

**LAW 5390 – Environmental Law****Course Information**

Dr. Qaraman M. Hasan

**Email Address:** [ghasan@uh.edu](mailto:ghasan@uh.edu) or [ghasan@central.uh.edu](mailto:ghasan@central.uh.edu)

**Course Title and Number:** LAW 5390 Environmental Law - Section 25965

**Semester:** Fall 2026

**Course Location and Time:** Room 221, Tu/Th 06:00–07:30 pm CST

**Instructional Mode:** Face-to-Face

**Office Hours:** Tuesdays from 12:30–02:30 pm via Microsoft Teams or in person

**Assistant:** Naz Salehi – nsalehi2@Central.UH.EDU, 713-743-6025, Rm. 340

**Course Description:**

*Environmental law plays a pivotal role in protecting our personal health and welfare, guiding economic development and business activities, and safeguarding our most precious natural resources and treasures from misuse or harm. Because it protects such broad and often conflicting purposes, environmental law has evolved from its common law roots into a complex set of federal and state statutory protections, administrative regulatory prohibitions, and often convoluted judicial interpretations. This course will introduce you to the broad field of environmental law and give you a practical sense of the key skills and tools you would need to start handling environmental projects.*

*This course will use a combination of lectures, class discussions, in-class exercises and sample problems, and case studies. We will use role-playing exercises to give you experience in real-life negotiations. The course will start with theoretical overviews of the commonalities of environmental laws. It will then focus on specific statutes, including the National Environmental Policy Act (NEPA), the Clean Water Act (CWA), the Clean Air Act (CAA), the Resource Conservation and Recovery Act (RCRA), the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) and the Endangered Species Act (ESA).*

*As exciting and practical an area of law as it is, beyond the theoretical overview, this course will discuss practical and sample problems on complex laws and regulations at both the federal and state levels to prepare environmental lawyers and professionals with real-world skills to address timely environmental challenges. Also, integrating Artificial Intelligence (AI) into environmental management, opportunities and concerns in applying AI tools will be explored in the course.*

**Course Notes:** (*instr. mode is TBD*) The UH registration system instruction mode for this course is currently listed as FF (face-to-face), but could become HB (Hybrid) or SF (Synchronous – On-Campus Exam).

If determined to be in FF mode, instructors and students are expected to be physically present in the classroom as usual. As the course has a final exam, it will be in a classroom requiring your physical presence. Whether this instructor will offer “remote presence” (starting a zoom meeting from the podium computer to enable student remote access on an occasional basis) for part or all of the semester is not known, but students should not rely on an expectation that remote presence will be available.

**Course Prerequisites:** None

Satisfies Senior Upper Level Writing Requirement: *No*

Experiential Course Type: *No*

Bar Course: *No*

DistanceEd ABA: *No*

Pass-Fail Student Election: *available*

### **Course Texts and Materials**

We will use the following textbook for the course, but purchasing it is not required. I will put it in the library for students’ requests.

- Todd Aagaard, Dave Owen & Justin Pidot, *Practicing Environmental Law* (3d ed. 2025).

### **Secondary Books;**

The following book is helpful, but it is not required:

- Robert V. Percival et al., *Environmental Regulation: Law, Science, and Policy* (10th ed. 2024).

### **Major Cases will be discussed in the course:**

- *Seven County Infrastructure Coalition v. Eagle County*, 605 U.S. 168 (2025).
- *Sackett v. EPA*, 598 U.S. 651 (2023).
- *Massachusetts v. EPA*, 549 U.S. 497 (2007).
- *Meghrig v. KFC Western, Inc.*, 516 U.S. 479 (1996).

- *Burlington Northern & Santa Fe Railway Co. v. United States*, 556 U.S. 599 (2009).
- *Tennessee Valley Authority v. Hill*, 437 U.S. 153 (1978)

Additional course reading materials will be provided on CANVAS weekly, before the lecture.

**Note on electronic materials:** Students may use an electronic casebook for this course.

### **Use of Canvas/Teams**

This course does use Canvas and Teams.

### **Learning Outcomes for this Course**

By the end of this course, students should be able to learn the following;

1. Understand and recognize the fundamental elements of key environmental statutes, related landmark cases, and regulations at both the federal and state levels.
2. Develop common, effective legal strategies and skills that environmental lawyers and professionals need to address current environmental challenges.
3. Explore the roles of courts, agencies, businesses, and advocacy in environmental regulations and environmental enforcement.
4. Develop critical thinking skills through case studies and real-world examples to help students analyze legal instruments at multiple levels.

