

**Faculty of Science -- Department of Environmental Science**

**Introduction to Environmental Law ENVS 3200, Course Syllabus**

**Fall 2023**

**Instructor:** Jamie Simpson      **Email:** [jamie@juniperlaw.ca](mailto:jamie@juniperlaw.ca)

**Teaching Assistant:** TBA

**Lectures:** 5:30 – 8:30 pm Mondays

**Location:** Studley LSC-Common Area #338

**Office:** NA; **Office hours:** By appointment only. Before or after class usually works well.

**Course Description**

Our class explores law as part of the fabric of society, including private and public law, sources of law, the rule of law, the relationship between the courts and government, environmental rights, and the role of Canada's Constitution. We will examine the application of law to environmental issues at the federal, provincial, and municipal levels, including, among others, species-at-risk; ground, air, and water pollution; natural resources; and protected areas. Classes will be part lecture and part class discussion.

CREDIT HOURS: 3; FORMAT: Lecture; LECTURE HOURS PER WEEK: 3

**Course Prerequisites**

Must be a third-year student.

**Course Objectives & Learning Outcomes**

Students will complete the course with an understanding of (a) law as a fundamental part of society, (b) the role of different levels of government in environmental issues, (c) the key elements of the array of legal avenues to address environmental issues, (d) enforcement of and compliance with environmental regulation, and (e) the intersection of environmental law and First Nation issues.

**Suggested Course Materials**

Paul Muldoon et al, *An Introduction to Environmental Law and Policy in Canada, Third Edition*, Emond Montgomery Publications: Toronto, 2020.

**Course Assessment**

<b><u>Component</u></b>	<b><u>Weight (% of final grade)</u></b>	<b><u>Date or Due Date</u></b>
Assignment 1	20	October 16, 8:00pm (brightspace)
Mid-Term Quiz	20	October 23 (during class)
Assignment 2	20	November 27, 8:00pm (brightspace)

Bonus Marks Presentation	+3	Sign up in advance (details provided in class)
Bonus Bonus Marks	+3	up to 6 Environmental News of the Day Reports (give a short review of your news item to the class, then send me a link to the news article; must be a story in Canada; 0.5 marks per review)
		<u>OR</u>
	+6	Published Letter to the Editor on an environmental issue of your choice
Final exam	40	TBA

**Other Course Requirements:** None.

**A list of required readings will be posted to Brightspace.**

**Course Content (Dates of lecture topics and guest speakers are all subject to change)**

September 11: (a) An Introduction to Environmental Law and Environmental Rights: The Romance, the Reality & Some Contaminated Drinking Water; (b) An Unreasonably Brief and Overly Broad Survey of Sources of Law, Branches of Law, Courts, and Government Powers

September 18: For Life and Liberty (and Security of the Person): Canada's Constitution and Charter

September 25: The (Un)Common Law in Environmental Issues

October 2: No class (university closed)

October 9: No class (university closed)

October 16: A Thrilling Review of Administrative Law + Mid-term Review

October 23: Mid-term Exam

October 30: Judicial Review: Courts, Governments and their Delicate Dance

November 6: (a) Judicial Review, continued; (b) Legal Battles and Climate Change

November 13: Fall break

November 20: High Stakes Law: Species at Risk

November 27: Biomass Energy, Driven by Law; & Forestry, Largely Lawless

December 4: (a) Environmental Assessments: Rubber Stamping or Progressive Regulating? (b) Regulatory Law; (c) A Role for Municipalities?



December 5: Guest speaker (subject to date change)

December 6: (a) Intersection of Aboriginal and Environmental Law; (b) Protecting Land; (c) Exam Review

Exam: TBD

**Conversion of numerical grades to Final Letter Grades follows the Dalhousie Common Grade Scale:**

A+ (90-100)    B+ (77-79)    C+ (65-69)    D (50-54)

A (85-89)    B (73-76)    C (60-64)    F (<50)

A- (80-84)    B- (70-72)    C- (55-59)

### **Course Policies**

Assignments submitted late will be penalized 10% per day. The only exception to this policy is if the delay is justified by a doctor's note or another extenuating circumstance beyond the control of the student which is brought to the instructor's attention as soon as possible by the student.

Plagiarism, in addition to being morally reprehensible, will result in a mark of 0 for that assignment. Please note, a sample of written assignments will be audited with plagiarism software.

Recording of class lectures will only be permitted with the consent of the class.

