



Environmental Law Society Newsletter

2002-2003 Environmental Law Society Activities at California Western School of Law

By Catherine C. Nguyen

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Things to watch for in 2003

- Coastal Clean-up Day
- SO₂ Fundraiser
- Symposium: Current Issues in Environmental Litigation
- State Bar Law Conference in Yosemite
- Careers in Environmental Law
- NAELS Conference in Portland, Oregon

The Environmental Law Society (ELS) at California Western School of Law is an arena where law students can express their concern for the environment by not only participating in local environmental clean ups but also by becoming advocates for environmental protection. It offers an exciting opportunity for public service, leadership, and recreation. The Environmental Law Society is proud to highlight upon its key involvement in both local and national environmental programs for the 2003-2003.

ELS Hosts Speaker Event with City Councilwoman Donna Frye

Last fall California Western ELS hosted a key note speaker event with Councilwoman Frye to discuss the environmental climate of San Diego. Councilwoman Frye discussed her love for the San Diego environment and community, as well as her compelling reasons to run for City Council. Frye also spoke with California Western students about city planning and ideas to improve San Diego's environments and communities.

ELS Starts Recycling Program at California Western

ELS has started a recycling program by placing blue recycling containers around cam-

pus and started a beverage container recycling program for the school by coordinating with Urban Corps of San Diego.

ELS Participates in Environmental Protection Agency Program and Purchases SO₂ Credits

Last year ELS raised enough money to buy credits to help offset the sulfur dioxide (SO₂) emitted into the atmosphere in the production of electricity from fossil fuels. Under a program monitored by the Environmental Protection Agency (EPA), companies are assigned emissions credits. When companies are able to reduce emissions below their assigned permissible levels, they can sell their excess credits. California Western Environmental Law raised enough money to buy one ton of credits at an auction which sold these credits! Buying the credits prevents acid rain and increases the price of credits, increasing the probability that companies will invest in more emissions-reducing technology and innovation.

ELS Members Participate in Competitions, Internships, Employment, and Education

Interscholastic Competitions:

- Pace University National Environmental Law Moot



Donna Frye at California Western School of Law

Court Competition Feb 2003

Environmental Negotiations Competition

Internships and Employment (Summer 2003):

- Bryce Besser—Environmental Law at Firm Gresham, Savage, Nolan
- Joe Pryzuski—Lawyers for Clean Water
- Jeff Orrell—Environmental Protection Agency, Washington, D.C.
- Heather Malone—Baykeeper San Diego

Education:

- Environmental Law Clinic Development and Proposal
- Study Environmental Law Abroad



In March of 2004, Lewis & Clark Law School will host the NAELS Annual Conference in beautiful Portland, Oregon. This year, practitioners and educators will discuss and debate legal issues concerning forestry management. If you would like to learn more about NAELS and the upcoming conference, please visit <http://www.naels.org>. Students who are interested in representing Cal Western at the upcoming conference, please contact Jeff Orrell via email at

jefforrell@hotmail.com. This experience is amazingly rewarding and educational.

"I sank, swam, laughed, smiled, got frustrated, got drunk, and everything in between"

Cal Western Students Provide Leadership in the National Association of Environmental Law Societies

The National Association of Environmental Law Societies (NAELS) consists of environmental law societies (ELSS) from law schools throughout the nation. The purposes of NAELS include assisting law schools in forming their own ELSS, promoting awareness of environmental issues, and , encouraging responsibility and activism among future environmental attorneys.

NAELS was formed in the late 80's by a small group of students from numerous laws schools. Today, NAELS is incorporated as a 501(c)(3)

non-profit organization. NAELS consists of a Board of Directors, comprised of respected leaders and environmental educators, a Student Governing Board, a full time Executive Director, and 50+ member schools from throughout the nation. NAELS holds an annual conference for members and non-member ELSS, as well as for practitioners seeking CLE credits. Regional conferences are also in the works, providing non-environmental law students with the opportunity to learn about issues affecting their region and quality of life.

Students from Cal Western's

ELS currently hold notable leadership positions in the NAELS organization. Jeff Orrell currently serves as the 2003-04 National Co-Chair. Jeff also holds one of two student positions on the Board of Directors. Nina-Fein Newman is Co-Chair of the NAELS Outreach Committee. She oversees the activities of Regional Representatives to expand the NAELS membership. Leah Helsten currently serves as the Co-Chair of the Clinical Education Initiative, a group dedicated to educating law schools about starting environmental law clinics.

