

Environmental Law: EESD13H3

Fall Term 2023

Pre-recorded Lectures/Live seminar/webinar, Thursday 7:00 – 9:00 (less asynchronous prep)

Course Instructor: Graham Rempe

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Your primary contact for assignment work should be Ichha Kohli, our course TA

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Office hours will be held by prior written appointment via Zoom meeting.

Course description

Law, policy, and ethics are key in understanding how we respect, manage, and share our environment. This course will introduce students to basic principles of environmental law. What is it? How did it evolve? Does it deal fairly with resource preservation, use and allocation? Can it deal with complex emerging problems such as climate change, species at risk, accumulation of toxics, and urban sprawl?

We will review the state of the environmental law, with an emphasis on topical issues in Toronto, Ontario, and Canada. Throughout the course, students will be asked to consider the ethical foundations for environmental laws, and their capability of addressing today's challenges.

We will also consider how to present information in a formal setting. Students will be required to research and prepare a presentation on a current issue in environmental law. This work will be done individually, and as a group, using the tools available on Quercus.

All students will be expected to have a secure internet connection and a familiarity with Quercus and Zoom.

Webinars will be recorded and posted on Quercus (subject to any applicable technical limitations); however, I expect you to attend.

Course materials are not to be reproduced or distributed without my express written consent.

Learning Objectives

- 1. Develop a basic understanding of environmental law**
- 2. Learn how the ethical principles of modern environmental law apply to current problems**
- 3. Improve the ability to prepare, present and defend environmental evidence**

Assessment

See the “Syllabus and Rubrics” Module on Quercus for detailed rubrics. These are summarized below.

1) Environmental Assignment (45%)

This assignment builds over the semester (3 parts). Students will select a topic from the list offered (see Appendix 2). or propose their own topic. **All topics must be approved in writing by me and finalized by Sep 14. If you do not choose a topic from the list, you will be randomly assigned to one on that date.**

Part 1: An individual Outline (Title/Brief Overview/Participation Outline/Brief Bibliography) worth **5% (part of the participation mark) which** must be filed on Quercus by October 19 or 26 (depending on the presentation date). (Max 200 words excluding bibliography)

Part 2: A group Presentation worth **20%** will be scheduled for week 9, 10 or 11 (November 9, 16 or 23). All presentations must be scheduled by October 19. In-class time will be made available to discuss group assignment strategy and related issues. A summary of the group presentation must be filed on Quercus at least 24 hours ahead of the presentation.

Part 3: An individual Paper worth **25%** - must be filed on Quercus by November 23 (Max 1200 words exclusive of bibliography). You will also have to post a brief Participation Summary as part of the 5% participation mark, and to show how you contributed to the group effort.

2) Quizzes(40%)

There will be five short quizzes worth a total of 40%. They will be based on the Module materials

- Quiz 1 – Week 2 (Sep 14)
- Quiz 2 – Week 4 (Sep 28)
- Quiz 3 – Week 6 (Oct 19)
- Quiz 4 – Week 8 (Nov 2)
- Quiz 5 – Week 10 (Nov 16)

Quizzes will be available on Quercus, after the lecture and will remain available until the end of the following day. You will have a fixed amount of time to complete the tests once you have started them (usually one hour). Questions will be, true/false, multiple choice, short essay answer etc. Class time will be available for prep or review questions if any. Old practice quiz examples are available on Quercus. Students will be required to acknowledge their academic integrity obligations in writing for each quiz (e.g no chat rooms during testing).

3) Participation (15%)

There will be a 15% mark. This mark is based on your Part 1 outline as completed by your Part 3 Participation Summary (together counting for 5%) and your weekly participation in discussion items (10%).

4) Final Exam

There will be no final exam.

Learning Activities

Asynchronous Lecture Modules

Online – at your own pace, but before the weekly webinar

Twelve lecture modules will be pre-recorded and loaded on Quercus through the term. Each module will contain several lecturettes, for which you are responsible. Modules will be reviewed and discussed in the webinar.

Students will have access to module materials at least four days in advance of the webinar. These lecture modules will remain available all term.

Lecture modules will include **discussion items**. These will be closed for comment after the applicable webinar. These discussion items provide feedback on the Modules and will be considered in the participation mark.

Synchronous “LIVE” Webinars

Twelve live webinars will be held using Zoom during the assigned Thursday evening class time slot. These will start at 7 p.m. and will run until 9 p.m. EST (at the latest), depending on scheduled activities. Usually, the webinar will be shorter to reflect time spent on asynchronous content in prep for the webinar.

The details of the weekly webinar schedule are set out in Appendix 1.

Course Materials

You are responsible for:

- **all of the online lecture contents, and materials posted on Quercus as well as any materials presented during the webinars by guest lecturers, other students as part of their assignment etc.**
- **DeMarco, Jerry V. Building a Strong Foundation for Action: A Review of Twelve Fundamental Principles of Environmental and Resource Management Legislation. *Journal of Environmental Law and Practice* 19.1 (Oct 2008): 59-69. Available on the Library Reading List tab on Quercus.**

The course text is:

Muldoon et al *An Introduction to Environmental Law and Policy in Canada (Third Edition)*. Toronto: Emond Montgomery, 2020. It is available at the bookstore in ebook or hard copy form. It is also on reserve in the library and can be accessed through the Library Reading List Tab on Quercus along with other helpful reference texts (see Reference module on Quercus).

