

FEB 20 2007

UNIVERSITY OF KENTUCKY
APPLICATION FOR CHANGE IN EXISTING COURSE: MAJOR & MINOR

OFFICE OF THE
SENATE COUNCIL

1. Submitted by College of AGRICULTURE Date May 11, 2006
Department/Division offering course Agricultural Economics

2. Changes proposed:
(a) Present prefix & number AEC 424 Proposed prefix & number _____
(b) Present Title Principles of Environmental Law
New Title same

(c) If course title is changed and exceeds 24 characters (Including spaces), include a sensible title (not to exceed 24 characters) for use on transcripts:

(d) Present credits: 2 Proposed credits: 3

(e) Current lecture: laboratory ratio 2:0 Proposed: 3:0

(f) Effective Date of Change: (Semester & Year) Fall 2007

3. To be Cross-listed as: _____
Prefix and Number Signature: Department Chair

4. Proposed change in Bulletin description:
(a) Present description (including prerequisite(s):
Provides a basic knowledge of the principles of United States environmental law. Addresses the framework of the American Legal system as it applies to environmental regulation. Covers the sources of environmental law and reviews major federal environmental statutes and judicial decisions addressing specific issues. Prereq: AEC 101
(b) New description:
No change - except Prerequisites.
(c) Prerequisite(s) for course as changed: AEC 101 or ECO 201

5. What has prompted this proposal?
The instructor finds it very difficult to cover the material in a two hour format. The Departmental faculty agree that moving the course to a three-hour course will allow greater coverage of the objectives of this course, as already outlined in the syllabus.

6. If there are to be significant changes in the content or teaching objectives of this course, indicate changes:
The instructor will cover the same topics covered previously in the 2 hour format but to a deeper extent with the 3 hour format.

7. What other departments could be affected by the proposed change?

8. Is this course applicable to the requirements for at least one degree or certificate at the University of Kentucky? Yes No

9. Will changing this course change the degree requirements in one or more programs? Yes No
If yes, please attach an explanation of the change. (NOTE - If "yes," program change form must also be submitted.)

10. Is this course currently included in the University Studies Program? Yes No
If yes, please attach correspondence indicating concurrence of the University Studies Committee.

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11. If the course is 400G or 500 level, include syllabi or course statement showing differentiation for undergraduate and graduate students in assignments, grading criteria, and grading scales. Check here if 400G-500.
12. Is this a minor change? Yes No
(NOTE: See the description on this form of what constitutes a minor change. Minor changes are sent directly from the Dean of the College to the Chair of the Senate Council. If the latter deems the change not to be minor, it will be sent to the appropriate Council for normal processing.)
13. Within the Department, who should be consulted for further information on the proposed course change?

Name: Lynn W. Robbins Phone Extension: 257-5762

Signatures of Approval:

<u>May 3, 2006</u> Date of Approval by Department Faculty	<u><i>Lynn W. Robbins</i> 1-16-07</u> Reported by Department Chair
<u>JAN 24, 2007</u> Date of Approval by College Faculty	<u><i>[Signature]</i></u> Reported by College Dean
<u>2/6/07</u> *Date of Approval by Undergraduate Council	<u><i>[Signature]</i></u> Reported by Undergraduate Council Chair
_____ *Date of Approval by Graduate Council	_____ Reported by Graduate Council Chair
_____ *Date of Approval by Health Care Colleges Council (HCCC)	_____ Reported by HCCC Chair
_____ *Date of Approval by Senate Council	_____ Reported by Senate Council Office
_____ *Date of Approval by University Senate	_____ Reported by Senate Council Office

*If applicable, as provided by the Rules of the University Senate.

The Minor Change route for courses is provided as a mechanism to make changes in existing courses and is limited to one or more of the following:

- change in number within the same hundred series;
- editorial change in description which does not imply change in content or emphasis;
- editorial change in title which does not imply change in content or emphasis;
- change in prerequisite which does not imply change in content or emphasis;
- cross-listing of courses under conditions set forth in item 3.0;
- correction of typographical errors. [University Senate Rules, Section III - 3.1]

SYLLABUS
AEC-424 – ENVIRONMENTAL LAW AND REGULATION
MONDAYS 5:00 – 7:30 PM

Professor: William T. Gorton III, Esq.
Stites & Harbison PLLC
2300 Lexington Financial Center
Lexington, Kentucky 40507
859-226-2241 (office)
859-253-9144 (fax)
wgorton@stites.com

Office hours – By appointment. Students are encouraged to call or e-mail me with concerns or issues related to the class.