Faculty of Science

# Student Resources and Support

## **University Policies and Programs**

Important Dates in the Academic Year (including add/drop dates):

[http://www.dal.ca/academics/important\\_dates.html](http://www.dal.ca/academics/important_dates.html)

Classroom Recording Protocol:

[https://www.dal.ca/dept/university\\_secretariat/policies/academic/classroom-recording-protocol.html](https://www.dal.ca/dept/university_secretariat/policies/academic/classroom-recording-protocol.html)

Dalhousie Grading Practices Policies:

[https://www.dal.ca/dept/university\\_secretariat/policies/academic/grading-practices-policy.html](https://www.dal.ca/dept/university_secretariat/policies/academic/grading-practices-policy.html)



Grade Appeal Process: [https://www.dal.ca/campus\\_life/academic-support/grades-and-student-records/appealing-a-grade.html](https://www.dal.ca/campus_life/academic-support/grades-and-student-records/appealing-a-grade.html)

Sexualized Violence Policy: [https://www.dal.ca/dept/university\\_secretariat/policies/health-and-safety/sexualized-violence-policy.html](https://www.dal.ca/dept/university_secretariat/policies/health-and-safety/sexualized-violence-policy.html)

Scent-Free Program: <https://www.dal.ca/dept/safety/programs-services/occupational-safety/scent-free.html>

## Learning and Support Resources

General Academic Support – Advising (Halifax): [https://www.dal.ca/campus\\_life/academic-support/advising.html](https://www.dal.ca/campus_life/academic-support/advising.html)

General Academic Support – Advising (Truro): <https://www.dal.ca/about-dal/agricultural-campus/ssc/academic-support/advising.html>

Student Health & Wellness Centre: [https://www.dal.ca/campus\\_life/health-and-wellness.html](https://www.dal.ca/campus_life/health-and-wellness.html)

On Track (helps you transition into university, and supports you through your first year at Dalhousie and beyond): [https://www.dal.ca/campus\\_life/academic-support/On-track.html](https://www.dal.ca/campus_life/academic-support/On-track.html)

Indigenous Student Centre: [https://www.dal.ca/campus\\_life/communities/indigenous.html](https://www.dal.ca/campus_life/communities/indigenous.html)

Indigenous Connection: <https://www.dal.ca/about-dal/indigenous-connection.html>

Elders-in-Residence (The Elders in Residence program provides students with access to First Nations elders for guidance, counsel, and support. Visit the office in the Indigenous Student Centre or contact the program at [elders@dal.ca](mailto:elders@dal.ca) or 902-494-6803:

<https://cdn.dal.ca/content/dam/dalhousie/pdf/academics/UG/indigenous-studies/Elder-Protocol-July2018.pdf>

Black Student Advising Centre: [https://www.dal.ca/campus\\_life/communities/black-student-advising.html](https://www.dal.ca/campus_life/communities/black-student-advising.html)

International Centre: [https://www.dal.ca/campus\\_life/international-centre.html](https://www.dal.ca/campus_life/international-centre.html)

South House Sexual and Gender Resource Centre: <https://southhousehalifax.ca/about/>

LGBTQ2SIA+ Collaborative: <https://www.dal.ca/dept/vpei/edia/education/community-specific-spaces/LGBTQ2SIA-collaborative.html>



Dalhousie Libraries: <http://libraries.dal.ca/>

Copyright Office: <https://libraries.dal.ca/services/copyright-office.html>

Dalhousie Student Advocacy Services: <https://www.dsu.ca/dsas?rq=student%20advocacy>

Dalhousie Ombudsperson: [https://www.dal.ca/campus\\_life/safety-respect/student-rights-and-responsibilities/where-to-get-help/ombudsperson.html](https://www.dal.ca/campus_life/safety-respect/student-rights-and-responsibilities/where-to-get-help/ombudsperson.html)

Human Rights and Equity Services: <https://www.dal.ca/dept/hres.html>

Writing Centre: [https://www.dal.ca/campus\\_life/academic-support/writing-and-study-skills.html](https://www.dal.ca/campus_life/academic-support/writing-and-study-skills.html)

Study Skills/Tutoring: [http://www.dal.ca/campus\\_life/academic-support/study-skills-and-tutoring.html](http://www.dal.ca/campus_life/academic-support/study-skills-and-tutoring.html)

Faculty of Science Advising Support: <https://www.dal.ca/faculty/science/current-students/undergrad-students/degree-planning.html>

## **Safety**

Biosafety: <http://www.dal.ca/dept/safety/programs-services/biosafety.html>

Chemical Safety: <https://www.dal.ca/dept/safety/programs-services/chemical-safety.html>

Radiation Safety: <http://www.dal.ca/dept/safety/programs-services/radiation-safety.html>

Laser Safety: <https://www.dal.ca/dept/safety/programs-services/radiation-safety/laser-safety.html>

## **University Policies and Statements**

### **Recognition of Mi'kmaq Territory**

Dalhousie University would like to acknowledge that the University is on Traditional Mi'kmaq Territory. The Elders in Residence program provides students with access to First Nations elders for guidance, counsel, and support. Visit or e-mail the Indigenous Student Centre at 1321 Edward St or [elders@dal.ca](mailto:elders@dal.ca). Additional information regarding the Indigenous Student Centre can be found at: [https://www.dal.ca/campus\\_life/communities/indigenous.html](https://www.dal.ca/campus_life/communities/indigenous.html)