Appendix 1 - Weekly Schedule

Week	Date	Topic	Reading	Deadlines
1	S 7	Ethics – How green is my law?	Mod 1 Ch 1	Overview of Assignment topics
2	S 14	Sources and Actions – What is this thing called jurisdiction?	Mod 2 Ch 2	Quiz 1 Assignment topic groups finalized
3	S 21	Constitution and Rights – Are there	Mod 3 Ch 2, 12	Review Q1 Overview on reports and

		environmental rights?		presentations
4	S 28	Legislation – Intro - There oughtta be a law!	Mod 4 Ch 2, 5	Quiz 2 Part 2 group update
5	O 5	Courts and Tribunals – Administering the law: Here comes the judge!	Mod 5 Ch 2, 10-11	Review Q2 Evidence workshop
Rdg Wk	O 12			
6	O 19	international Law – What can we all agree on?	Mod 6 Ch 4	Quiz 3 Asst. Part 1 due (Wk. 9)
7	O 26	Legislation: Standards and Enforcement – How safe is it?	Mod 7 Ch 5-6	Review Q3 Asst. Part 1 due (Wk. 10 and 11)
8	N 2	Legislation: Planning and Assessment – Look before you leap!	Mod 8 Ch 7-8	Quiz 4
9	N 9	Citizen Participation and Indigenous Input – How clear is	Mod 9 Ch 3	Review Q4 Student Presentations

		transparent?		
10	N 16	Harnessing the market – Can we trust them in the era of ESG?	Mod 10 Ch 9	Quiz 5 Student Presentations
11	N 23	Telling the story – Experts, Evidence and Bamboozlement	Mod 11 Workshop	Review Q5 Student Presentations Final paper
12	N 30	Recent Developments	Mod 12 Ch 13	

Appendix 2 – Assignment Topics

1. Small modular reactors. A mini hearing Week 9
2. Regulating the Great Lakes water levels. A mini hearing Week 10
3. Highway 413. A mini hearing Week 11.
4. Ontario Place Development. Possible mini-hearing
5. Climate change a “justiciable” issue. Mathur etc. Debate Week 9
6. PFAS Controversy. What steps? Debate Week 10
7. Plastic toxic? Should it be banned? Debate Week 11
8. Extended producer responsibility. Should we? Are we?
9. Too woke for ESG? ISSB standards?
10. UNCLOS and endangered species
11. CEPA amendments. Right to a healthy environment?

12. Do we still have Paris? UNFCCC, GHGs and SNAFUs
13. “Going for it” in the Ring of Fire. What are the issues?

Appendix 3 - The fine print (other important stuff)

Late penalties

Work that is late without an acceptable excuse will be subject to a penalty of 3% of the value of the assignment per day late.

Absences/Missed Term Work:

All illness leading to an absence or delay must be reported on the ACORN system using the absence declaration form provided. Within three days of an absence, you must provide me with a screen shot of the absence declaration form in question.

Accessibility Needs:

Students with diverse learning styles and needs are welcome in this course. The University of Toronto is committed to accessibility: if you require accommodations for a disability, or have any other accessibility concerns about the course, please contact [Accessibility Services](#) as soon as possible.

Academic Integrity:

Academic integrity is fundamental to learning and scholarship at the University of Toronto. Participating honestly, respectfully, responsibly, and fairly in this academic community ensures that the U of T degree that you earn will be valued as a true indication of your individual academic achievement, and will continue to receive the respect and recognition it deserves.

Further details are available through the link below:

<https://governingcouncil.utoronto.ca/secretariat/policies/code-behaviour-academic-matters-july-1-2019>

If you have any questions about what constitutes appropriate academic behaviour, or appropriate research and citation methods, seek out additional information from our TA, or from other available campus resources like the College Writing Centres: <https://writing.utoronto.ca/writing-centres/utm-and-utsc/>

Use of Ouriginal

Normally, students will be required to submit their course essays to the University's plagiarism detection tool for a review of textual similarity and detection of possible plagiarism. In doing so, students will allow their essays to be included as source documents in the tool's reference database, where they will be used solely for the purpose of detecting plagiarism. The terms that apply to the University's use of this tool are described on the Centre for Teaching Support & Innovation web site (<https://teaching.utoronto.ca/ed-tech/teaching-technology/pdt/>)

Additional Resources for Students

The following are some important links to help you with academic and/or technical service and support

- General student services and resources at [Student Life](#)
- Full library service through [University of Toronto Libraries](#)
- Resources on conducting online research through [University Libraries Research](#)
- Resources on academic support from the [Academic Success Centre](#)
- Learner support at the [Writing Centre](#)
- Information for [Technical Support/Quercus Support](#)

Students are encouraged to review the Calendar for information regarding all services available on campus.