### **Grading**

Students' grade for this course is determined by the following:

1. **Class Participation and attendance (15%):** Active engagement with discussions in the classes and other tasks. Attendance will count toward class participation. Students' grades can change based on class participation.
2. **AI Use and Reflection Portfolio (10%):** In this task, students have the opportunity to document how they use AI to assist them in preparing their project or research, and to analyze the AI's accuracy in legal analysis in a transparent manner.

3. **Capstone Project (35%):** Analyze and present a realistic legal problem. Students have an opportunity to select a project with a clear focus in any area of environmental law, with an outcome such as the implications of a law or regulation on a community or the proposal of realistic policy changes.
4. **Final exam (40%):** The exam will be in class, with an open-book option.

**Satisfies Senior Upper Level Writing Requirement: No**

### **Final Exam**

There will be a final exam for this course. More details regarding the final exam will be discussed in the first class session.

### **Attendance**

This class will take attendance and is included in the Class Participation grade. An attendance list will be circulated at each class session. Individuals who do not meet the attendance requirement will be reported to UH Law Center administrative officials and dropped from the course.

### **Class Preparation**

During class, students will be called on at random (Socratic method) to answer questions about the reading. Students will be expected to have read the assigned readings prior to class and to be prepared to discuss the material in class.

### **Student Remote Presence in Class**

As mentioned above, this course is designed to be a face-to-face course, and students are expected to be physically present in all classes. However, it is subject to change and should be determined before the course starts.

**Weekly Topics and Readings:**

Below is a proposed reading schedule. However, as the semester progresses, we might find ourselves either behind or ahead of this timeline, which may necessitate adjustments to the reading plan.

The required readings for each week will be provided in the coming weeks.

<b>ENVIRONMENTAL LAW — FALL 2026 — Tuesdays and Thursdays</b>					
<b>DATE</b>	<b>CLASS No.</b>	<b>TOPIC</b>	<b>TEXTBOOK PAGES</b>	<b>PROBLEMS</b>	<b>ADDITIONAL READING: CASES &amp; SCHOLARSHIP</b>
<b>WEEK 1 Introduction to Environmental Law Aug. 24–28, 2026</b>					
<b>Tue Aug. 25</b>	<b>1</b>	<b>Introduction: The Architecture of Environmental Law</b>	pp. 1–27	—	<i>Cases: Georgia v. Tennessee Copper Co.</i> , 206 U.S. 230 (1907) <b>Scholarship:</b> Richard J. Lazarus, <i>The Making of Environmental Law</i> 1–42 (2d ed. 2023).
<b>Thu Aug. 27</b>	<b>2</b>	<b>Environmental Values and Policies</b>	pp. 28–45; Capstone p.28	Capstone Problem	<i>Cases: West Virginia v. EPA</i> , 142 S.Ct. 2587 (2022); <i>Bean v. Southwestern Waste Mgmt.</i> , 482 F.Supp. 673 (S.D. Tex. 1979) <b>Scholarship:</b> Lauren Cormany, <i>Standing in the Way of Environmental Justice</i> , 2024 ULR 167 (2024).
<b>WEEK 2 Background Legal Principles · Aug. 31- Sep 4, 2026</b>					
<b>Tue Sep. 1</b>	<b>3</b>	<b>Tort Law as Environmental Law</b>	pp. 45–81	Probs. 2.1, 2.2 and 2.3	<i>Cases: Boomer v. Atlantic Cement Co.</i> , 26 N.Y.2d 219 (1970); <i>Illinois v. City of Milwaukee</i> , 406 U.S. 91 (1972) <b>Scholarship:</b> Douglas A. Kysar & Conor Dwyer Reynolds, <i>Tort as Regulation</i> (Jan. 2019).
<b>Thu Sep. 3</b>	<b>4</b>	<b>Administrative Law Foundations</b>	pp. 81–105;	2.4: 106	<i>Cases: Chevron U.S.A. v. NRDC</i> , 467 U.S. 837 (1984); <i>Loper Bright Enterprises v. Raimondo</i> , 144 S.Ct. 2244 (2024) [overruling <i>Chevron</i> ] <b>Scholarship:</b> Thomas W. Merrill, <i>The Demise of Deference — and the Rise of Delegation to Interpret?</i> , 137 Harv. L. Rev. 1351 (2024).

