

**Pratt Institute: Syllabus
Graduate School for Urban Planning and the Environment
Fall Term/Environmental Law**

EMS 640E Environmental Law

Type of Course: Lecture

Credits: 3 credits

Class Meetings: Weekly

Prerequisites: None

Enrollment Capacity: 12

Instructor: Samara F. Swanston (917) 324- 0541 fotlah@earthlink.net Section EMS 640

Time and Location: Location: Higgins Hall, Brooklyn Room 109 N Tuesday 8-9:50 p.m

Course Overview: Environmental Law is a general introduction to the field of environmental law. It focuses on issues of Environmental Justice and major environmental statutes, including the State Environmental Quality Review Act, known as ("SEQRA"), the National Environmental Policy Act ("NEPA"), the National Historic Preservation Act, ("NHPA") the State Historic Preservation Act, ("SHPA") and the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA") and recent Brownfields Laws that planners will likely encounter in their professional work. These statutes are critical to principled practice in the planning and environmental management fields. The coursework includes an introduction to Law, to Environmental Law and a brief overview of major environmental statutes not covered in this course. It is designed to help students understand how to read statutes, regulations and cases, to understand the role they play in a professional practice, and to understand the relationship between planning, architecture and the environment as they develop familiarity with statutory analysis of the complex regulatory material in the field of Environmental Law.

Learning Objectives:

There are three learning objectives for this course. The first objective is to learn the substance and understand the underlying theories of selected environmental laws and regulations important from a planning and environmental management perspective. The second objective is to learn how to read and interpret caselaw and understand how case law effects the implementation of statutes and regulations. The third objective will be to understand the underlying ethical conflicts and issues of justice that arise from inequity in use of public and private environmental and natural resources.

Course Requirements:

There will be an assigned reading each week except the first week and the last week. Students will be expected to do all their reading and be prepared to discuss it in class. If you haven't done it you should let me know. This is important because successful completion of this course will involve extensive reading of statutes, regulations and cases. However I believe that you will find the reading to be both challenging and stimulating. Everyone contributes to environmental degradation and enjoys environmental benefits. Students who

study Environmental Law will be better prepared to be responsible planners and citizens of the world in the coming years.

Methods of Assessment: There will be a quiz after each substantive law unit studied, mini-statutory collaborative studios and a final exam. Your grade will be based upon your preparation, your classroom participation, and your final exam grade.

Bibliography:

Selected Statutes, Cases and supplemental reading materials

Your Professor will provide all readings.

**ENVIRONMENTAL LAW
COURSE SYLLABUS**

Professor Samara F. Swanston

****Bring assigned readings to class each day****

**RELATIONSHIP BETWEEN PRINCIPLED PLANNING, DEVELOPMENT
AND ENVIRONMENTAL JUSTICE**

8/30/05

Lecture: Introduction to Law and Environmental Law

Assignment: Selected Readings on Environmental Justice, the State Environmental Quality Review Act ("SEQRA")

9/6/05

Lecture: Introduction to Environmental Justice and Discussion of Environmental Justice Materials, introduction to the SEQRA statute

Assignment: Read SEQRA regulations

9/13/05

Lecture: Integrated discussion of SEQRA and its regulations

Assignment: Read SEQRA Cases, Prepare for in class SEQRA Quiz

9/20/05

Integrated discussion of SEQRA cases, regulations and the statute, SEQRA Quiz

Assignment: Read National Environmental Policy Act ("NEPA") and its regulations

9/27/05

Lecture: Integrated discussion of NEPA statute and regulations

Assignment: Read selected NEPA Cases

10/4/05

Lecture: Integrated Discussion of the NEPA statute, regulations and Cases

Assignment: Prepare for in class quiz on NEPA, Read the National Historic Preservation Act (“NHPA”)

10/11/05

Lecture: In Class NEPA Quiz, Discussion of NHPA Statute

Assignment: Read assigned NHPA Part 36 and 800 Regulations and other regulations and readings as assigned

10/18/05

Integrated discussion of NHPA statute and regulations, cultural resource surveys and suitable sites for nomination for Historic Register Status

Assignment: Read NHPA Cases, Prepare for in class NHPA Quiz,

10/25/05

Integrated discussion of NHPA statute, regulations and cases, In Classroom NHPA Quiz,

Assignment: Read State Historic Preservation Act (“SHPA”) and selected cases ad the SHPA selected cases.

11/1/05

Integrated discussion of State Historic Preservation Act and cases

Assignment: Prepare for in class SHPA Quiz, Read Selected statutes from the Comprehensive Environmental Response, Compensation and Liability Act (“CERCLA”)

11/8/05

Lecture: In Class SHPA Quiz, Introduction to CERCLA-- discussion of CERCLA statute

Assignment: Read selected CERCLA Cases, New York State Brownfields Law

11/15/05

Lecture: Integrated discussion of the CERCLA statutes and cases

Assignment: Prepare for in class CERCLA Quiz

11/22/05

Integrated discussion of CERCLA statute and assigned CERCLA Cases, In Class CERCLA Quiz

Assignment: Review SEQRA Studio Materials

12/6/05

Mini SEQRA Studio

Assignment: Review NEPA Studio Materials

12/13/05

Mini NEPA Studio

Assignment: Review for Exam

COMPREHENSIVE FINAL EXAM on date to be determined