

Syllabus of Topics and Reading Assignments
Law 591 – Climate Change Law & Policy
Spring 2008
Professors Carlson and Hecht
Weeks 1-5

Note: Please read all material for a given week's class meeting before the class session. The first week's readings will be available in the law school distribution room. All subsequent readings will be available at the class session the week before. Electronic versions of most readings, or links to electronic versions of the readings, will be posted on the course E-res page.

Week 1 (Jan 9): Introduction

Topics:

Goals and expectations

Introduction to climate change issues

Introduction to issues of values, science, and resources, and how the law interacts with those issues

Readings:

- (1) Intergovernmental Panel on Climate Change Fourth Assessment Report
Climate Change 2007: Synthesis Report
Summary for Policymakers
http://www.ipcc.ch/pdf/assessment-report/ar4/syr/ar4_syr_spm.pdf
- (2) FARBER, FINDLEY, CARLSON & FREEMAN, CASES AND MATERIALS ON ENVIRONMENTAL LAW, pages 39-53
- (3) RUHL, NAGLE, SALZMAN, THE PRACTICE AND POLICY OF ENVIRONMENTAL LAW, pages 15-26

Week 2 (Jan 16): The Science of Climate Change, Part I

Topics:

Why and how the climate is changing

What we know and what we don't about greenhouse gases and climate change, past and future

Contribution of various industries, lifestyles, global and national regions to greenhouse gas production/climate change

Readings:

- (1) Contribution of Working Group I to the Fourth Assessment Report of the IPCC, Climate Change 2007: The Physical Science Basis, Summary for Policymakers,
<http://www.ipcc.ch/pdf/assessment-report/ar4/wg1/ar4-wg1-spm.pdf>
- (2) Energy Information Administration, *International Energy Outlook 2007*, Chapter 7,
<http://www.eia.doe.gov/oiaf/ieo/pdf/emissions.pdf>
- (3) The World Bank, *The Little Green Data Book*, 1-9
<http://siteresources.worldbank.org/INTDATASTA/64199955-1178226923002/21322619/LGDB2007.pdf>
- (4) China overtakes US as World's Biggest CO2 Emitter, Guardian Unlimited, June 19, 2007
<http://www.guardian.co.uk/environment/2007/jun/19/china.usnews>
- (5) As China Goes, So Goes Global Warming, N.Y. Times, December 16, 2007,
http://www.nytimes.com/2007/12/16/weekinreview/16revkin.html?_r=1&oref=slogin
- (6) Bin Shui & Robert Harris, *The Role of CO2 Embodiment in U.S.-China Trade*, 34 ENERGY POLICY 4063 (2006)
http://www.sciencedirect.com/science?_ob=ArticleURL&_udi=B6V2W-4HJRS1S-2&_user=4423&_rdoc=1&_fmt=&_orig=search&_sort=d&_view=c&_acct=C000059605&_version=1&_urlVersion=0&_userid=4423&md5=6484470625b945aca3f3979b8fe3fc54
- (7) Congressional Research Service, *State Greenhouse Gas Emissions: Comparison and Analysis*, (Dec. 2007) (skim)
<http://siteresources.worldbank.org/INTDATASTA/64199955-1178226923002/21322619/LGDB2007.pdf>

Week 3 (Jan 23): Library Research Session

The Library will conduct a mandatory research session during class time.