Text: Law and the Environment, 1998 Frona M. Powell, West Publishing
Package of handouts available at Johnny Print

References on Reserve: Environmental Law Handbook, 14th edition 1997, Thomas Sullivan ed., Govt. Institutes

Environmental Law, 1994 with 1999 pocket part, William H. Rogers, Jr., West Publications

Course Description: Provides a basic knowledge of the principles of United States environmental law. Addresses the framework of the American Legal system as it applies to environmental regulation. Covers the sources of environmental law and reviews major federal environmental statutes and judicial decisions addressing specific issues. Prereq: AEC 101 or ECO 201.

Course Overview: This course is structured to provide the student with a basic understanding of the major principles of environmental law in the United States. Part One of the course (pre-mid term) will address the framework of the American legal system as it applies to environmental regulation. In Part Two of the course (post-mid term) we will cover the statutory sources of environmental law by reviewing major federal environmental statutes and judicial decisions addressing specific issues. **STUDENTS ARE EXPECTED TO BE PREPARED FOR CLASS.**

Student Learning Outcomes:

At the end of the semester, the student will be able to:

1. identify issues, behavior and operations in their career field that have legal implications, under both Common Law and Statutory law;
2. understand how the environmental regulatory system works including:
 - a) the basis of federal power through the U.S. Constitution and the concept of Cooperative Federalism, i.e. how the states fit in to the American form of government;
 - b) how the regulatory agencies fit in the framework of our government;
 - c) how to interact "legally" with the government, i.e. Due Process rights.
3. discuss the basics of the major federal environmental laws, i.e. Air, Water, Waste, Mining
4. describe how the court system works.
5. identify the environmentally regulated characteristics of his/her home community and the people responsible for them.

Writing Requirement:

The student will be required to research, analyze and write a paper, no less than five pages on a subject related to current issues in environmental law. The topic is subject to professor approval.

Attendance:

Attendance is mandatory. For the second unexcused absence and such subsequent unexcused absences, the student's final grade will be lowered by 5 points.

Grading:

Grades will be based on a 100 point scale.

- | | |
|--|----------------------|
| · Mid Term exam | 25 points |
| · Final exam | 30 points |
| · Spot Quizzes | 10 points |
| · Major Research Paper | 25 points |
| · Short paper on Environmental Law Issues as directed by Professor | 10 points |
| · Class participation | up to 5 points bonus |

95-100	= A
85-94	= B
75-84	= C
70-74	= D
below 70	= E

Short Paper:

Due on or before March 19, 2006 at 4:00 p.m., students must submit a 2-4 page research paper as directed by the Professor in a separate handout. **Late papers will NOT be accepted.**

Exams:

The midterm and final exams may be take home essay exams. Professor reserves the right to schedule in class exams or to designate a non-class time exam period.

Plagiarism will not be tolerated and according to University policy will be subject to failure of the class and other sanctions as applicable.

Class Preparation/Participation/

Quizzes:

As in any study of law, discussion and debate regarding public policy as related to protection of the environment will benefit the entire class, therefore the students are expected to be prepared for class. To encourage preparation there may be, at the Professor's discretion, unannounced quizzes amounting to 10 points. By participating in class, students can earn up to 5 bonus points.

Special Notice:

1. Scheduled Readings – Students must be aware that for various reasons class topics, lectures and discussions may not fall on exact syllabus date and **student is responsible for tracking class progress and being prepared for class.**
2. Teachable Moments – Professor reserves right to digress from schedule for special topic or subject for discussion that he feels, in his sole discretion, will illustrate a specific point of view or add to the students' overall education regarding environmental law.

AEC 424 – PRINCIPLES OF ENVIRONMENTAL LAW AND REGULATION

Date	Topic	Readings/Materials
1/15	Martin Luther King Day – No class	
1/22	Identifying Environmental Law Issues Sources of Environmental Law: Common Law, What is it? . Trespass	Environmental Law, Ethics and Policy Powell - Ch.1, Ch. 2 pp.27-38
1/29	Common Law (continued) . Nuisance . Negligence	Powell - Ch. 4, pp. 75-84 Cases: . <u>Long v. Louisville RR</u> . <u>Rust v. Guinn</u>
2/5	Federalism: U.S. Constitution Perspectives with attention to Commerce Clause/5 th Am; Supremacy Clause	Powell - Ch. 4, pp. 85-99 Cases . <u>Fletcher v. Tenneco, Inc.</u>
2/12	Federalism (continued) Introduction to Prevailing Models of Cooperative Federalism Or “How The System Works”	Powell - Ch. 7; Ch. 6 pp. 144-153 Case; Review Ch. 2 pp. 27-28 . <u>Philadelphia v. New Jersey</u>
2/18	“How The System Works” (continued) Midterm Exam Handout	Powell - Ch. 8 Case . <u>Southern Ohio Coal Co. v. U.S. Office of Surface Mining and U.S. Environmental Protection Agency</u>
2/26	Midterm Exam Due Surface Mining Control and Reclamation Act	Powell – Ch. 8
3/5	Catch up Class	
3/12	Spring Break	
3/19	Clean Water Act Short Papers Due	Reread Powell, pp. 159-162 (Hodel case); handout
3/26	Wetlands Regulation Agricultural Environmental Law	Powell - Ch. 11 Case . <u>Committee to Save Mokelumne River v. E. Bay Mun. Util. Dist.</u>
4/2	Clean Air Act	Ch. 11 (continued) Case . <u>Solid Waste Agency of N. Cook Co. v. U.S. Army Corps of Engineers</u> . <u>Gorton – Agriculture and Environmental Law (skim)</u> Focus on Powell, pp. 270-279

