

SAULT COLLEGE OF APPLIED ARTS AND TECHNOLOGY

SAULT STE. MARIE, ONTARIO



**SAULT
COLLEGE**

COURSE OUTLINE

COURSE TITLE: Federal/Provincial Legislation – Environment

CODE NO. : NR150 **SEMESTER:** F

PROGRAM: Natural Resources - Law

AUTHOR: R. L. Stewart

DATE: Sep 2013 **PREVIOUS OUTLINE DATED:** May 2012

APPROVED: Colin Kirkwood **Sep 2013**

Dean **DATE**

TOTAL CREDITS: 3

PREREQUISITE(S): NONE

HOURS/WEEK: 3

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- I. **COURSE DESCRIPTION:** This course leads students through an in-depth review of provincial and federal environmental acts and regulations. Students will learn how to locate, interpret and analyze various provincial and federal acts, regulations and cases, based on current case outcomes and legal precedents.

II. **LEARNING OUTCOMES AND ELEMENTS OF THE PERFORMANCE:**

Upon successful completion of this course, the student will demonstrate the ability to:

1. **Interpret and display a general knowledge of Canadian and Ontario Environmental Control Legislation in context of current environmental issues.**

Potential Elements of the Performance:

Review and understand:

- Federal Provincial Jurisdictional Issues
- Understand significant environmental legal case precedents
- Environmental Penalties
- Directors Orders
- Provincial Officers Orders
- Power of Inspectors
- Power of investigation
- Voluntary abatement and mandatory abatement
- II&E Code of Professionalism Compliance policies PIBS 6248
- Permits (ONMA, EPA, OWRA, PA)
- Training and licensing
- Spill and Spiller response requirements

This learning outcome will constitute approximately 40% of the course's grade

2. **Interpret, display and apply a general knowledge of Canadian and Ontario Environmental Consultation Legislation in context of current environmental issues and explain First Nations' role in the process.**

Potential Elements of the Performance:

Review and understand

- Role of First Nations - The Sparrow case
- What constitutes meaningful consultation?
- Ontario Bill of Rights and the Environmental Registry
- The Ontario EA process: Classes, Full EA
- The Federal EA process
- Combining the EA processes
- Hearings and Tribunals
- The Role of the Environmental Commissioner

This learning outcome will constitute approximately 35% of the course's grade

3. **Display a general knowledge of Canadian and Ontario Environmental Promotional Legislation in context of current environmental issues**

Potential Elements of the Performance:

Describe and Explain

- OWRA (e. g. Water and Sewer Infrastructure funding)
- Powers of the Ministers
- The Role of Municipalities
- Industry Best practices ISO

This learning outcome will constitute approximately 5 % of the course.

4. **Understand and Access Federal and Provincial Environmental Legislation**

Potential Elements of the Performance:

- Understand the importance of terms and definitions in Acts and Regulations
- Understand the interaction and hierarchy of environmental legislation

- Access E-Laws and other sources of legislation
- Develop skill in interpretation of complex legislation, policies and guidelines

This learning outcome will constitute approximately 10 % of the course's grade

5. **Develop presentations and demonstrate delivery skills from case studies: Student demonstrate proficiency by providing a 15 minute presentation /case study on an issue related to one of the major Canadian or Ontario Environmental Acts to their peers.**

Potential Elements of the Performance:

- Understand the importance of presenting and explaining complex environmental law related issues in a manner that clients and the public can understand and act on.
- Examine the public policy decision balancing issues
- Display a sound knowledge of a researched issue
- Handle questions and different points of view on issues

This learning outcome will constitute approximately 10 % of the course's grade

III. TOPICS:

1. Federal and Provincial Environmental jurisprudence. For example the Polluter Pays Principle
2. Review of the processes for development of legislation in the parliaments and legislatures; Laws that prohibit, laws that provide approval and laws that allow funding
3. Role of First Nations: Collaboration, Consultation , or Consent
4. Environmental Public Consultation and Decision processes:
Environmental Assessment CEAA OEAA OEER
5. The municipal role in environmental control as a creature of the province. By laws, sewer use, the Planning Act
- 6, Environmental Protection. CEPA and OEPA and associated

- regulations (3 classes)
7. The Ontario Pesticides Act and regulations and its place in Federal pesticides approvals. Pesticides permits and licenses
 8. Drinking Water in the Wake of Walkerton. OSDWA
 9. Case Studies in Environmental Law Presentations by students (2 classes)
 10. Federal Provincial jurisdiction and the evolution of roles through case law. Federal corporations such as CPR and their governmental environmental oversight.

IV. REQUIRED RESOURCES/ TEXTS/ MATERIALS:

*Note: This course will require substantial student pre-reading for each week's lecture or presentation.

