

Course Outline

COURSE:	LAWS 3800A – Law of Environmental Quality
TERM:	Fall 2013
PREREQUISITES:	LAWS 1.0 credit from LAWS 2003 [no longer offered]; LAWS 2004 [no longer offered]; LAWS 2005 [no longer offered]; LAWS 2201, LAWS 2202, LAWS 2301, LAWS 2302, LAWS 2501, LAWS 2502
CLASS:	Day & Time: Wednesday 6:00-9:00 PM Room: Please check with Carleton Central for current room location
INSTRUCTOR: (CONTRACT)	Mr. Stephen Waxman, BA. LLB Of the Bar of Ontario
CONTACT:	Office: B442 LA Office Hrs: 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 B442 Loeb Building on an as-need basis. Telephone: 613-286-2788 Email: Stephen.h.waxman@gmail.com

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

Pregnancy obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

Religious obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

Academic Accommodations for Students with Disabilities: 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 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*) at <http://www2.carleton.ca/pmc/new-and-current-students/dates-and-deadlines/>

You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at <http://www2.carleton.ca/equity/>

COURSE DESCRIPTION

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.

REQUIRED TEXTS

Environmental Law, Jamie Benidickson.
Available in Carleton Bookstore

MARKING SCHEME

(All components must be completed in order to get a passing grade)

- 1. Research Paper 50% of Total Mark**
Length 12 to 15 pages
Due: Wednesday, November 20, 2013

- 2. Final Examination 50% of Total Mark**
(Closed book- 2 hrs.)

CLASS SCHEDULE

September 11	Chapter1.Introduction: Course objectives, marking, exams, basic concepts The Role Government in Environmental Law
September 18	Chapter 2.Constitutional Allocation of Environmental Responsibilities
September 25	Chapter 6 Environmental Regulations and Approvals
October 2	Chapter7.Administrative Compliance Mechanisms
October 9	Chapter8.Offences, Prosecutions and Penalties
October 16	Chapters13and9.Corporate Environmental Obligations .Directors and Officers Liability. Liability for Environmental Harm
October 23	Chapter12.Environmental Assessment

November 06	Chapter11&13.Toxic Substances and Remediation and Restoration of Contaminated Lands
November 6	Chapters10&15.Environmental Law and the Citizen
November 13	Chapters16 and 18.Consultation and Reporting
November 20	Chapters 14&17.Endangered Species and Economic Instruments
November 27	Chapters19&4. Climate Change and International Context.
December 4	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.