## **Internationalization**

At Dalhousie, ‘thinking and acting globally’ enhances the quality and impact of education, supporting learning that is “interdisciplinary, cross-cultural, global in reach, and orientated toward solving problems that extend across national borders.” Additional internationalization information can be found at: <https://www.dal.ca/about-dal/internationalization.html>

## **Academic Integrity**

At Dalhousie University, we are guided in all our work by the values of academic integrity: honesty, trust, fairness, responsibility, and respect. As a student, you are required to demonstrate these values in all the work you do. The University provides policies and procedures that every member of the university community is required to follow to ensure academic integrity. Additional academic integrity information can be found at: [https://www.dal.ca/dept/university\\_secretariat/academic-integrity.html](https://www.dal.ca/dept/university_secretariat/academic-integrity.html)

## **Accessibility**

The Student Accessibility Centre is Dalhousie's centre of expertise for matters related to student accessibility and accommodation. If there are aspects of the design, instruction, and/or experiences within this course (online or in-person) that result in barriers to your inclusion, please contact the Student Accessibility Centre ([https://www.dal.ca/campus\\_life/academic-support/accessibility.html](https://www.dal.ca/campus_life/academic-support/accessibility.html)) for all courses offered by Dalhousie with the exception of Truro. For courses offered by the Faculty of Agriculture, please contact the Student Success Centre in Truro (<https://www.dal.ca/about-dal/agricultural-campus/student-success-centre.html>)

## **Conduct in the Classroom – Culture of Respect**

Substantial and constructive dialogue on challenging issues is an important part of academic inquiry and exchange. It requires willingness to listen and tolerance of opposing points of view. Consideration of individual differences and alternative viewpoints is required of all class members, towards each other, towards instructors, and towards guest speakers. While expressions of differing perspectives are welcome and encouraged, the words and language used should remain within acceptable bounds of civility and respect.

## **Diversity and Inclusion – Culture of Respect**

Every person at Dalhousie has a right to be respected and safe. We believe inclusiveness is fundamental to education. We stand for equality. Dalhousie is strengthened in our diversity. We are a respectful and inclusive community. We are committed to being a place where everyone feels welcome and supported, which is why our Strategic Direction prioritizes fostering a culture of diversity and inclusiveness (Strategic Priority 5.2). Additional diversity and inclusion information can be found at: <http://www.dal.ca/cultureofrespect.html>

## **Student Code of Conduct**

Everyone at Dalhousie is expected to treat others with dignity and respect. The Code of Student Conduct allows Dalhousie to take disciplinary action if students don't follow this community expectation. When appropriate, violations of the code can be resolved in a reasonable and informal manner - perhaps through a restorative justice process. If an informal resolution can't be reached, or would be inappropriate, procedures exist for formal dispute resolution. The full Code of Student Conduct can be found at:

[https://www.dal.ca/dept/university\\_secretariat/policies/student-life/code-of-student-conduct.html](https://www.dal.ca/dept/university_secretariat/policies/student-life/code-of-student-conduct.html)

## **Fair Dealing Policy**

The Dalhousie University Fair Dealing Policy provides guidance for the limited use of copyright protected material without the risk of infringement and without having to seek the permission of copyright owners. It is intended to provide a balance between the rights of creators and the rights of users at Dalhousie. Additional information regarding the Fair Dealing Policy can be found at: [https://www.dal.ca/dept/university\\_secretariat/policies/academic/fair-dealing-policy-.html](https://www.dal.ca/dept/university_secretariat/policies/academic/fair-dealing-policy-.html)

## **Originality Checking Software**

The course instructor may use Dalhousie's approved originality checking software and Google to check the originality of any work submitted for credit, in accordance with the Student Submission of Assignments and Use of Originality Checking Software Policy. Students are free, without penalty of grade, to choose an alternative method of attesting to the authenticity of

their work and must inform the instructor no later than the last day to add/drop classes of their intent to choose an alternate method. Additional information regarding Originality Checking Software can be found at:

[https://www.dal.ca/dept/university\\_secretariat/policies/academic/student-submission-of-assignments-and-use-of-originality-checking-software-policy-.html](https://www.dal.ca/dept/university_secretariat/policies/academic/student-submission-of-assignments-and-use-of-originality-checking-software-policy-.html)

### **Student Use of Course Materials**

Course materials are designed for use as part of this course at Dalhousie University and are the property of the instructor unless otherwise stated. Third party copyrighted materials (such as books, journal articles, music, videos, etc.) have either been licensed for use in this course or fall under an exception or limitation in Canadian Copyright law. Copying this course material for distribution (e.g. uploading to a commercial third-party website) may lead to a violation of Copyright law.