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Course: Turner Environmental Law Clinic
Level: Second and Third Year Law Students

Each year, the Turner Environmental Law Clinic, staffed by law students with direct supervision by the Clinic's faculty (all of whom are licensed attorneys), provides over 4,000 hours of pro bono legal representation to individuals, community groups, and non-profit organizations that seek to protect and restore the natural environment for the benefit of the public. The key matters occupying our current docket – fighting for clean and sustainable energy; promoting sustainable agriculture and urban farming; and protecting our water, natural resources, and coastal communities – are among the most critical issues facing our state, region, and nation.

While each of these matters quite clearly concerns sustainability, the focus of my class has always been on the underlying environmental law. The Piedmont Project helped me expand that focus. At the outset, we will now discuss environmental law as but one tool in a very large sustainability tool box. We will discuss the strengths and weaknesses of using environmental law to promote sustainability, and we will consider other tools available to our clients, our community, and our government. We will then discuss how the Clinic's work promotes sustainability, and we will explore ways to improve and expand the Clinic's impact.

NOTE: THIS IS NOT THE COMPLETE MANUAL; RATHER THIS IS AN EXCERPT CONTAINING THE ASSIGNMENT ON SUSTAINABILITY

Turner Environmental Law Clinic Student Manual

**Fall 2014
EXCERPT**

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Welcome and Introduction

This Turner Environmental Law Clinic manual is designed to help you navigate through your daily operations at the Clinic. It is one of many resources that can answer questions that may arise during your work here. Please keep a copy handy for your reference.

Turner Environmental Law Clinic Mission

The Turner Environmental Law Clinic provides important *pro bono* legal representation to individuals, community groups, and nonprofit organizations that seek to protect and restore the natural environment for the benefit of the public. Through its work, the Clinic offers students an intense, hands-on introduction to environmental law and trains the next generation of environmental attorneys.

Seeking a Sustainable Future

“Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs.” World Commission on Environment and Development (now, the Brundtland Commission), *Our Common Future* (1987). Such sustainable development requires the consideration of three overlapping, mutually dependent goals (often referred to as the triple bottom line): (1) to live in a way that is *environmentally sustainable*, or viable over the very long-term, (2) to live in a way that is *economically sustainable*, maintaining living standards over the long-term, and (3) to live in a way that is *socially sustainable*, now and in the future.

Environmental laws, together with other laws and regulations, help further each of these sustainability goals. For example, some laws expressly protect our environmental resources (e.g. the Clean Air Act and Clean Water Act). Other laws require an increase in more-sustainable activity (e.g. renewable energy portfolio standards, which require an increase in the percentage of electricity produced from renewable energy), create a structure in which a more-sustainable activity can flourish (e.g. USDA’s National Organic Program standards and local urban agriculture zoning ordinances), remove impediments to sustainability (e.g. tax incentives for renewable energy), or require the creation and public disclosure of information (e.g. greenhouse gas emissions) to put pressure on businesses to operate in a more sustainable manner.

The Clinic’s work is focused on promoting sustainability through enforcement of many of these laws. As an initial assignment, please read John C. Dernbach et al., *Sustainability as a Means of Improving Environmental Justice*, 19 J. Envtl. & Sustainability Law 1 (Summer 2012). Then consider the following:

- What is sustainability? What is environmental justice? And how do these concepts relate?
- What is the role of environmental law in encouraging sustainability and environmental justice? Do you agree with the authors' assertion that "environmental law was never intended solely to protect the environment"?
- Does the Clinic's work fighting for renewable energy; promoting urban agriculture, small farms, and farm-to-school programs; increasing public access to information; and protecting our water, natural resources, and coastal communities encourage sustainability? Does the Clinic's work improve environmental justice? What other matters should the Clinic consider taking on to promote sustainability and environmental justice?

[Remainder of manual intentionally deleted.]