Faculty of Science Course Syllabus
Environmental Science
ENVS 3200: Introduction to Environmental Law
Fall 2016

Instructor: Peter Mushkat  pwm@dal.ca  902.430.6097  LSC 821
Lectures: 10:05 – 11:25am  LSC C33

Course Description
This course will take a look at how environmental law operates in Nova Scotia and illustrate some of the multi-disciplinary aspects that make this area of law part science, part art and part soothsaying. It will also touch briefly on the international aspect of environmental law for the environment does not recognize national boundaries.

Course Prerequisites
Must be a third year student.

Course Objectives/Learning Outcomes
Upon completing this course, students will:

• be aware that all power comes from the Crown which delegates authority to act to others under the constitution (2015 is the 800th anniversary of the Magna Carta).
• understand the different areas of law that regulate human interactions with the environment under the Canadian legal system as defined in the Constitution Acts;
• know the sources of laws in Canada – public (legislation governing the individual’s relations with society) and private (judicial decisions defining the nature of legal relations between or among legal persons);
• understand the role of the different actors (regulators; enforcement and the courts) in upholding the “rule of law” and when each is relevant;
• appreciate the nature of International Law pertaining to the environment and what effect that has within Canada; and
• know that law is not the answer but, rather, a mechanism for dealing with problems and as such is a responsive instrument.

Skills acquired or enhanced
Reading/understanding complex content; analytical thinking; relating theoretical constructs to real events; problem solving (both individual and as a team in simulation exercises); written and oral communication (reportage, exercises and exam).

Course Materials
Muldoon, Paul, et al.; An Introduction to Environmental Law and Policy in Canada (2ed); Emond; Toronto; 2015-08-24

Mushkat, Peter, editor.; A Guide to Environmental Law for Nova Scotians (4th); available on Brightspace.
Course Assessment
There will be an assignment worth 20% of the final mark; due Monday, October 10, 2016.

Teams of students will be responsible in an in-class simulation exercise. This element will be worth 30% of the final mark; of this 20% will be my assessment of each team’s performance and 10% will be peer evaluation within each team. The exercises will occur during the antepenultimate and the penultimate classes in the schedule below.

A final exam worth 50% will be written online during the exam period as defined by the University.

<table>
<thead>
<tr>
<th>Component</th>
<th>Weight (% of final grade)</th>
<th>Date</th>
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<tbody>
<tr>
<td>Assignment</td>
<td>20</td>
<td>As per the outline below</td>
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<tr>
<td>Simulation Exercise</td>
<td>30</td>
<td>As per the outline below</td>
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<tr>
<td>Final Exam</td>
<td>50</td>
<td>Online (available during the exam period</td>
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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)
Policy on Late Assignments and Extensions

Assignments submitted late without an approved extension or unaccompanied by a doctor’s note will be deducted 20% a day. Extensions are granted liberally but must be requested at least 2 working days (i.e., weekdays not Sat/Sun) prior to the assignment’s original due date. **THERE IS NO EXCEPTION TO THIS RULE!**
Course Outline

Tuesday, Sept 06
    Introduction (Muldoon, C 1)

Thursday, Sept 08
    Context and Challenges (Muldoon, C 3)

Tuesday, Sept 13
    Canadian Legal Framework (Muldoon, C 2)

Thursday, Sept 15
    Canadian Legal Framework (Muldoon, C 2)

Tuesday, Sept 20
    Courts, Tribunals and Dispute Settlement (Muldoon, C 4)

Thursday, Sept 22
    Using Courts to Protect the Environment (Muldoon, C 13; Guide to Environmental Law, C 5)

Tuesday, Sept 27

Thursday, Sept 29

Tuesday, Oct 04
    Court Assignment – no class

Thursday, Oct 06
    Court Assignment – no class

Tuesday, Oct 11
    Basic Structure of Environmental Protection Regimes (Muldoon, C 7)

Thursday, Oct 13
    Environmental Protection: Command and Control (Muldoon, C 8)

Tuesday, Oct 18
    Environmental Protection at the Provincial Level (NS Environment Act; Guide to Environmental Law C 3)

Thursday, Oct 20
    Environmental Protection at the Provincial Level (NS Environment Act)

Tuesday, Oct 25
    Environmental Protection at the Federal Level (Canadian Environmental Protection Act; Guide to Environmental Law C 2)

Thursday, Oct 27
    Environmental Protection at the Federal Level (Canadian Environmental Protection Act)

Tuesday, Nov 01
    Environmental Protection at the Municipal Level (reading TBA)
Thursday, Nov 03
Aboriginal and Environmental Law (Muldoon, C 5)

Tuesday, Nov 08 & 10
STUDY BREAK – no class

Tuesday, Nov 15
Environmental Assessment (Muldoon C 10; Canadian Environmental Assessment Act)

Thursday, Nov 17
Environmental Assessment (Muldoon C 10; Canadian Environmental Assessment Act)

Tuesday, Nov 22
Achieving Compliance (Muldoon C 12: Corporations and Economics; Keno Hill Mines)

Thursday, Nov 24
Achieving Compliance (Muldoon C 14: Administrative Decision-Making)

Tuesday, Nov 29
Simulation Exercise

Thursday, Dec 01
Simulation Exercise

Tuesday, Dec 06
The Future of Environmental Law and Wrap-up (Reading TBA)
ACCOMMODATION POLICY FOR STUDENTS

Students may request accommodation as a result of barriers related to disability, religious obligation, or any characteristic protected under Canadian Human Rights legislation. The full text of Dalhousie’s Student Accommodation Policy can be accessed here: http://www.dal.ca/dept/university_secretariat/policies/academic/student-accommodation-policy-wef-sep--1--2014.html

Students who require accommodation for classroom participation or the writing of tests and exams should make their request to the Advising and Access Services Centre (AASC) prior to or at the outset of the regular academic year. More information and the Request for Accommodation form are available at www.dal.ca/access.