## **Artificial Intelligence**

Generative artificial intelligence is a form of machine learning that creates new and original output based on the data it has been trained on or has access to, employing algorithms to generate content in response to prompts. Examples of the technology include what are known as generative “large language models” (LLMs). Two well-known LLM implementations are ChatGPT and Claude. LLM output can include text, images, music, code, and more. This syllabus policy covers the textual output of generative LLMs (AI-Generated Work Product)—which can include computer code or programs and human-language content. Because AI-Generated Work Product can often mimic human intelligence, it could potentially be used as a substitute for a student’s own work product. Such use is potentially problematic to the extent that it becomes a substitute for internalized student understanding of the material or creates a dependency on AI-Generated Work Product, which may be strictly prohibited in settings that include the bar examination.

### Prohibition.

Subject to the exceptions immediately below, your continuing enrollment in this course constitutes your pledge not to generate or to use any AI-Generated Work Product—whether from yourself or others—in relation to any assessment in this course. The term “assessment” means any graded or ungraded work product for this course that is submitted to the instructor, presented in a class session, or used in an oral or written graded assessment for this course.

### Exceptions.

The following AI-Generated Work Product uses are exceptions to the preceding prohibition. The exceptions’ intent is to allow the generation and use of AI-Generated Work Product for specific, narrowly defined activities related to this course.

- You may generate and use AI-Generated Work Product for class preparation, although you must disclose the full extent of that use if your instructor asks. You may generate and use AI-Generated Work Product for study supplements to aid with general understanding of course content. This could take different forms that include creating examples or explanations of a concept, generation of diagrams and flow charts, “gamification” of course content, flash cards for study, or sample questions and answers.
- You may generate and use AI-Generated Work Product for an outline that summarizes the course content.
- You may use AI-Generated Work Product to check your originally drafted text for misspellings, grammar and punctuation errors, strength and clarity of prose, verbosity, effective transitional language and thesis sentences, word choice, excessive passive voice, and like things.
- You may use AI-Generated Work Product for the purpose of language translation.

**University of Houston Required Language (Updated 3/2025)****Honor Code Acknowledgment**

The UHLC Honor Code applies to all aspects of this course. You are responsible for knowing all Honor Code provisions and for complying with the Honor Code. Please inquire if you have any questions regarding how the Honor Code's provisions apply to specific activities or situations related to this course. Your continuing enrollment in this course is deemed to be a pledge by you under the Honor Code to comply with the Honor Code in relation to this course and to comply with the instructions in the course syllabus.

**Mental Health and Wellness Resources:**

The University of Houston has a number of resources to support students' mental health and overall wellness, including CoogsCARE and the UH Go App. UH Counseling and Psychological Services (CAPS) offers 24/7 mental health support for all students, addressing various concerns like stress, college adjustment and sadness. CAPS provides individual and couples counseling, group therapy, workshops and connections to other support services on and off-campus. For assistance visit [uh.edu/caps](http://uh.edu/caps), call 713-743-5454, or visit a Let's Talk location in-person or virtually. Let's Talk are daily, informal confidential consultations with CAPS therapists where no appointment or paperwork is needed.

Need Support Now? - If you or someone you know is struggling or in crisis, help is available. Call CAPS crisis support 24/7 at 713-743-5454, or the National Suicide and Crisis Lifeline: call or text 988, or chat [988lifeline.org](http://988lifeline.org).

**Title IX/Sexual Misconduct:**

Per the UHS Sexual Misconduct Policy, your instructor is a "responsible employee" for reporting purposes under Title IX regulations and state law and must report incidents of sexual misconduct (sexual harassment, non-consensual sexual contact, sexual assault, sexual exploitation, sexual intimidation, intimate partner violence, or stalking) about which they become aware to the Title IX office. Please know there are places on campus where you can make a report in confidence. You can find more information about resources on the Title IX website at <https://uh.edu/equal-opportunity/title-ix-sexual-misconduct/resources/>.

**Reasonable Academic Adjustments/Auxiliary Aids:**

The University of Houston is committed to providing an academic environment and educational programs that are accessible for its students. Any student with a disability who is experiencing barriers to learning, assessment or participation is encouraged to contact the Justin Dart, Jr. Student Accessibility Center (Dart Center) to learn more about academic accommodations and support that may be available to them. Students seeking academic accommodations will need to register with the Dart Center as soon as possible to ensure timely implementation of approved

accommodations. Please contact the Dart Center by visiting the website: <https://uh.edu/accessibility/> calling (713) 743-5400, or emailing [jdcenter@Central.UH.EDU](mailto:jdcenter@Central.UH.EDU).

