Environmental Impact Analysis – ENST 560.01
Spring 18
12:30-1:50 Tu & Th

Professor: Len Broberg Office Hours: M 11-1230 am, W 1-2:30 pm
104 Rankin Hall
243-5209
len.broberg@umontana.edu

Course Content & Purpose

This course is designed to introduce students to the laws, procedures and legal institutions that influence environmental impact analysis and the basic techniques of environmental impact assessment. There will be a mix of presentations, workshops and discussion about the course topics. Basic environmental impact analysis skills will also be emphasized in the course. Students will complete a midterm and several analytical assignments for the course. Students will also select an environmental assessment to critique and make a final presentation to the class on their assessment on April 26 through May 3rd.

2) Moodle materials (designated below as Moodle)
3) Cases or Law Reviews through the Mansfield Library databases (Lexis Academic or LegalTrac for instance)- designated Lexis on syllabus

Tentative class schedule:

Jan. 23 Class Intro & Federal and State court structure/Use of Lexis-Nexis database and how to read cases

Jan. 25 Introduction to federal administrative structure and administrative law
Moodle: Administrative Law

Jan 30 Standing/Reviewability issues
Read: Moodle: Massachusetts v. EPA (Through Section IV), Norton v. SUWA,

Feb 1-6 National Environmental Policy Act- the statutory framework and CEQ rules and Agency Deference
Moodle: NEPA text; CEQ Rules, Lexis-Nexis: Lands Council v. McNair, 537 F.3d 981

Feb 8 Interdisciplinary Teams, Scoping, Categorical Exclusions and Environmental Assessments- Scoping Assignment handed out Marriott: Chapter 3 Moodle: O’Brien-NEPA, NEPA- significance-CE-E, USFS NEPA Procedures, USFS Categorical Exclusions

Feb 13 Water and wetlands- the Clean Water Act and it role in EIA-Scoping assignment due Marriott: Chapter 18 Lexis-Nexis: Rapanos v. United States, 547 U.S. 715
Moodle: Clean Water
Feb 15  Water and wetlands workshop **Marriott:** Chap 20

Feb. 20  Wildlife habitat assessment and the Endangered Species Act  
**Marriott:** Chapter 18; **Moodle:** *ecological-processes-eia-pg*  
**Water Assignment Due**

Feb 22  Wildlife habitat assessment workshop

Feb 27  Alex Dunn- USFS NEPA process

Mar 1  Saha- NEPA and Environmental Justice **Marriott:** *Chap 6*

Mar 6  Air pollution impacts and the Clean Air Act **Marriott:** *Chap 14- EIA Critique Proposal Due*

Mar 8  Coal plant permitting under CAA- Reading TBA- **Wildlife Habitat Assignment Due**

Mar 13  Visual impact analysis **Marriott:** *Chap 13*

Mar 15  Visual impact analysis workshop

Mar 20  Climate change and cumulative impacts- **Visual Impact Assignment due**

Mar 22  Constitutional limits on regulation (takings, "wise use" & police power)  
Read: PAG 1127-1165 New 904-923  
**Moodle:** Meltz et al, *Takings*

Mar 27-29  Spring Break- No class

Apr 3-5  Montana Environmental Policy Act and EQC rules **Moodle:** *Montana EQC MEPA Handbook*

Apr 10  Mining Law- **Marriott:** *Chap 17*  
**Moodle:** *Montana Mining Law; Golden Sunlight case; MEIC v. DEQ*

Apr 12-17  National Forest analysis- the 2012 Planning rules **Marriott:** 16.3 and 16.4

Apr 19  Attorneys fees- **Moodle:** Buckhannon case

April 24- May 3  Student presentations

May 3  EIA critique due

**Grading** – The course will use +/- grading system

Assignments 30%  
EIA Critique 40%  
Class Participation 30%