Required attendance at UCLA Law Review Climate Change Symposium, Friday, January 25

Readings: Selected papers from symposium

Week 4 (Jan 30): The Science of Climate Change, Part II

Topics:

Scientific Debate and Climate: The Case of Hurricane Intensity
Climate change impacts, vulnerability, and adaptation

Readings:

(1) Contribution of Working Group II to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change 2007

Summary for Policymakers

<http://www.ipcc.ch/pdf/assessment-report/ar4/wg2/ar4-wg2-spm.pdf>

(2) Our Changing Climate: Assessing the Risks to California

A Summary Report from the California Climate Change Center, July 2006

http://meteora.ucsd.edu/cap/pdffiles/CA_climate_Scenarios.pdf

(3) Kerry Emanuel, Increasing destructiveness of tropical cyclones over the past 30 years, 436 Nature 686–688 (2005)

(4) Brief Communications Arising, 438 Nature E11-E13 (2005)

(5) Article from Chronicle of Higher Education:

<http://chronicle.com/free/2005/09/2005090803n.htm>

(6) Article from Science News Online:

<http://www.sciencenews.org/articles/20050917/bob8.asp>

(7) J. A. Curry, P. J. Webster, G. J. Holland, Mixing Politics and Science in Testing the Hypothesis That Greenhouse Warming Is Causing a Global Increase in Hurricane Intensity, Bulletin of the American Meteorological Society 1025-37 (2006).

<http://webster.eas.gatech.edu/Papers/Webster2006d.pdf>

Each student will have developed a preliminary research idea and will meet with one of the professors to discuss during Week 4.

Week 5 (Feb 6): Debate Over Climate Change Solutions

Topic:

Economic and political debate about where it is best to put our resources to solve the problem: adaptation, mitigation, neither, or both, and how

(1) Contribution of Working Group III to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change 2007

Summary for Policymakers

<http://www.ipcc.ch/pdf/assessment-report/ar4/wg3/ar4-wg3-spm.pdf>

- (2) Stern Review: The Economics of Climate Change
Executive Summary (2006)
Stern Review materials at
http://www.hm-treasury.gov.uk/independent_reviews/stern_review_economics_climate_change/sternreview_index.cfm
- (3) Robert O. Mendelsohn, A Critique of the Stern Report, Regulation 42-46
(Winter 2006-07)
<http://www.cato.org/pubs/regulation/regv29n4/v29n4-5.pdf>
- (4) Stern Review: Frequently Asked Questions (from Stern Review website, 2006)
http://www.hm-treasury.gov.uk/independent_reviews/stern_review_economics_climate_change/sternreview_index.cfm
- (5) Bjorn Lomborg, Stern Review: The dodgy numbers behind the latest warming scare. Wall Street Journal (November 2, 2006)
<http://www.opinionjournal.com/extra/?id=110009182>
- (6) Clash: What Will Climate Change Cost Us? Scientific American Online, November 26, 2007 (short interviews with Stern, Lomborg, and Yohe)
http://www.sciam.com/article.cfm?id=clash-what-will-climate-change-cost-us&sc=clash_300x250

Week 6 (Feb 13): The State of the Law Internationally

Kyoto Protocol
International Cooperation more generally
Questions about responsibility of US and other developed countries to fund efforts elsewhere
The problem of China
EU trading system
(include discussion of trading concepts)
Bali

Weeks 7, 8 (Feb 20, 27): Presentation of topic selections, outlines for papers

Week 9 (March 5): The federal role and response to climate change

History of federal action/inaction on climate issues
Voluntary approaches

Mass v. EPA and the role of the Clean Air Act
Endangered Species Act
NEPA
Federal transportation, energy, and agricultural policy
The role of interest groups in federal climate policy

Week 10 (March 12): Private sector responses to climate change

Private party litigation
Corporate responsibility initiatives
Voluntary offset programs
Supply chain requirements
Role of offsets and other tools in a market system

Week 11 (March 19): Pending and future federal legislation

[Is this going to be covered in week 7 at all? If so, we can use this week for something else]

Week 12 (April 2): Private sector responses to climate change

Private party litigation
Corporate responsibility initiatives
Voluntary offset programs
Supply chain requirements
Role of offsets and other tools in a market system
State and local responses continued
Integrating climate issues into land use and transportation planning
Other state and local initiatives
Litigation-related responses by state and local governments
The role of interest groups in local climate policy

Weeks 13 & 14 (April 9, 16): Paper presentations