Environmental Ocean and Coastal Law
Professor Eagle
Fall 2012

Syllabus

I. MEETING TIME

We will meet on Mondays and Wednesdays from 4:15 P.M. to 5:40 P.M. in Room 3049.

II. OFFICE HOURS AND CONTACT INFORMATION

My office is Room 5112, and my office hours are Tuesdays from 9:00 AM to 11:00 A.M. and 2:00 P.M. to 5:00 P.M. If these times are not convenient for you, please send me an email, and I will be glad to schedule another time for us to meet. My email address is jgeagle@email.unc.edu.

III. COURSEWORK

Our book is EAGLE, COASTAL LAW (1ST ED.). All readings in the syllabus are from this book unless otherwise indicated.

IV. GRADING

Your grade for the semester will be based primarily on a final exam. Consistent and meaningful class participation can earn you a final grade that is up to a full letter grade higher than your exam grade. Excessive absences or “effective absences,” that is, attending class while unprepared or arriving late to class, can lead to a final grade that is lower than your exam grade. Note that “class participation” includes participation outside of class time, e.g., at office hours or after class.

V. ATTENDANCE POLICY

I expect each student to be present at, and prepared for, each class meeting. As per the School of Law’s attendance policy: “Regular and punctual class attendance is required by the American Bar Association. Students who do not attend class on a regular basis will be dropped from the class at the request of the instructor and with the concurrence of the Associate Dean for Academic Affairs.”

VI. LAPTOP, TABLET, AND SMARTPHONE POLICY

The use of electronic devices, other than pre-approved recording devices, is not permitted in the classroom. The rationale for this policy will be explained on the first day of the course. If you happen to be absent on that date, please feel free to talk with me about it. You will be permitted to use laptops for typing your exam answers.
VII. ASSIGNMENTS

A. The Coastal Law Context

Class 1: Monday, August 27
Reading: Pages 1-34

Class 2: Wednesday, August 29
Reading: Pages 34-71

B. The Legal Geography of the Coast

Class 3: Wednesday, September 5
Reading: Pages 73-89

Class 4: Monday, September 10
Reading: Pages 89-113

Class 5: Wednesday, September 12
Reading: Pages 113-130

Class 6: Monday, September 17
Reading: Pages 130-162

Class 7: Wednesday, September 19
Reading: Pages 162-181; also, complete the exercise on page 171-72. The most efficient way to do this is to type up lists of covered features and activities, using the following categories:

State jurisdiction:
- Public Trust Doctrine:
- Police Power:

Federal jurisdiction:
- Navigation Servitude:
- Commerce Clause regulatory power:

C. The Public Trust Doctrine

Class 8: Monday, September 24
Reading: Pages 185-210
Class 9: Wednesday, September 26
Reading: Pages 210-232

Class 10: Monday, October 1
Reading: Pages 232-248

Class 11: Wednesday, October 3
Reading: Pages 248-273

Class 12: Monday, October 8
Reading: Problem, p. 273-74. Prepare an outline of the majority or dissenting opinion. (You will be assigned to majority or dissent teams on October 10.)

D. Upland Owners’ Rights

Class 13: Wednesday, October 10
Reading: Pages 277-307

Class 14: Monday, October 15
Reading: Pages 307-329

Class 15: Wednesday, October 17

E. The Coastal Zone Management Act and State Programs

Class 16: Monday, October 22
Reading: Pages 359-384

Class 17: Wednesday, October 24
Reading: Pages 384-417

Class 18: Monday, October 29
Reading: Pages 417-438

Class 19: Wednesday, October 31
Reading: Pages 438-461

Class 20: Monday, November 5

Reading: Pages 461-485

Class 21: Wednesday, November 7

Reading: Pages 485-511 (Guest Speaker: Braxton Davis, Director, North Carolina Division of Coastal Management)

Class 22: Monday, November 12

Reading: Pages 511-549

F. Coastal Disasters, Climate Change, and the Future of Coastal Law

Class 23: Wednesday, November 14

Reading: Pages 583-623

Class 24: Monday, November 19

Reading: Pages 623-659

Class 25: Monday, November 26

Reading: Pages 659-690; watch “Rising Tide” at http://video.pbs.org/video/2227741130

Class 26: Wednesday, November 28

Reading: Pages 691-709

FINAL EXAM: Friday, December 7, 9:00 AM-12:00 PM, in Room 5046