

PLS 521
Legal Foundations of Coastal and Environmental Management

Spring 2009

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Course Objectives:

This course is designed to provide you with a general understanding of the laws and institutions for coastal resource management in the United States. Emphasis will be placed primarily on the federal coastal zone management and Clean Water and their corresponding state laws and programs (e.g., NCCAMA and NCEPA, etc.). Specifically, the course objectives are to:

- Improve your understanding of the influence of law on public administration in the U.S;
- Enhance your skills and ability to think, act, and communicate more effectively in today's public and nonprofit organizations;
- Provide a working knowledge of important federal, state, and local statutes and programs that govern coastal resource management in the U.S.;
- Enhance your ability to analyze legal issues and to examine important policy questions confronting governmental and nongovernmental organizations; and,
- Develop your appreciation of the complexity of issues, problems and challenges associated with effective coastal resource management.

These objectives will be met by exposing you to a variety of readings, class discussion, videos, and occasional guest speakers. The course will develop your critical thinking abilities by analyzing legal cases and policy issues. Your oral communication skills will be developed through class presentations while the preparation of a paper will further improve your analytical skills and improve your ability to communicate ideas and arguments in written form.

Readings:

The following books are required or recommended for this course and can be purchased at local book stores or through vendors on the internet at the corresponding links:

- Beatley, Timothy, David J. Brower, and Anna K. Schwab. 2002. *An Introduction to Coastal Zone Management*. Second Edition. Washington, DC: Island Press. (Recommended).
- Robert W. Adler, Jessica C. Landman, and Diane M. Cameron. 1993. *The Clean Water Act 20 Years Later*. Washington, DC: Island Press. (Recommended)

- Kalo, Joseph J, Richard G. Hildreth, Alison Rieser, Donna R. Christie, and Jon L. Jacobson. 2007. *Coastal and Ocean Law: Cases and Materials*. Third Edition. St Paul, MN: West Group. ISBN 978-031415620-4 (Required)

Reserve readings have also been placed in the UNCW Library. Another packed with all of the reserve readings can be checked out from the professor. Other required readings can be downloaded from the services provided by the library (e.g., LexisNexis, Ebsco, etc.). Copies of lecture notes and any overheads used in class will also be available on this website.

Expectations and Approach

This is not a lecture-dominated class where the instructor speaks and the students passively listen. This is a small seminar class where you will take an active part in your learning by leading class discussions, identifying potential guest speakers, and sharing your analysis of case studies, legal decisions, and policy issues with your classmates. Course readings will be supplemented with videos, occasional guest speakers, and other information available on the class web site. Part of your learning will be cognitive or factual in nature. However, much of what you learn in this course will involve developing your management skills, enhancing your self-awareness of the laws and institutions that shape coastal resource management. I encourage you to prepare yourself for, and be open to, the variety of ways that you can learn from this course.

Course Requirements

Your grade in this class will be based on your ability to understand and apply the concepts discussed in the course readings. More specifically, your grade will depend on your performance on the following course requirements:

Class Participation

Students are expected to complete the assigned readings and come to class prepared to discuss all readings, handouts, and assignments that are due. Given the small class size, it will be evident to all of those in attendance whether you are prepared to discuss the readings. To ensure that students are prepared to discuss the readings, I will randomly ask students to summarize a reading, describe a theory, present their case memos, or present a reading. Some of the legal decisions are quite detailed and may require you to read them more than once. Each student should be prepared to share with the class questions that the readings raised and be able to identify the most significant points or contribution that the author makes to the practice of coastal resource management. You should also be able to answer the notes, questions, and problems at the end of each section in Kalo, et al., *Ocean and Coastal Law* (I will often ask you to focus in depth on a particular set of questions).

While attendance will not be taken regularly, in a small seminar class your absence is easily noted. Moreover, poor classroom attendance may result in a failing participation grade since you cannot participate if you are not in class. You should notify the instructor when you are unable to attend class. If you should miss a session when a video is shown, it may be possible to make arrangements to view the film privately in our conference room or to borrow the video. In

certain circumstances it may also be possible to make-up other in-class activities with a written assignment if frequent absences have become a problem. Your participation grade will also be lowered due to the frequent inability to respond to the instructor's questions, poor class preparation, lack of enthusiastic participation in class exercises, or the failure to treat others in the classroom with respect (e.g., talking while others are talking, ridiculing other students, etc.). Simply put, in order to receive an "A" in this class you must be a civil, active contributor to class and not merely score well on exams and assignments.