ACADEMIC INTEGRITY

Academic integrity, with its embodied values, is seen as a foundation of Dalhousie University. It is the responsibility of all students to be familiar with behaviours and practices associated with academic integrity. Instructors are required to forward any suspected cases of plagiarism or other forms of academic cheating to the Academic Integrity Officer for their Faculty.

The Academic Integrity website (http://academicintegrity.dal.ca) provides students and faculty with information on plagiarism and other forms of academic dishonesty, and has resources to help students succeed honestly. The full text of Dalhousie’s Policy on Intellectual Honesty and Faculty Discipline Procedures is available here:
http://www.dal.ca/dept/university_secretariat/academic-integrity/academic-policies.html

STUDENT CODE OF CONDUCT

Dalhousie University has a student code of conduct, and it is expected that students will adhere to the code during their participation in lectures and other activities associated with this course. In general:

“The University treats students as adults free to organize their own personal lives, behaviour and associations subject only to the law, and to University regulations that are necessary to protect

- the integrity and proper functioning of the academic and non–academic programs and activities of the University or its faculties, schools or departments;
- the peaceful and safe enjoyment of University facilities by other members of the University and the public;
- the freedom of members of the University to participate reasonably in the programs of the University and in activities on the University’s premises;
- the property of the University or its members.”

The full text of the code can be found here:
SERVICES AVAILABLE TO STUDENTS

The following campus services are available to help students develop skills in library research, scientific writing, and effective study habits. The services are available to all Dalhousie students and, unless noted otherwise, are **free**.

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<thead>
<tr>
<th>Service</th>
<th>Support Provided</th>
<th>Location</th>
<th>Contact</th>
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<tr>
<td><strong>General Academic Advising</strong></td>
<td>Help with understanding degree requirements and academic regulations</td>
<td>Killam Library Ground floor</td>
<td>In person: Killam Library Rm G28</td>
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<td>- choosing your major</td>
<td>Bissett Centre for Academic</td>
<td>By appointment:</td>
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<td>- achieving your educational or career goals</td>
<td>Success</td>
<td>- e-mail: <a href="mailto:advising@dai.ca">advising@dai.ca</a></td>
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<td>- dealing with academic or other difficulties</td>
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<td>- Phone: (902) 494-3077</td>
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<td><strong>Dalhousie Libraries</strong></td>
<td>Help to find books and articles for assignments</td>
<td>Killam Library Ground floor</td>
<td>- Book online through MyDal</td>
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<td>Help with citing sources in the text of your paper and preparation of bibliography</td>
<td>Librarian offices</td>
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<td><strong>Studying for Success</strong> (SFS)</td>
<td>Help to develop essential study skills through small group workshops or one-on-one coaching sessions</td>
<td>Killam Library 3rd floor</td>
<td>To make an appointment:</td>
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<td>Match to a tutor for help in course-specific content (for a reasonable fee)</td>
<td>Coordinator Rm 3104</td>
<td>- Visit main office (Killam Library main floor, Rm G28)</td>
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<td>Study Coaches Rm 3103</td>
<td>- Call (902) 494-3077</td>
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<td>- email Coordinator at: <a href="mailto:sfs@dal.ca">sfs@dal.ca</a> or</td>
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<td>- Simply drop in to see us during posted office hours</td>
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<td><strong>All information can be found on our website:</strong></td>
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<td><a href="http://www.dal.ca/sfs">www.dal.ca/sfs</a></td>
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<td><strong>Writing Centre</strong></td>
<td>Meet with coach/tutor to discuss writing assignments (e.g., lab report, research paper, thesis, poster)</td>
<td>Killam Library Ground floor</td>
<td>To make an appointment:</td>
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<td></td>
<td>- Learn to integrate source material into your own work appropriately</td>
<td>Learning Commons &amp; Rm G25</td>
<td>- Visit the Centre (Rm G25) and book an appointment</td>
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<td>- Learn about disciplinary writing from a peer or staff member in your field</td>
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<td>- Call (902) 494-1963</td>
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<td>- email <a href="mailto:writingcentre@dal.ca">writingcentre@dal.ca</a></td>
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<td>- Book online through MyDal</td>
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**ESS Subject Specialist (Library Resources)**

Students in the ESS program with questions or concerns related to information retrieval or management can contact Michelle Paon in the Killam Library (494-5198 or 494-3621 / mpaon@dal.ca).
Citation Style
Environmental Science has adopted *Communicating in Geography and Environmental Sciences* as the authoritative guide to writing style; citation and other modes of presentation. It is available at the Killam Library (G 70 H39 2011) and in the Bookstore. It is the assigned text for ENVS 2001.