Experiences as an Environmental Law Clerk

By Joseph Przyuski

Lawyers for Clean Water, a firm specializing in representing non-profit environmental groups, has offices in San Francisco and Los Angeles. Lawyers for Clean Water has three senior attorneys and four or five associates at any given time. This firm, like most others of its kind, operates on a contingency fee basis. This system of billing requires clients (non-profit environmental groups) only pay the firm's costs (travel, court costs, etc.), while fees are only collected when a case is settled or won in court. Firms like Lawyers for Clean Water are essential to allow under-funded groups to challenge defendant polluters with deeper pockets. Because environmental problems are plenty and firms of this type are limited, the work is constant. Working as a law clerk such firms can offer students

exposure to many aspects of litigation. The following is an overview of my experience.

During my rewarding eleven-week clerkship, I sank, swam, laughed, smiled, got frustrated, got drunk, and everything in between. As a 1L, I felt as though I didn't bring much to the plate. At times this proved to be true, but at other times I was pleasantly surprised at what I was capable of when I quit worrying and started writing.

My assignments consisted of case and statute research, inter office memoranda drafting, and drafting motions and other documents for submission to the court. I also had the opportunity to attend state board meetings, do site visits and investigative work, attend a trial, and search public records at state agencies. Because of the shortage of staff

and seemingly unlimited work, I was given assignments that I would expect to face only after another year of schooling. I was not on my own however, the other attorneys were always available to answer questions, provide support, and laugh at me when I deserved it. The atmosphere at work was laid back yet productive, I wore a tee shirt and flops (as did the senior attorneys). My coworkers were serious attorneys and very committed to the environment, but were not tree-huggers in the least. They were very fun people whom I would now consider friends. Overall, the experience has given me exposure to many aspects of litigation and solidified my interests in working in the environmental field. I would recommend a job like this to anyone looking for a fun yet educational experience.

Environmental Law Society Teams Up With San Diego

BayKeeper By Leah Helsten

The Environmental Law Society at California Western has joined forces with San Diego BayKeeper to keep our city clean. BayKeeper conducts numerous "cleanup" events throughout the year in San Diego County. On July 26th (yes, bright and early on a Saturday morning) members of ELS attended BayKeeper's Ocean Beach Street Sweep. The sweep began on the corner of Sunset Cliffs and Newport Ave and ended where Newport Ave meets the sand. With brooms and trash bags in hand members of the ELS did our part to help clean up Ocean Beach.

As a participant I walked with my fellow ELS members pick-

ing up plastics, paper, and cigarette butts. We were mainly concerned with picking up the cigarette butts (just call us the butt patrol). Each one, so small and light, can be washed right into the water. Although, I will say my favorite find of the morning was a cardboard sign that read, "Dirty Jokes: 4 for a dollar". You have to make you money somehow, right?

Jokes aside, the experience left me educated and aware of my surroundings. I never took the time to look around and see how much trash lies in our streets. Sure, the streets seem "clean" as you walk down the sidewalks,

but are you really looking? I was shocked to see the amount of trash in my bag at the end of the street. And to think, that's just one person cleaning up one street in San Diego. The Street Sweep also left me feeling fulfilled. As we cleaned our way down the streets local residents approached and took the time to thank us. Also, store owners came out to ask why we were cleaning the streets on a Saturday morning. While the logical answer may have been, "because it's dirty", our responses were more along the lines of, "because we care".

Join San Diego BayKeeper & I Love A Clean San Diego for California Coastal Cleanup Day 2003!

By Elizabeth Studebaker, San Diego Baykeeper

California Coastal Cleanup Day is the country's premier volunteer event focused on the marine environment. Each year, more than 40,000 volunteers turn out to over 400 cleanup sites statewide to conduct what has been hailed by the Guinness Book of Records as "the largest garbage collection" (1993). Since the program started in 1985, over 552,000 Californians have removed almost 8.5 million pounds of debris from our state's shorelines and coast. Coming at the end of the summer beach season and right near the start of the school year, Coastal Cleanup Day (CCD) is a great way for families, students, service

groups, businesses and neighbors to show community support for our shared natural resources, take care of our fragile marine environment, learn about the impacts of marine debris and how we can prevent them, and to have fun!

During CCD 2002, more than 4,700 dedicated volunteers removed approximately 100,575 pounds of debris from San Diego County's coastal and inland waterways. We were thrilled to see the widespread and enthusiastic support that made last year's cleanup one of the most successful in the state! A huge "THANK YOU!" goes out to

all the volunteers, site captains and supporters who helped to make this event possible.

For more information on CCD 2003, visit the official CCD website, <http://www.coastal.ca.gov/publiced/ccd/ccd.html>, call the ILACSD Recycling Hotline at 1-800-237-2583, or contact Elizabeth Studebaker at estudebaker@sdbaykeeper.org. We look forward to again seeing thousands of dedicated volunteers out supporting clean water, helping to make our beaches, bays, rivers and creeks safe and clean for all of San Diego to enjoy.

