<table>
<thead>
<tr>
<th>Date</th>
<th>Topic</th>
<th>Assignment</th>
<th>Seminar Paper Deadlines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jan. 10</td>
<td>Introduction</td>
<td></td>
<td>Overview of legal research issues: 4:30-5:40 p.m.</td>
</tr>
</tbody>
</table>
| Jan. 17  | Scientific perspectives: classification and delineation  
           | Guest speaker: Tom Burton (invited)          | Gaddie pp. 17-33  
                            | Vileisis pp. 1-28                                           | Westlaw training (MSU students only): 4:30-5:40 p.m.  |
| Jan. 24  | Legal perspectives: jurisdiction and regulated activities | Vileisis pp. 29-69  
           | Solid Waste Agencies of Northern Cook County  
                              | Opportunities for review before final seminar paper due      |
| Jan. 31  | Economic perspectives: externalities and valuation |                                    | Topics due                                                   |
| Feb. 7   | Legal perspectives: permits and judicial review   |                                    | Outlines and research proposal due                           |
| Feb. 14  | Mitigation                                      |                                    | Draft #1 due                                                 |
| Feb. 21  | NO CLASS – Free week to work on Draft #1         |                                    | Draft #1 due                                                 |
| Feb. 28  | State perspectives: Michigan’s program           |                                    | Draft #1 due                                                 |
| Mar. 14  | Litigation perspective: the takings defense      | Vileisis pp. 211-28                | Draft #1 due                                                 |
| Mar. 21  | Enforcement perspective: citizen lawsuits         | Gaddie pp. 125-44                  |                                                              |
|          | Guest speaker: Chris Bzdok (invited)             |                                    |                                                              |
| Mar. 28  | Seminar papers: peer review                      |                                    |                                                              |

**SPRING BREAK**
| April 4      | Litigation perspectives: expert witnesses  
|             | Guest speaker: Christ Grobel (invited)  
|             | Vileisis pp. 229-74                     |
| April 11    | Case Study #1                           |
|             | Vileisis pp. 275-316                    |
| April 18    | Case Study #2                           |
|             | Vileisis pp. 317-50                    |
|             | DCL students – Final papers due         |
| April 25    | Odds & ends: meet with instructor to finalize edits (MSU students only) |
|             | MSU students – Final papers due         |


Wetlands Protection Law –General Course Information

Spring Semester 2002
Professors Klein and Kaplowitz

Text: Please purchase the following two texts: 1) Ann Vileisis, Discovering the Unknown Landscape: A History of America’s Wetlands (Island Press 1997), and 2) R.K. Gaddie & James L. Regens, Regulating Wetlands Protection: Environmental Federalism and the States (SUNY Press 2000). Copies of additional assigned readings may be distributed prior to individual class sessions.

TWEN: To the extent feasible, we will make available on line all course information, reading assignments, problems, etc., relying upon The West Educational Network. To access that information, please sign up for “TWEN” by following these instructions:

2. A sign-on page will appear. Enter your Westlaw password and the other requested information. Click “GO.” Professor Kaplowitz will assist the MSU students in determining their passwords.
3. A member agreement will appear. Read and type “I agree” and then click “Continue.”
4. Click “Drop/Add a Course” next to the “My Courses” heading on the TWEN home page.
5. Select the check box next to “Wetlands Protection.” Click Submit.
6. The Wetlands Protection homepage will appear. On the left, you will find a listing of all available folders containing course information.

Attendance: Class attendance is mandatory. If you miss more than two classes for any reason, we reserve the right to lower your grade.

Tardiness: Please be on time for class. Excessive tardiness may adversely affect the “professionalism” component of your grade.

Class preparation: You are expected to be prepared for each class session. Preparation includes not only reading the assigned materials, but also reflecting upon the readings and being able to discuss them intelligently. We will solicit class participation both by calling on students and by asking for volunteers.

