

# Course Syllabus - EESD13H3 - Environmental Law and Ethics

University of Toronto at Scarborough - Physical and Environmental Sciences

## **Environmental Law and Ethics: EESD13H3F**

Fall Term, 2015 (Thursday 7:00-9:00), Classroom MW 140

### **Instructor**

Graham Rempe, BSc, LLB, CS

### **Contact information**

UTSC email address = [graham.rempe@utoronto.ca](mailto:graham.rempe@utoronto.ca). I have been assigned office EV402 in the Environmental Science and Chemistry Building at 1065 Military Trail. I can be available for office hours ahead of class time. Please make an appointment by email. My office phone number is (416) 287 7224.

### **Course description**

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

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

### **Marking Scheme**

In-class quizzes will be held on Sept 17, Oct 8 and November 5. Each one will be worth 20% of your final mark.

Final exam (TBA) 40%.

All exam questions will be multiple choice, true/false, short answers, or any combination of these.

Class participation may be a factor of up to 5% of your final grade, and is at the discretion of the instructor based on attendance and participation in classroom activities.

## **Readings**

The required text is Muldoon et al An Introduction to Environmental Law and Policy in Canada (Second Edition). Toronto: Emond Montgomery, 2015. It is available at the bookstore and at the library- <http://go.utlib.ca/cat/6997649> (print).

Additional reference texts are:

Boyd, Unnatural Law. Rethinking Canadian Environmental Law and Policy. Vancouver: UBC Press, 2003 - <http://go.utlib.ca/cat/4999129> (print), <http://go.utlib.ca/cat/9091509> (ebook)

Benidickson – Essentials of Canadian Law – Environmental Law (3d. ed.) Irwin Law Inc. Toronto, 2009 – available at the library <http://go.utlib.ca/cat/6664646> (print) - <http://go.utlib.ca/cat/8283066> (online)

Estrin et al, Environment on Trial (3d ed.). Toronto: Emond Montgomery, 1993- available at the library <http://go.utlib.ca/cat/3414114>

Additional readings are provided on the reading list available on Blackboard.

## **Course Outline**

### **Lecture 1– September 3**

Introduction. Ways to think about trees. Course outline and overview of environmental ethics, policy and the law.

### **Lecture 2 – September 10**

Evolution, scope and trends in environmental law

**Lecture 3 – September 17**

Sources of law - from Moses to Judge Judy. The Constitution, governments, courts and tribunals. Some challenges.

In-class quiz worth 20%.

**Lecture 4 – September 24**

Structure and function of courts and tribunals.

**Lecture 5 – October 1**

Aboriginal law. International law.

**Lecture 6 – October 8**

Structure of regulatory regimes. Command and control.

In-class quiz worth 20%.

**Lecture 7 – October 22**

Sectoral regulatory regimes.

Tips for writing and presenting evidence.

**Lecture 8 – October 29**

Environmental assessment.

**Lecture 9 – November 5**

Planning regimes. Corporate self-help.

In-class quiz worth 20%.

### **Lecture 10 – November 12**

Using courts and tribunals.

### **Lecture 11 – November 19**

Administrative appeals and environmental rights.

### **Lecture 12 – November 26**

Environmental ethics redux. Course review

### **Final exam TBA (40%)**

### **The Fine Print**

#### ***Absences:***

If you need to miss a term test for any legitimate reason, you must submit appropriate documentation within **three** business days of your absence. If the reason for your absence is medical, an official UTSC medical note must be completed by a doctor who examined you while you were ill/injured (i.e. not after the fact). The medical note can be downloaded

at: [http://www.utsc.utoronto.ca/~registrar/resources/pdf\\_general/UTSCmedicalcertificate.pdf](http://www.utsc.utoronto.ca/~registrar/resources/pdf_general/UTSCmedicalcertificate.pdf). Note that conditions ranked as mild or negligible will not be considered a valid excuse.

#### ***Missed term work:***

If a legitimate reason prevents you from submitting a piece of term work by its posted deadline, you must submit appropriate documentation within **three** business days of your absence. If the reason is medical, an official UTSC medical note must be completed by a doctor who examined you while you were ill/injured (i.e. not after the fact). The medical note can be downloaded

at: [http://www.utsc.utoronto.ca/~registrar/resources/pdf\\_general/UTSCmedicalcertificate.pdf](http://www.utsc.utoronto.ca/~registrar/resources/pdf_general/UTSCmedicalcertificate.pdf).

[pdf](#). Note that conditions ranked as mild or negligible will not be considered a valid excuse.

**Academic Misconduct and Academic Dishonesty** will not be tolerated. Students engaging in misconduct or dishonest practices on exams, quizzes, or other assignments will be dealt with according to the guidelines established by the university.

**Plagiarism:** Please consult the University Calendar for a discussion and outline of the policy on plagiarism and academic integrity (also see proceeding section below). The sanctions can be severe. If, after reviewing the University policy, you are uncertain about what constitutes plagiarism, talk to your course instructor.

**Academic Integrity:** Academic integrity is essential to the pursuit of learning and scholarship in university, and to ensuring that a degree from the University of Toronto is a strong signal of each student's individual academic achievement. As a result, the University treats cases of cheating and plagiarism very seriously. The University of Toronto's Code of Behaviour on Academic Matters (<http://www.governingcouncil.utoronto.ca/policies/behaveac.htm>) outlines the behaviours that constitute academic dishonesty and the processes for addressing academic offences. Potential offences include, but are not limited to:

In papers and assignments:

- Using someone else's ideas or words without appropriate acknowledgement.
- Submitting your own work in more than one course without the permission of the instructor.
- Making up sources or facts.
- Obtaining or providing unauthorized assistance on any assignment.

On tests and exams:

- Using or possessing unauthorized aids.
- Looking at someone else's answers during an exam or test.
- Misrepresenting your identity.

In academic work:

- Falsifying institutional documents or grades.
- Falsifying or altering any documentation required by the University, including (but not limited to) doctor's notes.

All suspected cases of academic dishonesty will be investigated following procedures outlined in the Code of Behaviour on Academic Matters. If you have questions or concerns about what

constitutes appropriate academic behaviour or appropriate research and citation methods, you are expected to seek out additional information on academic integrity from your instructor or from other institutional resources (see <http://www.utoronto.ca/academicintegrity/>).

Please consult the University Calendar for information about grade distribution and academic conduct.

**Accessibility:** Students with diverse learning styles and needs are welcome in this course. In particular, if you have a disability/health consideration that may require accommodation, please feel free to approach me and/or the *AccessAbility* Services Office as soon as possible. I will work with you and *AccessAbility* Services to ensure you can achieve your learning goals in this course. Enquiries are confidential. The UTSC *AccessAbility* Services staff (located in S302) are available by appointment to assess specific needs, provide referrals and arrange appropriate accommodations (416) 287-7560 or [ability@utsc.utoronto.ca](mailto:ability@utsc.utoronto.ca).

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