Resources:

- 1) Jamie Benidickson, *Environmental Law* (Toronto: Irwin Law, 2009).
- 2) Course Handouts
- 3) Power Point Presentations –R.L. Stewart and others
- 4) Websites such as:

<http://www.facebook.com/CanadianEnvironmentalLawAssociation>

<http://www.canadianinstitute.com/2011/202/environmental-law--regulation-in-ontario>

<http://www.cela.ca/>

and many others as referenced in the Course Plan NR 150

- 5) Major Canadian and Ontario Environmental Acts
 - Canadian Environmental Protection Act, 1999 (CEPA)
 - Fisheries Act
 - Canadian Environmental Assessment Act (CEAA)
 - Species at Risk Act (SARA)
 - Transportation of Dangerous Goods Act, 1992
 - Hazardous Products Act
 - Pest Control Products Act
 - Environmental Bill of Rights
 - Environmental Protection Act (EPA)
 - Ontario Water Resources Act (OWRA)
 - Environmental Assessment Act (EAA)
 - Pesticides Act
 - Safe Drinking Water Act
 - Nutrient Management Act
 - Green Energy Act
 - Toxics Reduction Act

V. EVALUATION PROCESS/GRADING SYSTEM:

- 4 Quizzes (15% each)
- 1 Presentation (20%)
- 1 Final Exam (20%)

The following semester grades will be assigned to students:

<u>Grade</u>	<u>Definition</u>	<u>Grade Point Equivalent</u>
A+	90 - 100%	4.00
A	80 - 89%	4.00
B	70 - 79%	3.00
C	60 - 69%	2.00
D	50 - 59%	1.00
F (Fail)	49% and below	0.00
CR (Credit)	Credit for diploma requirements has been awarded.	
S	Satisfactory achievement in field /clinical placement or non-graded subject area.	
U	Unsatisfactory achievement in field/clinical placement or non-graded subject area.	
X	A temporary grade limited to situations with extenuating circumstances giving a student additional time to complete the requirements for a course.	
NR	Grade not reported to Registrar's office.	
W	Student has withdrawn from the course without academic penalty.	

VI. SPECIAL NOTES:

Attendance:

Sault College is committed to student success. There is a direct correlation between academic performance and class attendance; therefore, for the benefit of all its constituents, all students are encouraged to attend all of their scheduled learning and evaluation sessions. This implies arriving on time and remaining for the duration of the scheduled session.

VII. COURSE OUTLINE ADDENDUM:



COURSE OUTLINE ADDENDUM

1. Course Outline Amendments:
The professor reserves the right to change the information contained in this course outline depending on the needs of the learner and the availability of resources.
2. Retention of Course Outlines:
It is the responsibility of the student to retain all course outlines for possible future use in acquiring advanced standing at other postsecondary institutions.
3. Prior Learning Assessment:
Students who wish to apply for advance credit transfer (advanced standing) should obtain an Application for Advance Credit from the program coordinator (or the course coordinator regarding a general education transfer request) or academic assistant. Students will be required to provide an unofficial transcript and course outline related to the course in question. Please refer to the Student Academic Calendar of Events for the deadline date by which application must be made for advance standing.

Credit for prior learning will also be given upon successful completion of a challenge exam or portfolio.

Substitute course information is available in the Registrar's office.
4. Accessibility Services:
If you are a student with a disability (e.g. physical limitations, visual impairments, hearing impairments, or learning disabilities), you are encouraged to discuss required accommodations with your professor and/or the Accessibility Services office. Visit Room E1101 or call Extension 2703 so that support services can be arranged for you.
5. Communication:
The College considers ***Desire2Learn (D2L)*** as the primary channel of communication for each course. Regularly checking this software platform is critical as it will keep you directly connected with faculty and current course information. Success in this course may be directly related to your willingness to take advantage of this Learning Management System (LMS) communication tool.

6. Plagiarism:
Students should refer to the definition of “academic dishonesty” in *Student Code of Conduct*. Students who engage in academic dishonesty will receive an automatic failure for that submission and/or such other penalty, up to and including expulsion from the course/program, as may be decided by the professor/dean. In order to protect students from inadvertent plagiarism, to protect the copyright of the material referenced, and to credit the author of the material, it is the policy of the department to employ a documentation format for referencing source material.

7. Tuition Default:
Students who have defaulted on the payment of tuition (tuition has not been paid in full, payments were not deferred or payment plan not honoured) as of the first week of <choose *November, March, or June*> will be removed from placement and clinical activities due to liability issues. This may result in loss of mandatory hours or incomplete course work. Sault College will not be responsible for incomplete hours or outcomes that are not achieved or any other academic requirement not met as of the result of tuition default. Students are encouraged to communicate with Financial Services with regard to the status of their tuition prior to this deadline to ensure that their financial status does not interfere with academic progress.

8. Student Portal:
The Sault College portal allows you to view all your student information in one place. **mysaultcollege** gives you personalized access to online resources seven days a week from your home or school computer. Single log-in access allows you to see your personal and financial information, timetable, grades, records of achievement, unofficial transcript, and outstanding obligations, in addition to announcements, news, academic calendar of events, class cancellations, your learning management system (LMS), and much more. Go to <https://my.saultcollege.ca>.

9. Electronic Devices in the Classroom:
Students who wish to use electronic devices in the classroom will seek permission of the faculty member before proceeding to record instruction. With the exception of issues related to accommodations of disability, the decision to approve or refuse the request is the responsibility of the faculty member. Recorded classroom instruction will be used only for personal use and will not be used for any other purpose. Recorded classroom instruction will be destroyed at the end of the course. To ensure this, the student is required to return all copies of recorded material to the faculty member by the last day of class in the semester. Where the use of an electronic device has been approved, the student agrees that materials recorded are for his/her use only, are not for distribution, and are the sole property of the College.

