

Course Outline

COURSE: LAWS 3800A - Law of Environmental Quality

TERM: Fall 2017

PREREQUISITES: 1.0 credit from Laws 2201, 2202, 2301, 2302, 2501, 2502

CLASS: **Day & Time:** Thursdays, 8:30 a.m. – 11:30 a.m.
Room: Please check with Carleton Central for current room location

INSTRUCTOR: Stephen Waxman, BA (Hon), LLB
(CONTRACT)

CONTACT: **Office:** B442 LA (Loeb Building)
Office Hrs: By appointment only
Telephone: 613-286-2788
Email: stephen.h.waxman@gmail.com

Academic Accommodations:

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://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://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*). **Requests made within two weeks will be reviewed on a case-by-case basis.** After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website (www.carleton.ca/pmc) for the deadline to request accommodations for the formally-scheduled exam (*if applicable*).

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

Plagiarism

Plagiarism is presenting, whether intentional or not, the ideas, expression of ideas or work of others as one's own. Plagiarism includes reproducing or paraphrasing portions of someone else's published or unpublished material, regardless of the source, and presenting these as one's own without proper citation or reference to the original

source. Examples of sources from which the ideas, expressions of ideas or works of others may be drawn from include but are not limited to: books, articles, papers, literary compositions and phrases, performance compositions, chemical compounds, art works, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, and material on the Internet. Plagiarism is a serious offence.

More information on the University's **Academic Integrity Policy** can be found at:
<http://carleton.ca/studentaffairs/academic-integrity/>

Student Services: The Centre for Student Academic Support (CSAS) is a centralized collection of learning support services designed to help students achieve their goals and improve their learning both inside and outside the classroom. CSAS offers academic assistance with course content, academic writing and skills development. Visit CSAS on the 4th floor of MacOdrum Library or online at carleton.ca/csas

Department Policy

The Department of Law and Legal Studies operates in association with certain policies and procedures. Please review these documents to ensure that your practices meet our Department's expectations.

<http://carleton.ca/law/current-students/>

COURSE DESCRIPTION

The purpose of the course is to review and 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 and voluntary approaches. The course will also explore the interrelationship between the environment and human health issues as well the wide variety of non-legal factors that can and do affect the development of the law.

REQUIRED TEXTS

Environmental Law, Jamie Benidickson (available in the Carleton Bookstore)

EVALUATION

Standing in a course is determined by the course instructor subject to the approval of the Department and of the Faculty Dean. This means that grades submitted by the instructor may be subject to revision. No grades are final until they have been approved by the Department and the Dean.

1. Essay (45% - DUE DECEMBER 8th, 2017)

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 marking of the assignments will be in letter grades. Late assignments will be penalized at the rate of $\frac{1}{2}$ 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.

2. Presentation (25%)

Each student is responsible for making a presentation of 30 minutes before the class based on the subject matter of the essay. The presentation will outline the main issues raised in the paper and the student must be prepared to address any questions posed as a result of the exercise.

3. Final Examination (30%)

This examination will 2 hours in length and will be closed book. It will examine material from the textbook and from class lectures and will take place during the regular examination period (December 10th-22nd, 2016).

SCHEDULE

Class 1: Introduction, marking, course structure
Class 2: Constitutional Allocation of Environmental Authorities
Class 3: Civil Liability for Environmental Harm
Class 4: Regulations and Approvals
Class 5: Administrative Compliance Mechanisms
Class 6: Offences, Prosecution and Penalties
Class 7: Corporate Obligations and Directors Liability
Class 8: Environmental Assessment

Class 9: Environmental Valuation

Class 10: Toxic Substances

Class 11: Endangered Spaces and Species

Class 12: Environmental Law and the Citizen

Class 13: Climate Change

****PLEASE NOTE: Fall Break is October 23–27th, 2017 (no classes)**