The Student Health Center offers a Psychiatry Clinic for enrolled UH students. Call 713-743-5149 during clinic hours, Monday through Friday 8 am - 4:30 pm to schedule an appointment.

The A.D. Bruce Religion Center offers spiritual support and a variety of programs centered on well-being.

The Center for Student Advocacy and Community (CSAC) is where you can go if you need help but don't know where to start. CSAC is a "home away from home" and serves as a resource hub to help you get the resources needed to support academic and personal success. Through our Cougar Cupboard, all students can get up to 30 lbs of FREE groceries a week. Additionally, we provide 1:1 appointments to get you connected to on- and off-campus resources related to essential needs, safety and advocacy, and more. The Cougar Closet is a registered student organization advised by our office and offers free clothes to students so that all Coogs can feel good in their fit. We also host a series of cultural and community-based events that fosters social connection and helps the cougar community come closer together. Visit the CSAC homepage or follow us on Instagram: @uh\_CSAC and @uhcupbrd. YOU belong here.

**Recording of Class:**

Students may not record all or part of class, livestream all or part of class, or make/distribute screen captures, without advanced written consent of the instructor. If you have or think you may have a disability such that you need to record class-related activities, please contact the Justin Dart, Jr. Student Accessibility Center. If you have an accommodation to record class related activities, those recordings may not be shared with any other student, whether in this course or not, or with any other person or on any other platform. Classes may be recorded by the instructor. Students may use instructor's recordings for their own studying and notetaking. Instructor's recordings are not authorized to be shared with anyone without the prior written approval of the instructor. Failure to comply with requirements regarding recordings will result in a disciplinary referral to the Dean of Students Office and may result in disciplinary action.

**Resources for Online Learning:**

The University of Houston is committed to student success, and provides information to optimize the online learning experience through our Power-On website (<https://uh.edu/power-on/learning/>). Please visit this website for a comprehensive set of resources, tools, and tips including: obtaining access to the internet, AccessUH, Blackboard, and Canvas; using your smartphone as a webcam; and downloading Microsoft Office 365 at no cost. For questions or assistance contact [UHOnline@uh.edu](mailto:UHOnline@uh.edu).

**UH Email:**

Please check and use your CougarNet email for communications related to this course. Faculty use the CougarNet email to respond to course-related inquiries such as grade queries or progress reports for reasons of FERPA. To access your CougarNet email, login to your Microsoft 365 account with your CougarNet credentials. Visit University Information Technology (UIT) for instructions on how to connect your CougarNet e-mail on a mobile device.

**Webcams:**

Access to a webcam is required for students participating remotely in this course. Webcams must be turned on (state when webcams are required to be on and the academic basis for requiring them to be on). (Example: Webcams must be turned on during exams to ensure the academic integrity of exam administration.)

**Security Escorts and Cougar Ride:**

UHPD continually works with the University community to make the campus a safe place to learn, work, and live. The security escort service is designed for the community members who have safety concerns and would like to have a Security Officer walk with them, for their safety, as they make their way across campus. Based on availability either a UHPD Security Officer or Police Officer will escort students, faculty, and staff to locations beginning and ending on campus. If you feel that you need a Security Officer to walk with you for your safety, please call 713-743-3333. Arrangements may be made for special needs.

Parking and Transportation Services also offers a late-night, on-demand shuttle service called "Cougar Ride" that provides rides to and from all on-campus shuttle stops, as well as the MD Anderson Library, Cougar Village/Moody Towers and the UH Technology Bridge. Rides can be requested through the UH Go app. Days and hours of operation can be found at <https://uh.edu/af-university-services/parking/cougar-ride/>.

**Online Exams and Proctoring:**

- (1) students are permitted to take their online tests or quizzes in a computer lab or other available space;
- (2) students need to be aware if you are using online proctoring software, and the student should consequently choose an environment with as little background noise and additional movement as possible to avoid the software flagging their exam for potential academic dishonesty; and
- (3) there is no requirement that a student use their own personal computer or that they complete exams and quizzes in any specific location (e.g., their home).

**Syllabus Changes:**

Please note that the instructor may need to make modifications to the course syllabus. Notice of such changes will be announced as quickly as possible through Canvas and Teams.