If you are interested in doing your part to clean San Diego please join us for a statewide event, California

Coastal Cleanup Day 2003, on Saturday September 20th.

ELS has volunteered to be a site captain. Meet at 8:45am by the bathrooms at Kellogg Park at La Jolla Shores Beach. Come early if you want to surf. Meet Jeff Orrell at 7:30 to paddle out. Bring a sack lunch for after the cleanup. We'll be hanging out at the beach!

Contact

lbhelsten@law.cwsl.edu with any questions. Cleaning supplies will be provided by ELS. Invite your fellow students and friends and family outside of the law school.

Please join us on September 20, from 9 a.m. to Noon. Bring your family, friends, schools, co-workers, and community or church groups! Let's make the 19th Annual California Coastal Cleanup Day the biggest and best yet!



MEMBERSHIP

Dues: \$15/ yr or \$10/ trimester

Number of Members: 35

First meeting: September 18th, 12:15p.m., In LL 31

Officers:

| | | |
|---------------------|------------------|--|
| President | Nina Fain-Newman | n_newman1@msn.com |
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International and Comparative Environmental Law in Costa Rica

By Nina Fain-Newman

Do you want to study Environmental Law in a different culture while changing the lives and environment of a developing nation's people for the better? Do you want to visit one of the biodiversity hotspots of the planet?



What is the Environmental Law Society?

The Environmental Law Society's purpose at Cal Western is to expose our students to environmental concerns and the legal issues relating to them. Our organization is open to all students, not only those who plan to practice Environmental Law. We encourage anyone who is interested in the quality of life in their community to get involved in ELS and spread the awareness.

The ELS stays active throughout the entire school year. We go hiking and camping in Mammoth in the summer and skiing in the winter. We have one general meeting and one speaker event per trimester, and organize two beach clean-ups per year. We purchase SO2 credits at an EPA auction to keep it from ever being released into the atmosphere! The ELS addresses environmental issues that affect our own campus. We have obtained the recycling bins that you see around campus, and organized a "Carpool to School" day for the students and faculty. Our main goal for the upcoming year is to establish an environmental law clinic here at Cal Western. The ELS stays involved nationally. We send students to the National Environmental Moot Court Competition, National Association of Environmental Law Societies Conference and have officers in National Association of Environmental Law Societies.

If the answer is, "yes" to any of those statements, I recommend you check out the University of Florida Levin College of Law's (UFL) joint summer program with the University of Costa Rica (UCR). On approval of a petition to California Western, you can gain credit on a pass/fail basis for taking International Environmental Law (IEL), Comparative Environmental Law (CEL), and/or take part in a Conservation Clinic (CC).

Last summer I took both the IEL and the CEL courses. The IEL class is taught by Professor Tom Ankersen from the UFL as well as other practitioners from Latin America. One guest teacher, Christina Cerna sits on the Inter-American Human Rights Commission and receives and reviews complaints based on human rights violations stemming from environmental degradation. The commission exposes the offending country in an annual report and submits the report to the Inter-American Court on Human Rights. Christina's first hand experience with actual cases was invaluable.

The CEL course was taught by UFL Professor, Richard Hamann, along with Shirley Sanchez, Costa Rican attorney from Justice for Nature, among others. Again, having the perspective of Costa Rican attorneys involved in actual civil, criminal and constitutional cases was invaluable in learning the Costa Rican legal system.

Students with strong Spanish speaking skills were also involved in various Conservation Clinics including a project to research the banana plantations' pesticides and herbicides. They worked to inform the local workers, as stakeholders in the health of their environment, how to take action to prevent the poisoning of their waterways and land.

The classes were held at the UCR near San Jose and were comprised of students from the United States as well as students and attorneys from Costa Rica, Panama, Mexico, Puerto Rico, Cuba, Peru, Belize, and Jamaica. Many times the perspectives of the students were just as valuable as the class itself.

While the classes were interesting, my experiences traveling away from the city of San Jose to the natural wonders of Costa Rica were amazing. And there is plenty of opportunity to travel! I visited three different volcanoes, sat in the hot springs at the Tabacon Resort, road on a boat through the seasonal wetlands of Cano Negro near the Nicaraguan border, rafted down the Paquare river (class 4-5 rapids), and participated in a turtle tagging project with the Caribbean Conservation Corporation. During my travels, I saw birds, snakes, lizards, caimans, monkeys, sloths, butterflies, and other crazy insects. These are just a few of the experiences and opportunities that await you in Costa Rica. I look forward to returning to see more.