

Ocean and Coastal Law

Professors Lizzie Lewis, Caroline Park, Sarah M. Reiter, and Michael Jasny
Summer 2023 – Term 1

First Assignment:

The below can be found in Canvas.

CLASS I: Tuesday, May 30: Coastal Ownership & The Public Trust Doctrine Required Reading:¹

The Tidelands Controversy –

United States v. California, 332 U.S. 19 (1947)

United States v. Texas, 339 U.S. 707 (1950)

United States v. Louisiana, 363 U.S. 1 (1960)

Ten Taxpayer Citizens Grp. v. Cape Wind Assocs., 373 F.3d 183 (1st Cir. 2004)

The Public Trust Doctrine –

Phillips Petroleum Co. v. Mississippi, 484 U.S. 469 (1988)

Ill. Cent. R.R. Co. v. Illinois, 146 U.S. 387 (1892)

People ex rel. Scott v. Chi. Park Dist., 360 N.E.2d 773 (Ill. 1976)

Private Rights Of Littoral Landowners –

Part I of Alyson C. Flournoy, *Beach Law Cleanup: How Sea-Level Rise Has Eroded The Ambulatory Boundaries Legal Framework*, 42 Vermont L. Rev. 89 (2017)

Schultz v. Dania, 156 So.2d 520 (Fl. Dist. App. 1963)

Lummis v. Lilly, 429 N.E.2d 1146 (Mass. 1982)

United States v. Milner, 583 F.3d 1174 (9th Cir. 2009)

¹ Please note that case excerpts for Week 1's required reading will be posted on Canvas. The citations are provided for your information only.

Recommended Reading:

RR *PPL Montana, LLC v. Montana*, 565 U.S. 576 (2012)

RR Mary Turnipseed et al., *The Silver Anniversary of the United States' Exclusive Economic Zone: Twenty-Five Years of Ocean Use and Abuse, and the Possibility of a Blue Water Public Trust Doctrine*, Ecology L.Q. (2009)

RR Robin Kundis Craig, *A Comparative Guide to the Eastern Public Trust Doctrines: Classifications of States, Property Rights, and State Summaries*, 16 Penn. State Env'tl. L. Rev. 1 (2007)

RR Parts II – IV of Donna R. Christie, *Of Beaches, Boundaries and SOBS*, 25 J. Land Use & Env'tl. L. 19 (2009)