Office hours: We would like to get to know as many of you as possible, and encourage you to drop by during office hours (posted outside our offices).

    Professor Kaplowitz:    Professor Klein:
    Room 311A Natural Resources    Room 421 Law College Building
    355-0101    432-6906
    kaplowit@pilot.msu.edu    kleinch@pilot.msu.edu

Announcements and handouts: Class announcements (if any) will be distributed by e-mail. You are responsible for checking your e-mail on a regular basis.
Grading policy: Your grade will be based upon the following components:

**Paper:** 80% (including topic, outline, draft #1, final paper, and degree to which student incorporated comments into final paper).

**Professionalism** (including attendance, class participation, and compliance with all course requirement: 20%

**Paper:** There will be no final examination in this course. Instead, you will be expected to produce a paper that is twenty pages in length (double-spaced). An acceptable paper will satisfy the upper level writing requirement for DCL students. Margins should not exceed one inch with 12-point font. Unless otherwise stated, please turn in two copies of each written product (one for each instructor).

1. Law students are expected to format footnotes carefully in accordance with THE BLUEBOOK: A UNIFORM SYSTEM OF CITATION (law students are not expected to prepare a bibliography). Professor Klein will grade the papers of the law students in comparison to one another.

2. MSU students may follow the BLUEBOOK or may use an accepted journal style (Chicago Manual, APA, etc.). Professor Kaplowitz will grade the papers of the Resource Development students in comparison to one another.

3. **Creativity:** A good paper is analytical in nature, rather than merely descriptive. It contributes something new to the literature and is not simply a “book report” summarizing the ideas of others. In fact, coming up with your own creative twist is one of the most rewarding aspects of academic writing.

4. **Plagiarism:** Plagiarism is the appropriation of the words, ideas, or thoughts of another and representation of them as one’s own original work. Notice the breadth of that definition. You must cite another author not only for direct quotations, but also for the use of ideas and for the paraphrasing of another’s work. To do a proper job of crediting you sources, it is not uncommon to have one citation for every two or three sentences of your paper.

5. **Deadlines:** To be fair to your classmates, the following deadlines will be strictly enforced.
   - **Topic:** See suggestions below. You will be required to turn in a brief (1-5 typewritten sentences) description of your topic on the date shown on the syllabus.
   - **Outline and research proposal:** You will be required to turn in a brief outline of your paper, which will be subject to change as you continue your research and writing process. In addition, you will be required to turn in a brief research proposal which includes the following: a) list of
proposed sources, and b) statement of your research question or issue (this should be the creative idea, argument or theme that is your unique contribution to the existing literature).

- **Draft #1**: This should be a substantially-competed version of your paper, and not merely a skeleton.

- **Final paper**: You are expected to make substantial revisions to your first draft, incorporating the comments of your instructor, your peers, and your own ideas for improvement.

6. **Suggested topics**:

a. **Case studies**
   - The Danube River Basin
   - The Florida Everglades
   - Wetlands protection in developing countries
   - The Kesterson Wildlife Refuge (California)
   - Ingham County, Michigan

b. **State programs**
   - Michigan
   - Maryland
   - Vermont
   - Oregon
   - Florida
   - Develop your own model state proposal

c. **Federal policies that contribute to wetland loss**
   - Agricultural policy
   - Tax policy
   - Water policy
   - Other

d. **Philosophical aspects of wetlands protection**
   - Are wetlands different than ordinary property? If so, how should the law reflect these differences?
   - Balancing private property and the public interest
   - The relevance of the public trust doctrine
   - Philosophical underpinnings for wetland support
   - Policy supporting existing legislation protecting wetlands

e. **Mitigation**
   - Strengths of existing mitigation policy
   - Weaknesses of existing mitigation policy
   - Development of a model policy on mitigation
f. Economic and ecological issues
   Production function of wetlands
   Total value
   Nonuse
   Travel cost
   Ecosystem services