4/9	Hazardous Waste Regulation Resource Conservation and Recovery Act ("RCRA")	Powell - Ch. 10 <u>Gorton</u> – Clean Air Act Amendments of 1990 – Implications for Small Businesses
4/16	Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA") "Superfund"	Powell - Ch. 13 - up to pp. 348 Case . <u>U.S. v. Aceto Agr. Chemicals Corp.</u>
4/23	Environmental Audits	. Powell- Ch. 5; <u>Gorton</u> – Legal Considerations Concerning Environmental Audit Excerpts from E. Geltman: Business Aspects of Environmental Law
TBA	Final Exam - TBA	

UNIVERSITY SENATE ROUTING LOG

Proposal Title: Change AEC 424 – Environmental Law: Increase credit hours and change prerequisite.

Name/email/phone for proposal contact: Dr. Lynn

Instruction: To facilitate the processing of this proposal please identify the groups or individuals reviewing the proposal, identify a contact person for each entry, provide the consequences of the review (specifically, approval, rejection, no decision and vote outcome, if any) and please attach a copy of any report or memorandum developed with comments on this proposal.

Reviewed by: (Chairs, Directors, Faculty Groups, Faculty Councils, Committees, etc)	Contact person Name (phone/email)	Consequences of review:	Date of Proposal Review:	Review Summary Attached? (Yes/No)
Departmental Undergraduate Committee	Carl Dillon 7-3267 cdillon@uky.edu	Recommended changing AEC 424 from 2 to 3 credits and prerequisite change	April 2006	No
Department Faculty Approval	Lynn Robbins	Approved Undergraduate Committee's Recommendation	May 3, 2006	May 3, 2006 minutes attached
College Undergraduate Curriculum Committee	Mike Mullen 257-3430	Approved by committee	12/14/2006	Online Committee Vote summary
College of Agriculture Faculty	Mike Mullen 257-3430	Online review and vote	1/24/2007	Vote summary attached.

Faculty Meeting Minutes
Wednesday, May 3, 2006
3:30 p.m., Room 341 CEB
Approved 6-7-06

Attending: Roger Brown, Kenny Burdine, Carl Dillon, Greg Halich, Craig Infanger, Leigh Maynard, Lee Meyer, Helen Pushkarskaya, Lynn Robbins, Sayed (Mehdi) Saghaian, Jerry Skees, Dick Trimble (via teleconference), Lionel Williamson, Tim Woods, and Ashfaqu Babool (GSO)

The meeting started with a quorum at 3:35 p.m.

Announcements:

Greg Halich, our newest faculty member was in town house hunting and joined us for the meeting. His official start date is June 13.

Congratulations to Roger Brown for receiving the College of Agriculture Student Council Early-Career Outstanding Teacher Award .

Jerry Skees will be giving a lecture on May 4 as part of the Distinguished Speakers series sponsored by Gamma Sigma Delta for having received the Thomas Poe Cooper Research Award in 2005.

Commencement is May 7. The College wide reception will be May 6 from 3:30 p.m. – 6:30 p.m. at the Good Barn.

There is a baby shower for David and Susan Reese on Friday, May 5 at 2:00 p.m.

AAEA meetings – six faculty members will be attending the annual meeting. They will be interviewing and participating in the graduate student recruitment fair. There will be no reunion this year.

The Southern Farm Management Extension Committee meeting will be in Chattanooga, TN June 25-28, 2006.

Minutes for the April 5, 2006 Faculty meeting were approved as circulated.

Helen Pushkarskaya conducted a short experiment using faculty members as respondents.

KFBM Update: Lynn Robbins will attend the Spring Staff Conference May 16-18. An external review will be conducted May 30 – June 2 using five outside reviewers from surrounding states. Surveys have been mailed to FBA cooperators.

Committee Report

Undergraduate – Carl Dillon. We will be developing a form for students taking AEC 580 to meet a catalog requirement we have not been following.

