tuesday 5/2 8:00 - 11:00 Final Exam (Distance Education students please see the syllabus).