

## ENVIRONMENTAL LAW

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Office hours by appointment

## PROFESSOR JIM SALZMAN

Mon/Wed, 8-9am  
Bren Hall 1414

### COURSE REQUIREMENTS Spring 2025

Environmental law is equal part environment and equal part law. While environmental law courses traditionally focus solely on the significant laws and cases, this course will also emphasize the scientific, political and economic issues driving environmental conflicts. By the end of the course, you will have strengthened your skills in reading cases, regulations and statutes; writing effectively; thinking on your feet; acting as an advocate for both sides of an issue; and understanding the legal structure and strategies for environmental protection.

These skills will prove useful to you whatever career path you follow after Bren. Even if you never practice law, learning how to read legal documents is a fundamental skill for working in the environmental field whether in the public, private or non-profit sector.

The readings and lecture Powerpoint slides will be posted on Canvas. In preparing for each class, skimming will be counterproductive. Please set aside the time to read the material carefully since **I will be calling on people throughout class** to recount the facts in cases or respond to hypothetical problems. If you haven't done the reading, please just say rather than wasting class time by trying to bluff.

To keep the reading assignments at a reasonable length, we will cover a lot of ground during class using case studies and problem exercises. As a result, you are expected to come prepared to discuss the readings and class participation will be factored into the final grade. **Attendance is required.** If something comes up and you need to be absent, please let me and Natalie know *beforehand*, not after. Excessive absences will prevent taking the final exam. There are some classes that meet outside regular class time so please regularly check the syllabus and let me know if you have a conflict.

***Please note that I do not allow laptops in the classroom.*** I apologize in advance since I appreciate this can be difficult for those who prefer typing their notes during class. I have found that a classroom without the distractions created by surfing and apps results in a much better learning environment, particularly with Socratic teaching. We will have a note taker assigned for each class and these will also be posted on Canvas.

There will be two short memos (2 pages max) due on April 21 and May 5. These memos will analyze a legal problem your clients face and provide your recommended course of action. They will take extra time to prepare so please plan accordingly. These will be graded pass/fail and failing memos must be re-written. There is a midterm halfway through the quarter which you can choose to count toward the final grade. The course grade will be based primarily on the final exam.

During the week of May 19, we will have 5pm zoom presentations by practitioners. You are required to attend at least one of these. We will circulate a sign-up sheet later in the quarter.

We have a TA for the class, Natalie Smith. She will hold weekly office hours and is a great resource if you are uncertain about any of the topics covered. Her email is [nasmith@bren.ucsb.edu](mailto:nasmith@bren.ucsb.edu). I am also happy to meet with you. Please email me to schedule a time.

## The Basic Themes

*"A good planet is hard to find"*

- 3/31. Introduction to Environmental Law  
The *Estai* Controversy  
Environmental Ethics  
Supp. 1

*Watch the Primer on US Law some time during the first week: available on Canvas*

- 4/2. The Modern Era of Environmental Law  
The Common Law  
Making Environmental Law  
Supp. 2

## Waste Management and Pollution Prevention

- 4/7. RCRA Introduction  
RCRA solid waste rules  
AMC v. EPA  
Supp. 3

- 4/9. RCRA Hazardous Waste and Land Bans  
[RCRA Overview](#)  
Stoll reading  
*bring readings to class*  
Supp. 3

*No class on 4/14; Enviro Biogeochem meets during our regular class time*

- 4/16. Enforcement and permitting  
[EPA enforcement Programs](#)  
*Gwaltney v. Chesapeake Bay Foundation*  
Supp. 4

*Class on 4/17 meets during time for Enviro Biogeochem*

- 4/17. Waste reduction and the Future of Waste Management  
Philadelphia v. NJ  
Environmental Justice and NIMBY  
*Read* Warren County  
*Skim* EPA's EJ Grants Website  
*Input your hometown into the EPA EJ Mapper*  
*Read 150-153, 159 (bottom)-171*  
Supp. 6

- 4/19. *Class Garden Party at Prof Salzman's House*

- 4/21. Philern case study  
*Memo Due*  
Supp. 7

- 4/23. CERCLA: Remediation and Prevention  
Supp. 8

- 4/28. CERCLA: Liability  
*Read 154-159, 172-182*  
*Prepare Congressional Hearing*  
Supp. 8

- 4/30. Clean Air Act: NAAQS, SIPs and other acronyms  
*Read 185-195 (middle), 198 (bottom)-216*  
Supp. 9

*Class Midterm on 5/2 in BH 1414, 8-9am*

- 5/5. Clean Air Act: Non-attainment, Mobile Sources and Acid Rain  
*Read 195 (middle)-198, 217-224, 227*  
*Read Fuel Efficiency Standards*
- 5/7. CAA Violations and the Wood Products Industry Supp. 10  
*Read 231-244*  
***Memo due***
- 5/12. Climate Change Supp. 10  
*Read 245-253*  
*Skim Biden Executive Order*  
*Explore Climate Change Litigation Database*  
 Come to class prepared to describe two interesting cases
- 5/14. Clean Water Act: Point Sources and Effluent Limits Supp. 11  
*Read 261-269*
- 5/19. Clean Water Act: Nonpoint Sources, TMDLs and Wetlands  
*Read 270-285*  
*Read California and WOTUS*

***Note practitioner sessions from 5/19-5/22 at 5pm***

- 5/21. ESA I Supp. 13  
*Read 337-342, 345 (middle)-354 (middle)*
- 5/22. ESA II  
*Read 342-345, 354-355*  
*Read Elk Occupancy Agreement*
- 5/28. NEPA I Supp. 12  
*Read 295-313*

***Note no class on Memorial Day, 6/2***

- 6/2. NEPA II  
*Read 313-334*  
*Read NEPA Success Stories*  
*Read Noema*

***Final exam on June XX from 8-11am***