Paper and Mini-Conference

You will also be required to prepare a final paper on a topic of your choosing. The only requirement is that it should address some sort of legal, policy, or management issue in the field of coastal resource management. In certain cases a project may be accepted in place of a paper. We will then have our own mini-conference near the end of the semester where you will present your papers and someone will serve as a discussant to provide feedback to help you revise your paper. Your presentation should be professional and use appropriate audio/visual aids (e.g., PowerPoint). You need to submit an abstract for your paper with some supporting references on **February 10**. A hard and electronic copy of your draft paper is due **Tuesday April 14** and will be posted on the website. The mini-conference is tentatively scheduled for **Monday April 21**. Your final paper is due at **5:00 PM on Tuesday May 5**. There is no set length requirement but I expect most of the papers will be 20 or more double-spaced pages. They should be well written, be professional in appearance, and be properly referenced in any acceptable style. Additional guidance on this class requirement is provided on the website.

Coastal Management Problem Memos

Over the course of the semester you will be required to prepare **at least 6 memos** that respond to a particular, question, problem, case, or reading. Your **best 6 of 8 grades** will count towards your final grade. Each assignment generally asks you to analyze the readings and apply the topics and concepts discussed. The problems are designed to heighten your interest and awareness of the significant legal issues and policy problems that coastal managers can face. The memo assignments also help you to develop your communication skills. Accordingly, be sure that the memo is as specific as possible. The decisionmaker should know precisely what you want them to do about the problem/issue and what you plan to do to carry out your recommendations. Additional guidance and directions for each assignment can be found on the website.

Exams

There will be one exam that will be approximately 2/3 of the way through the class. The format of these exams will involve some combination of short answer and/or essay questions. The exam will be a take-home exam. The exam will be posted on this web site approximately 1 week before the exam.

Grading

All written work will be evaluated based on your analysis, the organization of your ideas, the strength and substance of your arguments, your ability to properly apply the concepts discussed in class, and the quality of your writing (e.g., spelling, grammar, punctuation, etc.). Failure to complete an assignment or failing to follow directions will result in a 0 for the assignment. The final course grade will be calculated based upon the following weights:

Class participation	20% (200 points)
Paper and Mini-Conference	25% (250 points)
Coastal Management Problem Memos (6 @ 5%)	30% (300 points)
Mid-Term	25% (250 points)

Course grades will be calculated based on the following: A (920 – 1000 points), A- (900 – 919), B+ (880 – 899), B (820 – 879), B- (800 – 819), C+ (780 – 799), C (720 – 779), C- (700 – 719), D+ (680 – 699), D (620 – 679), D- (600 – 619), and F (0 – 599). In the event that an assignment is given a letter grade, points are allocated by using the midpoint of the grade range and multiplying it the number of possible points. For example, an A for a 5% memo would equal 95% of 50 points or 47.5 while a B+ would equal 89% of 50 points or 44.5. There is no rounding up or down.

Be advised that you must maintain a B average to remain in the MPA program. I have a zero tolerance policy for cheating. Anyone caught cheating will receive a failing grade for the course and other disciplinary charges pursuant to the University's Code of Student Life.

Late Assignments/Incompletes

Tentative due dates for course assignments are listed on the attached course schedule and are subject to change based on class progress and student preferences. You should check the course schedule and announcements pages on the course web site periodically for changes in due dates. Students may bring forward requests for changing the dates of major assignments for class approval with a minimum of one-week advance notice to the class.

Unless I have agreed in advance, all assignments are due at the end of the class period they are due. Informing the instructor of your intention to be absent does not waive your obligation to submit the work that is due. Late assignments lose one full letter grade per class they are late. An incomplete will only be granted when there are serious extenuating circumstances that occur after the withdrawal period.

Other Class Policies

All cell phones are to be turned off in class. If your phone wrings, the Professor reserves the right to answer the call and/or to confiscate the phone.