

Faculty of Science -- Department of Environmental Science

Introduction to Environmental Law ENVS 3200, Course Syllabus

Winter 2024

Instructor: Jamie Simpson **Email:** 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

<u>Component</u>	<u>Weight (% of final grade)</u>	<u>Date or Due Date</u>
Assignment 1	20	February 13, 8:00pm (brightspace)
Mid-Term Quiz	20	February 5 (during class)
Assignment 2	20	March 26, 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)

January 8: (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

January 15: For Life and Liberty (and Security of the Person): Canada's Constitution and Charter

January 22: The (Un)Common Law in Environmental Issues

January 29: A Thrilling Review of Administrative Law + Mid-term Review

February 5: Mid- term Exam

February 12: Judicial Review: Courts, Governments and their Delicate Dance

February 19: No class (spring break)

February 26: (a) Judicial Review, continued; (b) Legal Battles and Climate Change

March 4: (a) High Stakes Law: Species at Risk; (b) Hanging the Laundry: Greenwashing Cases

March 11: Biomass Energy, Driven by Law; & Forestry, Largely Lawless

March 18: (a) Environmental Assessments: Rubber Stamping or Progressive Regulating? (b) Regulatory Law; (c) A Role for Municipalities?

March 25: Guest speaker (subject to date change)



April 1 (last class): (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

Classroom Recording Protocol:

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



Grade Appeal Process: 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

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

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

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

Indigenous Student Centre: 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 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

International Centre: 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

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

Study Skills/Tutoring: 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. Additional information regarding the Indigenous Student Centre can be found at: 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

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) 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

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

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

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.