

Coastal Law (U of O LAW607: 2 semester credits) (OSU MRM: 3 quarter credits)

Professor Richard G. Hildreth

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Fall 2005 Syllabus

Course begins Tuesday, September 27, 2005 in the Knight Law Center Room 241 and meets Tuesday/Thursday 1-2:15 p.m. through Tuesday, November 22, 2005.

The required texts for the course are Kalo, Hildreth et al. Coastal and Ocean Law (West Group 2nd ed 2002) and the photocopied supplemental materials; the optional "Nutshell" is Christie & Hildreth, Coastal and Ocean Management Law in a Nutshell (2d ed. West Group 1999). A web site compilation of statutes relevant to the course is available at library.law.unc.edu/ocean-coastal. The course listserv is ocean@law.uoregon.edu.

If you have a documented disability and anticipate needing accommodations in this course, please contact me soon. Please also request that the university's Counselor for Students with Disabilities send a letter verifying your disability.

75-Minute Class Session No.	Class Session Topic	Text Pages Plus Additional Supplement Readings Listed in Supplement Table of Contents	Nutshell pages	Comments (references are to text unless otherwise indicated)
1 Tues. 9/27	Course Introduction and Ownership of Lands Under Coastal Waters	1-19 plus Class 1 Supplement items.	1-14	
2 Thurs. 9/29	State Public Trust Authority	19-42	19-31	
3 Tues. 10/4	Federal and State Navigation Servitudes	71-82	37-41	
4 Thurs. 10/6	Ambulatory Boundaries	42-57	31-37	
5 Tues. 10/11	Littoral Rights	57-71		
6 Thurs. 10/13	Beach Access Law	84-95 plus Class 6 Supplement Items	42-58	
7 Tues. 10/18	Beach Access Problem	82-84		Apply Class 6 Materials to the Problem pp. 82-84
8 Thurs. 10/20	FEDERAL COASTAL REGULATION Rivers & Harbors Act (RHA)	97-117 plus class 8 Supplement items		Defer Problem p. 103 to Class 10

75-minute Class Session No.	Class Session Topic	Text Pages Plus Additional Supplement Readings Listed in Supplement Table of Contents	Nutshell pages	Comments (references are to text unless otherwise indicated)
9 Tues. 10/25	Clean Water Act (CWA) § 404	117-146	98-104; 116-119	Defer Problem p. 126 to Class 11
10 Thurs. 10/27	Coastal Development Problem	103-105		
11 Tues. 11/1	Corps Permit Process & State Roles Problem	146-189; 126-127		Do problem p. 126 as a review of the complete permit process
12 Thurs. 11/3	STATE REGULATION: State Criteria; Public Access	287-299; 268-275 plus Supplement Class 12		Recall pp. 163-173 regarding water dependency
13 Tues. 11/8	State Coastal Natural Hazards Management	275-287; 253-268	88-98; 105-116	
14 Thurs. 11/10	Oregon Coastal Management	191-197 plus Class 6 Supplement items		Reread the two <i>Stevens</i> opinions in the Class 6 Supplement
15 Tues. 11/15	CZMA Consistency Law	213-216; 223-245	72-88	Omit Problem p. 216
16 Thurs. 11/17	Consistency Problem One	221-222		Recall Class 8 Supplement items; Omit Problem Two pp. 222-223
17 Tues. 11/22 Last Class	Course Review Session			
Thurs. 11/24	THANKSGIVING - No Class			

Course grades will be based on one 2-hour essay exam question scheduled for law students during the law school's regular exam period and for OSU students on a date to be determined. During the exam you can use the required course text and all course handouts marked in any way you want, plus any hard copy notes handwritten, typed or word processed by you. You cannot use material stored on your hard disk or diskettes, the Nutshell or other publications or photocopies, print outs, or scans of any other sort during the exam, but can certainly use them to prepare for the exam. Law students are required and OSU students are encouraged to type or word process their exam answers rather than write them by hand.