A motion to change the credit hours for AEC 424 - Environmental Law, from 2 credit hours to 3 with senior standing required was approved based on the Undergraduate Committee's recommendation

Robbins will visit with the undergraduate committee at its next meeting to discuss cross-listing e-tailing and endorsing the equine plan.

The College Equine Committee meeting is May 17.

Robbins visited with Debra Englert and Dan Lockhart, from the Business School in Engineering, Mary Sue Hoskins in Central Advising, Cindy Iten of Arts and Sciences, Laura Hibbard In Admissions, Amy Jones of the Visitors Center and Dianne Freeman to discuss female recruitment.

Positions and Search Committee Reports

Dean Smith has not approved the Marchant position at this time. The paperwork is ready to submit for advertising as soon as approval is granted (hopefully by early July). Tim Woods will send a copy of the job description to the faculty for review.

Food Systems Marketing (Mather) position -- Mike Reed said the search committee has received 40 applications, with several that look promising. All applicants have received an e-mail acknowledging receipt of information. The position closing date will be extended through August 7th so we can visit with candidates at the AAEA meetings.

Both positions have been advertised through the AAEA Employment Center. Faculty will meet with interested applicants at the summer meeting.

Other

Medhi will follow up with faculty concerning the Market Integration and Vertical and Spatial Price transmission in Agricultural Markets Conference he organized in April.

Mileage charges from the motor pool are going up.

Robbins provided a handout for the new fiscal year budget so we could discuss a \$17,000 budget cut necessitated to cover raises on Federal salaries. A brief discussion followed about the proposed plan from Susan Sponcil for meeting our part of the cut. All agreed to use the Cottle position salary to meet the cut. The residual, about \$5,000 will be rolled into operations.

The meeting adjourned at 4:40 p.m.

Next meeting: The next meeting will be Wednesday, June 7 at 10:30 a.m. in Rm. 341 CEB. Lee Meyer will provide refreshments. There will be no meeting in July.

Submitted by: Rita Parsons

University of Kentucky
College of Agriculture

Curriculum Proposal Review Summary - Vote Detail
1/16/2007 9:34:21 AM

Proposal Number: UG06-006
Proposal Title: AEC 424 - Environmental Law Course Change
Proposal Type: Major Course Change
Votes:

Roberta Dwyer (11/30/2006):	In Favor
donna smith (12/1/2006):	In Favor
Deborah Witham (12/1/2006):	In Favor
Chuck Fox (12/2/2006):	In Favor
Carl Dillon (12/5/2006):	In Favor
Mark Williams (12/13/2006):	In Favor
myma wesley (12/14/2006):	In Favor

Total Votes Cast: 7

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For information, comments or questions, contact [Scott Wells](#) or [Chris Miles](#), College IT Services Team - Administration



January 15, 2007

MEMO

To: College of Agriculture Faculty

From: Dr. Mike Mullen

A handwritten signature in black ink, appearing to read "Mike Mullen".

Re: Proposal for Change in AEC 424 – Environmental Law

College of Agriculture
Associate Dean for Academic Programs
N6 Agricultural Science Bldg. North
Lexington, KY 40546-0091
(859) 257-3468
www.uky.edu

The Undergraduate Curriculum Committee has approved a major change in AEC 424, an increase in credit hours from 2 to 3 and a change in prerequisite from AEC 101 to AEC 101 or ECO 201.

Please go to the College Faculty Curriculum Review site (<https://dobson.ca.uky.edu/review/>) to look this over. You may make comments if you wish, and please record your vote for or against this proposal.

Please complete this by January 24th, 2007.

Thank you.

University of Kentucky
College of Agriculture

Curriculum Proposal Review Summary - Vote Detail

1/27/2007 3:24:26 PM

Proposal Number: UG06-006
Proposal Title: AEC 424 - Environmental Law Course Change
Proposal Type: Major Course Change

Votes:

David Hildebrand
(1/16/2007): In Favor

C T Dougherty
(1/16/2007): In Favor

(1/16/2007): Opposed

Dwayne Edwards
(1/16/2007): In Favor

Charles Fox
(1/16/2007): In Favor

Horst Schach
(1/16/2007): In Favor

Ray Forgue
(1/16/2007): In Favor

Lori Garkovich
(1/16/2007): In Favor

Larry J. Grabau
(1/16/2007): In Favor

Roberta Dwyer
(1/16/2007): In Favor

Carl Dillon
(1/16/2007): In Favor

donnarasmith@uky.edu
(1/18/2007): In Favor

cheryl mimbs
(1/19/2007): In Favor

obrycki (1/19/2007): In Favor

Dave Wagner
(1/24/2007):

In Favor

Total Votes Cast: 15

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For information, comments or questions, contact [Scott Wells](#) or [Chris Miles](#), College IT Services Team - Administration