

**Course Outline**

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Course:       Laws 3800 A - Law of Environmental Quality

Term:         Fall/Winter 2012/2013

Class:        Day & Time: Wednesday 6:00-9:00 PM  
Room: Please check with Carleton Central for current room location.

Instructor:   Mr Stephen Waxman, BA.LLB  
                  of the Bar of Ontario

Officers Hours:   As a part-time professor, I will be available by telephone or e-mail to discuss your paper topics or any other matters related to the course. I will also be available after each class, and can arrange individual on-campus interviews in Room d 482 Loeb on an as-needed basis.

Telephone:   613-286-2788  
Email:        s.waxman59@hotmail.com

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The Paul Menton Centre for Students with Disabilities (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or [pmc@carleton.ca](mailto:pmc@carleton.ca) for a formal evaluation. If you are already registered with the PMC, contact your PMC coordinator to send me your Letter of Accommodation at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (if applicable). After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (if applicable). For Religious and Pregnancy accommodations, please contact Equity Services, x. 5622 or their website: [www.carleton.ca/equity](http://www.carleton.ca/equity)

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The main purpose of the course is to enhance the students knowledge of the dynamics involved in the development and implementation of environmental law. The course will explore criminal and regulatory approaches, constitutional law, private law, environmental rights, international law and market-bases voluntary approaches. There will be an in depth study of planning (environmental assessment) as well as the interrelationship between environment and health.

The course will also explore the wide number of non-legal factors that can and do affect the achievement of environmental protection objectives through law including political technical obstacles.

**MARKING SCHEME**

- 1. Research Paper**                      **50% of Total Mark**  
Length 12 to 15 pages  
**Due: Wednesday, November 14, 2012**
  
- 2. Final Examination**                      **50% of Total Mark**  
(Closed book- 2 hrs.)

**REQUIRED TEXT**

Environmental Law, Jamie Benidickson.  
Available in Carleton Bookstore

**CLASS SCHEDULE**

September 12	Chapter1.Introduction: Course objectives, marking, exams, basic concepts The Role Government in Environmental Law
September 19	Chapter 2.Constitutional Allocation of Environmental Responsibilities
September 26	Chapter 6 Environmental Regulations and Approvals
October 3	Chapter7.Administrative Compliance Mechanisms
October 10	Chapter8.Offences, Prosecutions and Penalties
October 17	Chapters13and9.Corporate Environmental Obligations .Directors and Officers Liability. Liability for Environmental Harm
October 24	Chapter12.Environmental Assessment
October 31	Chapter11&13.Toxic Substances and Remediation and Restoration of Contaminated Lands
November 7	Chapters10&15.Environmental Law and the Citizen
November 14	Chapters16 and 18.Consultation and Reporting
November 21	Chapters 14&17.Endangered Species and Economic Instruments
November 28	Chapters19&4. Climate Change and International Context.
November 28	Conclusions and Exam Review

**Essay / Research Paper (50% of Final Mark)**

Students will write an essay on a topic agreed upon by the instructor. The instructor will discuss in class a range of possible essay topics. The paper, worth 50% of the final mark, will be between 2500 and 3000 words. (10-12 double spaced typed pages). Maximum length is 3500 words or approximately 15 double spaced typed pages. The paper must be handed to your instructor at the end of class Monday, November 17, 2011. Penalty: The marking of the assignments will be in letter grades. Late assignments will be penalized at the rate of ½ full letter grade per day (e.g. original mark B: one day late B-, two days late C etc.). The paper should include a cover sheet, which should include the title of your paper, your name and student number. Please ensure that your paper is securely fastened. Do not use paper clip. Do not use plastic or other covers. Quality of expression is essential. Care must be taken to ensure proper spelling, grammar and style, as each will be taken into account in assigning a mark. Use headings for each section of your paper. Include a table of contents, with page numbers, for each section of your paper. The title should accurately reflect the subject matter of your paper. The introduction should include a position statement which is then explored in the paper. The introduction should define your topic and indicate the problem to be addressed. The body of the paper should include analysis, and demonstrate that you have done research and reading including course materials and other publications. Possible reform options should be explored. A conclusion which concisely and cogently summarizes your discussion is invaluable. Proper footnoting and bibliography are required. You may use any commonly accepted style.

Note that there are Instructional Offences: Assignments must be original. It is an instructional offence for any student to copy the work of another student or to submit work that is not his or her own. In relying on the ideas of others, it is important to acknowledge that you are doing so. This does not apply merely when you are paraphrasing or quoting the work of an author, but also when you are using your own words to describe the ideas of others. The onus is on each student to retain a copy of her or his assignment until the graded assignment is returned. This will avoid the risk of an assignment being lost.

**Final Examination (50 of Final Mark) - Closed Book**

Students will be tested on their knowledge and understanding of the Law Environmental Quality, as set out above. The final examination is based on understanding of both assigned readings and lecture discussions.